



**FINAL  
COMPARISON DOCUMENT**

***Amended Substitute House Bill 66  
126th General Assembly***

**Representative Charles Calvert, Sponsor**

***Main Operating Appropriations Bill***

**As Introduced**

**As Passed by the House**

**As Passed by the Senate**

**As Enacted**

*Items vetoed by Governor Taft are bracketed.*

**Legislative Service Commission**

**September 27, 2005**

## Introduction

The Comparison Document provides brief descriptions and estimates of fiscal effect for the provisions that make up the As Introduced version and subsequent versions of the biennial budget bill, H.B. 66. The document is arranged in alphabetical order by state agency. It also includes two nonagency items for which appropriations are made, Accrued Leave Liability and Revenue Distribution Funds, as well as Local Government, Retirement Systems, Tax Provisions, Tobacco Use Prevention and Control Foundation, and Miscellaneous sections. A Table of Contents follows this Introduction. An Index is located at the end of the document, and gives the page number of each particular item within the sections.

Generally within an agency's section, items that involve Revised Code changes come first, followed by items that involve uncodified (i.e., temporary) law provisions. If an item consists of more than one Revised Code or uncodified section, and some of the sections are auxiliary to the primary provision, the auxiliary sections are listed after the primary section. If an item affects more than one agency, it is described under each of the affected agencies, with an appropriate cross-reference.

Each particular item is also assigned a unique identification number. This number begins with the letters CD (the abbreviation for Comparison Document) and includes the agency's three-letter Central Accounting System code. For example, an item in the Department of Development section might have an identification number CD-510-DEV. A reader who wants to track an item across several versions of the Comparison Document may find the identification number useful.

Items affected by the Governor's vetoes are noted by either the words "Vetoed" or "Partially Vetoed" in the item's subject line. Within the item description, vetoed components are contained within bracketed text. For a complete discussion of vetoed provisions and the statutory changes contained in H.B. 66, please see the Legislative Service Commission's Bill Analysis. The Comparison Document does not include appropriation amounts for the agencies. Please see the Legislative Service Commission's Budget in Detail spreadsheet for that information.

# Table of Contents

| Agency   | Page | Agency  | Page |
|--|------|---|------|
| Accountancy Board of Ohio  | 1    | Criminal Justice Services, Office of            | 185  |
| Accrued Leave Liability  | 2    | Ohio Cultural Facilities Commission             | 188  |
| Adjutant General   | 7    | Dental Board, Ohio State                        | 191  |
| Administrative Services, Department of                               | 10   | Board of Deposit                                | 192  |
| African American Males, Commission on                                | 49   | Development, Department of                      | 193  |
| Joint Committee on Agency Rule Review                                | 50   | Dietetics, Board of                             | 239  |
| Aging, Department of   | 51   | Education, Department of                        | 240  |
| Agriculture, Department of   | 72   | Embalmers and Funeral Directors, State Board of | 365  |
| Air Quality Development Authority                                    | 93   | Employment Relations Board, State               | 367  |
| Alcohol and Drug Addiction Services, Department of                   | 96   | Engineers and Surveyors, State Board of         | 368  |
| Architects, State Board of Examiners of                              | 104  | Environmental Protection Agency                 | 369  |
| Arts Council, Ohio   | 106  | eTech Ohio                                      | 391  |
| Ohio Athletic Commission   | 107  | Office of the Governor                          | 402  |
| Attorney General   | 109  | Health, Department of                           | 403  |
| Auditor of State   | 122  | Higher Educational Facility Commission, Ohio    | 431  |
| Barber Examiners, Board of   | 130  | Historical Society, Ohio                        | 433  |
| Budget and Management, Office of                                     | 132  | House of Representatives                        | 437  |
| Capitol Square Review and Advisory Board                             | 145  | Inspector General                               | 438  |
| Chemical Dependency Professionals Board                              | 148  | Insurance, Department of                        | 439  |
| Chiropractic Board, State  | 149  | Job and Family Services, Department of          | 450  |
| Commerce, Department of  | 150  | Judicial Conference of Ohio                     | 566  |
| Consumers' Counsel, Office of  | 170  | Judiciary / Supreme Court                       | 568  |
| Controlling Board  | 173  | Lake Erie Commission                            | 576  |
| Cosmetology, State Board of  | 180  | Joint Legislative Ethics Committee              | 577  |
| Counselor, Social Worker, and Marriage and Family<br>Therapist Board | 183  | Legislative Service Commission                  | 578  |
|  |      | Library Board, State                            | 581  |

| <b>Agency</b>  | <b>Page</b> | <b>Agency</b>                                 | <b>Page</b> |
|--|-------------|---|-------------|
| Local Government Provisions  | 584         | Respiratory Care Board                        | 877         |
| Lottery Commission, Ohio   | 632         | Retirement Systems                            | 879         |
| Manufactured Homes Commission  | 633         | Revenue Distribution Funds                    | 881         |
| Ohio Medicaid, Department of   | 635         | Sanitarian Registration, State Board of       | 885         |
| State Medical Board  | 638         | School for the Blind, Ohio State              | 888         |
| Ohio Medical Transportation Board                                      | 639         | School for the Deaf, Ohio State               | 891         |
| Mental Health, Department of   | 642         | School Facilities Commission                  | 894         |
| Mental Retardation and Developmental Disabilities,<br>Department of    | 662         | Secretary of State                            | 904         |
| Minority Health, Commission on   | 687         | Senate  | 910         |
| Motor Vehicle Collision Repair Registration, Board of                  | 688         | Sinking Fund, Commissioners of                | 911         |
| Natural Resources, Department of                                       | 690         | Speech-Language Pathology and Audiology       | 912         |
| Nursing, Board of  | 722         | Tax Provisions                                | 914         |
| Occupational Therapy, Physical Therapy, and<br>Athletic Trainers Board | 729         | Taxation, Department of                       | 988         |
| Ohioana Library Association  | 731         | Tobacco Use Prevention and Control Foundation | 1006        |
| Optical Dispensers Board, Ohio   | 732         | Transportation, Department of                 | 1014        |
| Optometry, State Board of  | 733         | Treasurer of State                            | 1023        |
| Orthotics, Prosthetics and Pedorthics                                  | 734         | Ohio Tuition Trust Authority                  | 1027        |
| State Personnel Board of Review  | 735         | Ohio Veterans' Home Agency                    | 1030        |
| Pharmacy, State Board of   | 736         | Veterans' Organizations                       | 1031        |
| Psychology, State Board of   | 739         | Veterinary Medical Licensing Board            | 1033        |
| Public Defender Commission, Ohio                                       | 740         | Bureau of Workers' Compensation               | 1035        |
| Public Safety, Department of   | 751         | Youth Services, Department of                 | 1053        |
| Public Utilities Commission of Ohio                                    | 769         | Miscellaneous Provisions                      | 1064        |
| Public Works Commission  | 775         |   |             |
| Regents, Ohio Board of   | 778         |   |             |
| Rehabilitation and Correction, Department of                           | 855         |   |             |
| Rehabilitation Services Commission                                     | 868         |   |             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1 (CD-424-ACC) Consolidation of Regulatory Boards

Section: 315.03

Sections: 315.03, 203.03

Sections: 315.03, 203.03

Sections: 315.03, 203.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Accountancy Board of Ohio, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Removes the Accountancy Board from the proposal to consolidate certain regulatory boards into the departments of Commerce, Health and Public Safety.

Fiscal effect: Establishes appropriations for FY 2007 at FY 2006 recommended levels. It may be that costs for central services may increase as there would be fewer boards benefiting from cost-pooling for human resources, accounting, and IT support services managed by DAS-Central Services Agency.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**2 (CD-491-PAY) Accrued Leave Liability Fund**

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-666, Accrued Leave Fund, shall be used to make payments from the Accrued Leave Liability Fund (Fund 806) within the Accrued Leave Liability fund group, pursuant to section 125.211 of the Revised Code. If additional funds are necessary for this purpose, the amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**3 (CD-492-PAY) State Employee Disability Leave Benefit Fund**

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-667, Disability Fund, shall be used to make payments from the State Employee Disability Leave Benefit Fund (Fund 807) within the Accrued Leave Liability fund group, pursuant to section 124.83 of the Revised Code. If additional funds are necessary for this purpose, the amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**4 (CD-493-PAY) State Employee Health Benefit Fund**

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-668, State Employee Health Benefit Fund, shall be used to make payments from the State Employee Health Benefit Fund (Fund 808) within the Agency fund group, pursuant to section 124.87 of the Revised Code. If additional funds are necessary for this purpose, the amounts are appropriated. Allows the transfer of up to \$70,000 in cash from the GRF to the fund. The amount of the transfer shall not exceed the amount of cash transferred from the State Employee Health Benefit Fund to the Health Care Spending Account Fund (Fund 813) during FY 2005.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**5 (CD-496-PAY) Dependent Care Spending Account**

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-669, Dependent Care Spending Account, shall be used to make payments from the Dependent Care Spending Account (Fund 809) within the Agency fund group, to employees eligible for dependent care expenses. If additional funds are necessary for this purpose, the amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

6 (CD-497-PAY) Life Insurance Investment Fund

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-670, Life Insurance Investment Fund, shall be used to make payments from the Life Insurance Investment Fund (Fund 810) within the Agency fund group, for the costs and expenses of the state's life insurance benefit program pursuant to section 125.212 of the Revised Code. If additional funds are necessary for this purpose, the amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

7 (CD-498-PAY) Parental Leave Benefit Fund

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-671, Parental Leave Benefit Fund, shall be used to make payments from the Parental Leave Benefit Fund (Fund 811) within the Agency fund group, to employees eligible for parental leave benefits pursuant to section 124.137 of the Revised Code. If additional funds are necessary for this purpose, the amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

8 (CD-500-PAY) Health Care Spending Account

Section: 203.06

Section: 203.06

Section: 203.06

Section: 203.06

Specifies that appropriation item 995-672, Health Care Spending Account Fund, shall be used to make payments from the Health Care Spending Account Fund (Fund 813) within the Agency fund group, used to make payments pursuant to state employees' participation in a flexible spending account for non-reimbursed health care expenses and pursuant to Section 125 of the Internal Revenue Code. If additional funds are necessary for this purpose, the amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

In addition, at the request of the Director of Administrative Services, requires the Director of Budget and Management to transfer up to \$400,000 from the State Employee Health Benefit Fund (Fund 808) to the Health Care Spending Account Fund (Fund 813) during FYs 2006 and 2007 to provide adequate cash flow for the Health Care Spending Account Fund. At the end of each fiscal year, requires the Director of Budget and Management to transfer cash up to the amount previously transferred in the respective year back from the Health Care Spending Account to the State Employee Health Benefit Fund. If the funds are not available in the Health Care Spending Account Fund to repay the State Employee Health Benefit Fund, then the Director of Budget and Management may transfer the

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

funds needed from the GRF.  
 Fiscal effect: Increase in the Health Care Spending Account Fund depending on state employee participation in the health care spending account program. Potential decrease in the State Employee Health Benefit Fund of up to \$400,000 in each fiscal year if funds are needed to provide cash flow for the Health Care Spending Account Fund. However, these amounts would be repaid from the Health Care Spending Account Fund in each year unless there are insufficient funds, in which case, the balance would be repaid from the GRF.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

9 (CD-887-ADJ) National Guard Life Insurance and Death Benefits

R.C. 5919.31, 5919.33

R.C. 5919.31, 5919.33

R.C. 5919.31, 5919.33

No provision.

(1) Creates the National Guard Benefit Fund in the state treasury consisting of transfers of moneys or receipts made in accordance with the law. Moneys in the fund are to be used to fund Ohio National Guard members' life insurance and death benefits.

(2) Requires the Adjutant General to adopt rules, pursuant to Chapter 119. of the Revised Code, to reimburse any active duty Ohio National Guard members who choose to purchase life insurance pursuant to the "Servicemembers' Group Life Insurance Act." Allows the Adjutant General to seek additional appropriations from the Controlling Board when necessary.

(3) Increases the death benefit payable to an Ohio National Guard member's beneficiary from \$20,000 to \$100,000 to be paid from the National Guard Benefit Fund. Extends the death benefit to all active duty members instead of only state active duty members as under current law.

Fiscal effect: Appropriates \$1.0 million in each fiscal year to GRF appropriation item 745-407, National Guard Benefits, to fund National Guard members' life insurance and death benefits. Additional funding, if

(1) Eliminates the House provision that creates the National Guard Benefit Fund, but maintains the provisions that provide life insurance and death benefits to Guard members or their beneficiaries. Also clarifies that only Guard members on active duty pursuant to a federal order or a proclamation of the Governor are eligible for the insurance reimbursement benefit.

(2) Same as the House, but exempts the Adjutant General from section 111.15 or Chapter 119. of the Revised Code requirements in prescribing and enforcing regulations for the reimbursements.

(3) Same as the House, except the elimination of the proposed National Guard Benefit Fund.

Fiscal effect: Appropriates \$1.4 million in each fiscal year to GRF appropriation item 745-407, National Guard Benefits, to fund National Guard members' life insurance and death benefits. Additional funding, if

(1) Same as the Senate, but excludes Ohio National Guard members performing full-time Ohio National Guard duty or performing special active duty under federal law from receiving life insurance reimbursement and beneficiaries of Ohio National Guard members performing full-time Ohio National Guard duty or performing special active duty under federal law from receiving death benefits.

(2) Same as the Senate.

(3) Same as the Senate.

Fiscal effect: Same as the Senate.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate                           | As Amended by Conference Committee |
|--|--|---|------------------------------------|
| 10 (CD-884-ADJ) Ohio Military Reserve Homeland Security Study Commission | needed, may be provided by the Controlling Board.  | needed, may be provided by the Controlling Board. |                                    |
|  | R.C. 5920.01, Section 560.03   | R.C. 5920.01, Section 560.03                      | R.C. 5920.01, Section 560.03       |
| No provision.  | Requires the Commander of the Ohio Military Reserve to make an annual report to the General Assembly on the expenditures of funds by the Ohio Military Reserve.<br>Fiscal effect: Minimal.   | Same as the House.                                | Same as the House.                 |
|  | Creates the Ohio Military Reserve Homeland Security Study Commission to evaluate the role and effectiveness of the Ohio Military Reserve and to report its findings to the General Assembly prior to January 1, 2006.<br>Fiscal effect: Minimal. |   |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

11 (CD-1190-ADJ) National Guard Benefits

No provision.

No provision.

Section: 203.09

Specifies that GRF appropriation item 745-407, National Guard Benefits, be used for purposes of sections 5919.31 and 5919.33 of the Revised Code, including for administrative costs of the associated programs.

Section: 203.09

Same as the Senate.

Specifies that death benefit payments be provided to beneficiaries of Ohio National Guard members who died after October 7, 2001.

Same as the Senate.

12 (CD-1411-ADJ) Central Administration

No provision.

No provision.

No provision.

Section: 203.09

Earmarks \$50,000 in each fiscal year from GRF appropriation item 745-409, Central Administration, for the purpose of paying expenses related to state active duty of the Ohio organized militia.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

13 (CD-366-DAS) EDGE Program

R.C. 123.152

R.C. 123.152

R.C. 123.152

R.C. 123.152

Requires the Director of Administrative Services (DAS) to establish guidelines for state universities and the Ohio School Facilities Commission for awarding contracts. Allows universities and the Commission to establish their own agency procurement goals for contracting with Encouraging Diversity, Growth, and Equity Program (EDGE) eligible business enterprises.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires the Director to use the standard industrial code or an equivalent code classification when establishing procurement goals for agencies that award contracts pursuant to the Department of Administrative Services Public Works Law, the Department of Administrative Services Office Services Law, and the Public Improvements Law.

Exempts business and personal financial information and trade secrets submitted by EDGE program applicants to the Director from the Public Records Law unless the Director presents the financial information or trade secrets at a public hearing or public proceeding regarding the applicant's eligibility to participate in the program.

Fiscal effect: Increases state university and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

School facilities Commission costs to administer the EGDE program.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

14 (CD-372-DAS) Local Administration Competency Certification Program for State Universities and Community Colleges

R.C. 123.17

R.C. 123.17

R.C. 123.17

R.C. 123.17

Directs the State Architect to start-up the Local Administration Certification Program, authorized by Am. Sub. H.B. 16, the capital appropriations act, to certify state universities and state community colleges to administer their own building projects without DAS oversight, by December 30, 2005. Specifies that certification remains valid as long as the State Architect determines that the institution: (1) employs a sufficient number of personnel who have completed the certification program, and (2) conducts biennial audits of its self-administered building projects. Requires the State Architect to revoke the certification of an institution if the State Architect determines that either requirement is no longer met. Subjects the State Architect's authority to set the fees for the program to the approval of the Director of OBM. Specifies that the fees are to cover the cost of implementing the program (See the item entitled "Local Administration Competency Certification Program" in the Board of Regents).

Same as the Executive.

Same as the Executive, but requires the Ohio Board of Regents, rather than the State Architect, to determine whether an institution of higher education has met the criteria to keep its local administration certification valid and to notify the State Architect if the institution has not. Maintains the requirement that the State Architect revoke the institution's certification when criteria are not met.

Same as the Senate.

Fiscal effect: Potential savings for DAS associated with the transfer of responsibility for determining whether an institution of higher education has met certification criteria from DAS to the Board of Regents.

(See item entitled "Local Administration Competency Certification Program" in the Board of Regents for the fiscal effect on that agency.)

Fiscal effect: Increased expenditures in the State Architect Fund (Fund 131) to administer this certification program, offset by the new fee authorized by this provision.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

15 (CD-370-DAS) Responsibilities of DAS Under the Civil Service Law

R.C. 124.01, 124.02, 124.04, 124.07, 124.09, 124.11, 124.133, 124.14, 124.15, 124.20, 124.23, 124.231, 124.241, 124.25, 124.26, 124.27, 124.29, 124.30, 124.31, 124.311, 124.32, 124.321, 124.322, 124.323, 124.324, 124.325, 124.33, and 124.34; Section 618.06.

R.C. 124.01, 124.02, 124.04, 124.07, 124.09, 124.11, 124.133, 124.14, 124.15, 124.20, 124.23, 124.231, 124.241, 124.25, 124.26, 124.27, 124.29, 124.30, 124.31, 124.311, 124.32, 124.321, 124.322, 124.323, 124.324, 124.325, 124.33, 124.34; Section 618.06.

Eliminates the duty of the Director of DAS to perform various functions with regard to officers and employees of, and to provide various services to, counties and general health districts under the Civil Service Law; instead, confers these duties and functions upon the boards of health in the case of general health districts and the boards of county commissioners in the case of counties.

No provision.

Same as the Executive, but for a county, confers these duties on the elected official, board, agency or other appointing authority.

No provision.

No provision.

No provision.

Clarifies the responsibility of county appointing authorities and county personnel departments for administration of county civil service. Also requires that county employees designated to be in positions of unclassified civil service receive notice of their designation.

No provision.

Fiscal effect: Decrease in expenditures for GRF appropriation item 100-406, County and University Human Resources Services. Possible increase in local costs for performing these functions.

Fiscal effect: Decrease in expenditures for GRF appropriation item 100-406, County and University Human Resources Services. Possible increase in local costs for performing these functions.

(See also "Responsibilities of DAS Under

(See also "Responsibilities of DAS Under

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

the Civil Service Law" in the Local Government Provisions section.)

the Civil Service Law" in the Local Government Provisions section.)

16 (CD-1309-DAS) Charges to State Agencies for Services Performed

R.C. 124.07

No provision.

No provision.

Requires DAS to issue a report biennially regarding the components of the formula DAS uses to charge state agencies and state-supported colleges or universities for payroll service and the enforcement of civil service standards, and requires DAS to decrease these charges as the percentage of the state agency's or state-supported college or university's employees in the unclassified civil service increases and to negotiate the amount of these charges with state agencies in which all of the employees are in the unclassified civil service.

No provision.

Fiscal effect: Reduces payroll and civil service-related "check-offs" for agencies in proportion to the number of unclassified staff they employ. Presumably benefits agencies with high ratios of unclassified-to classified staff, or those with no classified staff. By requiring such charges to be negotiated with applicable state agencies, would likely reduce DAS revenue derived from these specified check-offs.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

17 (CD-1403-DAS) Charges to Political Subdivisions for Human Resource Services

R.C. 124.07

No provision.

No provision.

Allows DAS to enter into an agreement with a municipal corporation or other political subdivision to furnish the Department's services and facilities in the administration of functions related to human services.

No provision.

Requires such an agreement to provide for DAS to be reimbursed for the services provided and facilities furnished.

Fiscal effect: No apparent net fiscal effect of the division of human resources.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

18 (CD-1305-DAS) Layoffs as a Result of Position Abolishment

R.C. 124.321, 124.328

R.C. 124.321, 124.328

R.C. 124.321, 124.328

Defines for appointing authorities two of continuing law's bases for determining a lack of continued need that may result in the layoff of an employee: (1) A reorganization for the efficient operation of an appointing authority is to be based on the appointing authority's decision to restructure delivery of services, change organizational emphasis or organizational goals, or maintain productivity or effective services with diminished resources. And (2) reasons of economy generally must be based on the appointing authority's estimated amount of savings with respect to salary, benefits, and other matters associated with the abolishment of position or positions.

No provision.

Modifies the executive provision by defining for appointing authorities when "reasons for economy" exist that may result in the abolishment of a position and the layoff of the employee holding the position. Permits an appointing authority to appeal a State Personnel Board of Review decision pertaining to a classified employee's layoff to the appropriate court of common pleas under the Administrative Procedure Act.

Same as the Senate.

Fiscal effect: Uncertain direct impact related to change in layoff justification language; potential increase in court costs to various counties as well as litigation costs for the state if a State Personnel Board of Review decision is appealed to a common pleas court.

Fiscal effect: Uncertain direct impact related to change in layoff justification language; potential increase in court costs to various counties as well as litigation costs for the state if a State Personnel Board of Review decision is appealed to a common pleas court.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

19 (CD-1301-DAS) Purchase of Furniture by State Agencies

R.C. 125.09

No provision.

No provision.

Requires that preference in the purchase of furniture by a state agency must be given to furniture produced in Ohio and specifies that bidders whose furniture is produced in states bordering Ohio may qualify for the award of a contract only if compliance with the proposed preference would result in the state agency involved paying an excessive price for the furniture or acquiring disproportionately inferior furniture.

No provision.

Fiscal effect: Uncertain impact on purchase costs, as variables such as furniture needs and quality would determine what supplier might obtain a contract under this preference program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

20 (CD-1290-DAS) Transfer of State Use Program to the Department of Administrative Services

R.C. 125.11, 125.60, 125.601, 125.602, 125.603, 125.604, 125.605, 125.606, 125.607, 125.608, 125.609, 125.6010, 125.6011, 125.6012, 127.16, 307.86, 731.14, 731.141, 4115.32, 4115.34, 4115.36, Section 203.12, 203.12.01, 209.09.03,

R.C. 125.11, 125.60, 125.601, 125.602, 125.603, 125.604, 125.605, 125.606, 125.607, 125.608, 125.609, 125.6010, 125.6011, 125.6012, 127.16, 307.86, 731.14, 731.141, 4115.32, 4115.34, 4115.36, Section 203.12, 203.12.01, 209.09.03,

No provision.

No provision.

Transfers the state committee for the purchase of products and services provided by persons with severe disabilities, a procurement program currently housed within DMR, to DAS.

Same as the Senate.

Fiscal effect: Increased expenditures associated with implementing this program, offset by additional GRF appropriations of \$248,040 in FY 2006, and \$268,040 in FY 2007.

(See item entitled "Transfer of State Use Program" in the Department of Mental Retardation and Developmental Disabilities for the fiscal effect on that agency.)

|    | As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee   |
|----|--|--|---|--|
| 21 | (CD-369-DAS) Office of Information Technology  |  |   |  |
|    | R.C. 125.18  | R.C. 125.18, 125.041   | R.C. 125.18, 125.041  | R.C. 125.18, 125.041   |
|    | <p>Establishes the Office of Information Technology in DAS to advise the Governor regarding the superintendence and implementation of statewide information technology policy and to lead, oversee, and direct state agency activities regarding the development and use of information technology.</p> <p>Fiscal effect: Increase in expenditures to administer the duties of the Office of Information Technology, appropriated in 100-603, DAS Information Services (Fund 4P3), within the general services fund group.</p> | <p>Same as the Executive, but provides that the Office of Information Technology that the bill creates in DAS does not superintend the offices of state elected officials, other than the offices of the Governor and Lieutenant Governor, in their development or use of information technology. See items entitled "Office of Information Technology" in Attorney General, Auditor of State, Secretary of State, and Treasurer of State.</p> | <p>Same as the House, but expands the list of state governmental bodies that would not be included within the jurisdiction of the proposed Office of Information Technology to include the five state retirement systems.</p> | <p>Same as the Senate, but grants the Office the same authority DAS has for purchases of supplies and services, to be used by the Office only for the purchase of information technology supplies and services for state agencies.</p> |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

22 (CD-1306-DAS) Debarment of Vendors and Contractors

R.C. 125.25, 153.02

R.C. 125.25, 153.02

No provision.

No provision.

Authorizes DAS to debar vendors and contractors based on specified factors and establishes procedures governing the debarment, including notice and hearing requirements.

Same as the Senate.

Fiscal effect: Potential increase, not likely to be significant, in administrative costs associated with DAS sending notices of proposed debarment, determining the length of the debarment period, and maintaining a list of all vendors currently debarred.



| As Introduced (Executive) |   | As Passed by the House |  | As Passed by the Senate |   | As Amended by Conference Committee |   |
|---------------------------|---|------------------------|--|-------------------------|---|------------------------------------|---|
| 23                        | (CD-368-DAS) Changes to Fleet Management Law  |                        |  |                         |   |                                    |   |
| R.C.                      | 125.831, 125.832  | R.C.                   | 125.831, 125.832   | R.C.                    | 125.831, 125.832  | R.C.                               | 125.831, 125.832  |
|                           | Authorizes proceeds from the disposition of motor vehicles under the Fleet Management Law to be deposited, in the discretion of the Director of DAS, to the credit of either the Fleet Management Fund (Fund 122) within the general services fund group or the Investment Recovery Fund (Fund 427) within the general services fund group, rather than just into the Fleet Management Fund. Changes the definitions of "state agency" and "law enforcement officer" as used in the Fleet Management Law to include or exclude various individuals or entities from those terms. Requires state agencies to submit data and other information to DAS about motor vehicles that otherwise are not subject to the Fleet Management Law. |                        | Same as the Executive.   |                         | Same as the Executive, but excludes the State Highway Patrol from the motor vehicle acquisition and reporting requirements of the State Fleet Management Law. (See item entitled "Exclusion of State Highway Patrol from State Fleet Management Law in the Department of Public Safety for the fiscal effect on that agency.) |                                    | Removes the State Highway Patrol from the list of exclusions from the definition of a state agency subject to the Fleet Management Law. |
|                           | No provision.   |                        | Includes cargo vans within the types of motor vehicles subject to the State Fleet Management Law.  |                         | Same as the House.  |                                    | Same as the House.  |
|                           | No provision  |                        | Generally requires state agencies subject to the State Fleet Management Law to acquire passenger motor vehicles by lease through the master leasing program established by DAS.                        |                         | Same as the House.  |                                    | Same as the House.  |
|                           | No provision  |                        | Prohibits reimbursement of state employees who use their own motor vehicles for any mileage incurred above an amount DAS determines annually unless DAS approves the excess mileage in accordance with |                         | Same as the House.  |                                    | Same as the House.  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision

specified standards.

Requires state institutions of higher education to use DAS's vehicle fleet management software system, DAS's fuel card program to pay for fuel and vehicle maintenance, and DAS's bulk fuel purchases contract to make bulk fuel purchases.  
(See item entitled "State Fleet Management Law Changes" in Board of Regents.)

Requires state institutions of higher education to use DAS's vehicle fleet management software system, DAS's fuel card program to pay for fuel and vehicle maintenance, and DAS's bulk fuel purchases contract to make bulk fuel purchases only when doing so, as certified annually by the Board of Regents, will result in reduced fleet management costs (including fuel costs) when compared to the fleet management costs associated with the practices the institution regularly employs and the institution calculates these reduced costs.  
(See item entitled "State Fleet Management Law Changes" in Board of Regents.)

Requires the Department of Administrative Services rather than the Board of Regents to receive each state institution of higher education's annual report concerning its acquisition and management of motor vehicles and certify a list of those institutions that would save amounts if they were to use the fleet management tracking, fuel card program, and bulk fuel purchases fleet management tools and services that DAS provides.  
(See item entitled "State Fleet Management Law Changes" in Board of Regents.)

Fiscal effect: Potentially increases the revenues deposited in the Investment Recovery Fund instead of the Fleet Management Fund. According to DAS, the approximately \$300,000 to \$400,000 that is transferred to the Fleet Management Fund from GRF vehicle sales is not needed and instead will be transferred to the Investment Recovery Fund.

Fiscal Effect: Same as the Executive, but also results in a potential increase in use of the State Fleet Management program which may result in an increase in administrative expenditures in the Fleet Management Fund (Fund 122) as well as possible offsetting savings from the increased use of the program. Potential savings to state agencies who utilize the State Fleet Management Program.

Fiscal effect: Unknown impact resulting from the exclusion of all Highway Patrol vehicles, not just emergency vehicles, from the State Fleet Management Law. Potential slight administrative savings for DAS from not having to track these vehicles. Unknown impact from adding vehicles owned by institutions of higher education in the State Fleet Management Law, but there could be an increase in administrative expenditures as well as offsetting savings associated with adding vehicles to the program.

Fiscal effect: Unknown impact resulting from the removal of the exclusion of Highway Patrol vehicles from the State Fleet Management Law. Potential increase in administrative expenses associated with DAS, rather than the Board of Regents, receiving annual reports from each state institution of higher education and certifying a list of those institutions that would save amounts if they used certain services DAS provides.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

24 (CD-1135-DAS) Award of Printing Contracts by State Colleges and Universities Pursuant to Buy Ohio

R.C. 3345.10

R.C. 3345.10

R.C. 3345.10

No provision.

Requires state colleges and universities to award printing contracts under the Buy Ohio provisions that govern the award of contracts for goods and services by the Department of Administrative Services and other state agencies.  
See item entitled "Award of Printing Contracts by State Colleges and Universities Pursuant to Buy Ohio" in Board of Regents.

Same as the House.

Same as the House.

Fiscal effect: No fiscal effect on DAS.

| As Introduced (Executive)                          | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|--|--|--|--|
| 25 (CD-907-DAS) Medicaid Enterprise Data Warehouse | R.C. 5111.915  | R.C. 5111.915, Section 206.66.10   | R.C. 5111.915, Section 206.66.10   |
| No provision.                                      | <p>Requires DAS to acquire a computer system to be known as the Medicaid Enterprise Data Warehouse to monitor Medicaid services administered by various state agencies. (See item entitled "Medicaid Enterprise Data Warehouse" in Job and Family Services).</p> <p>Fiscal effect: Unclear whether DAS or JFS would be required to pay for the purchase and development of the computer system. If DAS is responsible for this, there would be a possibly large increase in expenditures for the Office of Information Technology to purchase and/or develop this computer system.</p> | <p>Same as the House, but removes the name "Enterprise Data Warehouse"; requires DAS to contract with a "qualified vendor" as defined in the amendment; and requires JFS to seek enhanced federal funding for 90% of the funds required to establish the data system. (See item entitled "Medicaid Enterprise Data Warehouse" in Job and Family Services.)</p>   | <p>Same as the Senate, but (1) requires ODJFS to enter into an agreement with DAS for DAS to contract through competitive selection with a vendor to assess the Medicaid data warehouse system, (2) requires DAS to contract with the vendor to conduct the assessment not later than 30 days after the bill's effective date, (3) requires that vendor must complete the assessment not later than 90 days after the bill's effective date, (4) requires DAS, based on the assessment, to contract with a qualified vendor through competitive selection to enhance or develop a data collection and data warehouse system for ODJFS and all agencies serving Medicaid recipients, and (5) clarifies that DAS may not award a contract for development or enhancement of the data system until ODJFS obtains approval from the federal government for the 90% federal match.</p> <p>Specifies that ODJFS shall fund the cost of the assessment of the data collection and data warehouse functions of the Medicaid data warehouse system.</p> <p>Fiscal effect: Specifies that ODJFS, rather than DAS, will be responsible for the expenses associated with the assessment.</p> |
| No provision.                                      | No provision.  | <p>Allocates up to \$6 million in state and federal funds in fiscal year 2006 and \$4 million in state and federal funds in fiscal year 2007 to fund the data system upon receipt of approval of federal reimbursement.</p> <p>Fiscal effect: Allocated state and federal funding for the computer system, if secured, is likely to offset the costs of acquiring the computer system. While not specified</p> | (See item entitled "Medicaid Enterprise Data   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

directly, the language implies JFS, rather than DAS, would be responsible for the expenses associated with purchasing the computer system.

(See item entitled "Medicaid Enterprise Data Warehouse" in Job and Family Services.)

Warehouse" in Job and Family Services.)

---

| As Introduced (Executive)                                | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee  |
|--|--|--|---|
| 26 (CD-905-DAS) School Employee Life and Health Benefits | <p>Sections: 203.12, 203.12.11, R.C. 9.833, 9.90, 9.901, 3311.19, 3313.12, 3313.202, 3313.33, 3314.03, 4117.03, 4117.08</p>  | <p>Sections: 203.12, 203.12.02, 206.10.07</p>  | <p>Sections: 203.12, 203.12.02, 206.10.07</p>   |
| No provision.  | <p>Creates GRF appropriation item 100-403, Public School Employee Benefits, and appropriates \$750,000 in FY 2006 and \$250,000 in FY 2007 to provide administrative support to the School Employee Health Care Board. When a sufficient reserve of public school employee health benefit premiums have been deposited into the School Employee Health Care Fund (Fund 815), requires that the \$1 million be repaid to the GRF. (See items entitled "School Employee Life and Health Benefits" in Accrued Leave Liability and Education.)</p> | <p>Appropriates \$750,000 in FY 2006 only, specifies that it be used to contract with a third party to investigate the most cost effective method for funding school districts' health benefits as required by the bill, and removes the provision requiring the repayment of \$1 million to the GRF. (See item entitled School Employee Life and Health Benefits in Education).</p> | <p>Instead of requiring DAS to contract with a third party, the provision provides \$1,200,000 in FY 2006 and \$1,500,000 in FY 2007 for DAS to provide administrative support to the School Employees Health Care Board (See "School Employee Life and Health Benefits" in Education for further description).</p>   |
| No provision.  | No provision.  | <p>Creates the Health Care Task Force to use the data gathered by the third party contracted by DAS and make findings and recommendations based on that data.</p>  | No provision.   |
|  | <p>Fiscal effect: Increases GRF appropriations by \$750,000 in FY 2006 and \$250,000 in FY 2007. This \$1 million is required to be repaid to the GRF through a transfer from the newly created School Employee Health Care Fund in the Accrued Leave Liability fund group.</p>  | <p>Fiscal effect: The appropriation of \$750,000 in FY 2006 should offset the additional costs to DAS of hiring a third party consultant. There may be a minimal cost increase to support the Health Care Task Force.</p>  | <p>Fiscal effect: The bill appropriates \$1,200,000 in FY 2006 and \$1,500,000 in FY 2007 in the DAS budget to provide administrative support to the School Employees Health Care Board and the public school health insurance program. Requires that DAS be repaid this amount after a sufficient reserve has accrued to the School Employee Healthcare Fund (Fund 815), subject to a delay.</p> |

| As Introduced (Executive)  | As Passed by the House        | As Passed by the Senate       | As Amended by Conference Committee |
|--|-------------------------------|-------------------------------|------------------------------------|
| <p><b>27 (CD-363-DAS) Agency Audit Expenses</b></p>  |                               |                               |                                    |
| <p>Section: 203.12.03</p>  | <p>Section: 203.12.03</p>     | <p>Section: 203.12.03</p>     | <p>Section: 203.12.03</p>          |
| <p>Requires appropriation item 100-405, Agency Audit Expenses, to be used for auditing expenses designated in division (A)(1) of section 117.13 of the Revised Code for those state agencies audited on a biennial basis.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p><b>28 (CD-359-DAS) Ohio Building Authority</b></p>  |                               |                               |                                    |
| <p>Section: 203.12.06</p>  | <p>Section: 203.12.06</p>     | <p>Section: 203.12.06</p>     | <p>Section: 203.12.06</p>          |
| <p>Requires appropriation item 100-447, OBA - Building Rent Payments, to be used to meet all payments at the times they are required to be made during the period from July 1, 2005, to June 30, 2007, by DAS to the Ohio Building Authority (OBA) pursuant to leases and agreements under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$231,831,700.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Requires appropriation item 100-448, OBA - Building Operating Payments, to be used to meet all payments at the times that they are required to be made during the period from July 1, 2005, to June 30, 2007, by DAS to OBA pursuant to leases and agreements under Chapter 152. of the Revised Code, but limited to the aggregate amount of \$51,040,433.</p>                      | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |

**As Introduced (Executive)**

Specifies that payments to OBA are for the purpose of paying the expenses of agencies that occupy space in the various state facilities. DAS may enter into leases and agreements with the OBA providing for the payment of these expenses. Requires OBA to report to DAS and OBM not later than five months after the start of a fiscal year the actual expenses incurred by the OBA in operating the facilities and any balances remaining from payments and rentals received in the prior fiscal year. DAS is required to reduce subsequent payments by the amount of the balance reported to it by OBA.

**As Passed by the House**

Same as the Executive.

**As Passed by the Senate**

Same as the Executive.

**As Amended by Conference Committee**

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

29 (CD-361-DAS) DAS-Building Operating Payments

Section: 203.12.09

Section: 203.12.09

Section: 203.12.09

Section: 203.12.09

Requires appropriation item 100-449, DAS - Building Operating Payments, to be used to pay the rent expenses of veterans' organizations pursuant to section 123.024 of the Revised Code. Allows this appropriation item to be used to provide funding for the cost of property appraisals or building studies that DAS may be required to obtain for property that is being sold by the state or property under consideration to be renovated or purchased by the state. Notwithstanding section 125.28 of the Revised Code, allows the remaining portion of the appropriation to be used to pay the operating expenses of state facilities maintained by DAS that are not billed to building tenants. These expenses may include, but are not limited to, the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated due to building renovations. These payments shall be processed by DAS through intrastate transfer vouchers and placed in the Building Management Fund (Fund 132).

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

30 (CD-356-DAS) Central Service Agency Fund

Section: 203.12.12

Section: 203.12.12

Section: 203.12.12

Section: 203.12.12

Allows the Director of OBM to make the following transfers:

Same as the Executive.

Same as the Executive.

Same as the Executive.

(1) up to \$363,851 in FY 2006 from the Occupational Licensing and Regulatory Fund (Fund 4K9) to the Central Service Agency Fund (Fund 115);  
 (2) up to \$45,184 in FY 2006 from the State Medical Board Operating Fund (Fund 5C6) to the Central Service Agency Fund (Fund 115); and  
 (3) up to \$625 in FY 2006 from the Motor Vehicle Collision Repair Registration Fund (Fund 5H9) to the Central Service Agency Fund (Fund 115).

Requires appropriation item 100-632, Central Service Agency, to be used to purchase the necessary equipment, products, and services to maintain an automated application for the professional licensing boards, and to support their licensing functions in FY 2006. Appropriates the amount of the cash transfers.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**31 (CD-353-DAS) Collective Bargaining Arbitration Expenses**

Section: 203.12.15

Section: 203.12.15

Section: 203.12.15

Section: 203.12.15

Allows DAS to seek reimbursement from state agencies for the actual costs and expenses the department incurs in the collective bargaining arbitration process, with approval of the Director of OBM. The reimbursements shall be processed through intrastate transfer vouchers and placed in the Collective Bargaining Fund (Fund 128).

Same as the Executive.

Same as the Executive

Same as the Executive.

Fiscal effect: If agencies elect to cut operating expenses over the biennium by making layoffs, abolishing positions, or reclassifying staff, DAS' collective bargaining operating expenses may increase substantially. This provision would allow for those expenses to be recovered from agencies involved in such actions.

**32 (CD-345-DAS) Office of Information Technology**

Section: 203.12.18

Section: 203.12.18

Section: 203.12.18

Section: 203.12.18

States that appropriation items 100-607, IT Service Delivery, and 100-630, IT Governance, will be used by the Office of Information Technology to carry out its responsibilities under section 125.29 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House    | As Passed by the Senate   | As Amended by Conference Committee |
|---|---------------------------|---------------------------|------------------------------------|
| <b>33 (CD-355-DAS) Equal Opportunity Program</b>  |                           |                           |                                    |
| <b>Section: 203.12.21</b>   | <b>Section: 203.12.21</b> | <b>Section: 203.12.21</b> | <b>Section: 203.12.21</b>          |
| Requires DAS, with the approval of the Director of OBM, to establish charges for recovering the costs of administering the activities supported by the State Equal Employment Opportunity Fund (Fund 188). These charges are to be deposited to the fund upon payment made by state agencies, state-supported or state-assisted institutions of higher education, and tax-supported agencies, municipal corporations, and other political subdivisions of the state, for services rendered. | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |
| <hr/> <b>34 (CD-343-DAS) Merchandise For Resale</b>   |                           |                           |                                    |
| <b>Section: 203.12.24</b>   | <b>Section: 203.12.24</b> | <b>Section: 203.12.24</b> | <b>Section: 203.12.24</b>          |
| Requires appropriation item 100-653, General Services Resale Merchandise, to be used to account for merchandise for resale, a service administered by the General Services Division. Deposits to the General Services Resale Merchandise Fund (Fund 201) may comprise the cost of merchandise for resale and shipping fees.   | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

35 (CD-364-DAS) DAS Information Services

Section: 203.12.27

Section: 203.12.27

Section: 203.12.27

Section: 203.12.27

Creates the DAS Information Services Fund (Fund 4B3) in the general services fund group. Requires appropriation item 100-603, DAS Information Services, to be used to pay the costs of providing information systems and services within DAS and requires the agency to establish user charges for all information systems and services that are allowable in the statewide indirect cost allocation plan submitted annually to the United States Department of Health and Human Services. Requires charges to comply with federal regulations and for them to be deposited to the fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  | As Passed by the House        | As Passed by the Senate       | As Amended by Conference Committee |
|--|-------------------------------|-------------------------------|------------------------------------|
| <p>36 (CD-344-DAS) Investment Recovery Fund</p>  |                               |                               |                                    |
| <p>Section: 203.12.30</p>  | <p>Section: 203.12.30</p>     | <p>Section: 203.12.30</p>     | <p>Section: 203.12.30</p>          |
| <p>Allows cash balances in the Investment Recovery Fund (Fund 427) to be used to support the operating expenses of the Federal Surplus Operating Program, and the State Property Inventory and Fixed Assets Management System Program. Earmarks up to \$2,147,024 in FY 2006 and up to \$2,205,594 in FY 2007 of appropriation item 100-602, Investment Recovery, for the operating expenses of the State Surplus Property Program, the Surplus Federal Property Program, and the State Property Inventory and Fixed Assets Management System Program.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Earmarks an additional \$3,433,184 in fiscal year 2006 and \$3,477,970 in fiscal year 2007 to be used to transfer proceeds from the sale of surplus property from the fund to non-GRF funds under division (A)(2) of section 125.14 of the Revised Code, and appropriates additional amounts if needed.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Requires the Director of OBM to transfer up to \$500,000 that would otherwise be transferred to the GRF to the State Architect's Fund (Fund 131) instead.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Fiscal effect: Allows the General Services Division to fund parts of the programs mentioned above from the Investment Recovery Fund (Fund 427) instead of the Division's main operating fund (Fund 117). By requiring a transfer of up to \$500,00 to</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

the State Architect's Fund (Fund 131), bolsters operating funds available to the State Architect, but decreases the transfer to the GRF that would otherwise be made. This transfer will cover the State Architect's operating costs needed due to the delay in the passage of the Capital Bill.

**37 (CD-348-DAS) Multi-Agency Radio Communications System**

**Section: 203.12.33**

**Section: 203.12.33**

**Section: 203.12.33**

**Section: 203.12.33**

Allows the Director of DAS to collect user fees from participants in the MARCS system. Requires the Director of DAS, with the advice of the MARCS Steering Committee and the Director of OBM, to determine the amount of the fees and the manner by which the fees shall be collected. Requires user charges and fees to be deposited in the Multi-Agency Radio Communications System Administration Fund (Fund 5C2), with the interest income derived from the investment of the fund accruing to the fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Once GRF-supported, MARCS is now fully funded through user charges and fees.

|           | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|-----------|--|------------------------|-------------------------|------------------------------------|
| <b>38</b> | <b>(CD-350-DAS) Workforce Development Fund</b>   |                        |                         |                                    |
|           | Section: 203.12.36   | Section: 203.12.36     | Section: 203.12.36      | Section: 203.12.36                 |
|           | Establishes the Workforce Development Fund (Fund 5D7). Specifies that appropriation item 100-621, Workforce Development, be used to make payments from the fund for the costs of the Workforce Development Program, established by Article 37 of the contract between the State of Ohio and OCSEA/AFSCME, Local 11, effective March 1, 2003, and as modified by any successor labor contract between the State of Ohio and OCSEA/AFSCME. Allows for the fund to be used to pay direct and indirect costs of the program that are attributable to staff, consultants, and service providers, with investment income accruing to the fund. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>39</b> | <b>(CD-349-DAS) Professional Development Fund</b>  |                        |                         |                                    |
|           | Section: 203.12.39   | Section: 203.12.39     | Section: 203.12.39      | Section: 203.12.39                 |
|           | States that the appropriation item 100-610, Professional Development, shall be used to make payments from the Professional Development Fund (Fund 5L7) under section 124.182 of the Revised Code.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

40 (CD-351-DAS) Employee Educational Development

Section: 203.12.42

Section: 203.12.42

Section: 203.12.42

Section: 203.12.42

Establishes the Employee Educational Development Fund (Fund 5V6), and requires appropriation item 100-619, Employee Educational Development, to be used to make payments for the administration of educational programs per existing collective bargaining agreements with District 1199, the Health Care and Social Service Union; State Council of Professional Educators; Ohio Education Association and National Education Association; the Fraternal Order of Police Ohio Labor Council, Unit 2; and the Ohio State Troopers Association, Units 1 and 15. Allows DAS to adopt rules with regard to administration of the fund, and with OBM approval, to establish charges for recovering the costs of administering the educational programs. Requires the investment income to accrue to the fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

41 (CD-347-DAS) Major IT Purchases

Section: 203.12.45

Section: 203.12.45

Section: 203.12.45

Section: 203.12.45

Requires the Director of DAS to compute the amount of revenue attributable to the amortization of all equipment purchases and capitalized systems from appropriation item 100-607, IT Service Delivery; appropriation item 100-617, Major IT Purchases; and appropriation item CAP-837, Major IT Purchases, which is recovered as part of the rates charged by the IT Service Delivery Fund (Fund 133). The Director of OBM may transfer cash in an amount not to exceed the amount of amortization computed from the IT Service Delivery Fund (Fund 133) to the Major IT Purchases Fund (Fund 4N6).

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This funding method allows the Major IT Purchases Fund (Fund 4N6) to be used to make infrequent, large-scale technology purchases without creating spikes in computer services user rates in any single fiscal year. Without this authorization, DAS would have to rely on the IT Service Delivery Fund (Fund 133) to make large-scale IT equipment purchases. Fund 133 is typically used to acquire routine IT equipment and services used by all state agencies.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

42 (CD-346-DAS) Information Technology Assessment

Section: 203.12.48

Section: 203.12.48

Section: 203.12.48

Section: 203.12.48

Allows the Director of DAS, with the approval of the Director of OBM, to establish an information technology assessment for the purpose of recovering the cost of selected infrastructure and statewide programs and requires the assessment to comply with applicable cost principles issued by the federal Office of Management and Budget. Requires that assessments be charged to all organized bodies, offices, or agencies established by the laws of the state for the exercise of any function of state government. Exempts the General Assembly, any legislative agency, the Supreme Court, the other courts of record in Ohio, or any judicial agency, the Adjutant General, the Bureau of Workers' Compensation, and institutions administered by a board of trustees from this requirement, but allows them to participate if desired. Requires all charges for the information technology assessment to be deposited in the IT Service Delivery Fund (Fund 133).

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Allows DAS to charge fees for centralized computer services. Without these fees the costs would have to be recouped in another manner.

|           | As Introduced (Executive)   | As Passed by the House    | As Passed by the Senate   | As Amended by Conference Committee |
|-----------|---|---------------------------|---------------------------|------------------------------------|
| <b>43</b> | <b>(CD-367-DAS) Unemployment Compensation Fund</b>  |                           |                           |                                    |
|           | Section: <i>203.12.51</i>   | Section: <i>203.12.51</i> | Section: <i>203.12.51</i> | Section: <i>203.12.51</i>          |
|           | Requires the Director of DAS to certify the remaining cash in the Unemployment Compensation Fund (Fund 113) to the Director of OBM, who shall transfer that amount to the GRF and abolish this fund.  | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |
|           | Fiscal effect: Currently, DAS acts as a pass-through entity, collecting moneys from each agency for their share of unemployment claims and remitting these amounts to the Department of Job and Family Services. This provision would remove this role from DAS, instead requiring agencies to handle this process on their own. The remaining cash balance in the fund would be credited to the GRF. |                           |                           |                                    |
| <b>44</b> | <b>(CD-352-DAS) Payroll Withholding Fund</b>  |                           |                           |                                    |
|           | Section: <i>203.12.54</i>   | Section: <i>203.12.54</i> | Section: <i>203.12.54</i> | Section: <i>203.12.54</i>          |
|           | Requires appropriation item 100-629, Payroll Deductions, to be used to make payments from the Payroll Withholding Fund (Fund 124), which retains state employees' payroll deductions for health, vision, dental, and other benefits.  | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

45 (CD-341-DAS) General Services Refunds

Section: 203.12.57

Section: 203.12.57

Section: 203.12.57

Section: 203.12.57

Requires appropriation item 100-646, General Services Refunds, to be used to hold bid guarantee and building plans and specifications deposits until they are refunded. The Director of DAS may request that the Director of OBM transfer cash received for the costs of providing the building plans and specifications to contractors from the General Services Refunds Fund (Fund RO8) to the State Architect's Fund (Fund 131). Prior to the transfer of cash, the Director of DAS shall certify that such amounts are in excess of amounts required for refunding deposits and are directly related to costs of producing building plans and specifications. Appropriates additional amounts, if necessary.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

46 (CD-362-DAS) Director's Declaration of Public Exigency

Section: 203.12.6

Section: 203.12.6

Section: 203.12.6

Section: 203.12.6

Allows the Director of DAS to declare a "public exigency," as provided in division (C) of section 123.15 of the Revised Code. Requires the Director to notify the Controlling Board upon such a declaration.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Possible increase or decrease in expenses, but may allow for emergency repair projects so designated to be completed more quickly than they otherwise might be.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

47 (CD-358-DAS) Multi-Agency Radio Communications System Debt Service Payments

Section: 203.12.60

Section: 203.12.60

Section: 203.12.60

Section: 203.12.60

Requires that the Director of DAS, in consultation with the Multi-Agency Radio Communication System (MARCS) Steering Committee and the Director of OBM, determine the share of debt service payments attributable to spending for MARCS components that are not specific to any one agency and that shall be charged to agencies supported by the motor fuel tax. Establishes that the share of debt service payments shall be calculated for MARCS capital disbursements made beginning July 1, 1997. Within thirty days of any payment made from appropriation item 100-447, OBA - Building Rent Payments, the Director of DAS shall certify to the Director of OBM the amount of this share. Requires the Director of OBM to transfer such amounts to the GRF from the State Highway Safety Fund (Fund 036). Requires the Director of DAS to consider renting or leasing existing tower sites at reasonable or current market rates, so long as these existing sites are equipped with the technical capabilities to support the MARCS project.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  | As Passed by the House        | As Passed by the Senate  | As Amended by Conference Committee |
|--|-------------------------------|--|------------------------------------|
| <p>48 (CD-340-DAS) General Service Charges</p>   |                               |  |                                    |
| <p>Section: 203.12.66</p>  | <p>Section: 203.12.66</p>     | <p>Section: 203.12.66</p>  | <p>Section: 203.12.66</p>          |
| <p>Requires the Department of DAS, with the approval of the Director of OBM, to establish charges for recovering the costs of administering the programs in the General Services Fund (Fund 117) and the State Printing Fund (Fund 210).</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>      |
| <hr/> <p>49 (CD-1177-DAS) Medicaid Information Technology System</p>   |                               |  |                                    |
|  |                               | <p>Section: 203.12.69</p>  |                                    |
| <p>No provision.</p>   | <p>No provision.</p>          | <p>Requires DAS to conduct a study to (1) comprehensively analyze the technology needs of all governmental agencies that administer components of the Medicaid program and (2) determine how to ensure that the technology needs of those governmental agencies may be integrated into a Medicaid Information Technology System.</p> | <p>No provision.</p>               |
| <p>No provision.</p>   | <p>No provision.</p>          | <p>Requires DAS to seek the most federal participation available for the conduct of the study, and requires JFS to seek the most federal participation available for the development and implementation of a Medicaid Information Technology System.</p>   | <p>No provision.</p>               |
| <p>No provision.</p>   | <p>No provision.</p>          | <p>Fiscal effect: Potential increased expenditures associated with conducting the study. It is uncertain what costs could be</p>   | <p>No provision.</p>               |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

recouped from federal funds.

50 (CD-932-DAS) \* **Vetoed** \* Efficiency Study to Create Reorganization Plan for the Executive Branch of State Government

Sections: 315.03.03, 315.03.06, 315.03.09

Section: 315.04

No provision.

[\*\*\*VETOED: Requires by January 1, 2007, that, following a specified type of efficiency study by DAS, the Department prepare and submit to the Governor and legislative leaders a proposed reorganization plan for the executive branch of the state government, which provides for the transfer of the powers, duties, and functions of various state entities to nine "provisional" departments.

Fiscal effect: Increase in expenditures to conduct a study and prepare such a plan for the Governor and legislative leaders. \*\*\*]

No provision.

[\*\*\*VETOED: Same as the House, except requires DAS only to develop recommendations for a state government reorganization plan to be submitted to legislative leaders by January 1, 2006; does not explicitly require a study; does not create specific provisional departments for the purposes of an efficiency study; and does not provide specifics regarding savings that must be achieved in the proposed reorganization.

Fiscal effect: Potential increase, not likely to be as significant as the House-passed version, in expenditures to develop the recommendations for a state government reorganization. \*\*\*]

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

51 (CD-1434-DAS) Capital Reappropriation Correction

Section: 403.10.01

No provision.

No provision.

No provision.

Corrects an omission in Am. Sub. S.B. 189, the capital reappropriations bill enacted June 29, 2004, in order to fund an earmark of \$75,000 for the Liberty Township Playground via the Department of Natural Resources' appropriation item CAP-942, Local Parks Projects.

Fiscal effect: A decrease of \$75,000 in the amount reappropriated for appropriation item CAP-786, Rural Areas Community Improvements, within DAS. (See item titled Capital Appropriations -- Local Park Projects in the Department of Natural Resources)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

52 (CD-1295-DAS) Clark County Real Estate Conveyance

Section: 506.06

No provision.

No provision.

Authorizes the conveyance of the former Springview Developmental Center, operated by the Department of Mental Retardation and Developmental Disabilities, in Clark County to a purchaser to be determined. The real estate shall first be offered to a state entity at the appraised value, then to the board of County Commissioners of Clark County for a purchase price agreed upon by the Director of Administrative Services and the Board of County Commissioners of Clark County.

No provision.

Fiscal effect: The property has not been recently appraised. Revenue gain for the Mental Health Facilities Improvement Fund, dependent on sale price. Proceeds must be used to offset bond indebtedness for Springview capital projects.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

53 (CD-1307-DAS) Temporary Work Level and Personnel Assignments

Section: 569.03

Section: 569.03

No provision.

No provision.

Specifies that with the written consent of an exempt employee, an appointing authority may, in cases where a vacancy does not exist, assign duties of a higher classification for a period of time not to exceed two years. The exempt employee will receive compensation at a rate commensurate with the duties of the higher classification.

Same as the Senate.

No provision.

No provision.

Permits, if necessary, employees exempt from collective bargaining who are assigned to duties within their agency to maintain operations during the Ohio Administrative Knowledge System (OAKS) implementation to agree to a temporary assignment that exceeds a two year limit.

Same as the Senate.

Fiscal effect: Certain agencies that elect to permit an employee to take on the duties of a higher classification, as well as those with staff affected by the conversion to OAKS, could experience some new costs resulting from the pay increases that employee so designated would receive.

|    | As Introduced (Executive)  | As Passed by the House                | As Passed by the Senate               | As Amended by Conference Committee    |
|----|--|---------------------------------------|---------------------------------------|---------------------------------------|
| 54 | (CD-282-AAM) Commission on African American Males Progress Review  |                                       |                                       |                                       |
|    | Section: 203.15  | Section: 203.15                       | Section: 203.15                       | Section: 203.15                       |
|    | Requires the Commission to internally prepare an annual progress report demonstrating the progress that has been made toward meeting the Commission's mission statement. The report is to be submitted to the chairperson and ranking minority member of the Human Services Subcommittee of the House Finance and Appropriations Committee not later than December 31st each year. | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |
|    | Fiscal effect: The Commission will experience a minimal increase in costs related to preparing and distributing the report.  | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |

|           | As Introduced (Executive)   | As Passed by the House                | As Passed by the Senate               | As Amended by Conference Committee    |
|-----------|---|---------------------------------------|---------------------------------------|---------------------------------------|
| <b>55</b> | <b>(CD-314-JCR) Operating</b>   |                                       |                                       |                                       |
|           | Section: 203.18   | Section: 203.18                       | Section: 203.18                       | Section: 203.18                       |
|           | Specifies that the Chief Administrative Officer of the House of Representatives and the Clerk of the Senate determine, by mutual agreement, which of them acts as fiscal agent for the Joint Committee on Agency Rule Review (JCARR).<br>Fiscal effect: None. | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |
|           |   | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |
| <b>56</b> | <b>(CD-317-JCR) Operating Expenses</b>  |                                       |                                       |                                       |
|           | Section: 203.18   | Section: 203.18                       | Section: 203.18                       | Section: 203.18                       |
|           | Transfers any unencumbered balance from appropriation item 029-321, Operating Expenses, at the end of FY 2006 to FY 2007.   | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |

| As Introduced (Executive)   |  | As Passed by the House   |         | As Passed by the Senate  |         | As Amended by Conference Committee   |         |
|---|--|--|---------|--|---------|--|---------|
| 57  | (CD-242-AGE) Community Service Council Gift and Donations Fund |  |         |  |         |  |         |
| R.C.  | 121.403  | R.C.   | 121.403 | R.C.   | 121.403 | R.C.   | 121.403 |
| <p>Authorizes the Ohio Community Service Council (OCSC) to accept monetary gifts or donations, sponsor events that further the Council's purpose and charge fees for participation in or attendance of those events, and sell promotional items.</p> <p>Creates the Ohio Community Service Council Gifts and Donations Fund in the state treasury into which such gifts, donations, fees, and proceeds are to be deposited.</p> <p>Fiscal effect: The Executive budget recommends a 5% decrease in GRF funding for FY 2006 and an additional 5% decrease in FY 2007 for line item 490-409, Ohio Community Service Council Operations. The GRF reduction will shift a greater burden on in-kind donations generated from Make a Difference Day to match funds for federal grants. In the short term, OCSC may have trouble maintaining current service levels with the executive recommendations. The OCSC is investigating ways to reduce administrative costs to prevent staffing reductions. The OCSC is hoping to raise enough funds from monetary gifts and donations to offset GRF reductions.</p> |  | <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> |         | <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> |         | <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> |         |

|                           |                        |                         |                                    |
|---------------------------|------------------------|-------------------------|------------------------------------|
| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|

**58 (CD-216-AGE) Penalty for Late Payment of Long-Term Care Facility Bed Fee**

|             |             |             |             |
|-------------|-------------|-------------|-------------|
| R.C. 173.26 | R.C. 173.26 | R.C. 173.26 | R.C. 173.26 |
|-------------|-------------|-------------|-------------|

|   |   |  |  |
|---|---|--|--|
| <p>Provides that a long-term care facility that fails to pay the bed fee that supports regional long-term care ombudsman programs within 90 days of the due date is to be assessed twice the amount of the fee.</p> <p>Fiscal effect: This provision may result in a revenue gain. However, the amount of additional revenue received will depend on the number of long-term care facilities that fail to pay the bed fee within 90 days.</p> | <p>No provision.</p> <p>Fiscal effect: Removing this provision retains current law, thus there would be no fiscal effect.</p> | <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> | <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> |
|---|---|--|--|

**59 (CD-243-AGE) Payment for Community-Based Long-Term Care Services**

|  |  |  |  |
|--|--|--|--|
| R.C. 173.39, 173.391, 173.392, 173.393, 173.40 | R.C. 173.39, 173.391, 173.392, 173.393, 173.394, 173.395, 173.396, 173.397, 173.40 | R.C. 173.39, 173.391, 173.392, 173.393 | R.C. 173.39, 173.391, 173.392, 173.393 |
|--|--|--|--|

|   |   |  |   |
|---|---|--|---|
| <p>Provides that a provider of community-based long-term care services under a program the Ohio Department of Aging (ODA) administers cannot receive payment unless the provider obtains certification or meets the terms of a contract that includes conditions of participation and service standards the provider must meet.</p> | <p>Same as the Executive, but eliminates the provision that permits a provider to meet the terms of a contract rather than obtain certification, with the result that all providers must be certified to receive payment.</p> | <p>Same as the Executive, but (1) excludes providers of Medicaid-funded community-based long-term care services, other than such services provided under the PACE program, from the Executive provision that permits providers to receive payment from ODA without obtaining certification if the provider meets contractual obligations and (2) provides that a part of a record of an evaluation conducted as part of the certification of a provider of community-based long-term care services is not to be released as a public record if the release would violate a federal or state law.</p> | <p>Same as the Senate, but provides that ODA or its designee is not required to hold a hearing in accordance with the Administrative Procedure Act (R.C. Chapter 119.) if there is a dispute between ODA or its designee and a certified provider of community-based long-term care services regarding ODA or its designee issuing a written warning or requiring the submission of a plan of correction.</p> |
|---|---|--|---|



| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee   |
|---|--|---|--|
| <p>No provision.</p> <p>Fiscal effect: The bill requires ODA to adopt rules requiring the certification of community-based long-term care providers. The provision exempts providers from certification if the provider contracts with the Department, the contract includes detailed conditions of participation for the provider, and the provider complies with the contract. According to the Department, these provisions would allow ODA to develop a consistent statewide practice of conducting business with providers. The Department will develop uniform standards for certification and contracting with providers. The Ohio Department of Job and Family Services (ODJFS) will grant the provider a Medicaid provider agreement based upon ODA's certification process. Currently, ODA and local Area Agencies on Aging (AAA) do all the work related to this activity, thus there would not be any significant costs associated with this provision.</p> | <p>Requires that ODA adopt rules establishing a fee for obtaining certification and establishes the Community-Based Long-Term Care Provider Certification Fund into which the fees are to be deposited.</p> <p>Fiscal effect: Same as the Executive, but allows the Department to charge a fee in an amount that will enable to Department to collect enough revenue to cover all the costs associated with this provision. Assuming such a fee is charged, the effect on the Department would be minimal.</p> | <p>No provision.</p> <p>Fiscal effect: Same as the Executive.</p> | <p>No provision.</p> <p>Fiscal effect: Same as the Executive, but administrative costs may be reduced as the number of administrative hearings may decrease.</p> |

|    | As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|----|--|--|--|--|
| 60 | (CD-225-AGE) Long-Term Care Consultation Program   |  |  |  |
|    | R.C. 173.42, 173.43, 5101.75, 5101.751 (repealed), 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03 | R.C. 173.42, 173.43, 5101.75, 5101.751 (repealed), 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03 | R.C. 173.42, 173.43, 5101.75, 5101.751 (repealed), 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03   | R.C. 173.42, 173.43, 5101.75, 5101.751 (repealed), 5101.752, 5101.753 (repealed), 5101.754 (repealed), 5111.205 (repealed), 5111.62, Section 203.21.03 |
|    | Requires that the Department develop a long-term care consultation program.  | Same as the Executive.   | Same as the Executive, but (1) specifies that long-term care consultations are to be "provided," rather than "performed," and that the services may include the reviews, assessments, and determinations required under current law before an individual is admitted to a nursing facility, (2) requires long-term care consultations to be provided to nursing facility residents who are likely to "spend down" their resources within six months after admission to a level that qualifies them financially for Medicaid, (3) clarifies that long-term care consultations may be provided to persons who have already been admitted to a nursing facility, and (4) authorizes the adoption of rules specifying circumstances when it may be appropriate to provide a person's long-term care consultation after the person's admission to a nursing facility. | Same as the Senate.  |
|    | Eliminates current law that requires ODJFS to administer a similar program for potential residents of nursing facilities.                              | Same as the Executive.   | Same as the Executive.   | Same as the Executive.   |
|    | Fiscal effect: The bill requires ODA to develop a long-term care consultation program whereby individuals or their representatives are provided with   | Fiscal effect: Same as the Executive.  | Fiscal effect: Same as the Executive, but the Department may see additional administrative costs associated with rules promulgation.   | Fiscal effect: Same as the Senate.   |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

information through professional consultations about options available to meet long-term care needs and about factors to consider in making long-term care decisions. In-person assessments are a more detailed needs assessment and are currently done for both the PASSPORT program and nursing facility admission. The local AAA's are currently implementing these screenings using certified individuals; therefore, there will be little or no additional administrative costs associated with the establishment of the long-term care consultation program. According to ODA, this would allow the Department more flexibility in performing in-person assessments. As a result, ODA would try to focus their resources on those individuals who would benefit most from an in-person assessment. This may result in an increase in the number of assessments performed and thus, could potentially increase costs. The more efficient use of in-person assessments could result in more individuals moving out of nursing homes and into less costly community and home-based settings. Should this occur, the state may experience the indirect effect of a reduction in Medicaid costs and a corresponding reduction in federal reimbursement for Medicaid expenditures.

|    | As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate               | As Amended by Conference Committee    |
|----|--|--|---------------------------------------|---------------------------------------|
| 61 | (CD-239-AGE) Nursing Home and Residential Care Facility Survey   |  |                                       |                                       |
|    | R.C. 173.44, 173.99  | R.C. 173.44, 173.99  | R.C. 173.44, 173.99                   | R.C. 173.44, 173.99                   |
|    | Permits ODA to conduct an annual survey, itself or by contract, of nursing homes and residential care facilities.  | Same as the Executive.   | Same as the Executive.                | Same as the Executive.                |
|    | Provides that a nursing home or residential care facility that recklessly fails to complete the survey is subject to a \$100 fine.   | No provision.  | Same as the Executive.                | Same as the Executive.                |
|    | Fiscal effect: The annual long-term care survey is conducted by the Miami University's Scripps Gerontology Center as part of an ongoing research project that tracks long-term care utilization patterns in Ohio. In prior years, the survey was mandated by the Ohio Department of Health (ODH), which used the data for health planning. However, the mandate to complete the survey was removed for the FY 2004-2005 biennium. Consequently, the response rate fell from approximately 96% to approximately 60%. According to the Department, ODA does not expect to collect any revenue from this provision, but expects to receive a higher response rate for the survey. | Fiscal effect: The removal of the fine for recklessly failing to complete the survey will not have a direct fiscal effect on the Department since it did not plan on collecting any revenue from the fee. However, it may result in response rates similar to those from the current biennium. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |

|    | As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee          |
|----|---|--|--|---|
| 62 | (CD-196-AGE) Long-Term Care Consumer Guide  |  |  |   |
|    | R.C. 173.45, 173.46, 173.47, 173.48, 173.49   | R.C. 173.45, 173.46, 173.47, 173.48, 173.49  | R.C. 173.45, 173.46, 173.47, 173.48, 173.49  | R.C. 173.45, 173.46, 173.47, 173.48, 173.49 |
|    | Requires that the Department publish the Ohio Long-Term Care Consumer Guide.  | Same as the Executive, but eliminates provisions that require long-term care facilities to cooperate with an annual customer satisfaction survey and authorize the Director of Aging to apply to the Attorney General to seek an injunction against a facility for failure to cooperate.                             | Same as the House, but (1) requires that long-term care facilities cooperate with an annual customer satisfaction survey (without specifying a penalty for non-compliance), (2) does not require that the Ohio Long-Term Care Consumer Guide include information about county and district homes, and (3) authorizes the Department to use money in the Long-Term Care Consumer Guide Fund for costs associated with publishing the Guide including, but not limited to, costs incurred in conducting customer satisfaction surveys. | Same as the Senate.                         |
|    | Fiscal effect: The Executive recommendations include an annual fee of \$300 for residential care facilities and \$400 for nursing facilities to fund the Guide. The Department expects to generate approximately \$552,000 in annual revenue from these provider fees. The Department will survey nursing facility residents (FY 2007), residential care facility residents (FY 2007), and families of nursing facility residents (FY 2008) for the Guide. In FY 2006, no surveys will take place as the Departments collects revenue to fund future surveys. | Fiscal effect: The Department would realize a reduction in revenue proportional to the number of facilities that decide not to complete the satisfaction survey. It is not known at this time what effect any reduction in revenue received would have on the Department's ability to complete the survey statewide. | Fiscal effect: Same as the Executive.  | Fiscal effect: Same as the Executive.       |

|           | As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee    |
|-----------|--|---|--|---------------------------------------|
| <b>63</b> | <b>(CD-219-AGE) Transfer of PACE Administrative Duties</b>   |   |  |                                       |
|           | R.C. 173.50, Section 490.03  | R.C. 173.50, Section 490.03   | R.C. 173.50, Section 490.03  | R.C. 173.50, Section 490.03           |
|           | Requires that the Department carry out the day-to-day administration of the component of the Medicaid program known as the Program of All-Inclusive Care for the Elderly (PACE).   | Same as the Executive.  | Same as the Executive, but permits the Department to adopt rules for the PACE program if the rules (1) are authorized by the Ohio Department of Job and Family Services (ODJFS) and (2) address only those matters that are not addressed in ODJFS's rules for the PACE program. | Same as the Senate.                   |
|           | Fiscal effect: The last budget act permitted ODJFS to transfer the day-to-day administration of the PACE program to ODA, subject to federal approval. The Department will be taking over full administration of the PACE program beginning in FY 2006. | Fiscal effect: Same as the Executive.   | Fiscal effect: Same as the Executive, but the Department may see increased administrative costs associated with additional rules promulgation.   | Fiscal effect: Same as the Senate.    |
| <b>64</b> | <b>(CD-214-AGE) Ombudsman Access to Long-Term Care Facilities and Sites</b>  |   |  |                                       |
|           | R.C. 173.99  | R.C. 173.99   | R.C. 173.99  | R.C. 173.99                           |
|           | Establishes a maximum \$500 fine for denying a representative of the Office of the State Long-Term Care Ombudsman Program access to a long-term care facility or community-based long-term care site.  | No provision.   | Same as the Executive.   | Same as the Executive.                |
|           | Fiscal effect: This provision may result in a gain in revenue. However, the amount of revenue that may be received cannot be estimated since it will depend on the number of times Ombudsman are denied access to                                      | Fiscal effect: Removing this provision retains current law, thus there would be no fiscal effect. | Fiscal effect: Same as the Executive.  | Fiscal effect: Same as the Executive. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

a long-term care facility.

65 (CD-1386-AGE) Ambulette Services

R.C. 4766.09, 4766.14, 612.12

R.C. 4766.09, 4766.14, 612.12

No provision.

No provision.

Exempts ambulette service providers from the Medical Transportation Law if they are operating under standards established in the Department's rules. Requires ambulette service providers, when exempted as described above, to make two-way communication available to their ambulette drivers; install or secure one isolation and biohazard disposal kit in ambulette vehicles; and obtain from an ambulette driver applicant a copy of a signed medical statement containing specified information from a licensed physician, the results of a chemical test for drug and alcohol abuse, certificates of completion of CPR and first aid courses, and the results of a criminal records check.

Same as the Senate.

Fiscal Effect: The fiscal effect of these provisions on the Department is uncertain. The Department is required to administer and enforce the provisions described above. Thus, the Department may see an increase in administrative costs associated with rules promulgation and enforcement activities.

Fiscal effect: Same as the Senate.

(See the item entitled "Ambulette Services for Certain Agencies" in the Ohio Medical Transportation Board)

|    | As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|----|---|------------------------|-------------------------|------------------------------------|
| 66 | (CD-204-AGE) Pre-Admission Review for Nursing Facility Admission  |                        |                         |                                    |
|    | Section: 203.21.03  | Section: 203.21.03     | Section: 203.21.03      | Section: 203.21.03                 |
|    | Earmarks up to \$2,586,648 in FY 2006 and up to \$2,651,315 in FY 2007 of GRF appropriation item 490-403, PASSPORT, for pre-admission assessments for non-Medicaid eligible individuals and assistance in the planning of their long-term care needs.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 67 | (CD-160-AGE) * <b>Partially Vetoed</b> * PASSPORT   |                        |                         |                                    |
|    | Section: 203.21.06  | Section: 203.21.06     | Section: 203.21.06      | Section: 203.21.06                 |
|    | Allows GRF appropriation item 490-403, PASSPORT, and the set aside for the PASSPORT program in appropriation item 490-610, PASSPORT/Residential State Supplement, (Fund 4J4) in the state special revenue fund group to be used to assess clients regardless of Medicaid eligibility and to support the Department's administrative costs associated with operating the program. Designates those two appropriation items to fund the state match for the PASSPORT Medicaid waiver program. Designates appropriation item 490-607, PASSPORT, (Fund 3C4) in the federal special revenue fund group to be used to fund the federal share of the PASSPORT program. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

No provision.

[\*\*\*VETOED: Creates the 8-member PASSPORT Evaluation Panel and requires the Panel to select, with the Department of Job and Family Services, an independent contractor to conduct an evaluation of the PASSPORT Program. Requires the Panel to approve a final report by not later than June 30, 2007. \*\*\*]

Requires that up to \$200,000 in fiscal year 2006 from GRF appropriation item 490-403, PASSPORT, be used for costs associated with an evaluation of the PASSPORT Program.

(See item entitled "PASSPORT Evaluation Panel" in the Department of Jobs and Family Services)

Same as the House, but

[\*\*\*VETOED: (1) moves the PASSPORT Evaluation Panel from ODJFS to the Department of Aging, (2) increases to 17 (from eight) the number of members on the PASSPORT Evaluation Panel; (3) expands the scope of the evaluation of the PASSPORT program; and \*\*\*]

(4) earmarks up to \$125,000 in each fiscal year in appropriation item 490-607, PASSPORT, Fund 3C4, in the Federal Special Revenue Fund Group, for an evaluation of the PASSPORT Program.

Same as the Senate, but

[\*\*\*VETOED: (1) decreases to 9 (from 17) the number of members on the PASSPORT Evaluation Panel and (2) \*\*\*]

increases the earmark for the PASSPORT Evaluation Panel in appropriation item 490-607, PASSPORT, Fund 3C4, in the Federal Special Revenue Fund Group, to an amount up to \$200,000 (from \$125,000) and removes funding in FY 2007.

**68 (CD-174-AGE) Ohio Community Service Council**

**Section: 203.21.06**

**Section: 203.21.06**

**Section: 203.21.06**

**Section: 203.21.06**

Requires GRF appropriation item 490-409, Ohio Community Service Council Operations, and appropriation item 490-617, Ohio Community Service Council programs, (Fund 3R7) in the federal special revenue fund group to be used in accordance with section 121.40 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

|           | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|-----------|--|------------------------|-------------------------|------------------------------------|
| <b>69</b> | <b>(CD-168-AGE) Long-Term Care Ombudsman</b>   |                        |                         |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06      | Section: 203.21.06                 |
|           | Requires GRF appropriation item 490-410, Long-Term Care Ombudsman, be used to fund ombudsman program activities in nursing homes, adult care facilities, boarding homes, and home and community care services.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>70</b> | <b>(CD-162-AGE) Senior Community Services</b>  |                        |                         |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06      | Section: 203.21.06                 |
|           | Requires GRF appropriation item 490-411, Senior Community Services, be used to fund services designated by the Department including, but not limited to, home-delivered meals, transportation services, personal care services, respite services, home repair, and care coordination. Requires that priority be given to low income, frail, and cognitively impaired persons age 60 and older. Requires the Department to promote cost sharing by recipients for services funded with these funds. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

|           | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|-----------|--|------------------------|--|------------------------------------|
| <b>71</b> | <b>(CD-165-AGE) Residential State Supplement</b>   |                        |  |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06   | Section: 203.21.06                 |
|           | Establishes the amount used to determine whether a resident is eligible for payment and for determining the amount per month the eligible resident will receive. The amounts are as follows: \$900 for a residential care facility; \$900 for an adult group home; \$800 for an adult foster home; \$800 for an adult family home; \$800 for an adult community home; \$800 for an adult residential facility; and \$600 for adult community mental health housing services. | Same as the Executive. | Same as the Executive.   | Same as the Executive.             |
| <b>72</b> | <b>(CD-167-AGE) Transfer of Residential State Supplement Appropriations</b>  |                        |  |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06   | Section: 203.21.06                 |
|           | Authorizes the Department to transfer cash in FY 2006 from GRF appropriation item 490-412, Residential State Supplement, and state special revenue fund appropriation item 490-610, PASSPORT/Residential State Supplement, to the Ohio Department of Job and Family Services' state special revenue Fund 4J5, Home and Community-Based Services for the Aged Fund, to make benefit payments to Residential State Supplement recipients.                                      | Same as the Executive. | Same as the Executive, but allows ODA to transfer funds to the Department of Mental Health from appropriation items 490-412, Residential State Supplement, and 490-610, PASSPORT/Residential State Supplement, to make benefit payments to Residential State Supplement recipients in both fiscal years. | Same as the Senate.                |

|           | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|-----------|--|------------------------|--|------------------------------------|
| <b>73</b> | <b>(CD-163-AGE) Alzheimer's Respite</b>  |                        |  |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06   | Section: 203.21.06                 |
|           | Requires GRF appropriation item 490-414, Alzheimer's Respite, be used to fund Alzheimer's disease services in accordance with section 173.04 of the Revised Code.  | Same as the Executive. | Same as the Executive.   | Same as the Executive.             |
| <b>74</b> | <b>(CD-164-AGE) JCFS Elderly Transportation</b>  |                        |  |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06   | Section: 203.21.06                 |
|           | Requires GRF appropriation item 490-416, JCFS Transportation for Elderly, be used for non-capital expenses related to transportation services for the elderly. Requires these funds to provide access to such things as healthcare services, congregate meals, socialization programs, and grocery shopping. Requires agencies receiving funding to coordinate services with other local service agencies. | Same as the Executive. | Same as the Executive, but earmarks the appropriation to the following agencies:<br>(1) \$30,000 in both fiscal years to Cincinnati Jewish Vocational Services;<br>(2) \$20,000 in both fiscal years to Wexner Heritage Village;<br>(3) \$20,000 in both fiscal years to Yassenoff Jewish Community Center;<br>(4) \$30,000 in both fiscal years to Cleveland Jewish Community Center. | Same as the Senate.                |

|           | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|-----------|--|------------------------|-------------------------|------------------------------------|
| <b>75</b> | <b>(CD-169-AGE) Regional Long-Term Care Ombudsman Programs</b>   |                        |                         |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06      | Section: 203.21.06                 |
|           | Requires appropriation item 490-609, Regional Long-Term Care Ombudsman Programs, (Fund 4C4) in the state special revenue fund group be used to fund ombudsman program activities in nursing homes, adult care facilities, boarding homes, and home and community care services.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>76</b> | <b>(CD-170-AGE) PASSPORT/Residential State Supplement</b>  |                        |                         |                                    |
|           | Section: 203.21.06   | Section: 203.21.06     | Section: 203.21.06      | Section: 203.21.06                 |
|           | Earmarks up to \$2,835,000 in each fiscal year from appropriation item 490-610, PASSPORT/Residential State Supplement, (Fund 4J4) in the state special revenue fund group for the Residential State Supplement program. Requires the remaining appropriation in this line item is to be used to fund the PASSPORT program. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

|    | As Introduced (Executive)                                     | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|----|---|------------------------|-------------------------|------------------------------------|
| 77 | (CD-171-AGE) Transition Plan for Residential State Supplement |                        |                         |                                    |

Section: 203.21.06

Section: 203.21.06

Section: 203.21.06

Section: 203.21.06

Requires appropriation item 490-610, PASSPORT/Residential State Supplement, (Fund 4J4) in the state special revenue fund group be used in FY 2007 to transfer to the Ohio Department of Mental Health (ODMH) sufficient funds to make benefit payments for all Residential State Supplement (RSS) recipients who are less than 60 years of age, diagnosed with mental illness, mental retardation, and/or a developmental disability, and are enrolled in the program on June 30, 2006. Requires ODA and ODMH to jointly petition the Social Security Administration to approve changes to the RSS program. Requires that changes proposed by the two departments ensure that RSS program recipients on June 30, 2006 continue to receive benefit payments as long as they remain in the program. Allows any changes proposed by ODA and ODMH to include provisions that improve local accountability to county boards of mental health, maximize available funding, and improve the quality of residential settings approved for recipients.

Same as the Executive.

Same as the Executive, but (1) requires the Department to transfer sufficient funds from appropriation item 490-412, Residential State Supplement, in FY 2007, to the Department of Mental Health to make benefit payments for all Residential State Supplement recipients who are less than 60 years of age diagnosed with mental illness, mental retardation, or a developmental disability and are enrolled in the program on June 30, 2006; (2) allows the Director of Budget and Management to transfer appropriations from GRF appropriation item 490-412, Residential State Supplement, in the Department of Aging, to GRF appropriation item 335-505, Local Mental Health Systems of Care, in the Department of Mental Health for the Residential State Supplement benefit payments; (3) allows the Director of Budget and Management to transfer cash from Fund 4J4, PASSPORT Fund, in the Department of Aging into the General Revenue Fund and increase the appropriation in GRF appropriation item 335-505, Local Mental Health Systems of Care, in the Department of Mental Health by an equal amount; and (4) requires the Department of Aging to continue to be responsible for the Residential State Supplement program if the Social Security Administration does not approve the

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

proposed changes to the program.

**78 (CD-173-AGE) Transfer of Appropriations-Federal Aging Nutrition, Federal Independence Services, and Federal Aging Grants**

Section: 203.21.06

Section: 203.21.06

Section: 203.21.06

Section: 203.21.06

Allows ODA to transfer up to 30% of Older Americans Act funding between appropriation items 490-611, Federal Aging Nutrition, (Fund 3M3), 490-612, Federal Independence Grants, (Fund 3M4), and 490-618, Federal Aging Grants, (Fund 322) all in the federal special revenue fund group. Requires ODA to submit a written request to, and receive approval from, the Director of Budget and Management for any such transfer. Requires ODA to report the transfers to the Controlling Board when they occur.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**79 (CD-175-AGE) Transfer of Resident Protection Funds**

Section: 203.21.06

Section: 203.21.06

Section: 203.21.06

Section: 203.21.06

Requires the Director of Budget and Management to transfer in FY 2006 \$615,000 from Fund 4E3, Resident Protection Fund, from the Ohio Department of Job and Family Services (ODJFS), to Fund 5BA in ODA, to be used for program management for the Office of the State Long-Term Care Ombudsman.

Same as the Executive.

Same as the Executive, but requires the Director of Budget and Management to transfer in FY 2006 \$350,000 from Fund 4E3, Resident Protection Fund, in ODJFS to Fund 5CE in ODA, to be distributed to the Ohio Alzheimer's Association for the development of a pilot person-centered training program for long-term care staff who interact with people with dementia.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 80 (CD-1415-AGE) Allocation of PACE Slots

Section: 203.21.06

No provision.

No provision.

No provision.

Requires the Department to allocate, to the extent funding is available, 500 PACE slots to Tri-Health Senior Link located in Cincinnati and 380 slots to Concordia Care located in Cleveland. Requires the Department to allocate, to the extent funding, is available up to an additional 60 slots from Concordia Care to Tri-Health Senior Link if the Department projects that Concordia Care will not fill all of their allotted slots.

## 81 (CD-1213-AGE) Aging and Disability Resource Center

Section: 203.21.09

Section: 203.21.09

No provision.

No provision.

Permits the Department to apply for the 2005 Aging and Disability Resource Center (ADRC) Grant Initiative of the Administration on Aging (AOA) and the Centers for Medicare and Medicaid Services (CMS) and create an Aging and Disability Resource Center if the application is accepted.

Same as the Senate.

No provision.

No provision.

Fiscal effect: ADRC programs provide citizen-centered, "one-stop" entry points into the long-term support system. Resource centers serve individuals needing long-term support, their family caregivers, and those planning for future long-term support needs.

Fiscal effect: Same as the Senate.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Currently, 24 states have received these grants and are developing resource centers. The AOA and CMS plan to fund up to 20 grants totaling up to \$800,000 each for a 3-year period. Grantees are required to make a non-financial or cash recipient contribution (match) of at least 5% of the total grant award. The Department would see an increase in administrative costs associated with the grant application process if it decides to apply for the grant. Furthermore, if awarded the grant, the Department would be required to provide a 5% match.

## 82 (CD-1234-AGE) Transferring Individuals from Nursing Facilities to PASSPORT

Section: 206.66.64

Section: 206.66.64

No provision.

No provision.

Provides for an individual admitted to a nursing facility while on a waiting list for the PASSPORT program to be enrolled in the PASSPORT program if it is determined that the PASSPORT program is appropriate for the individual and the individual would rather participate in the PASSPORT program than continue residing in the nursing facility.

Same as the Senate, but requires that the Department of Job and Family Services submit a report to the General Assembly by not later than December 31, 2006, regarding the number of individuals transferred to the PASSPORT program and the costs incurred and savings achieved as a result of the transfers.

No provision.

No provision.

Provides that the individuals enrolled in PASSPORT pursuant to this provision of the bill are to be in addition to the individuals enrolled in PASSPORT during fiscal years 2006 and 2007 based on the amount of money the bill initially appropriates for PASSPORT.

Same as the Senate.

## As Introduced (Executive)

No provision.

## As Passed by the House

No provision.

## As Passed by the Senate

Fiscal effect: This provision requires each Area Agency on Aging (AAA) to determine each month during FYs 2006-2007 the number of individuals who are on the PASSPORT waiting list in their area and have been admitted to a nursing facility. The AAA must then forward the names of any such individuals to the Long-Term Care Consultation Program administrator serving that area. If the administrator determines the individual is appropriate for PASSPORT and the individual desires to enroll in the PASSPORT program, the administrator must notify the Department. The Department must then enroll the individual in PASSPORT program. The AAA's, Long Term Care Consultation Program, and the Department would see an increase in administrative costs associated with this provision.

The bill requires the Department to quarterly certify to the Director of Budget and Management the estimated increase in costs of the PASSPORT program for these individuals. Upon receipt of the estimated costs, the Director of Budget and Management must (1) transfer that state share of the amount from GRF appropriation item 450-525, Health Care/Medicaid, to GRF appropriation item 490-403, PASSPORT; (2) increase ODA appropriation item 490-607, PASSPORT, by the federal share of the estimated costs; and (3) increase ODJFS appropriation item 600-655, Interagency Reimbursement, by the federal share of the estimated costs.

## As Amended by Conference Committee

Fiscal effect: Same as the Senate, but ODJFS will incur additional administrative expenses associated with the report required by the provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

The provision may result in a savings to Medicaid to the extent to which individuals currently residing in nursing facilities enroll in PASSPORT, which is less expensive. However, the savings to Medicaid would depend on the number of individuals leaving nursing facilities and the individual's needs, which cannot be estimated at this time. Under the bill, any GRF money saved from transferring individuals from nursing facilities to PASSPORT would still remain in GRF line item 600-525, Health Care/Medicaid. If ODJFS spends this money, then there would ultimately be no savings to the state.

---

|           | As Introduced (Executive)  | As Passed by the House                       | As Passed by the Senate   | As Amended by Conference Committee                |
|-----------|--|--|---|---|
| <b>83</b> | <b>(CD-303-AGR) Family Farm Loan Program Extension</b>   |  |   |   |
|           | R.C. <i>122.011, Sections 403.11, 403.12</i>   | R.C. <i>122.011, Sections 403.11, 403.12</i> | R.C. <i>122.011, Sections 403.11, 403.12</i>  | R.C. <i>122.011, Sections 403.11, 403.12</i>      |
|           | Extends the sunset of the Family Farm Loan Program from October 15, 2005, to October 15, 2007. (See the item entitled "Family Farm Loan Program Extension" in the Department of Development, and related temporary law item "Family Farm Loan Program" in the Department of Agriculture.)                  | Same as the Executive.                       | Same as the Executive.  | Same as the Executive.                            |
|           | Fiscal effect: Allows for continued expenditures from the Department of Development over the biennium.   |  |   |   |
| <b>84</b> | <b>(CD-329-AGR) Merger of Animal Industry Laboratory Fund and Laboratory Services Fund</b>   |  |   |   |
|           | R.C. <i>901.43</i>   | R.C. <i>901.43</i>                           | R.C. <i>901.43, Sections 203.24 and 203.24.03</i>   | R.C. <i>901.43, Sections 203.24 and 203.24.03</i> |
|           | Merges the existing Animal Industry Laboratory Fund (Fund 4V5) with the existing Laboratory Services Fund (Fund 652) and names the new, combined fund as the Animal and Consumer Analytical Laboratory Service Fund (Fund 652), and retains existing fund provisions concerning sources and uses of money. | Same as the Executive.                       | Same as the Executive, except rather than naming the newly combined fund the Animal and Consumer Analytical Laboratory Service Fund, names the fund the Animal Health and Food Safety Fund. Also, changes the name of appropriation item 700-634, Animal and Consumer Analytical Laboratory, to 700-634, Animal Health and Food Safety, and changes the name of the Animal and Consumer Analytical Laboratory Services Fund to the Animal Health and Food Safety Fund (Fund 652). | Same as the Senate.                               |
|           | Fiscal effect: none  |  |   |   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

85 (CD-327-AGR) Creation of Laboratory and Administrative Support Fund

R.C. 901.44

R.C. 901.44

R.C. 901.44

R.C. 901.44

Creates the Laboratory and Administrative Support Fund consisting of moneys received by the Department of Agriculture from auditorium rentals and other miscellaneous sources and authorizes the Department to use moneys in the Fund to pay costs associated with any of the Department's programs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increase in revenue by \$2,096,000 in the Laboratory and Administrative Support Fund.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

86 (CD-1254-AGR) Background Information for Installation or Operating of a Concentrated Animal Feeding Facility

R.C. 903.05

R.C. 903.05

No provision.

No provision.

Expands the scope of background information that must be submitted to the Director of Agriculture by an applicant for a permit to install or permit to operate a concentrated animal feeding facility who has not operated such a facility in Ohio for at least two of the five years immediately preceding the submittal of the application by requiring such an applicant to submit information concerning all animal feeding facilities that the applicant has operated or is operating rather than requiring the applicant to submit information concerning only the concentrated animal feeding facilities that the applicant has operated or is operating as in current law, and exempts from the background information requirements a permit application that involves a small or medium concentrated animal feeding operation that must obtain a permit to install or permit to operate due to known water pollution issues.

Same as the Senate.

Fiscal effect: Minimal expenditure increase to review additional applicant background information.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

87 (CD-316-AGR) Fertilizers, Seed, Pesticides, Feed, Plants, and Metrology and Scale Certification Fund

R.C. 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511

R.C. 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511

R.C. 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511, and Section 203.24.03

R.C. 905.32, 905.33, 905.331, 905.36, 905.37, 905.38, 905.381, 905.50, 905.66, 907.16, 921.02, 921.16, 923.44, 923.45, 923.46, 927.69, 1327.511, and Section 203.24.03

Changes the annual schedule for fertilizer-related licensure and registration from July 1 of one year through June 30 of the subsequent year to December 1 of one year through November 30 of the subsequent year; changes the fertilizer tonnage report from a semiannual report to an annual report, and requires it to be submitted by November 30 each year.

Same as the Executive.

Same as the Executive, except clarifies that fertilizer tonnage reports due by November 30, 2005, must include information only for the period beginning on July 1, 2005, and ending on October 31, 2005.

Same as the Senate.

Increases the fertilizer inspection fee from 12¢ per ton to 25¢ per ton and from 13¢ per metric ton to 28¢ per metric ton, as applicable; increases the semiannual commercial feed distributor inspection fee from 10¢ per ton to 25¢ per ton, and increases the minimum fee from \$10 to \$25.

Makes discretionary rather than mandatory the distribution of annual statements of fertilizer sales and the publishing of an annual report of an analysis of fertilizers inspected by the Director of Agriculture.

Establishes a pesticide registration and inspection fee of \$150 per product and an additional penalty fee of \$75, and requires the new statutory fees to replace the current

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

fees established by rule on January 1, 2007.

Changes the fee for the inspection of agricultural products and their conveyances under the Plant Pest Program from \$65 to an amount equal to the hourly rate of pay in the highest step in the pay range, including fringe benefits, of a plant pest control specialist multiplied by the number of hours worked by such a specialist in conducting an inspection.

Makes annual publishing of information concerning commercial feed by the Director discretionary rather than mandatory.

Merges the Commercial Feed, Fertilizer, and Lime Inspection and Laboratory Fund (Fund 4C9) and the Seed Fund (Fund 5Z4) to create the Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9); changes the name of the Scale Certification Fund to the Metrology and Scale Certification Fund (Fund 5H2); and makes other changes.

Fiscal effect: Increases Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9) revenues by \$806,328 and increases Pesticide Program Fund (Fund 669) revenues by \$650,000. Potential decrease in administrative costs if the Director of Agriculture chooses not to distribute discretionary reports regarding fertilizer sale and inspections and information concerning commercial feed.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

88 (CD-867-AGR) Prohibition Against Regulation of Fertilizer and Seed by Political Subdivisions

R.C. 905.501, 907.111

R.C. 905.501, 907.111

R.C. 905.501, 907.111

No provision.

Prohibits political subdivisions from regulating or enacting legislation relating to the registration, packaging, labeling, sale, storage, distribution, use or application of fertilizer and from regulating or enacting legislation related to the registration, labeling, sale, or storage, transportation, distribution, notification of use, use, or planting of seed. (See the item entitled "Prohibition Against Regulation of Fertilizer and Seed by Political Subdivisions" in Local Government).

Same as the House.

Same as the House.

Fiscal effect: None.

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee                     |
|--|------------------------|--|--|
| 89 (CD-306-AGR) Bakery Registration Fee  |                        |  |  |
| R.C. 911.02  | R.C. 911.02            | R.C. 911.02, Sections 203.24.03, 203.99, and 203.99.54   | R.C. 911.02, Sections 203.24.03, 203.99, and 203.99.54 |
| <p>Increases the annual bakery registration fee from \$30 to \$60 for a production capacity of 1,000 pounds per hour or less and from \$30 to \$60 for each 1,000 pounds of bakery product per hour capacity, or part of it, in excess of 1,000 pounds of bakery product per hour, and increases the annual home bakery registration fee from \$10 to \$20.</p> <p>Fiscal effect: Increase of \$21,790 in revenues to the Food Safety Fund (Fund 4P7).</p> | Same as the Executive. | <p>Eliminates the increase in annual bakery registration fees. Reduces appropriation item 195-676, Promote Ohio, in the Department of Development, by \$21,790 in each fiscal year and reduces the amount transferred to the Promote Ohio appropriation item from unclaimed funds by the same amount in each fiscal year. Provides for a transfer from unclaimed funds to the Food Safety Fund (Fund 4P7) in the Department of Agriculture that totals \$21,790 in each fiscal year.</p> <p>(See the item entitled "Unclaimed Funds Transfer" in the Department of Development)</p> <p>Fiscal effect: The transfer of \$21,790 to the Department of Agriculture's Fund 4P7 will replace the estimated amount of revenue the increase in bakery registration fees would have generated.</p> | Same as the Senate.                                    |

| As Introduced (Executive)  |  | As Passed by the House |        | As Passed by the Senate |        | As Amended by Conference Committee |        |
|--|--|------------------------|--------|-------------------------|--------|------------------------------------|--------|
| <b>90</b>  | <b>(CD-309-AGR) Cannery License Fee</b>  |                        |        |                         |        |                                    |        |
| R.C.   | 913.02   | R.C.                   | 913.02 | R.C.                    | 913.02 | R.C.                               | 913.02 |
| Increases the cannery license fee and license renewal fee from \$100 to \$200.   |  | Same as the Executive. |        | Same as the Executive.  |        | Same as the Executive.             |        |
| Fiscal effect: Increase in revenues by \$12,300 to the Food Safety Fund (Fund 4P7).  |  |                        |        |                         |        |                                    |        |
| <b>91</b>  | <b>(CD-310-AGR) Soft Drink Manufacturing or Bottling and Sale of Syrup or Extract Fees</b> |                        |        |                         |        |                                    |        |
| R.C.   | 913.23   | R.C.                   | 913.23 | R.C.                    | 913.23 | R.C.                               | 913.23 |
| Increases the soft drink manufacturing or bottling license fee from \$100 to \$200, increases the out-of-state soft drink manufacturing or bottling registration fee from \$100 to \$200, and increases the license fee from \$50 to \$100 for the sale, use, or possession with intent to sell of any soda water syrup or extract or soft drink syrup to be used in making, drawing, or dispensing soda water or other soft drinks. |  | Same as the Executive. |        | Same as the Executive.  |        | Same as the Executive.             |        |
| Fiscal effect: Increase of \$23,700 in revenues to the Food Safety Fund (Fund 4P7).  |  |                        |        |                         |        |                                    |        |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

92 (CD-311-AGR) Cold-Storage Warehouse Operation License Fee

R.C. 915.02

R.C. 915.02

R.C. 915.02

R.C. 915.02

Increases the fee for a license to operate a cold-storage warehouse from \$100 to \$200.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increase of \$3,800 in revenues to the Food Safety Fund (Fund 4P7).

93 (CD-313-AGR) Annual License Fee for Food Locker Plan Establishments

R.C. 915.16

R.C. 915.16

R.C. 915.16

R.C. 915.16

Increases the annual fee for a license to operate a frozen food manufacturing facility, slaughterhouse, locker room, locker, chill room, sharp freezing room and facilities, or sharp freezing cabinet from \$25 to \$50.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increase of \$4,700 in revenues to the Food Safety Fund (Fund 4P7).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

94 (CD-304-AGR) Fee for Issuance of Certificates of Health and Freesale

R.C. 915.24, 3715.04

R.C. 915.24, 3715.04

R.C. 915.24, 3715.04

R.C. 915.24, 3715.04

Authorizes the Director of Agriculture to issue a certificate of health and freesale to a food processing establishment, manufacturer of over-the-counter drugs, or manufacturer of cosmetics upon request for purposes of certifying that products have been produced and warehoused under sanitary conditions as determined through inspection, establishes a \$20 fee for the issuance of such a certificate, and requires the Director to deposit any such fees that are collected to the credit of the existing Food Safety Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increase of \$52,000 in revenues to the Food Safety Fund (Fund 4P7).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

95 (CD-1389-AGR) Agricultural Commodity Handlers Law Definition Changes

R.C. 926.01

R.C. 926.01

No provision.

No provision.

Revises two definitions in the Agricultural Commodity Handlers Law governing the application of that Law as follows: (1) modifies the definition of "agricultural commodity handling" by specifying that it includes engaging in or participating in the business of purchasing from producers agricultural commodities for any use in excess of 30,000 bushels annually rather than, as in current law, engaging in or participating in the business of purchasing an agricultural commodity for sale, resale, processing, or any other use in volumes exceeding 30,000 bushels annually from producers, 100,000 bushels annually from agricultural commodity handlers, or 100,000 bushels annually from both producers and handlers, and (2) removes from the definition of "agricultural commodity handler" or "handler" the exclusion in current law of a person who does not handle agricultural commodities as a bailee and who purchases agricultural commodities in volumes of 30,000 or fewer bushels annually from producers or 100,000 or fewer bushels annually from agricultural commodity handlers unless the combined annual volume of purchases from producers and handlers exceeds 100,000 bushels.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: Potential revenue gain in commodity handling license and renewal revenue from handlers that were previously exempted from handling requirements. Potential increase in administrative cost to the Department to ensure additional handlers comply with statutory requirements.

96 (CD-326-AGR) Permits for Large Capacity Scales and Large Meters

R.C. 1327.62, 1327.70, 1327.71, and 1327.99

R.C. 1327.62, 1327.70, 1327.71, and 1327.99

R.C. 1327.62, 1327.70, 1327.71, 1327.99 and Section 203.24

Prohibits a person from operating a large capacity scale or a large meter unless the operator holds a valid permit issued by the Director of Agriculture for the scale or meter; establishes permit application and issuance procedures, a permit fee and an annual renewal fee of \$250, and civil and criminal penalties for violation of the permit requirement; authorizes the Director to adopt rules expanding the definitions in the bill of "large capacity scale" and "large meter"; creates the Weights and Measures Permit Fund (Fund 5BF) consisting of collected permit and renewal fees, to be used to pay costs associated with the weights and measures program.

Same as the Executive.

No provision.

Same as the Senate.

Fiscal effect: Though the provision is eliminated, the bill reestablishes GRF appropriation item 700-412, Weights and Measures, and appropriates a total of \$1,100,000 in FY 2006 and \$1,300,000 in FY 2007. Also, the bill eliminates appropriation item 700-643, Weights and Measures (Fund 5BF), in the State Special Revenue Fund Group.

Fiscal effect: Increases Weights and Measures Permit Fund (Fund 5BF) revenues by \$1,450,750.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 97 (CD-1370-AGR) Advisory Council on Amusement Ride Safety

R.C. 1711.52

R.C. 1711.52

No provision.

No provision.

Requires the existing Advisory Council on Amusement Ride Safety to prepare and submit a report, not later than December 31, 2006, to the Governor, Speaker of the House of Representatives, President of the Senate, and Director of Agriculture concerning the Council's recommendations for alternative funding sources for the Amusement Ride Safety Program.

Same as the Senate, but adds the Minority Leader of the House of Representatives and the Minority Leader of the Senate to those individuals who must receive the report.

Fiscal effect: Minimal increase in administrative expenses for preparing the report.

Fiscal effect: Minimal increase in administrative expenses for preparing the report.

## 98 (CD-1371-AGR) Requirements for Electrical Connections for Amusement Rides

R.C. 1711.53, 1711.531

R.C. 1711.53, 1711.531

No provision.

No provision.

Requires amusement rides that are operated from an electric light company source to be operated only through a properly installed fusible switch, enclosed circuit breaker, or panelboard.

Same as the Senate.

Fiscal effect: Potential increase in expenditures for the Department of Agriculture to inspect electrical connections on amusement rides.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

99 (CD-1108-AGR) Amusement Ride Permit Fee

R.C. 1711.53, Section 203.24

R.C. 1711.53, Section 203.24

R.C. 1711.53, Section 203.24

No provision.

Increases the fee for an annual amusement ride permit from \$50 to \$150 for a commercial amusement ride, and retains the \$50 permit fee for a residential amusement ride.

Fiscal effect: Increase in revenue to the Ride Inspection Fund (Fund 578) by approximately \$250,000 in each fiscal year due to the increase in the permit fee.

Eliminates the provisions in the bill that establish separate annual permits for residential amusement rides and commercial amusement rides and increases the fee for all annual amusement ride permits from \$50 to \$150.

Fiscal effect: Increase in revenue to the Ride Inspection Fund (Fund 578) by approximately \$250,000 in each fiscal year due to the increase in the permit fee.

Same as the Senate.

100 (CD-315-AGR) Wine tax diversion to Ohio Grape Industries Fund

R.C. 4301.43

R.C. 4301.43

R.C. 4301.43

R.C. 4301.43

Extends the extra 2¢ earmark of wine tax revenue credited to the Ohio Grape Industries Fund (Fund 496) through June 30, 2007.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Maintains current revenues in the Ohio Grape Industries Fund (Fund 496).

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate | As Amended by Conference Committee |
|---|---|-------------------------|------------------------------------|
| <b>101 (CD-289-AGR) Family Farm Loan Program</b>  |   |                         |                                    |
| Section: <i>203.24</i>  | Section: <i>203.24</i>  | Section: <i>203.24</i>  | Section: <i>203.24</i>             |
| Authorizes the transfer of up to \$1,500,000 in each fiscal year from the Facilities Establishment Fund (Fund 037) to the Family Farm Loan Fund (Fund 5H1) in the Department of Development, subject to Controlling Board approval. | Same as the Executive, but reduces the transfer to \$1 million in each year.  | Same as the House.      | Same as the House.                 |
| <b>102 (CD-1106-AGR) Ohio-Israel Agricultural Initiative</b>  |   |                         |                                    |
|   | Section: <i>203.24</i>  | Section: <i>203.24</i>  | Section: <i>203.24</i>             |
| No provision.   | Earmarks \$100,000 of GRF appropriation item 700-411, International Trade and Market Development, to be used in fiscal year 2006 for the Ohio-Israel Agricultural Initiative. | Same as the House.      | Same as the House.                 |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**103 (CD-293-AGR) Fertilizer-Related Licensure and Registration**

Section: 203.24.03

Section: 203.24.03

Section: 203.24.03

Section: 203.24.03

Facilitates the implementation of the new schedule for fertilizer-related licensure, registration, and reporting established under sections 905.32, 905.33, 905.331, and 905.36 of the Revised Code, by specifying effective dates for these fees and reporting requirements.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increases Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9) revenues by \$305,766.

**104 (CD-296-AGR) Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund**

Section: 203.24.03

Section: 203.24.03

Section: 203.24.03

Section: 203.24.03

Transfers all assets, liabilities, revenues, and obligations associated with the Seed Fund (5Z4) to the new Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9) on July 1, 2005, or as soon thereafter as possible.

Same as the Executive.

Same as the Executive.

Same as the Executive.

|            | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|--|------------------------|-------------------------|------------------------------------|
| <b>105</b> | <b>(CD-301-AGR) Animal and Consumer Analytical Laboratory Services Fund</b>  |                        |                         |                                    |
|            | Section: 203.24.03   | Section: 203.24.03     | Section: 203.24.03      | Section: 203.24.03                 |
|            | Transfers all assets, liabilities, revenues, and obligations associated with the Animal Industry Laboratory Fund (Fund 4V5) to the Animal and Consumer Analytical Laboratory Services Fund (Fund 652) on July 1, 2005, or soon as possible thereafter. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>106</b> | <b>(CD-299-AGR) Metrology Lab and Scale Certification Fund</b>   |                        |                         |                                    |
|            | Section: 203.24.03   | Section: 203.24.03     | Section: 203.24.03      | Section: 203.24.03                 |
|            | Transfers all assets, liabilities, revenues, and obligations associated with the Scale Certification Fund (Fund 579) to the Metrology Lab and Scale Certification Fund (Fund 5H2) on July 1, 2005, or as soon as possible thereafter.                  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

|            | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|--|------------------------|-------------------------|------------------------------------|
| <b>107</b> | <b>(CD-298-AGR) Pesticide Registration and Inspection Fee</b>  |                        |                         |                                    |
|            | Section: 203.24.03   | Section: 203.24.03     | Section: 203.24.03      | Section: 203.24.03                 |
|            | Requires the pesticide registration and inspection fee deposited in the Pesticide Program Fund (Fund 669) to remain in effect until the new fees take effect on January 1, 2007.<br><br>Fiscal effect: Increases Pesticide Program Fund (Fund 669) by \$650,000. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>108</b> | <b>(CD-290-AGR) Clean Ohio Agricultural Easement</b>   |                        |                         |                                    |
|            | Section: 203.24.03   | Section: 203.24.03     | Section: 203.24.03      | Section: 203.24.03                 |
|            | Requires appropriation item 700-632, Clean Ohio Agricultural Easement, to be used by the Department of Agriculture in administering sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised Code.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 109 (CD-297-AGR) Transfer Between Funds   |                        |                         |                                    |
| Section: 203.24.03  | Section: 203.24.03     | Section: 203.24.03      | Section: 203.24.03                 |
| Allows the Director of Budget and Management to transfer the cash credited to the Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund (Fund 4C9) or the Pesticide Program Fund (Fund 669) to any other fund administered by the Director of Agriculture. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Fiscal effect: Allows for flexibility in directing funding to programs where it is needed.  |                        |                         |                                    |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 110 (CD-1110-AGR) National Pollution Discharge Elimination System Funding Transfer

Section: 206.27

Section: 206.27

Section: 206.27

No provision.

Transfers federal moneys for agricultural related aspects of the National Pollution Discharge Elimination System (NPDES) from the Ohio Environmental Protection Agency to the Ohio Department of Agriculture (AGR) through the Controlling Board once AGR's state program is submitted and approved by the United States EPA, and the federal moneys are disbursed. (See item entitled "National Pollution Discharge Elimination System Funding Transfer" in Department of Environmental Protection Agency.)

Fiscal effect: Increase in AGR's federal moneys to be used to issue permits pursuant to the US EPA NPDES program.

Specifies that Ohio EPA, the Department of Agriculture, and OBM shall calculate the amount of compensation to be made to either Ohio EPA or the Department of Agriculture from federal moneys disbursed and received for purposes of administering the National Pollutant Discharge Elimination System (NPDES) Program and shall calculate the amount of state matching funding that is required. The amendment specifies that if all federal moneys are awarded to one agency, that agency shall transfer the appropriate amount of money to the other agency in accordance with the calculations made.

Fiscal effect: Potential increase in funding in proportion to the amount of NPDES work being carried out by the Department of Agriculture.

(See item entitled National Pollution Discharge Elimination System Funding Transfer in the Environmental Protection Agency for the fiscal effect on that agency.)

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 111 (CD-291-AGR) Utility Radiological Safety Board Assessments

Section: 306.03

Section: 306.03

Section: 306.03

Section: 306.03

Sets the assessments against nuclear electric utilities for the Department of Agriculture's Fund 4E4, Utility Radiological Safety, at \$73,059 in FY 2006 and \$73,059 in FY 2007. See item entitled "Utility Radiological Safety Board Assessments" in the Public Utilities Commission of Ohio.

Same as the Executive.

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

112 (CD-780-AIR) Coal Development Office

Section: 203.27

Section: 203.27

Section: 203.27

Section: 203.27

Earmarks GRF appropriation item GRF 898-402, Coal Development Office, for administrative costs of the Coal Development Office.

Same as the Executive.

Same as Executive

Same as Executive.

Fiscal Effect: None

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 113 (CD-783-AIR) Science and Technology Collaboration

Section: 203.27

Section: 203.27

Section: 203.27

Section: 203.27

Establishes that the Air Quality Development Authority shall work in close collaboration with the Department of Development, the Board of Regents, and the Third Frontier Commission in relation to Alignment Programs and appropriation items and other technology-related programs and appropriation items in the Department of Development, Air Quality Development Authority, and the Board of Regents. Alignment programs shall be managed to build on existing competitive research strengths, encourage new and emerging discoveries and commercialization of ideas and products that will benefit the Ohio economy, and to ensure improved collaboration among Alignment Programs with programs administered by the Third Frontier Commission, and with other state programs that are intended to improve economic growth and job creation.

Same as the Executive.

Brings the language in this section in line with other similar sections.

Same as Senate.

Fiscal Effect: None

|            | As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|---|------------------------|-------------------------|------------------------------------|
| <b>114</b> | <b>(CD-781-AIR) Coal Research and Development General Obligation Debt Service</b>   |                        |                         |                                    |
|            | Section: 203.27   | Section: 203.27        | Section: 203.27         | Section: 203.27                    |
|            | Earmarks appropriation item GRF 898-901, Coal R & D Gen. Obligation Debt Service, to pay all debt service and related financing costs at the times they are required to be made under sections 151.01 and 151.07 of the Revised Code. | Same as the Executive. | Same as Executive       | Same as Executive.                 |
|            | Fiscal Effect: None   |                        |                         |                                    |
| <b>115</b> | <b>(CD-784-AIR) Issuance of Obligations by the Ohio Coal Development Office</b>   |                        |                         |                                    |
|            | Section: 318.12   | Section: 318.12        | Section: 318.12         | Section: 318.12                    |
|            | Grants the Ohio Public Facilities Commission authorization to issue and sell bonds and other obligations of the state to provide moneys to the credit of the Coal Research and Development Fund.                                      | Same as the Executive. | Same as Executive       | Same as Executive.                 |
|            | Fiscal Effect: None   |                        |                         |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

116 (CD-979-ADA) Behavioral Health Exclusion from Medicaid Care Management

R.C. 5111.16

R.C. 5111.16

R.C. 5111.16

No provision.

Excludes alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services from being included in any component of the Medicaid care management system, but permits recipients of such services to be included in the system for purposes of receiving other Medicaid services.

(See the item entitled "Behavioral Health Exclusion from Medicaid Care Management" in the Department of Mental Health and in the Department of Job and Family Services.)

Fiscal effect: This provision would likely not change how these services are currently provided. However, there is a related item under which the Department could experience a minimal increase in administrative costs related to developing interagency agreements.

No provision.

Fiscal effect: Same as the Executive.

Same as the House, but (1) excludes Medicaid-covered alcohol, drug addiction, and mental health services from the care management system only when the nonfederal share of the services' cost is provided by a board of alcohol, drug addiction, and mental health services or a state agency other than the Department, (2) does not refer to the excluded behavioral health services as being covered by Medicaid as "rehabilitative services," and (3) specifies that recipients of the excluded services may otherwise be designated for participation in the care management system.

(See item entitled "Behavioral Health Exclusion from Medicaid Care Management" in the Department of Job and Family Services and the Department of Mental Health.)

Fiscal effect: This provision would likely not change how these services are currently provided.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

117 (CD-1320-ADA) Medicaid Interagency Agreements for Coverage of Behavioral Health Services

R.C. 5111.911, 206.67.18

R.C. 5111.911, 206.67.18

R.C. 5111.911, 206.67.18

No provision.

Requires interagency agreements between ODJFS and the Ohio Departments of Mental Health (ODMH) and Alcohol and Drug Addiction Services (ODADAS) regarding the alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services to address the following: utilization review, utilization management, care management, and a provider-specific fixed rate reimbursement system.

Requires that the interagency agreements specify (1) how providers will be paid for providing alcohol, drug addiction, and mental health services covered by the Medicaid program under the federal option of covering rehabilitative services, (2) a process for making payments to the providers, and (3) procedures for oversight and quality assurance.

Same as the Senate.

No provision.

Establishes a schedule for implementation of the items to be addressed in the interagency agreements, as follows: (1) utilization review as soon as possible after the bill's effective date, (2) utilization management and care management by July 1, 2006, and (3) provider-specific fixed rate reimbursement by July 1, 2007.

No provision.

No provision.

No provision.

Requires the implementation to be as consistent as possible with the "State of Ohio Community Behavioral Health Medicaid Business Plan" that was finalized in August 2004 by ODJFS, ODMH, ODADAS, and the Ohio Association of Behavioral Health Authorities.

Requires that the new requirements of the interagency agreements be implemented in a manner that is consistent with the "State of Ohio Community Behavioral Health Medicaid Plan."

No provision.

(See item entitled "Medicaid Interagency Agreements for Coverage of Behavioral Health Services" in the Department of Job and Family Services.)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

No provision.

Requires ODJFS, ODMH, ODADAS and behavioral health providers to specify procedures for the implementation of the "State of Ohio Community Behavioral Health Medicaid Plan."

Same as the Senate, but requires the report on the implementation of the Plan to be submitted to the Minority Leaders of the House of Representatives and Senate, in addition to the Speaker of the House of Representatives and the President of the Senate.

Requires a report on the implementation of the Plan to be submitted to the Speaker of the House and the Senate President by not later than March 1 and October 1 of each year until the Plan has been fully implemented.

(See the item entitled "Medicaid Interagency Agreements for Coverage of Behavioral Health Services" in the Department of Job and Family Services and the Department of Mental Health.)

No provision.

Fiscal effect: The Departments of Job and Family Services, Mental Health, and Alcohol and Drug Addiction Services may experience a minimal increase in administrative costs related to developing such interagency agreements.

Fiscal effect: ODJFS, ODMH, and ODADAS could incur minimal costs associated with producing and distributing the required report.

Fiscal effect: Same as the Senate, but also impacts boards of alcohol, drug addiction, and mental health services with the departments.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

118 (CD-1092-ADA) Talbert House

Section: 203.30

No provision.

Earmarks \$50,000 in appropriation item 038-321, Operating Expenses, in each fiscal year, to be distributed directly to the Talbert House.  
 Fiscal effect: The Department has an appropriation of \$1.13 million in the Operating Expenses line item, which provides funding for general administration of the Department. Earmarking this line item reduces the amount available to pay for Department operations and/or staffing.

No provision.

(See item entitled "TANF Earmarks" in the Department of Job and Family Services.)

No provision.

(See item entitled "TANF Earmarks" in the Department of Job and Family Services.)

119 (CD-775-ADA) Treatment Services

Section: 203.30

Section: 203.30

Section: 203.30

Section: 203.30

Sets a maximum amount of \$8,190,000 in GRF appropriation item 038-401 Treatment Services, that may be used for program grants for priority populations in each year of the biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

|            | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|--|------------------------|-------------------------|------------------------------------|
| <b>120</b> | <b>(CD-776-ADA) Substance Abuse Services for Families of At Risk Children</b>  |                        |                         |                                    |
|            | Section: 203.30  | Section: 203.30        | Section: 203.30         | Section: 203.30                    |
|            | Earmarks \$4 million in each fiscal year of GRF appropriation item 038-401, Treatment Services, for substance abuse services to families involved in the child welfare system pursuant to the requirements of Am. Sub. H.B. 484 of the 122nd General Assembly.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>121</b> | <b>(CD-777-ADA) Services for TANF-Eligible Individuals</b>   |                        |                         |                                    |
|            | Section: 203.30  | Section: 203.30        | Section: 203.30         | Section: 203.30                    |
|            | Requires that \$5 million of GRF appropriation item 038-401, Treatment Services, in each fiscal year, be used to fund TANF-eligible expenditures for substance abuse prevention and treatment services to children, or their families, whose income is at or below 200% of the official income poverty guidelines. The Director of Alcohol and Drug Addiction Services and the Director of Job and Family Services are to develop operating and reporting guidelines for these programs. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



|            | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|--|------------------------|-------------------------|------------------------------------|
| <b>122</b> | <b>(CD-778-ADA) Therapeutic Communities</b>  |                        |                         |                                    |
|            | Section: 203.30  | Section: 203.30        | Section: 203.30         | Section: 203.30                    |
|            | Earmarks \$750,000 in each fiscal year of GRF appropriation item 038-401, Treatment Services, for expansion of the Therapeutic Communities Program in the Department of Rehabilitation and Correction.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>123</b> | <b>(CD-779-ADA) Parent Awareness Task Force</b>  |                        |                         |                                    |
|            | Section: 203.30  | Section: 203.30        | Section: 203.30         | Section: 203.30                    |
|            | Requires the Parent Awareness Task Force to study ways to engage more parents in activities, coalitions, and educational programs in Ohio relating to alcohol and other drug abuse prevention. Earmarks \$30,000 in each fiscal year of GRF appropriation item 038-404, Prevention Services, to support the functions of the Task Force. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

124 (CD-1429-ADA) Disability Medical Assistance Council

Sections: 206.66.43, 203.30, 206.66, 209.06

No provision.

No provision.

No provision.

Establishes the Disability Medical Assistance Council, composed of the directors (or a director's designee) of ODJFS, ODADAS, the Rehabilitative Services Commission, Rehabilitation and Correction, and Mental Health, three members of the ODJFS Medicaid Care Advisory Committee and the following individuals, appointed by the Director of ODJFS: two representatives of health care and behavioral health care trade associations; three representatives of low-income disabled individuals; a representative of county board of job and family services; a representative of hospitals; and two representatives of the pharmaceutical industry.

Requires the Council to submit a written report to the Governor, Speaker, and Senate President not later than September 1, 2005, to propose a program to replace the Disability Medical Assistance Program.

Requires the program proposed by the Council to be implemented not later than October 1, 2005.

Increases the appropriation in GRF 038-401, Treatment Services, by \$2,166,950 in fiscal year 2006 and by \$2,833,050 in fiscal year 2007 to provide services to persons who

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

meet criteria that is consistent with the criteria for the Disability Medical Assistance Program.

(See the item entitled, "Disability Medical Assistance Council in the Department of Job and Family Services and in the Department of Mental Health.")

---

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

125 (CD-892-ARC) State Boards of Examiners of Architects Imposing Fines Against Certificate Holders

R.C. 4703.15

R.C. 4703.15

R.C. 4703.15

No provision.

Permits the State Boards of Examiners of Architects, in addition to disciplinary actions the Boards may take against holders of a certificate of qualification that violate the Boards' rules, to also impose a fine against a certificate holder, which may not be more than \$1,000 for each offense. The total fine cannot exceed \$5,000, regardless of the number of offenses the certificate holder has committed between the time the fine is imposed and the time any previous fine was imposed.

Fiscal effect: Potential increase in revenue to the Occupational Licensing and Regulatory Fund (Fund 4K9) as a result of fines being assessed against certificate holders.

Same as the House.

Same the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 126 (CD-420-ARC) Consolidation of Regulatory Boards

Section: 315.03

Sections: 315.03, 203.36

Sections: 315.03, 203.36

Sections: 315.03, 203.36

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Boards of Examiners of Architects, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Removes the Boards of Examiners of Architects and Landscape Architects from the proposal to consolidate certain regulatory boards into the departments of Commerce, Health, and Public Safety.

Fiscal effect: Establishes appropriations for FY 2007 at FY 2006 recommended levels. It may be that costs for central services may increase as there would be fewer boards benefiting from cost-pooling for human resources, accounting, and IT support services managed by DAS-Central Services Agency.

Same as the House.

Same as the House.

|   | As Introduced (Executive)             | As Passed by the House                | As Passed by the Senate               | As Amended by Conference Committee |
|---|---------------------------------------|---------------------------------------|---------------------------------------|------------------------------------|
| 127 (CD-288-ART) Program Subsidies  | Section: 203.39                       | Section: 203.39                       | Section: 203.39                       | Section: 203.39                    |
| Restricts museums which received \$8 million or more in capital appropriations from the state between January 1, 1986 and December 31, 2002 from eligibility to receive funds from GRF appropriation item 370-502, Program Subsidies. | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |                                    |
| Fiscal effect: The only museum in the state that would be ineligible for funding under this provision is the Rock and Roll Hall of Fame in Cleveland. Currently, the Arts Council funds 12 other museums.                             | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |                                    |

| As Introduced (Executive)   |  | As Passed by the House |  | As Passed by the Senate |  | As Amended by Conference Committee |  |
|---|--|------------------------|--|-------------------------|--|------------------------------------|--|
| 128   | (CD-158-ATH) Expanded Authority for Executive Director |                        |  |                         |  |                                    |  |
| R.C.  | 3773.34, 3773.38, 3773.39,<br>3773.40, 3773.57         | R.C.                   | 3773.34, 3773.38, 3773.39,<br>3773.40, 3773.57 | R.C.                    | 3773.34, 3773.38, 3773.39,<br>3773.40, 3773.57 | R.C.                               | 3773.34, 3773.38, 3773.39,<br>3773.40, 3773.57 |
| Allows the executive director of the Ohio Athletic Commission, when authorized by the Commission, to issue, deny, suspend, or revoke permits to hold prize fights and public boxing or wrestling matches or exhibitions.  |  | Same as the Executive. |  | Same as the Executive.  |  | Same as the Executive.             |  |
| Fiscal effect: Potential decrease in Ohio Athletic Commission personal services expenditures in appropriation item, 175-609, Operating Expenses (Fund 4K9), in the general services fund group, due to a potential decrease in the number of Commission meetings as a result of greater executive director authority. |  |                        |  |                         |  |                                    |  |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|---|------------------------|--|------------------------------------|
| 129 (CD-421-ATH) Consolidation of Regulatory Boards   |                        |  |                                    |
| Section: 315.03   | Section: 315.03        | Section: 315.03  | Section: 315.03                    |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Ohio Athletic Commission, the Commission will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary salutatory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).</p> <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p> | Same as the Executive. | <p>Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).</p> <p>Fiscal effect: Same as the Executive.</p> | Same as the Senate.                |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

130 (CD-1353-AGO) Financial Accountability of Recipients of Money from Governmental Entities

R.C. 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, and 9.241, Section 559.03

R.C. 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, and 9.241, Section 559.03

No provision.

No provision.

Imposes contract, record-keeping, auditing, and other requirements on persons that receive money from governmental entities for the provision of services benefiting individuals or the public, provides civil remedies for the recovery of money due to a governmental entity under any contract the governmental entity enters into with a person for the provision of goods, services, or construction, requires the Attorney General and the Auditor of State to adopt certain rules, and creates the Government Contracting Advisory Council.

Same as the Senate, but extends the exemption for certain Medicaid-funded services from the bill's contract, record-keeping, and audit requirements to all Medicaid-funded services, including administrative and management services, that are provided pursuant to a contract or provider agreement that meets the requirements of the Medicaid Program established under Chapter 5111. of the Revised Code, modifies the audit and financial review requirements of the bill with respect to their application, and makes a technical correction.

Fiscal effect: As of this writing, it is uncertain as to what the magnitude of the Attorney General's annual operating expenses associated with performing certain assigned duties and responsibilities would be, or how those costs might be financed. Presumably, the state agencies required to participate in the Council may experience some costs, but, as of this writing, LSC fiscal staff have acquired no information suggesting that any participation costs would likely to be more than minimal annually, if that.

Fiscal effect: Same as the Senate.

(See the items entitled "Financial Accountability of Recipients of Money from Governmental Entities" in the Auditor of State and Local Government Provisions)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

131 (CD-1173-AGO) Investigation of Criminal Activity Related to Elections by BCII

R.C. 109.54

R.C. 109.54

No provision.

No provision.

Authorizes the Bureau of Criminal Identification and Investigation (BCII) to investigate criminal activity in Ohio related to the conduct of elections when requested to do so by the Secretary of State.

Same as the Senate.

Fiscal effect: At the time of this writing, the potential fiscal effects on BCII of exercising this investigative authority are unknown. Also problematic to predict is the frequency with which the Secretary of State might request BCII to conduct such investigations, as well as their scope and complexity.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

132 (CD-1174-AGO) Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories

R.C. 109.60

No provision.

No provision.

Requires each law enforcement agency that, in any calendar year, arrests any person for an offense under the Revised Code prohibiting the manufacture of, or the assembly of chemicals sufficient to produce, methamphetamine or a methamphetamine product to prepare, and send to BCII, an annual statistical report covering the calendar year that specifies the total number of such arrests made by the agency in that calendar year and the total number of illegal methamphetamine manufacturing laboratories at which any of those arrests occurred or that were discovered in that calendar year within the territory served by the agency but at which none of those arrests occurred, specifies that the reports cannot identify, or enable the identification of, any person who was arrested and whose arrest is included in the information contained in the report, and specifies that the reports in the possession of BCII are public records.

No provision.

Fiscal effect: Although LSC fiscal staff has not had ample opportunity to research this provision's fiscal effects, it would appear that this reporting duty will create, at most, a minimal ongoing administrative burden for affected state and local law enforcement agencies.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(See the item entitled "Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories" in Local Government Provisions)

133 (CD-1176-AGO) Funding the Ohio Peace Officer Training Academy

R.C. 109.79

R.C. 109.79

No provision.

No provision.

Allows fees for goods related to the Ohio Peace Officer Training Academy to be used to pay the costs of acquiring and equipping the Academy, in addition to General Assembly appropriations and gifts or grants as permitted under current law.

Same as the Senate.

Fiscal effect: As of this writing, the potential fiscal effect of this provision on the Academy's annual revenues and expenditures, if any, is uncertain.

|                   | As Introduced (Executive)                                  | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|-------------------|--|--|-------------------------|------------------------------------|
| 134 (CD-966-AGO)  | Composition of State Victims Assistance Advisory Committee | R.C. 109.91  | R.C. 109.91             | R.C. 109.91                        |
| No provision.     |  | Removes the Chief Justice of the Supreme Court of Ohio as an ex officio member of the State Victims Assistance Advisory Committee.   | Same as the House.      | Same as the House.                 |
|                   |  | Fiscal effect: No readily discernible fiscal effect.   |                         |                                    |
| 135 (CD-1030-AGO) | Office of Information Technology                           | R.C. 125.041, 125.18   | R.C. 125.041, 125.18    | R.C. 125.041, 125.18               |
| No provision.     |  | Provides that the Office of Information Technology, which the bill creates in the Department of Administrative Services, does not superintend the development and use of information technology by the offices of certain state elected officials: Auditor of State, Treasurer of State, Secretary of State, and Attorney General. | Same as the House.      | Same as the House.                 |
|                   |  | Fiscal effect: None.   |                         |                                    |
|                   |  | (See the items entitled "Office of Information Technology" in the Department of Administrative Services, Secretary of State, Treasurer of State, and Auditor of State)   |                         |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

136 (CD-1033-AGO) \* **Partially Vetoed** \* Sale of Debts Owed to the State to Private Parties

R.C. 131.02, 131.022

R.C. 131.02, 131.022

R.C. 131.02, 131.022

No provision.

[\*\*\*VETOED: Authorizes the selling of debts owed to the state to private parties, requires the Auditor of State to review state agencies' procedures for collecting debts owed them, and \*\*\*]

specifies when various classes of debts, such as unpaid tuition, reimbursed losses, rendered services or overpaid moneys, fall due for the purpose of when they must be certified to the Attorney General for collection.

[\*\*\*VETOED: Fiscal effect: The state fiscal effect of the sale or transfer of certain debts will likely be dependent on the following variables: (1) the expenditures saved by reducing the Attorney General's debt collections workload, (2) the revenues lost by the sale or transfer of debts owed to the state at some price that would potentially reflect only a percentage of the value of that debt, and (3) the revenues generated from

Same as the House, but removes provisions that authorize the Attorney General to sell to private parties final overdue claims owed the state.

Fiscal effect: The fiscal effect, if any, on the state of specifying the time at which debts must be certified to the Attorney General for collection is uncertain.

Same as the House (including:

[\*\*\*VETOED: (1) provisions authorizing the Attorney General to sell or otherwise transfer to any person certain claims arising from debts payable to the state certified for collection pursuant to section 131.02 of the Revised Code and \*\*\*]

(2) provisions that specify that an unpaid amount that a student owes to institution of higher education shall be certified to the Attorney General collection within ten days after the next academic session begins if that tenth occurs after the usual 45-day period before a debt is certified for collection.), and adds that if a claim due the state is uncollectable and later sold, federal or state confidentiality laws applicable to information contained in the claim shall still apply.

Fiscal effect: The provisions not affected by the veto may have, at most, a minimal fiscal effect on the state.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

the sale or transfer of debts owed to the state. The net fiscal effect will be determined by how the savings in debt collections operations compares to how much the state loses in foregone debt collections revenues. The magnitude, and direction of that potential fiscal effect, is uncertain at this time. \*\*\*]

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

137 (CD-1203-AGO) Medicaid Eligibility Fraud

R.C. 2307.65, and 2913.401

R.C. 2307.65, and 2913.401

No provision.

No provision.

Prohibits and provides criminal and civil remedies for knowingly doing any of the following in an application for Medicaid benefits or in a document that requires a disclosure of assets for the purpose of determining eligibility to receive Medicaid benefits: making or causing to be made a false statement or false representation of a material fact; concealing an interest in property; or failing to disclose a transfer of property that occurred during the 36- or 60-month period, depending on the type of transfer, before submission of the application or document.

Same as the Senate.

Fiscal effect: At the time of this writing, the potential fiscal effects on the Attorney General of exercising the permissive authority under this provision allowing the Attorney General to bring a civil action in the Franklin County Court of Common Pleas on behalf of the Department of Job and Family Services is uncertain. Also problematic to predict is the frequency with which the Attorney General might file such civil actions, as well as their scope and complexity.

(See the item entitled "Medicaid Eligibility Fraud" in the Department of Job and Family Services and Local Government Provisions)



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

138 (CD-795-AGO) Creation of the Charitable Gaming Oversight Fund

R.C. 3770.061

R.C. 3770.061

R.C. 3770.061

R.C. 3770.061

Creates in the state treasury the Charitable Gaming Oversight Fund in which the State Lottery Commission must deposit money it receives from the Attorney General under an agreement between the two agencies for the Commission to carry out certain duties under the Charitable Gaming Law on the Attorney General's behalf, and authorizes money in the fund not necessary for the Commission to perform its agreed to charitable gaming oversight, licensing, and monitoring functions to be transferred by the Office of Budget and Management to the Lottery Profits Education Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: For FY 2005, the Attorney General has budgeted \$1.2 million to transfer to the State Lottery Commission. Since this is the first year of the Memorandum of Understanding between the two state agencies, it is presumed that the same amount (\$1.2 million) will be transferred annually in each of FYs 2006 and 2007 from the Attorney General's Charitable Foundations Fund (Fund 418).

(See the item entitled "Creation of the Charitable Gaming Oversight Fund" in Lottery)

|  | As Introduced (Executive)   | As Passed by the House     | As Passed by the Senate    | As Amended by Conference Committee |
|--|---|----------------------------|----------------------------|------------------------------------|
| <b>139 (CD-639-AGO) County Sheriffs' Pay Supplement</b>    |   |                            |                            |                                    |
|  | Section: 203.48   | Section: 203.48            | Section: 203.48            | Section: 203.48                    |
|  | Requires GRF appropriation item 055-411, County Sheriffs' Pay Supplement, be used for the purpose of supplementing the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.        | Same as the Executive.     | Same as the Executive.     | Same as the Executive.             |
| <b>140 (CD-640-AGO) County Prosecutors' Pay Supplement</b> |   |                            |                            |                                    |
|  | Section: 203.48   | Section: 203.48            | Section: 203.48            | Section: 203.48                    |
|  | Requires GRF appropriation item 055-415, County Prosecutors' Pay Supplement, be used for the purpose of supplementing the annual compensation of county prosecutors as required by section 325.111 of the Revised Code. | Same as the Executive.     | Same as the Executive.     | Same as the Executive.             |
| <b>141 (CD-641-AGO) Workers' Compensation Section</b>      |   |                            |                            |                                    |
|  | Section: 203.48   | Section: 203.48            | Section: 203.48            | Section: 203.48                    |
|  | Requires that:  |                            |                            |                                    |
|  | (1) The prospective quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund the legal services provided by the Attorney  | (1) Same as the Executive. | (1) Same as the Executive. | (1) Same as the Executive.         |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

General to those two state agencies be deposited in the state treasury to the credit of the Workers' Compensation Fund (Fund 195);

(2) The prospective quarterly payments from the Bureau of Workers' Compensation include support for the Attorney General's Workers' Compensation Fraud Unit;

(3) The prospective payments be subject to adjustment; and

(4) The Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission mutually agree upon the amount of the quarterly payments.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**142 (CD-642-AGO) Corrupt Activity Investigation and Prosecution**

**Section: 203.48**

**Section: 203.48**

**Section: 203.48**

**Section: 203.48**

Requires non-GRF appropriation item 055-636, Corrupt Activity Investigation and Prosecution, be used as provided for under current law (section 2923.35 of the Revised Code) to dispose of the proceeds, fines, and penalties deposited in the state treasury to the credit of the Corrupt Activity Investigation and Prosecution Fund (Fund 629), and allows for an automatic increase in the appropriation item's appropriation authority if determined that additional amounts are necessary.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 143 (CD-647-AGO) Federal Pass-Through Funds  |                        |                         |                                    |
| Section: 203.48  | Section: 203.48        | Section: 203.48         | Section: 203.48                    |
| Requires non-GRF appropriation item 055-638, Attorney General Pass-Through Funds, be used to receive federal grant funds (generally pertaining to criminal justice activities such as law enforcement or victims' services) provided to the Attorney General by other state agencies, including, but not limited to, the Department of Youth Services and the Department of Public Safety. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 144 (CD-645-AGO) Antitrust Settlements   |                        |                         |                                    |
| Section: 203.48  | Section: 203.48        | Section: 203.48         | Section: 203.48                    |
| Requires non-GRF appropriation item 055-632, Antitrust Settlements, be used to distribute court-ordered settlements in which the Attorney General represents the state or a political subdivision under section 109.81 of the Revised Code, and allows for an automatic increase in the appropriation item's appropriation authority if determined that additional amounts are necessary.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

|  |                                  |                               |                                |   |
|--|----------------------------------|-------------------------------|--------------------------------|---|
|  | <b>As Introduced (Executive)</b> | <b>As Passed by the House</b> | <b>As Passed by the Senate</b> | <b>As Amended by Conference Committee</b> |
|--|----------------------------------|-------------------------------|--------------------------------|---|

**145 (CD-644-AGO) Consumer Frauds**

**Section: 203.48**

**Section: 203.48**

**Section: 203.48**

**Section: 203.48**

Requires appropriation item 055-630, Consumer Frauds, be used for distribution of moneys from court-ordered judgments against sellers in actions brought by the Attorney General under certain sections of the Revised Code to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments, and allows for an automatic increase in the appropriation item's appropriation authority if determined that additional amounts are necessary.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**146 (CD-643-AGO) Organized Crime Commission Account**

**Section: 203.48**

**Section: 203.48**

**Section: 203.48**

**Section: 203.48**

Requires appropriation item 055-601, Organized Crime Commission Account, be used by the Organized Crime Investigations Commission, as provided by section 177.011 of the Revised Code, to reimburse political subdivisions for the expenses political subdivisions incur when their law enforcement officers participate in an organized crime task force, and allows for an automatic increase in the appropriation item's appropriation authority if determined that additional amounts are necessary.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

147 (CD-1358-AUD) Financial Accountability of Recipients of Money from Government Entities

R.C. 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, 9.241

R.C. 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, 9.241

No provision.

No provision.

Makes changes to the Revised Code in regards to the financial accountability of public money. The following provisions could create fiscal implications for the state and local governments:

- (1.) Imposes record keeping, reporting, auditing, and other requirements on persons who receive public money for the provision of services, with certain exceptions.
- (2.) Provides civil remedies for the misuse of such public money.
- (3.) Requires the Attorney General to adopt rules governing the terms of any contract entered into as defined by the bill.
- (4.) Requires the Auditor of State to adopt rules establishing standards for the preparation of the financial reports required under the bill.
- (5.) Creates the Government Contracting Advisory Council to make recommendations to the Attorney General and Auditor of State with respect to their rule-making functions under the bill.

(See similar item titled "Financial Accountability of Recipients of Money from Governmental Entities" in Attorney General and Local Government Provisions)

Fiscal Effects: Increases costs to the Auditor's Office for the production of

Same as the Senate, but extends the exemption for certain Medicaid-funded services from the bill's contract, record-keeping, and audit requirements to all Medicaid-funded services, including administrative and management services, that are provided pursuant to a contract or provider agreement that meets the requirements of the Medicaid Program established under Chapter 5111. of the Revised Code, modifies the audit and financial review requirements of the bill with respect to their application, and makes a technical correction.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

necessary accounting forms.

148 (CD-1045-AUD) Audits of Medicaid and Performance Audit of Medicaid Program

R.C. 117.10, 206.66.49

R.C. 117.10, 206.66.49

R.C. 117.10, 206.66.49

No provision.

Expands the authority of the Auditor of State (AUD) to audit providers of Medicaid services by eliminating the provision that a request for an audit by the Department of Job and Family Services (JFS) must be made before an audit can occur. The provision also authorizes AUD to conduct a single performance audit of the Medicaid program during fiscal years 2006 and 2007. (See "Audits of Medicaid and Performance Audit of Medicaid Program" in JFS for further description).

Fiscal effect: State agencies are required to pay any expenses incurred by AUD in conducting an audit. Presumably, JFS would repay these audit expenses when billed by AUD.

Same as the House, but requires the cost of the performance audit be paid by JFS. (See also "Audits of Medicaid and Performance Audit of Medicaid Program" in JFS.)

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

149 (CD-862-AUD) County, Township, Municipal, and Department of Transportation Force Account Limits

R.C. 117.162, 117.16

R.C. 117.162, 117.16

No provision.

Requires the Auditor of State, by no later than January 31 of each year, to adjust county, township, municipal and Department of Transportation force account limits by the percentage increase of the consumer price index over the twelve month period ended on the last day of December of the immediately preceding year. The Auditor must post these new limits on the worldwide web no later than January 31 each year. These limits shall be effective for the following twelve month period beginning on the first day of February. (See "County, Township, Municipal and Department of Transportation Force Account Limits" in Local Government and Department of Transportation for further description.)

No provision.

Same as the Senate.

Fiscal effect: None for the Auditor of State.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

150 (CD-910-AUD) Office of Information Technology

R.C. 125.041, 125.18

R.C. 125.041, 125.18

R.C. 125.041, 125.18

No provision.

Provides that the Office of Information Technology created in the Department of Administrative Services does not superintend the development and use of information technology in the offices of state elected officials, including the Auditor of State. (See "Office of Information Technology" in the Department of Administrative Services, Secretary of State, Treasurer of State, and Attorney General for further description).

Fiscal effect: None.

Same as the House.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

151 (CD-863-AUD) \* **Partially Vetoed** \* Sale of Debts Owed to the State to Private Parties, Review of State Agencies' Debt Collection Process

R.C. 131.02, 131.022, Section 503.03

R.C. 131.02, 131.022, Section 503.03

R.C. 131.02, 131.022, Section 503.03

No provision.

[\*\*\* VETOED: Authorizes the sale of debt owed to state agencies to private parties, and \*\*\*]

requires the Auditor of State to review state agencies' procedures for collecting debts owed to them and submit a report of finding to the Governor, Speaker of the House of Representatives, President of the Senate, and LSC no later than March 31, 2006. (See "Sale of Debts Owed to the State to Private Parties" in Attorney General for further description).

Fiscal effect: Increased workload for the Auditor's office, as well as an increase in administrative costs to create and distribute the required reports.

[\*\*\* VETOED: The fiscal effect from the sale of debt will be dependent on the terms of the sales, and would appear to chiefly affect the Attorney General's office. \*\*\*]

Same as the House, but removes provisions that authorize the Attorney General to sell to private parties final overdue claims owed the state.

Fiscal effect: Increased workload for the Auditor's office, as well as an increase in administrative costs to create and distribute the required reports. The fiscal effect from the sale of debt will be dependent on the terms of the sales, and would appear to chiefly affect the Attorney General's office.

Same as the House

[\*\*\*VETOED: (including provisions authorizing the Attorney General to sell or otherwise transfer to any person certain claims arising from debts payable to the state certified for collection pursuant to section 131.02 of the Revised Code), \*\*\*]

but provides that if a claim due the state is uncollectable and later sold, federal or state confidentiality laws applicable to information contained in the claim shall still apply.

Fiscal effect: Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 152 (CD-1094-AUD) Random Audits of School District ADM Reports

R.C. 3317.035

R.C. 3317.035

No provision.

Requires the Auditor of State to conduct annual audits of the Average Daily Membership (ADM) information reported by a random sample of school districts. The Auditor is free to determine how many school districts are to be audited in a given year. Section 3317.03 of the Revised Code details the certified information on which an audit will be performed. (See "Random Audits of School District ADM Reports" in Department of Education for further description).

Fiscal effect: Potential increase in administrative costs for conducting such audits. The Auditor of State has the discretion as to the number of school districts to be audited in a given year. Presumably, this number would depend on the resources available within the Auditor's office in a given year.

No provision.

Same as the Senate.

|   | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|--|------------------------|-------------------------|------------------------------------|
| <b>153 (CD-805-AUD) Fiscal Watch/Emergency Technical Assistance</b> |  |                        |                         |                                    |
|   | Section: 203.51  | Section: 203.51        | Section: 203.51         | Section: 203.51                    |
|   | Requires that GRF appropriation 070-403, Fiscal Watch/Emergency Technical Assistance, be used for all expenses incurred by the Auditor of State in its role relating to fiscal watch or emergency services activities. | Same as the Executive. | Same as the Executive.  | Same as Executive.                 |
| <b>154 (CD-806-AUD) Electronic Data Processing</b>                  |  |                        |                         |                                    |
|   | Section: 203.51  | Section: 203.51        | Section: 203.51         | Section: 203.51                    |
|   | Requires that the unencumbered balance of GRF appropriation item 070-405, Electronic Data Processing, at the end of FY 2006 is to be transferred to FY 2007 for use under the same appropriation item.                 | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|--|------------------------|--|------------------------------------|
| 155 (CD-807-AUD) Uniform Accounting Network/Technology Improvements Fund   |                        |  |                                    |
| Section: 203.51  | Section: 203.51        | Section: 203.51  | Section: 203.51                    |
| Requires that GRF appropriation item 070-406, Uniform Accounting Network/Technology Improvements Fund, be used to pay the costs of developing and implementing the Uniform Accounting Network and technology improvements for the Auditor of State. Authorizes the transfer of the unencumbered balance of this appropriation at the end of FY 2006 will be transferred to the same appropriation for the same use in FY 2007. | Same as the Executive. | Same as the Executive.   | Same as the Executive.             |
| 156 (CD-1183-AUD) Billing Practices Pilot Review   |                        |  |                                    |
| No provision.  | No provision.          | Section: 203.51  | Section: 203.51                    |
|  |                        | Increases appropriation item 070-321, Operating Expenses by \$50,000 in FY 2006, and earmarks this amount for the Auditor to conduct a pilot program of billing practices of certain facilities licenses by the Department of Mental Health and Department of Job and Family Services. | Same as the Senate.                |

|                  | As Introduced (Executive)             | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|------------------|---------------------------------------|--|-------------------------|------------------------------------|
| 157 (CD-904-BRB) | Barber Board's Annual Review of Rules | R.C. 4709.05   | R.C. 4709.05            | R.C. 4709.05                       |
| No provision.    |                                       | <p>Requires the Barber Board to review annually its rules in order to compare those rules with those adopted by the State Board of Cosmetology. If the Barber Board determines that rules adopted by the State Board of Cosmetology (including rules concerning technical career schools) would be beneficial to the barbering profession, the Barber Board must adopt similar rules.</p> <p>Fiscal effect: Potential minimal increase in expenditures as a result of rule-making responsibilities, especially if changes are made as a result of this review.</p> | Same as the House.      | Same as the House.                 |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 158 (CD-418-BRB) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Ohio State Barber Board, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: Same as the Executive.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

159 (CD-1439-OBM) Miscellaneous Bond Law and Uniform Public Securities Law

R.C. 9.981, 133.08, 133.081

No provision.

No provision.

No provision.

Reverses the provisions of Am. Sub. H.B. 431 of the 125th General Assembly which would have extended application of Ohio's Miscellaneous Bond Law to all bonds issued under Ohio's Uniform Public Securities Law on July 1, 2005, and extends the Miscellaneous Bond Law on that date to regional transit authority revenue bonds and regional water and sewer district water resource revenue bonds.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 160 (CD-582-OBM) Accounting and Budgeting Fund

R.C. 126.25

Requires that budgeting services provided by the Office of Budget and Management (OBM) be supported by user charges; changes the name of the State Accounting Fund (Fund 105) within the general services fund group to the Accounting and Budgeting Fund; and directs user charges for budgeting services to that fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: As a result of this provision, the Accounting and Budgeting Fund will be used to help support the Budget Development program (approximately 22 FTEs) in addition to Financial Accounting Services, resulting in increased expenditures. To offset the increase, however, OBM plans to collect accounting services fees from agencies for every pay period over the coming fiscal years; currently, these "check offs" are not collected for three pay periods out of the year. Also, the state pay raises that take effect July 1, 2005 will increase the amount of the funds collected through this check off.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 161 (CD-744-OBM) Audit Costs  |                        |                         |                                    |
| Section: 203.57   | Section: 203.57        | Section: 203.57         | Section: 203.57                    |
| Limits to \$420,000 in FY 2006 and \$425,000 in FY 2007 the amount of appropriation item 042-603, State Accounting, the newly-named Accounting and Budgeting Fund (Fund 105) within the general services fund group, that may be used to pay for centralized audit costs associated with either Single Audit Schedules or financial statements prepared in conformance with generally accepted accounting principles for the state. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee |
|--|--------------------------|--------------------------|------------------------------------|
| <b>162 (CD-527-OBM) OAKS Project Implementation</b>  |                          |                          |                                    |
| Sections: 203.57, 312.12   | Sections: 203.57, 312.12 | Sections: 203.57, 312.12 | Sections: 203.57, 312.12           |
| <p>Permits the deposit of rebates from the state payment card program into the OAKS Project Implementation Fund (Fund 5N4) in FYs 2006-2007 and requires the Director of OBM to transfer an amount not to exceed \$675,000 each fiscal year from the General Revenue Fund (GRF) to the OAKS Project Implementation Fund (Fund 5N4) within the state special revenue fund group.</p> <p>Fiscal effect: Payment card rebates are expected to provide approximately \$600,000 each fiscal year. These rebates, along with GRF transfers of not more than \$675,000 each fiscal year, will result in up to \$1,275,000 in additional annual revenue to the OAKS Project Implementation Fund.</p> | Same as the Executive.   | Same as the Executive.   | Same as the Executive.             |
| <b>163 (CD-726-OBM) Personal Service Expenses</b>  |                          |                          |                                    |
| Section: 303.06  | Section: 303.06          | Section: 303.06          | Section: 303.06                    |
| <p>Requires any appropriation from which personal service expenses are paid to bear the employer's share of various costs, unless otherwise prohibited by law. These costs shall be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by OBM.</p>   | Same as the Executive.   | Same as the Executive.   | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**164 (CD-860-OBM) Re-Issuance of Voided Warrants**

Section: 303.09

Section: 303.09

Section: 303.09

Section: 303.09

Appropriates funds for the reissuance of voided warrants when approved by OBM.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**165 (CD-729-OBM) Capital Project Settlements**

Section: 303.13

Section: 303.13

Section: 303.13

Section: 303.13

Specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of OBM determines that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation.

Same as the Executive.

Same as the Executive.

Same as the Executive.

|   | As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|---|------------------------|-------------------------|------------------------------------|
| <b>166 (CD-858-OBM) Income Tax Distribution to Counties</b>   |   |                        |                         |                                    |
|   | <b>Section: 303.18</b>  | <b>Section: 303.18</b> | <b>Section: 303.18</b>  | <b>Section: 303.18</b>             |
|   | Appropriates any moneys in the state treasury to the credit of the General Revenue Fund, which are not otherwise appropriated, funds sufficient to make any payment required by division (B) (2) of section 5747.03 of the Revised Code.                                  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
|   | Fiscal effect: None.  |                        |                         |                                    |
| <b>167 (CD-723-OBM) Reappropriation of Unexpended Encumbered Balances of Operating Appropriations</b> |   |                        |                         |                                    |
|   | <b>Section: 303.21</b>  | <b>Section: 303.21</b> | <b>Section: 303.21</b>  | <b>Section: 303.21</b>             |
|   | Reappropriates an unexpended balance of an operating appropriation or reappropriation that a state agency encumbered prior to the close of a fiscal year on the first day of July of the following fiscal year for various time periods based on the type of encumbrance. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 168 (CD-1271-OBM) Transfers of Fiscal Year 2005 General Revenue Fund Ending Balances

Section: 312.01

Section: 312.01

No provision.

No provision.

Transfers any surplus GRF revenue at the end of FY 2005 to the following funds: the first \$60 million to the Public Assistance Reconciliation Fund (Fund 5AX), the next \$40 million to the Disaster Services Fund (Fund 5E2), the next \$100 million to the Budget Stabilization Fund (Fund 013), the next \$100 million to the Public School Building Fund (Fund 021), and the remaining excess surplus revenue to the Budget Stabilization Fund (Fund 013).

Same as the Senate, but changes the order and amount of the transfers as follows: the first \$60 million to the Public Assistance Reconciliation Fund (Fund 5AX, the next \$40 million to the Disaster Services Fund (Fund 5E2), the next \$50 million to the Public School Building Fund (Fund 021), and any surplus revenue in excess of the amounts transferred to the above funds to the Budget Stabilization Fund (Fund 013).

## 169 (CD-569-OBM) Transfers to the General Revenue Fund from Non-Federal Non-GRF Funds

Section: 312.03

Section: 312.03

Section: 312.03

Section: 312.03

Permits the Director of OBM to transfer up to \$60,000,000 in non-constitutionally restricted non-General Revenue Fund (GRF), non-federal funds to the GRF during both fiscal years.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential decrease in the balances of non-restricted non-GRF, non-federal funds and potential increase in the balance of the GRF.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 170 (CD-752-OBM) Transfers to the General Revenue Fund of Interest Earned   |                        |                         |                                    |
| Section: 312.06   | Section: 312.06        | Section: 312.06         | Section: 312.06                    |
| Permits the Director of OBM to transfer to the GRF interest earned in any Central Accounting System (CAS) fund, with the exception of funds that are restricted or protected by the Ohio Constitution, federal tax law, or the federal Cash Management Improvement Act. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Fiscal effect: Potential decrease in the balance of certain nonrestricted state funds and potential increase in the balance of the GRF.   |                        |                         |                                    |

|     | As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate | As Amended by Conference Committee   |
|-----|--|---|-------------------------|--|
| 171 | (CD-583-OBM) * <b>Partially Vetoed</b> *   | Budget Stabilization Fund Transfers   |                         |  |
|     | Section: 312.09  | Section: 312.09   | Section: 312.09         | Section: 312.09  |
|     | Permits the Director of the OBM to transfer excess money in the GRF and other funds, absent any constitutional prohibition or federal restriction that would bar such a transfer, to the Budget Stabilization Fund through June 30, 2007, unless otherwise prohibited.<br><br>Fiscal effect: Potential decrease in excess money in the GRF and other funds and potential increase in the balance of the Budget Stabilization Fund. | Same as the Executive.  | Same as the Executive.  | Same as the Executive, except requires the Director of the Budget and Management to transfer at least \$50,000,000<br><br>[***VETOED: at the end of fiscal year 2006<br>***]<br><br>to the Budget Stabilization Fund, if available unobligated balances exist.<br><br>Fiscal effect: Potential decrease in excess money in the GRF and other funds and potential increase in the balance of the Budget Stabilization Fund. |
| 172 | (CD-706-OBM)   | Appropriations Related to Cash Transfers and Re-establishment of Encumbrances |                         |  |
|     | Section: 312.21  | Section: 312.21   | Section: 312.21         | Section: 312.21  |
|     | Specifies that any cash transferred by OBM under section 126.15 of the Revised Code (for the purpose of making adjustments to capital or operating budgets) and any amounts necessary to re-establish appropriations or encumbrances under that section are appropriated.  | Same as the Executive.  | Same as the Executive.  | Same as the Executive.   |



| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| <b>173 (CD-855-OBM) General Obligations Debt Service Payments</b>   |                        |                         |                                    |
| Section: 318.03   | Section: 318.03        | Section: 318.03         | Section: 318.03                    |
| Appropriates additional amount, if necessary, for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state issued pursuant to the Ohio Constitution and acts of the General Assembly.<br>Fiscal effect: None.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <hr/> <b>174 (CD-856-OBM) Lease Payments to OPFC, OBA, and Treasurer of State</b>   |                        |                         |                                    |
| Section: 318.06   | Section: 318.06        | Section: 318.06         | Section: 318.06                    |
| Appropriates additional amounts, if necessary, for the purpose of making lease payments pursuant to leases and agreements relating to bonds and notes issued by Ohio Building Authority or the Treasurer of State, or previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly.<br><br>Fiscal effect: None. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 175 (CD-702-OBM) Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments

Section: 318.09

Section: 318.09

Section: 318.09

Section: 318.09

Requires OBM to initiate and process disbursements from general obligation and lease rental payment appropriation items during the coming biennium. Disbursements shall be made upon certification by the Treasurer of State of the dates and the amounts due on those dates.  
(See the item entitled "Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments" in the Treasurer of State).

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 176 (CD-852-OBM) State and Local Rebate Authorization

Section: 321.03

Section: 321.03

Section: 321.03

Section: 321.03

Authorizes the Director of Budget and Management to appropriate, approve, and voucher rebate payments, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusions from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

|            | As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|---|------------------------|-------------------------|------------------------------------|
| <b>177</b> | <b>(CD-707-OBM) Federal Cash Management Improvement Act</b>   |                        |                         |                                    |
|            | Section: 321.06   | Section: 321.06        | Section: 321.06         | Section: 321.06                    |
|            | Permits OBM to cancel and re-establish encumbrances within the funds identified by the plan for compliance with the Federal Cash Management Improvement Act. Specifies that amounts necessary to re-establish all or part of encumbrances are appropriated. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>178</b> | <b>(CD-708-OBM) Statewide Indirect Cost Recovery</b>  |                        |                         |                                    |
|            | Section: 321.09   | Section: 321.09        | Section: 321.09         | Section: 321.09                    |
|            | Appropriates from available receipts amounts required for the statewide indirect costs, when it has been determined that an appropriation made to a state agency for this purpose is insufficient.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| <b>179 (CD-721-OBM) GRF Transfers on Behalf of the Statewide Indirect Cost Allocation Plan</b>   |                        |                         |                                    |
| Section: 321.10  | Section: 321.10        | Section: 321.10         | Section: 321.10                    |
| Specifies that the director of an agency may certify to OBM the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan under federal regulations; authorizes OBM to transfer from the GRF into the fund for which the certification is made, up to the amount of the certification upon determining that no alternative source of funding is available to pay for such expenses; requires the director of an agency receiving such funds to include a request for funding for such activities from an alternative source as part of the next budget submission; and specifies that total transfers made from the GRF by OBM shall not exceed the amounts transferred into the GRF under section 126.12 of the Revised Code (statewide indirect costs). | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>180 (CD-724-OBM) Federal Government Interest Requirements</b>   |                        |                         |                                    |
| Section: 321.11  | Section: 321.11        | Section: 321.11         | Section: 321.11                    |
| Authorizes the Director of OBM to designate funds to retain their own interest earnings in order to reduce the payment of adjustments to the federal government.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

181 (CD-1129-CSR) Jurisdiction of the Joint Legislative Ethics Committee

R.C. 102.01

No provision.

Designates the Joint Legislative Ethics Committee as the appropriate ethics commission for matters relating to the employees of the Capitol Square Review and Advisory Board.

(See the item entitled "Committee's Jurisdiction to Include Employees of the Capitol Square Review and Advisory Board" in the Joint Legislative Ethics Committee)

No provision.

No provision.

182 (CD-1340-CSR) Financial Disclosure Statements

R.C. 102.02

R.C. 102.02

No provision.

No provision.

Requires the Executive Director and the members of the Capitol Square Review and Advisory Board to file financial disclosure statements under the Ethics Law.

Same as the Senate.

Fiscal effect: Minimal.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

183 (CD-897-CSR) Hiring of the Executive Director of the Capitol Square Review and Advisory Board

R.C. 105.41

No provision.

Requires that the hiring of the Executive Director of the Capitol Square Review and Advisory Board be approved by the President of the Senate and the Speaker of the House of Representatives.

No provision.

No provision.

Fiscal effect: None.

184 (CD-1323-CSR) Increase in Membership of the Board

R.C. 105.41

No provision.

No provision.

Increases the membership of the Capitol Square Review and Advisory Board by one nonvoting member who must be a member of the Capitol Square Foundation and who is appointed by the Foundation's Board.

No provision.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

185 (CD-895-CSR) Expansion of Committee Hearing Rooms

Section: 203.60

Section: 203.60

Section: 203.60

No provision.

Increases appropriation to GRF appropriation item 874-320, Maintenance and Equipment, by \$40,000 in fiscal year 2006 and earmarks that amount to be used to expand two House of Representatives committee hearing rooms (room numbers 119 and 121).

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

186 (CD-740-CDP) Consolidation of Regulatory Boards

R.C. 315.03

R.C. 315.03

R.C. 315.03

R.C. 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Chemical Dependency Professionals Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team is to develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team is to submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Same as the Senate.

(See item entitled "Consolidation of Regulatory Boards" in the Department Health.)

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.



| As Introduced (Executive)   | As Passed by the House                | As Passed by the Senate  | As Amended by Conference Committee    |
|---|---------------------------------------|--|---------------------------------------|
| 187 (CD-570-CHR) Consolidation of Regulatory Boards   |                                       |  |                                       |
| Section: 315.03   | Section: 315.03                       | Section: 315.03  | Section: 315.03                       |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Chiropractic Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.</p> | Same as the Executive.                | Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. | Same as the Senate.                   |
| <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p>  | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive.  | Fiscal effect: Same as the Executive. |
| <p>(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)</p>   |                                       |  |                                       |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

188 (CD-1287-COM) Ohio Residential Building Code Changes

R.C. 307.37, 3781.07, 3781.10,  
3781.102, 3781.191, 4740.14

R.C. 307.37, 3781.07, 3781.10,  
3781.102, 3781.191, 4740.14

No provision.

No provision.

Makes changes to the enforcement of the Ohio Residential Building Code by doing all of the following:

Same as the Senate.

No provision.

No provision.

(1) Specifies that the Ohio Board of Building Appeals does not have the authority to hear any case based on the Ohio Residential Building Code or to grant any variance to that Code.

No provision.

No provision.

(2) Clarifies that the local residential building code and the existing structures code adopted by a board of county commissioners may be enforced within the unincorporated areas of the county and the districts the board establishes in any part of the unincorporated area.

No provision.

No provision.

(3) Expands the list of persons who, if certified by the Board of Building Standards, may approve plans and conduct inspections on behalf of a municipal corporation, township, or county to include persons furnishing other services besides architectural or engineering services pursuant to a contract with a political subdivision.

No provision.

No provision.

(4) Specifies that expenses incurred by the Residential Construction Advisory Committee be paid from the Industrial Compliance Operating Fund.

No provision.

No provision.

(5) Adds a member to the Ohio Board of Building Standards and the Residential

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Construction Advisory Committee, respectively, chosen from a list submitted by the Ohio Municipal League and who is a mayor of a municipal corporation that meets specified requirements.

Fiscal effect: None related to item (4) above. H.B. 175 of the 125th General Assembly re-created the Residential Construction Advisory Committee under COM's control, but did not specify who would pay for committee expenses. It appears as though expenses would have been paid from the Industrial Compliance Operating Fund (Fund 556). Therefore, it appears that the provision only codifies this arrangement.

For item (5), minimal increase in expenditures in the Industrial Compliance Operating Fund (Fund 556). The additional member of the Board of building standards will receive expenses and a salary pursuant to RC 125.15(J). The additional member of the Residential Construction Advisory Committee shall receive actual and necessary expenses and a per diem for each day in attendance at an official meeting of the committee.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

189 (CD-1384-COM) Safekeeping of Investments Securing Payment

R.C. 1111.04

R.C. 1111.04

No provision.

No provision.

Adds a federal home loan bank as eligible to be a qualified trustee for the safekeeping of investments that must be pledged to secure payments of trust companies engaging in trust business.

Same as the Senate.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

190 (CD-156-COM) Additional Requirements for Commercial Plumbing Inspectors

R.C. 3703.01, 3703.03, 3703.04,  
3703.05, 3703.06, 3703.07,  
3708.08, 3703.10, 3703.99

R.C. 3703.01, 3703.03, 3703.04,  
3703.05, 3703.06, 3703.07,  
3708.08, 3703.10, 3703.99

R.C. 3703.01, 3703.03, 3703.04,  
3703.05, 3703.06, 3703.07,  
3708.08, 3703.10, 3703.99

R.C. 3703.01, 3703.03, 3703.04,  
3703.05, 3703.06, 3703.07,  
3708.08, 3703.10, 3703.99

Allows the agency to charge fees for administering a program for the certification, re-certification, and continuing education of plumbing inspectors and to perform other administrative, investigatory and disciplinary functions related to this program. Repeals the prohibition preventing inspectors employed by the Department from engaging in the plumbing business.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential revenue gain in the Industrial Compliance Fund (Fund 556) in the state special revenue fund group from fees assessed for the certification, re-certification, and continuing education of plumbing inspectors. Potential minimal increase in administrative costs due to rule-making responsibilities.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

191 (CD-1285-COM) Changes to the Fireworks Laws

R.C. 3743.01, 3743.02, 3743.04,  
3743.05, 3743.06, 3743.15,  
3743.17, 3743.18, 3743.19,  
3743.59, 3743.65, 3743.75

R.C. 3743.01, 3743.02, 3743.04,  
3743.05, 3743.06, 3743.15,  
3743.17, 3743.18, 3743.19,  
3743.59, 3743.65, 3743.75

No provision.

No provision.

Removes statutorily specified requirements for distances between buildings used for fireworks and other buildings and roadways and instead requires the State Fire Marshal to adopt rules establishing distance requirements.

Same as the Senate.

Allows a fireworks wholesaler or manufacturer to expand its licensed premises to include storage locations that are located on premises that are not contiguous with the licensed premises if the wholesaler or manufacturer meets the specified requirements.

Fiscal effect: Potential minimal increase in administrative expenses for the State Fire Marshal due to rule-making responsibilities. Potentially offset by \$100 fee per storage location for the inspection of each storage location.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

192 (CD-157-COM) Fire Marshal's Fireworks and Training Education Fund

R.C. 3743.57

R.C. 3743.57

R.C. 3743.57

R.C. 3743.57

Eliminates the Fire Marshal's Fireworks Training and Education Fund. (See the item entitled "Cash Transfer to State Fire Marshal's Fund" below).

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None. The cash balance in the Fireworks Training and Education Fund (Fund 4L5) is to be transferred to the State Fire Marshal's Fund (Fund 546) while any existing encumbrances against the Fireworks Training and Education Fund are to be cancelled and re-established against the State Fire Marshal's Fund. The current cash balance of the Fireworks Training and Education Fund is approximately \$5,964.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

193 (CD-1284-COM) Prevailing Wage Law Concerning Interested Parties

R.C. 4115.03, 4115.032, 4115.071,  
4115.16, 4115.21

No provision.

No provision.

Eliminates the ability for interested parties to file a complaint with the Director of Commerce and to bring an action in a court of common pleas to enforce the provisions of the Prevailing Wage Law. Under existing law, "interested party" means a bidder for a public improvement, the bidder's subcontractor, or any labor organization or other association whose members are employees of the bidder or bidder's subcontractor.

No provision.

Fiscal effect: Potential decrease in expenditures for the Department of Commerce and courts of common pleas related to resolving complaints concerning the prevailing wage law



|                           |                        |                         |                                    |
|---------------------------|------------------------|-------------------------|------------------------------------|
| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|

194 (CD-927-COM) Reduction in Wholesale Price Discount for Spirituous Liquor

|              |              |              |              |
|--------------|--------------|--------------|--------------|
| R.C. 4301.10 | R.C. 4301.10 | R.C. 4301.10 | R.C. 4301.10 |
|--------------|--------------|--------------|--------------|

No provision.

Reduces the minimum price discount for wholesale purchases of spirituous liquor from 12.5% to 6% of the retail selling price of that liquor.

Same as the House.

Same as the House.

Fiscal effect: Potential gain in revenue to the Liquor Control Fund (Fund 043) of \$16.0 million in FY 2006 and \$16.3 million in FY 2007. As a result, the transfer to the GRF of excess liquor profits is estimated to be approximately \$127.9 million in FY 2006 and \$124.9 million in FY 2007.

---

195 (CD-1281-COM) Ski Area Sunday Sales Liquor Permit

|               |               |
|---------------|---------------|
| R.C. 4303.182 | R.C. 4303.182 |
|---------------|---------------|

No provision.

No provision.

Authorizes the issuance of a Sunday sales liquor permit to D-5 liquor permit premises (retail food service operation operating as a restaurant) located at a ski area, whether or not the Sunday sales have been approved in a local option liquor election.

Same as the Senate, but authorizes the issuance of a Sunday sales liquor permit to any D permit premises (retail food service operation or retail food establishment that is authorized to have sales of on-premises consumption) located at a ski area whether or not the Sunday sales have been approved in a local option liquor election, provided that the passenger tramway operator at that area is registered under current law.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: Potential minimal gain in liquor permit revenue from a potential increase in the number of liquor permits issued. The permit fee for a D-6 permit (the Sunday liquor sales permit) is \$500. Liquor permit fees are deposited into Fund 066 and distributed to the GRF, Ohio Department of Alcohol and Drug Addiction Services (ODADAS) and local governments.

Fiscal effect: Same as the Senate, but with a potentially larger revenue gain. Allowing any D permit premises located at ski areas may allow more premises to obtain Sunday liquor sales permits.

|   | As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|---|------------------------|-------------------------|------------------------------------|
| <b>196 (CD-226-COM) Small Government Fire Departments</b> |   |                        |                         |                                    |
|   | Section: 203.75   | Section: 203.75        | Section: 203.75         | Section: 203.75                    |
|   | Specifies, notwithstanding section 3737.17 of the Revised Code, that appropriation item 800-635, Small Government Fire Departments (Fund 5F1) in the general services fund group, may be used to provide loans to private fire departments. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>197 (CD-228-COM) Unclaimed Funds Payments</b>          |   |                        |                         |                                    |
|   | Section: 203.75   | Section: 203.75        | Section: 203.75         | Section: 203.75                    |
|   | Allows for the Division of Unclaimed Funds to pay bona fide claims for unclaimed funds. Appropriates additional amounts if necessary for this purpose, ensuring that owners of unclaimed funds receive the funds due them.                  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>198 (CD-230-COM) Unclaimed Funds Transfers</b>         |   |                        |                         |                                    |
|   | Section: 203.75   | Section: 203.75        | Section: 203.75         | Section: 203.75                    |
|   | Requires the Director to transfer \$50 million of unclaimed funds to the GRF prior to June 30, 2006 and another \$50 million of unclaimed funds to the GRF prior to June 30, 2007.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

199 (CD-227-COM) Penalty Enforcement

Section: 203.75

Section: 203.75

Section: 203.75

Section: 203.75

Requires that appropriation item 800-621, Penalty Enforcement (Fund 5K7) in the state special revenue fund group, be used for the enforcement of the prevailing wage law.

Same as the Executive.

Same as the Executive.

Same as the Executive.

200 (CD-231-COM) Cash Transfer to State Fire Marshal's Fund

Section: 203.75

Section: 203.75

Section: 203.75

Section: 203.75

Requires the Director of OBM to transfer the cash balance in the Fireworks Training and Education Fund (Fund 4L5) in the state special revenue fund group, which is abolished by this bill, to the State Fire Marshal's Fund (Fund 546) in the state special revenue fund group. Any existing encumbrances against appropriation item 800-609, Fireworks Training and Education (Fund 4L5) in the state special revenue fund group, are to be cancelled by the Director of OBM and re-established against the State Fire Marshal's Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: No net impact, as the remaining balance of approximately \$6,000 in the abolished fund will be transferred to the State Fire Marshal's Fund. (See the item entitled "Fire Marshal's Fireworks Training and Education Fund" above).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

201 (CD-1103-COM) Cash Transfer to Budget Stabilization Fund

Section: 203.75

Section: 203.75

Section: 203.75

No provision.

Authorizes the Director of OBM to transfer up to \$1,700,000 in FY 2006 and up to \$1,600,000 in FY 2007 from the State Fire Marshal's Fund (Fund 546) to the Budget Stabilization Fund.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

202 (CD-233-COM) Fire Department Grants

Section: 203.75

Section: 203.75

Section: 203.75

Section: 203.75

Earmarks up to \$760,000 in each fiscal year to make annual grants to volunteer fire departments of up to \$10,000, or up to \$25,000 if the volunteer fire department provides service for an area affected by a natural disaster. Earmarks \$687,140 in each fiscal year for full or partial reimbursement to local units of government and fire departments for firefighter training and equipment, with priority given to fire departments that serve small villages and townships. Earmarks up to \$200,000 in each fiscal year for grants of up to \$50,000 to fire departments to assist in the conversion of existing data systems to the NFIRS 5 electronic fire reporting system.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential minimal increase in expenditures in appropriation item 800-610, Fire Marshal (Fund 546) in the state special revenue fund group, due to rule-making responsibilities.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

203 (CD-236-COM) Cash Transfer to Real Estate Operating Fund

Section: 203.75

Section: 203.75

Section: 203.75

Section: 203.75

Allows the Director of OBM to transfer up to \$250,000 in cash from the Real Estate Recovery Fund (Fund 548) and up to \$200,000 in cash from the Real Estate Appraiser Recovery Fund (Fund 4B2) to the Real Estate Operating Fund (Fund 549) in the state special revenue fund group over the biennium.

Fiscal effect: Replenishes the cash reserve of the Real Estate Operating Fund by up to \$450,000, which had been depleted by a transfer to the GRF in FY 2004 and a reduced amount of revenue after a larger than expected amount was received in FY 2002 from pro-rated renewals.

Decreases the maximum transfer in cash from the Real Estate Recovery Fund (Fund 548) to the Real Estate Operating Fund (Fund 549) from \$250,000 to \$100,000 during the FYs 2006-2007 biennium. Increases the maximum transfer in cash from the Real Estate Appraiser Recovery Fund (Fund 4B2) to the Real Estate Operating Fund (Fund 549) from \$200,000 to \$350,000 during the FYs 2006-2007 biennium.

Fiscal effect: No net change to the potential gain of up to \$450,000 for the Real Estate Operating Fund (Fund 549), but alters the amounts to be transferred from the Real Estate Recovery Fund (Fund 548) and the Real Estate Appraiser Recovery Fund (Fund 4B2).

Same as the House.

Same as the House.

|                           |                        |                         |                                    |
|---------------------------|------------------------|-------------------------|------------------------------------|
| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|

**204 (CD-237-COM) Merchandising**

**Section: 203.75**

**Section: 203.75**

**Section: 203.75**

**Section: 203.75**

Allows for the Division of Liquor Control to use appropriation item 800-601, Merchandising (Fund 043) in the liquor control fund group, for operating expenses to pay for liquor products and provides for additional appropriations that may be necessary. It may be that demand for liquor products exceeds sales forecasts assumed in the recommended appropriation for the upcoming biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Without this language, the Division would have to cease sales once these levels were reached. A portion of the liquor profits are transferred to the GRF.

**205 (CD-238-COM) Development Assistance Debt Service**

**Section: 203.75**

**Section: 203.75**

**Section: 203.75**

**Section: 203.75**

Establishes that appropriation item 800-633, Development Assistance Debt Service (Fund 043) in the liquor control fund group, is to pay debt service on bonds issued to support the Chapter 166 loan program operated by the Department of Development, and appropriates additional sums if necessary. The appropriation for this purpose is \$32,158,300 in FY 2006 and \$39,230,000 in FY 2007.

Same as the Executive.

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**206 (CD-240-COM) Revitalization Debt Service**

Section: 203.75

Section: 203.75

Section: 203.75

Section: 203.75

Requires that appropriation item 800-636, Revitalization Debt Service (Fund 043) in the liquor control fund group, be used to pay debt service on bonds issued for the urban revitalization component of the Clean Ohio bond program. Appropriates \$9,740,500 in FY 2006 and \$13,485,800 in FY 2007 for this purpose, as well as additional amounts if needed.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**207 (CD-241-COM) Administrative Assessments**

Section: 203.75

Section: 203.75

Section: 203.75

Section: 203.75

Specifies the manner in which the Division of Administration within the Department charges other divisions for central services, such as payroll and fiscal administration, as well centralized computer costs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

208 (CD-1122-COM) Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund

Section: 206.42.19

Section: 206.42.19

Section: 206.42.19

No provision.

Transfers cash totaling \$200,000 in each fiscal year from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Health's Poison Control Fund (Fund 5CB) and includes earmarks in each fiscal year for poison control centers in the municipal corporations of Cleveland, Cincinnati, Columbus, and Dayton each be awarded a grant of \$50,000. (See the item entitled "Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund" in the Department of Health).

Same as the House, but changes the wording that poison control centers in Cleveland, Cincinnati, Columbus, and Dayton shall each "receive an allocation" of \$50,000 rather than "be awarded a grant" of \$50,000.

Same as the Senate, but changes the earmark of \$50,000 for the municipal corporation of Dayton to the Greater Dayton Area Hospital and specifies that these funds are to be used for poison control purposes. The other earmarks remain unchanged.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

209 (CD-1124-COM) State Fire Marshal's Fund Cash Transfers for Public Safety Services

Section: 209.51

Section: 209.51

Section: 209.51

No provision.

Transfers cash totaling \$100,000 in FY 2006 and \$200,000 in FY 2007 from the State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC) and designates those moneys to be awarded in the form of a grant to the City of Warren for the purpose of assisting in the provision of essential public safety services to its citizens. (See the item entitled "State Fire Marshal's Fund Cash Transfers for Public Safety Services" in the Department of Public Safety).

Same as the House, except transfers additional cash totaling \$275,000 in FY 2006 and \$125,000 in FY 2007 from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC), earmarks \$150,000 of that transferred cash in FY 2006 for the City of Eastlake for the purpose of assisting in the provision of essential public safety services to its citizens, earmarks \$125,000 of that transferred cash in each fiscal year for the Southern Ohio Drug Task Force, and replaces the language instructing the Department to use earmarked moneys to "provide a grant" in each fiscal year to the City of Warren with language instructing the Department to "distribute" the earmarked amounts in each fiscal year to the City of Warren.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

210 (CD-619-COM) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into either the departments of Health, Public Safety, or Commerce in fiscal year 2007. The boards consolidated into the Department of Commerce are the: Accountancy Board of Ohio, State Boards of Examiners of Architects, Ohio Athletic Commission, Ohio State Barber Board, State Board of Cosmetology, Motor Vehicle Collision Repair Registration Board, State Board of Registration for Professional Engineers and Surveyors, Board of Embalmers and Funeral Directors, and Manufactured Homes Commission.

Requires the directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety to appoint representatives to a transition team. This team shall develop a plan to address the details of the consolidation. The team shall also develop budgets for the respective departments and the consolidated boards and commissions. The team shall submit a report to the Governor containing recommendations and the details for the consolidation no later than December 31, 2005. A bill is to be introduced in fiscal year (FY) 2006 that will include necessary statutory changes and appropriations.

Removes the Accountancy Board, the State Boards of Examiners of Architects and Landscape Architects, and the State Board of Registration for Professional Engineers and Surveyors from the proposal to consolidate certain regulatory boards into the Department of Commerce. (See the items entitled "Consolidation of Regulatory Boards" in the Accountancy Board, State Boards of Examiners of Architects, and State Board of Registration for Professional Engineers and Surveyors).

Fiscal effect: Uncertain depending on the outcome of the report of the transition team, but would presumably decrease operating costs for the Department of Commerce that would otherwise occur if the consolidation takes place as proposed

Same as the House, but adds three members to the transition team selected by the affected regulatory boards. (See the items entitled "Consolidation of Regulatory Boards" in the affected boards and commissions).

Fiscal effect: Same as the House.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: Unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

---

| As Introduced (Executive)                             | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee   |
|---|--|---|--|
| 211 (CD-1005-OCC) Call Center for Consumer Complaints | R.C. 4911.021, 4911.02   | R.C. 4912.01, 4911.02, 4911.021   | R.C. 4911.021, 4905.261  |
| No provision.   | Prohibits the Office of Consumers' Counsel (OCC) from operating a telephone call center for residential consumer complaints. Consumers will still be able to register complaints at a call center operated by the PUCO (this would increase expenditures from the Public Utilities Fund 5F6 by \$650,000 per year; CD-960-PUC)<br>Fiscal effect: Reduces expenditures from Fund 5F5 by approximately \$650,000 per year. | Requires OCC and the PUCO to establish a single call service for consumer complaints regarding utility service. The single telephone number will automatically route all calls regarding residential utility service to the OCC and all other calls to PUCO. The cost of establishing and operating the toll-free call service is to be borne equally by the OCC and PUCO. Both agencies are prohibited from operating any other telephone call center.<br>Fiscal effect: Would likely increase expenditures from Fund 5F5. Assuming that the majority of calls currently received by PUCO relate to residential service, this provision would increase the call volume to OCC significantly. | Same as the House, except that the PUCO is required expeditiously to provide OCC with all information concerning residential consumer complaints received by PUCO. If technology to do so is reasonably available, PUCO must provide such information to OCC in real time. See also item CD-960-PUC.<br>Fiscal effect: Same as House Passed. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

212 (CD-206-OCC) Payment of Annual Assessment

R.C. 4911.18

R.C. 4911.18

R.C. 4911.18

R.C. 4911.18

Revises the schedule by which Consumers' Counsel collects assessments from some utilities beginning in calendar year 2006. Currently Consumers' Counsel assesses utilities on or before October 1 each year and the money is typically received in October. The current system requires the Director of Management and Budget to transfer money from the GRF to Fund 5F5 at the beginning of each fiscal year to cover operating expenses until receipts from the assessment are received, at which time the amounts transferred are returned to the GRF. This provision would require Consumers' Counsel to assess companies half the amounts they were assessed on October 1 by the following May 15 if the company paid more than \$1,000 in assessments for that fiscal year, with the amount assessed due by June 20. The remainder of the assessment would be payable on the current schedule. This section also increases the minimum annual assessment against a public utility from \$50 to \$100.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This provision accelerates payment of a portion of the assessment, which has the effect of increasing the amount of assessment paid in FY 2006 by up to \$4.3 million due solely to the timing change. The amount of assessment

**As Introduced (Executive)****As Passed by the House****As Passed by the Senate****As Amended by Conference Committee**

collected in subsequent fiscal years remains essentially unchanged. The acceleration in payment of the assessment would end the need for temporary transfers from the GRF to Fund 5F5. The increase in the minimum assessment increases the share of the total assessment paid by small utilities and correspondingly reduces the share of the total assessment paid by large utilities.

---



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

213 (CD-1279-CEB) Consent Agreements in Civil Actions Involving the State

R.C. 131.51

No provision.

No provision.

Provides that in any civil action in which the state is a party, prior to entering into a consent agreement in which the state must perform any action that requires additional appropriations, the state official who represents the state as a party in the action must obtain Controlling Board approval, and provides that a consent agreement cannot bind the General Assembly to appropriate funding unless the General Assembly is a party to the action and the consent agreement.

No provision.

Fiscal effect: As of this writing, the fiscal effect, if any, on the state of requiring Controlling Board approval of certain consent agreements is uncertain.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

214 (CD-1278-CEB) Approval of Collective Bargaining Agreements

R.C. 4117.10

R.C. 4117.10

No provision.

No provision.

Requires the Controlling Board, instead of the General Assembly as under existing law, to accept or reject both of the following: (1) a collective bargaining agreement between a state public employer and an exclusive representative, and (2) a request for the funds necessary to implement the agreement.

Same as the Senate.

Fiscal effect: As of this writing, the fiscal effect, if any, on the state of requiring Controlling Board approval of certain collective bargaining agreements is uncertain.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

215 (CD-799-CEB) Federal Share

Section: 203.81

Section: 203.81

Section: 203.81

Section: 203.81

Requires that the Controlling Board, in transferring appropriations to and from appropriation items that have federal shares identified in the bill, add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in the bill, and appropriates such changes.

Same as the Executive.

Same as the Executive.

Same as the Executive.

216 (CD-800-CEB) Disaster Assistance

Section: 203.81

Section: 203.81

Section: 203.81

Section: 203.81

Permits the Department of Public Safety to request, and the Controlling Board to approve, transfers from the Board's Emergency Purposes Fund to a departmental GRF appropriation item to provide funding for assistance to political subdivisions and individuals made necessary by natural disasters or emergencies, and allows such transfers to be requested and approved prior to or following the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

Same as the Executive, but makes technical changes, including replacing the reference to the "Emergency Purposes Fund" with a reference to "appropriation item 911-401, Emergency Purposes/Contingencies", and replacing the reference to the Department of Public Safety's "General Revenue Fund appropriation item" with a reference to the Department's "appropriation items".

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

217 (CD-801-CEB) Southern Ohio Correctional Facility Cost

Section: 203.81

Section: 203.81

Section: 203.81

Section: 203.81

Permits the Office of Criminal Justice Services and the Public Defender Commission to request, upon approval by the Director of Budget and Management, additional funds from the Board's Emergency Purposes Fund for costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility.

Same as the Executive, but makes technical changes, including replacing the reference to the "Office of Criminal Justice Services" with a reference to the "Division of Criminal Justice Services in the Department of Public Safety", and replacing the reference to the "Emergency Purposes Fund" with a reference to "appropriation item 911-401, Emergency Purposes/Contingencies".

Same as the House.

Same as the House.

218 (CD-802-CEB) Mandate Assistance

Section: 203.81

Section: 203.81

Section: 203.81

Section: 203.81

(1) Requires that the amounts appropriated to GRF appropriation item 911-404, Mandate Assistance, be used to provide financial assistance to local units of government and school districts for the cost of two specified unfunded state mandates as follows: (a) the cost to county prosecutors for prosecuting certain felonies that occur on the grounds of state institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services, and (b) the costs to school districts of in-service training for child abuse detection;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

(2) Permits the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education to submit to the Controlling Board requests to transfer appropriations from appropriation item 911-404 for the two aforementioned purposes;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Permits the Controlling Board to transfer appropriations received by a state agency under this provision back to appropriation item 911-404, or to the other program of state financial assistance identified under this provision;

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Stipulates it is expected that not all costs incurred by local units of governments and school districts under each of these two aforementioned programs of state financial assistance will be fully reimbursed by the state;

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Prescribes how each of these programs of state financial assistance are to be carried out; and

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Permits any moneys allocated within appropriation item 911-404 not fully utilized, upon application of the Ohio Public Defender Commission, and with the approval of the Board, to be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by counties in providing indigent defense legal services.

(6) Same as the Executive.

(6) Same as the Executive.

(6) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

219 (CD-803-CEB) Ballot Advertising Costs

Section: 203.81

Section: 203.81

Section: 203.81

Section: 203.81

Requires the Controlling Board, pursuant to requests submitted by the Ohio Ballot Board, to approve transfers from GRF appropriation item 911-441, Ballot Advertising Costs, to an Ohio Ballot Board appropriation item in order to reimburse county boards of elections for the cost of providing public notices associated with statewide ballot initiatives.

Same as the Executive.

Same as the Executive.

Same as the Executive.

220 (CD-993-CEB) Radio Reading Services

Section: 203.81

No provision.

Earmarks \$45,000 in each fiscal year from GRF appropriation item 911-417, Educational Technology Fund, to be used for Radio Reading Services.

No provision. Funding for this purpose is moved to GRF appropriation item 935-404, Telecommunications Operating Subsidy, in newly established state agency eTech Ohio. (See the item entitled "Telecommunications Operating Subsidy" under eTech Ohio)

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

221 (CD-1277-CEB) Disaster Services

Sections: 203.81, and 312.01

Sections: 203.81, and 312.01

No provision.

No provision.

Allows the Controlling Board to approve transfers from the Disaster Services Fund (Fund 5E2) to the Department of Public Safety (DHS) and other state agencies that may request such transfers to assist political subdivisions with the costs associated with federally designated disasters or emergencies, as well as those that may be declared by the Governor, and, depending upon the size of the GRF revenue surplus at the end of FY 2005, transfers up to \$40 million to Fund 5E2.

Same as the Senate.

222 (CD-804-CEB) Expenditures and Appropriation Increases Approved by the Controlling Board

Section: 303.03

Section: 303.03

Section: 303.03

Section: 303.03

Specifies that all requests for increased appropriation authority or increased expenditures approved by the Controlling Board during the biennium are appropriated for the biennium ending June 30, 2007.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: As this provision conforms with current law and accounting practices, there is no apparent fiscal effect.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

223 (CD-1303-COS) Location of Board of Cosmetology

R.C. 4713.02

R.C. 4713.02

No provision.

No provision.

Requires the Board of Cosmetology to establish an office within Franklin County, Ohio, instead of in Columbus, Ohio.

Same as the Senate.

Fiscal effect: Potential one-time increase in expenditures from the Occupational Licensing and Regulatory Fund (Fund 4K9) to pay for moving expenses to a new office space. The total move cost would not be more than \$50,000, according to DAS Real Estate estimates. Move could increase or decrease future rent costs.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

224 (CD-1385-COS) Cosmetology Courses for Adults and High Schools

R.C. 4713.441

No provision.

No provision.

Prohibits any school district from operating cosmetology courses for adult students, except continuing education cosmetology courses, if the school is within the same county or a contiguous county as a proprietary cosmetology school licensed by the State Board of Cosmetology, unless the district enters into an agreement with each cosmetology school in the same county or a contiguous county permitting the district to offer specific courses. If the school is outside of the same county or a contiguous county as a licensed cosmetology school, the school district may operate the program for adult students only with the approval of the State Board of Cosmetology and the Department of Education. (See also the item entitled "Cosmetology Courses for Adults at High Schools" in the Department of Education.)

No provision.

Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 225 (CD-419-COS) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Board of Cosmetology, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: Same as the Executive.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

226 (CD-794-CSW) Consolidation of Regulatory Boards

R.C. 315.03

R.C. 315.03

R.C. 315.03

R.C. 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Counselor, Social Worker, and Marriage and Family Therapist Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Same as the Senate.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

227 (CD-1017-CSW) Scope of Practice of Certain Marriage and Family Therapists

R.C. 4757.30

No provision.

Limits the scope of practice of marriage and family therapist and independent marriage and family therapist.

No provision.

No provision.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

228 (CD-823-CJS) Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (55.02.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, and 5502.01

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, and 5502.01

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, and 5502.01

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, and 5502.01

Abolishes the Office of Criminal Justice Services and transfers its personnel and functions to, and creates, the Division of Criminal Justice Services in the Department of Public Safety, requires the Director of Public Safety, with the concurrence of the Governor, to appoint an executive director of the Division to serve at the pleasure of the Director, requires the executive director, subject to the control of the Director of Public Safety, to appoint the Division's staff and enter into any agreements necessary to perform the Division's functions, repeals the authority of the Governor to appoint advisory committees to assist the Office of Criminal Justice Services, and makes appropriate changes in the Revised Code to reflect the abolition of the Office and creation of the Division, including the renumbering of sections.

Same as the Executive.

Same as the Executive, but removes a reference to the nonexistent "assistant executive director" of the Division of Criminal Justice Services to be created in the Department and replaces an incorrect reference to the "Office" with a reference to the "Division."

Same as the Senate.

Fiscal effect: According to the Office of Criminal Justice Services, its merger within the Department of Public Safety as the Division of Criminal Justice Services will likely result in a reduction of 14 funded

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

positions. Both the Office of Criminal Justices and the Department of Public Safety have indicated that an effort would be made to reassign Criminal Justice Services staff to other departmental programs. As the potential merger of the Office of Criminal Justice Services within the Department of Public Safety is still a "work in progress," the staffing levels in FYs 2006 and 2007 for what will become the Division of Criminal Justice Services are uncertain.

(See the item entitled "Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services" in the Department of Public Safety)

---

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 229 (CD-824-CJS) Transfer of the Office of Criminal Justice Services to the Department of Public Safety

Section: 209.51

Section: 209.51

Section: 209.51

Section: 209.51

Provides for the transfer of the employees, assets, rules, business, and determinations of the Office of Criminal Justice Services to the Division of Criminal Justice Services in the Department of Public Safety.

(See the item entitled "Transfer of the Office of Criminal Justice Services to the Department of Public Safety" in the Department of Public Safety)

Same as the Executive.

Same as the Executive, but clarifies that employees of the Office, and the vehicles and equipment assigned to them, may be transferred to areas of the Department other than the Division, and clarifies that the employee transfer provisions are subject to the layoff provisions of sections 124.321 to 124.328 of the Revised Code.

Same as the Senate.

## 230 (CD-1336-CJS) Transfer of Family Violence Prevention Center

Section: 209.51

Section: 209.51

No provision.

No provision.

Transfers the Family Violence Prevention Center, and related activities, from the Office of Criminal Justice Services to the Division of Criminal Justice Services in the Department of Public Safety.

Same as the Senate.

(See the item entitled "Transfer of Family Violence Prevention Center" in the Department of Public Safety)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 231 (CD-1448-AFC) Refunding Ohio Arts and Sports Facilities Obligations

R.C. 154.11

No provision.

No provision.

No provision.

Clarifies that the Treasurer of State may issue obligations to refund bonds previously issued to pay the costs of capital facilities leased to the Ohio Cultural Facilities Commission (formerly known as the Ohio Arts and Sports Facilities Commission).

## 232 (CD-709-AFC) Increase in Membership of the Commission

R.C. 3383.02

R.C. 3383.02

R.C. 3383.02

R.C. 3383.02

Increases the number of members on the Cultural Facilities Commission from ten to twelve, and in turn increases the number of voting members from seven to nine, and the number needed for a quorum from four to five. The initial terms of the two new members are set to expire December 31, 2007 and December 31, 2008.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The change is not expected to result in higher operating costs for the Commission because members serve without compensation.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**233 (CD-711-AFC) Operating Expenses**

Section: 203.42

Section: 203.42

Sections: 203.42, R.C. 3383.09

Sections: 203.42, R.C. 3383.09

Requires that GRF appropriation item 371-321, Operating Expenses, be used by the Cultural Facilities Commission to carry out its statutory duties and responsibilities. Also requires the Director of Budget and Management to determine the amount of cash from interest earnings to be transferred from the Ohio Cultural Facilities Building Fund (Fund 030) to the AFC Administration Fund (Fund 4T8) by July 10, 2005, and again by July 10, 2006.

Same as the Executive.

Same as the Executive, but under section 3383.09 of the Revised Code, permits the Director of Budget and Management to transfer to the Ohio Cultural Facilities Administrative Fund, the premium paid on any bonds issued on behalf of the Commission and credited to the Cultural and Sports Facilities Building Fund that exceed federal arbitrage rebate requirements. Similar language added to temporary law section 203.42 requires the Director of Budget and Management to determine the amount of cash from the premium paid on each bond issuance to be transferred from Fund 030 to Fund 4T8.

Same as the Senate, but clarifies that transfers may occur from any premium paid on each issuance that is available to be transferred after all issuance costs have been paid.

**234 (CD-710-AFC) Lease Rental Payments**

Section: 203.42

Section: 203.42

Section: 203.42

Section: 203.42

Requires that GRF appropriation item 371-401, Lease Rental Payments, be used for payments to the Ohio Building Authority and Treasurer of State for the period beginning July 1, 2005 and ending June 30, 2007 under the primary leases and agreements for arts and sports facilities made under Chapters 152. and 154. of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

235 (CD-1319-AFC) Changes in Appropriation to Capital Line Items

Sections: 401.05, 403.09, and 403.10

Sections: 401.05, 403.09, and 403.10

No provision.

No provision.

Eliminates an appropriation of \$100,000 to the Fairfield Outdoor Theatre (CAP-836), made under Am. Sub. H.B. 189 of the 125th General Assembly (the capital reappropriation bill of the 125th G.A.), and increases an appropriation made to the Butler Palace Theatre (CAP-846) from \$100,000 to \$200,000 made under Am. Sub. H.B. 16 of the 126th General Assembly (the capital appropriation bill of the 126th G.A.).

Same as the Senate.

No provision.

No provision.

Eliminates a \$30,000 appropriation to the Becky Thatcher Showboat (CAP-828), made under Am. Sub. H.B. 189 of the 125th General Assembly (the capital reappropriation bill of the 125th G.A.) and transfers that appropriation to the Mid Ohio Valley Players (CAP-829), increasing its appropriation from \$50,000 to \$80,000.

Same as the Senate.

No provision.

No provision.

Eliminates a \$15,000 appropriation to the Kennedy Stone House (CAP-865), made under Am. Sub. H.B. 16 of the 126th General Assembly (the capital appropriation bill of the 126th G.A.) and reestablishes the appropriation to the same entity (CAP-068, Kennedy Stone House), but under the administration of the Department of Natural Resources.

Same as the Senate.

(See the item entitled "Capital Appropriations - Kennedy Stone House" in the Department of Natural Resources).

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate                  | As Amended by Conference Committee       |
|---|--|--|--|
| 236 (CD-581-DEN) Consolidation of Regulatory Boards   |  |  |  |
| Section: 315.03   | Sections: 315.03, 203.93   | Sections: 315.03, 203.93                 | Sections: 315.03, 203.93                 |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Dental Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.</p> | <p>Removes the State Dental Board from the proposal to consolidate certain regulatory boards into the departments of Commerce, Health, and Public Safety.</p>  | <p>Same as the House.</p>                | <p>Same as the House.</p>                |
| <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p>  | <p>Fiscal effect: Establishes appropriations for FY 2007 at FY 2006 recommended levels. It is possible that costs for central services may increase as there would be fewer boards benefitting from cost-pooling for human resources, accounting, and IT support services managed by DAS- Central Services Agency.</p> | <p>Fiscal effect: Same as the House.</p> | <p>Fiscal effect: Same as the House.</p> |
| <p>(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)</p>   |  |  |  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

237 (CD-668-BDP) Board of Deposit Expense Fund

Section: 203.96

Section: 203.96

Section: 203.96

Section: 203.96

Requires that after receiving certification of expenses from the Treasurer of State, the Director of Budget and Management shall transfer cash from the Investment Earnings Redistribution Fund (4M2) to pay for banking charges and fees required for the operation of the State of Ohio Regular Account.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive

Same as the Executive

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 238 (CD-700-DEV) Family Farm Loan Program Extension

R.C. 122.011, Sections 403.11,  
403.12

R.C. 122.011, Sections 403.11,  
403.12

R.C. 122.011, Sections 403.11,  
403.12

R.C. 122.011, Sections 403.11,  
403.12

Extends the sunset of the Family Farm Loan Program from October 15, 2005 to October 15, 2007.

Same as the Executive.

Same as the Executive.

Same as the Executive.

(See the item entitled "Family Farm Loan Program Extension" in the Department of Agriculture)

Fiscal effect: Financial assistance from the Family Farm Loan Guarantee Fund (Fund 5H1) will continue to be available. The program receives funding from a transfer from the Facilities Establishment Fund (Fund 037) and is administered by the Department of Agriculture. Eligible projects include land acquisition, construction, reconstruction, rehabilitation, renovation, or enlarging of agricultural buildings, or machinery and equipment acquisition. A total of \$1 million in each of fiscal years 2006 and 2007 is appropriated to Fund 5H1.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

239 (CD-1331-DEV) Alternative Fuel Transportation Grant Program

R.C. 122.075, Section 203.99.45

R.C. 122.075, Section 203.99.45

No provision.

No provision.

Establishes the Alternative Fuel Transportation Grant Program and the Alternative Fuel Transportation Grant Fund (Fund 5CG) to provide grants to businesses, nonprofit organizations, public school systems, and local governments for the purchase and installation of alternative fuel refueling facilities and the purchase and use of certain alternative fuels (blended biodiesel and blended gasoline). The Director of Development is required to adopt rules necessary for the administration of the program.

Same as the Senate.

Fiscal effect: \$150,000 in each fiscal year is transferred from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Alternative Fuel Transportation Grant Fund (Fund 5CG) for the purpose of administering this new grant program. Additionally, the Department of Development may incur slight increases in administrative expenses developing rules and guidelines for the new program.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 240 (CD-1126-DEV) Shovel Ready Sites Program

R.C. 122.083, Sections 203.99,  
203.99.45, and 203.99.48

R.C. 122.083, Sections 203.99,  
203.99.45, and 203.99.48

R.C. 122.083, Sections 203.99,  
203.99.45, and 203.99.48

No provision.

Establishes a Shovel Ready Sites program in permanent law to provide grants for projects to port authorities and development entities approved by the Director of Development. Grants may be used toward the acquisition of property; the preparation of sites; construction of road, water, telecommunication, and utility infrastructure; and the payment of professional fees.

Fiscal effect: The program was originally established as a pilot program in Am. Sub. H.B. 95 of the 125th G.A. and was funded with a GRF appropriation. This amendment establishes a new fund (Fund 5CA) under the State Special Revenue fund group and appropriates it \$5 million per fiscal year. Moneys are to be transferred into Fund 5CA from the Facilities Establishment Fund (Fund 037). Subsequently, the transfers from the Facilities Establishment Fund (Fund 037) to the Urban Redevelopment Loans Fund (Fund 5D2) is decreased by \$5 million per fiscal year.

(See the item entitled "Facilities Establishment Fund" in the Department of Development)

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

241 (CD-1329-DEV) Grant Program for Certain Sporting Events

R.C. 122.121, 122.12

No provision.

No provision.

Requires the Director of Development to administer a grant program for eligible sporting events that meet the following criteria: the event is not to be held for longer than seven days; the event is either an amateur sporting event not regularly held in the state or is a professional sporting event that is not affiliated with the NFL, major league baseball, the NBA, the NHL, or major league soccer; and the event is administered by a sports commission or an Ohio convention and visitors bureau. Grants are not to comprise more than 2% of the direct costs associated with conducting the event (or not more than 2.5% if the event is to be televised nationally), and shall be spent only on costs associated with marketing, event operations, facility costs, and bid fees or financial guarantees required to secure the event.

No provision.

Fiscal effect: There is no identified funding source for this grant program, and no appropriation authority established to administer it. Therefore, the potential fiscal effect associated with implementation of the grant program is not known.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

242 (CD-1366-DEV) Grants to Communities Affected by the BRAC Program

R.C. 122.18, Sections 203.99 and 203.99.45

R.C. 122.18, Sections 203.99 and 203.99.45

No provision.

No provision.

Authorizes municipal corporations and counties (i.e. landlords) to enter into agreements with the United States or any department, agency, or instrumentality of the United States (i.e. tenants), for the purpose of retaining jobs at existing facilities recommended for closure under the U.S. Department of Defense's Base Realignment and Closure (BRAC) program. Under these agreements, tenants who propose a project to retain jobs within a municipal corporation at existing facilities recommended for closure under the BRAC program may receive annual payments from the Department of Development equal to the income tax revenue the tenants generate from the retention of employees.

Also establishes the Defense Conversion Assistance Fund (Fund 5CV) to provide grants to local communities for costs associated with the preparation and redevelopment of military installations slated for closure under the BRAC program. \$1 million is transferred to Fund 5CV from unclaimed funds during fiscal year 2006 (along with continuing appropriation authority of unspent funds in fiscal year 2007).

Fiscal effect: Potential revenue loss in

Same as the Senate, but also makes eligible for annual payments, tenants who propose a project to retain jobs at existing facilities recommended for realignment under the BRAC program (not just closure). Also eliminates the requirement that jobs retained be "within a municipal corporation" and revises the definition of "facility" to include property and interests in property owned by the United States or any department, agency, or instrumentality of the United States. Formerly, the definition of facility only included property and interests in property owned by a county or a municipal corporation.

Fiscal effect: Expanding eligibility requirements for the receipt of annual payments is likely to result in greater revenue loss from revenue that is not raised by taxation (this is likely to include revenue generated from liquor sales).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

amounts equal to annual payments made to tenants. Annual payments are paid from revenue that is not raised by taxation (this is likely to include revenue generated from liquor sales). Annual payments are equal to revenue deposited to the GRF from retained employees' income tax.

243 (CD-1328-DEV) Development Financing Advisory Council

R.C. 122.40

R.C. 122.40

No provision.

No provision.

Specifies that six members, rather than four as in current law, of the total membership of the Development Financing Advisory Council constitutes a quorum, and that an affirmative vote of six members is necessary for any action taken by the council.

Same as the Senate.

Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 244 (CD-606-DEV) Increased State Contributions under the Capital Access Loan Program

R.C. 122.603

R.C. 122.603

R.C. 122.603

R.C. 122.603

Modifies the conditions under which the state contributes moneys to a financial institution's program reserve account under the Capital Access Loan Program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Under current law, an eligible business that receives a loan under the Capital Access Loan Program is required to pay a fee equal to not less than one and one-half percent (1 1/2%), and not greater than three percent (3%), of the principal amount of the loan. The amount of this fee is then matched by the financial institution, and both payments are deposited to the financial institution's program reserve account. The state contributes an amount equal to 10% of the principal amount of the loan, which is also deposited to the reserve account. Under section 122.603 of the bill, the Department of Development must contribute 50% of the principal amount of the loan for the first three loans that are issued by the financial institution. Thereafter, the state's contribution drops back down to 10%.

Fiscal effect: Increasing the state's contribution for the first three loans issued under the Capital Access Loan Program is likely to provide an incentive to banks that are not currently participating in the program to make these loans. Section 122.602 of the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Revised Code sets the parameters for loan amounts as follows: \$500,000 for fixed assets and \$250,000 for lines of credit. According to the department, the average loan amount under the program is \$65,802. Depending on the number of financial institutions who participate in the program, there will likely be greater expenditures from the Capital Access Loan Program Fund (Fund 5S9) to meet the new 50% of principal match requirement. Revenue to Fund 5S9 is derived from the sale of economic development bonds.

245 (CD-621-DEV) Minority Business Development Loan and Bonding Programs

R.C. 122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83

R.C. 122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83

R.C. 122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83

R.C. 122.74, 122.71 to 122.73, 122.75, 122.751, 122.76, 122.78, 122.79, 122.82, and 122.83

Recognizes and establishes the powers of regional economic development entities (defined under section 122.71 of H.B. 66) to recommend loan assistance for minority business enterprises to the Director of Development. This authority is in addition to the powers of the Minority Development Financing Advisory Board to recommend loan assistance for minority business enterprises.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Increases the membership of the Minority Development Financing Advisory Board from seven to ten and designates the Director of Development (or the Director's designee) as a voting member on the board. Seven members are to be appointed by the

Same as the Executive.

Same as the Executive, but specifies that six members (rather than five as in current law and four as under the bill), of the total membership of the board constitutes a quorum and that an affirmative vote of six members is necessary for any action taken

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Governor, one member is to be a member of the Senate, and one member is to be a member of the House of Representatives. Also reduces the number of members necessary for a quorum from five to four and specifies that an affirmative vote of a majority of the quorum is necessary for any action taken by the board.

by the board (rather than five under current law and a majority of the quorum as under the bill).

Changes "Oriental" to "Asian" and adds "Latinos" to "Hispanics" and "African Americans" to "Blacks" as among the minority groups eligible to receive funding under the minority business development loan and bonding programs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Eliminates a prohibition against lending funds for certain purposes (including office equipment, raw materials, small tools, supplies, inventories, and power-driven vehicles).

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None.

Fiscal effect: None.

Fiscal effect: None.

Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 246 (CD-624-DEV) Small Business Loan and Loan Guarantee Programs

R.C. 122.77

R.C. 122.77

R.C. 122.77

R.C. 122.77

Increases from 50% to 80% the amount of a loan that may be guaranteed by the Director of Development under the department's small business loan and loan guarantee programs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increased expenditures associated with providing a higher percentage guarantee on loans made under the department's small business loan and loan guarantee programs.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 247 (CD-1333-DEV) Industrial Site Improvement Fund

R.C. 122.95, 122.951, Section  
203.99.45

R.C. 122.95, 122.951, Section  
203.99.45

No provision.

No provision.

Revises the Industrial Site Improvement Fund grant program that exists under current law in the following ways: (1) reduces the maximum grant award to eligible counties from \$1 million to \$500,000, (2) limits the amount of a grant to not more than 75% of the estimated total cost of the project, (3) prohibits more than 10% of a grant from being used for professional services related to the project, (4) prohibits an eligible county that receives a grant in one fiscal year from receiving any additional grant that same fiscal year or in the subsequent fiscal year, (5) allows grant money to be used to acquire commercial or industrial land or buildings, and (6) allows an eligible county to designate a port authority, community improvement corporation, or other economic development entity in the county to apply for a grant. Also revises the definitions of "eligible county" and "commercial or industrial areas" for purposes of awarding grants under the program.

Same as the Senate.

Fiscal effect: \$2.5 million is transferred from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Industrial Site Improvement Fund (Fund 5AR) in each of fiscal years 2006 and 2007. Temporary law requires Fund 5AR to be used by the

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Director of Development to make grants to eligible counties for the improvement of commercial or industrial areas within Appalachian counties, counties designated as "distressed," and counties that experienced specific types of job loss within the previous calendar year.

---

**248 (CD-1140-DEV) \* Vetoed \* Prohibition Against Third Frontier Commission Funding Embryonic Stem Cell Research**

R.C. 184.02

R.C. 184.02

R.C. 184.02

No provision.

[\*\*\*VETOED: Prohibits the Third Frontier Commission from making any grants or loans to individuals, public agencies, private companies or organizations, or joint ventures for any activities involving embryonic stem cell research.

Fiscal effect: Limits the use of funding available under the Third Frontier program, but not the level of funding. \*\*\*]

[\*\*\*VETOED: Same as the House, but clarifies that stem cell research that involves the use of embryonic stem cells listed in the "Human Embryonic Stem Cell Registry" created by the National Institutes of Health in the U.S. Department of Health and Human Services is a permissible use of Third Frontier Commission grants and loans. \*\*\*]

[\*\*\*VETOED: Same as the House, but clarifies that the prohibition against the use of Third Frontier Program funding applies only to stem cell research using human embryonic tissue. \*\*\*]

---



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 249 (CD-1048-DEV) Certification of Payments Received in Lieu of Taxes to the Department of Education

R.C. 3317.021

No provision.

Requires the Director of Development to certify to the Department of Education the total amount of payments in lieu of taxes received by each city, exempted village, and local school district during the preceding tax year. Also requires school district treasurers to report the payments in lieu of taxes they receive to the Director of Development.

(See the item entitled "Base Cost Funding" in the Department of Education.)

Fiscal effect: Minimal administrative costs may be incurred collecting and compiling these data.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

250 (CD-1337-DEV) Metropolitan Housing Authority Members

R.C. 3735.27

R.C. 3735.27

No provision.

No provision.

Requires one resident member be appointed to a metropolitan housing authority when required by federal law. This generally replaces a current requirement for two additional members (at least one of whom is a resident member) when a district has 300 or more assisted housing units and no resident member on the metropolitan housing authority. However, authorities that already appointed two additional members, pursuant to current law, must continue to have those additional members.

Same as the Senate.

Also requires that if the resident member who is appointed because of a federal law, following his or her appointment, no longer qualifies as a resident, another resident member must be appointed by the "appointing authority who originally appointed the resident member" rather than by the "chief executive officer of the most populous city in the district."

(See the item entitled "Metropolitan Housing Authority Members" in Local Government Provisions).

Fiscal effect: Minimal. Members of metropolitan housing authorities serve without compensation, but are reimbursed for necessary expenses. Authorities

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

retaining two additional members may incur slightly higher reimbursement expenses than authorities with only one additional member.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

251 (CD-1438-DEV) Lung Cancer and Lung Disease Research

Sections: 203.99, 312.24 and 203.99.45

No provision.

No provision.

No provision.

Establishes the Lung Cancer and Lung Disease Research Fund (Fund 5CY) and appropriates it \$10 million in fiscal year 2006 with moneys transferred from the Tobacco Master Settlement Agreement Fund (Fund 087). Also specifies that newly established appropriation item 195-682, Lung Cancer and Lung Disease Research, be used by the Department of Development to promote lung cancer and lung disease research.

Fiscal effect: The moneys transferred to the Lung Cancer and Lung Disease Research Fund would otherwise have been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2006.

(See the item entitled "Transfer from the Tobacco Master Settlement Agreement Fund to the Department of Development" in the Tobacco Use Prevention and Control Foundation.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 252 (CD-1440-DEV) Local Economic Development Coordinator - Crawford County

Section: 203.99.01

No provision.

No provision.

No provision.

Earmarks \$50,000 in fiscal year 2006 and \$35,000 in fiscal year 2007 from appropriation item 195-321, Operating Expenses, for Crawford County to hire an employee to act as a local economic development coordinator for Crawford, Hancock, Richland, and Marion Counties.

## 253 (CD-447-DEV) Thomas Edison Program

Section: 203.99.03

Section: 203.99.03

Section: 203.99.03

Section: 203.99.03

Requires that GRF appropriation item 195-401, Thomas Edison Program, be used for cooperative public and private efforts in technological innovation to promote the development and transfer of technology by and to Ohio businesses that will lead to the creation of jobs. Also specifies that no more than \$2 million in FY 2006 and \$2.3 million in FY 2007 may be used for operating expenses of the Technology Division for administering this program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

Earmarks \$100,000 in fiscal year 2006 for technology recruitment, development, and construction.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 254 (CD-451-DEV) Small Business Development

Section: 203.99.06

Section: 203.99.06

Section: 203.99.06

Section: 203.99.06

Specifies that GRF appropriation item 195-404, Small Business Development, be used to address the unique needs and concerns of small businesses. Provides grants to support the Small Business Development Centers and other local economic development activities that promote small businesses through technical, financial, and management consultation services. Also supports the operation of the 1st Stop Business Connection program. Funds in this appropriation item are used to match grants provided by the U.S. Small Business Administration and other federal agencies. Federal funds for the Small Business Development Center (SBDC) program are reflected in FED appropriation item 195-609, Small Business Administration.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 255 (CD-454-DEV) Minority Business Development Division

Section: 203.99.06

Section: 203.99.06

Section: 203.99.06

Section: 203.99.06

Specifies that from GRF appropriation item 195-405, Minority Business Development Division, not more than \$1,060,000, and not less than \$954,000 in each fiscal year be used to fund minority contractors and business assistance programs. Requires the Minority Business Development Division (MBDD) to determine what cities need minority contractors and business assistance organizations by using U.S. Census Bureau data and ZIP codes to locate the highest concentration of minority businesses. In addition, the MBDD must determine the numbers of minority contractors and business assistance organizations that are necessary and the amount of funding to be provided to each. Also requires the MBDD to continue to plan and implement business conferences.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 256 (CD-457-DEV) Business Development

Section: 203.99.09

Section: 203.99.09

Section: 203.99.09

Section: 203.99.09

Specifies that GRF appropriation item 195-412, Business Development Grants, be used to provide incentive grants for attracting and retaining business opportunities for the state. Specifies that grant awards may be considered only when the project's viability hinges on an award of funds, when all other public and private sources of financing have been considered, and when the funds act as a catalyst for the infusion of other financing sources into the project.

Same as the Executive.

Same as the Executive.

Same as the Executive.

The primary goal of the Department of Development shall be to award funds to political subdivisions of the state for off-site infrastructure improvements. However, when necessary to meet the economic development needs of a region, grants may be awarded directly to a business for on-site infrastructure improvements. Infrastructure improvements include improvements to water system, sewer treatment, electric or gas service facilities, fiber optic facilities, rail facilities, site preparation, and parking facilities. Funds may also be used for construction, rehabilitation, and acquisition projects for rail freight assistance as requested by the Department of Transportation. Funds in this appropriation item cannot be released without Controlling Board approval.



| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|--|--|-------------------------|------------------------------------|
| <b>257 (CD-459-DEV) First Frontier Match</b>   |  |                         |                                    |
| Section: 203.99.12   | Section: 203.99.12   | Section: 203.99.12      | Section: 203.99.12                 |
| Specifies that GRF appropriation item 195-414, First Frontier Match, be used to provide matching funds to local, regional, or state marketing campaigns for targeted counties (counties with populations of fewer than 175,000 residents). Moneys may be used either for marketing programs by individual targeted counties or for regional marketing campaigns that include at least one targeted county. | Eliminates funding to GRF appropriation item 195-414, First Frontier Match, to SSR appropriation item 195-641, First Frontier, and all associated earmarking language.<br><br>Fiscal effect: The First Frontier program supports marketing programs for economic development purposes that benefit local regions and the state. Matching funds to local dollars (deposited to appropriation item 195-641) are matched via GRF appropriation item 195-414. Eliminating funding will result in a loss of matching funds for marketing programs in targeted counties. | Same as the House.      | Same as the House.                 |
| <b>258 (CD-466-DEV) Economic Development Division and Regional Offices</b>   |  |                         |                                    |
| Section: 203.99.12   | Section: 203.99.12   | Section: 203.99.12      | Section: 203.99.12                 |
| Requires that GRF appropriation item 195-415, Economic Development Division and Regional Offices, be used for the operating expenses of the Economic Development Division and the regional economic development offices and for grants for cooperative economic development ventures.  | Same as the Executive.   | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

259 (CD-467-DEV) Governor's Office of Appalachia

Section: 203.99.15

Section: 203.99.15

Section: 203.99.15

Section: 203.99.15

Requires that GRF appropriation item 195-416, Governor's Office of Appalachia, be used for the administrative expenses of planning and liaison activities of the Governor's Office of Appalachia or for special project grants for the Appalachian Region.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Earmarks up to \$250,000 each fiscal year to be used to match federal funds from the Appalachian Regional Commission to provide job training to impact the Appalachian Region. Also earmarks up to \$4,122,372 each fiscal year to be used in conjunction with other federal and state funds to provide financial assistance to projects in Ohio's Appalachian counties in order to further the goals of the Appalachian Regional Commission.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 260 (CD-471-DEV) Science and Technology Collaboration

Section: 203.99.18

Section: 203.99.18

Section: 203.99.18

Section: 203.99.18

Requires the Department of Development to work in close collaboration with the Board of Regents, the Air Quality Development Authority, and the Third Frontier Commission to ensure implementation of a coherent state strategy with respect to science and technology, in general, and to the various technology-related appropriation items and programs (referred to as Alignment Programs), specifically, that are part of each agency's budget.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Alignment Program appropriation items include -- within the Department of Development -- 195-401, Thomas Edison Program; 195-422, Third Frontier Action Fund; and 195-435, Biomedical Research and Technology Transfer Trust -- within the Board of Regents -- 235-433, Economic Growth Challenge; 235-508, Air Force Institute of Technology; 235-510, Ohio Supercomputer Center; 235-451, Eminent Scholars; 235-527, Ohio Aerospace Institute; 235-535, Ohio Agricultural Research and Development Center; 235-553, Dayton Area Graduate Studies Institute; 235-554, Priorities in Collaborative Graduate Education; and 235-556, Ohio Academic Resources Network -- and within the Air Quality Development Authority -- 898-402, Coal Development Office, and 898-604,

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Coal Research and Development Fund.

Alignment Programs are to be managed and administered according to specific objectives that build on existing research, encourage new and emerging discoveries and commercialization of products, and improve collaboration among Alignment Programs and those administered by the Third Frontier Commission and other programs intended to improve economic growth and job creation. Alignment Programs are to be reviewed annually by the Third Frontier Commission with respect to their development of complementary relationships within a combined state science and technology investment portfolio and with respect to their overall contribution to the state's science and technology strategy.

(See the items entitled "Science and Technology Collaboration" in the Board of Regents and "Science and Technology Collaboration" in the Air Quality Development Authority)

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 261 (CD-468-DEV) Third Frontier Action Fund   |                        |                         |                                    |
| Section: 203.99.18  | Section: 203.99.18     | Section: 203.99.18      | Section: 203.99.18                 |
| Requires that GRF appropriation item 195-422, Third Frontier Action Fund, be used to make technology-related grants that are recommended by the Third Frontier Commission and approved by the Controlling Board. Specifies that no more than 6% of the appropriation item may be used for operating expenditures in each fiscal year. In addition to the 6% permitted for operating expenses, \$1.5 million within the biennium must be available for proposal evaluation, research and analyses, and marketing efforts considered necessary to receive and disseminate information about science and technology-related opportunities. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House    | As Passed by the Senate   | As Amended by Conference Committee |
|--|---------------------------|---------------------------|------------------------------------|
| <b>262 (CD-516-DEV) International Trade</b>  |                           |                           |                                    |
| Section: <i>203.99.21</i>  | Section: <i>203.99.21</i> | Section: <i>203.99.21</i> | Section: <i>203.99.21</i>          |
| Requires that GRF appropriation item 195-432, International Trade, be used to operate and maintain Ohio's out-of-state trade offices, to fund the International Trade Division, and to assist Ohio manufacturers and agricultural producers in exporting to foreign countries (in conjunction with the Department of Agriculture). Also allows up to \$35,000 to be used to purchase gifts for representatives of governments or dignitaries of foreign countries. | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |
| <b>263 (CD-518-DEV) Ohio Investment in Training Program</b>  |                           |                           |                                    |
| Section: <i>203.99.24</i>  | Section: <i>203.99.24</i> | Section: <i>203.99.24</i> | Section: <i>203.99.24</i>          |
| Requires that GRF appropriation item 195-434, Investment in Training Grants, and GSF appropriation item 195-667, Investment in Training Expansion, be used to promote training through grants for the reimbursement of eligible training expenses.   | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**264 (CD-519-DEV) CDBG Operating Match**

Section: 203.99.27

Section: 203.99.27

Section: 203.99.27

Section: 203.99.27

Requires that GRF appropriation item 195-497, CDBG Operating Match, be used to provide matching funds as requested by the U.S. Department of Housing and Urban Development to administer the federally funded Community Development Block Grant program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**265 (CD-521-DEV) State Operating Match**

Section: 203.99.27

Section: 203.99.27

Section: 203.99.27

Section: 203.99.27

Requires that GRF appropriation item 195-498, State Match Energy, be used to provide matching funds as required by the U.S. Department of Energy to administer the federally funded State Energy Plan.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 266 (CD-522-DEV) Travel and Tourism Grants

Section: 203.99.30

Requires that GRF appropriation item 195-507, Travel and Tourism Grants, be used to provide grants to local organizations to support various local travel and tourism events in Ohio.

Section: 203.99.30

Same as the Executive, but makes the following earmarks:

- (1) \$40,000 per fiscal year for the Cincinnati Film Commission
- (2) \$40,000 per fiscal year for the Cleveland Film Commission
- (3) \$50,000 per fiscal year for the Greene County Convention and Visitors Bureau
- (4) Up to \$500,000 per fiscal year for The International Center for the Preservation of Wild Animals
- (5) \$50,000 per fiscal year for the Wright Dunbar Historical Site
- (6) \$45,000 per fiscal year for the Warren County Convention and Visitors Bureau
- (7) \$25,000 in fiscal year 2006 for the Ohio Buckeye Junior Hereford Association
- (8) \$25,000 in fiscal year 2006 for the Lorain County Visitors Bureau
- (9) \$100,000 in fiscal year 2006 for the NCR U.S. Open

Fiscal effect: A total of \$875,000 is earmarked in fiscal year 2006 and a total of \$725,000 is earmarked in fiscal year 2007.

Section: 203.99.30

Same as the House, but makes the following, additional earmarks:

- (1) Provides an additional \$25,000 in fiscal year 2007 for the Lorain County Visitors Bureau (the Bureau already has a fiscal year 2006 earmark for the same amount)
- (2) \$25,000 per fiscal year for the Sandusky/Erie County Visitors and Convention Bureau
- (3) \$25,000 per fiscal year for the Ottawa County Convention and Visitors Bureau
- (4) \$50,000 per fiscal year for the Lake Shore Railway Association, Inc.
- (5) \$120,000 per fiscal year to support the outdoor dramas "Trumpet in the Land," "Blue Jacket," and "Tecumseh!"
- (6) \$100,000 per fiscal year for the Cleveland Institute of Art
- (7) \$25,000 per fiscal year for the Wood County Economic Development Commission
- (8) \$50,000 per fiscal year for the Ohio River Trails program.
- (9) \$12,500 per fiscal year for the Morgan County Community Improvement Corporation

Fiscal effect: Each additional earmark also includes additional appropriation authority to appropriation item 195-507, Travel and Tourism Grants. Under the Senate, an additional \$407,500 in fiscal year 2006 and

Section: 203.99.30

Same as the Senate, but makes one additional earmark of \$5,000 per fiscal year for the Canton Football Hall of Fame.

Fiscal effect: A total of \$1,287,500 is earmarked in FY 2006 and \$1,162,500 in FY 2007.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

\$432,500 in fiscal year 2007 is appropriated and earmarked for local travel and tourism events in Ohio.

---

**267 (CD-523-DEV) Third Frontier Research and Commercialization General Obligation Debt Service**

Section: 203.99.33

Section: 203.99.33

Section: 203.99.33

Section: 203.99.33

Requires that GRF appropriation item 195-905, Third Frontier Research and Commercialization General Obligation Debt Service, be used to pay all debt service and related financing costs during the period from July 1, 2005 to June 30, 2007 on obligations to be issued for research and development purposes.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This language is associated with the proposed bond initiative described under S.J.R. 1 and H.J.R. 2, introduced during the 126th General Assembly. Use of the appropriation will be required only if the bond initiative is enacted and passed by the voters.

---

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| <b>268 (CD-525-DEV) Supportive Services</b>  |                        |                         |                                    |
| Section: 203.99.36   | Section: 203.99.36     | Section: 203.99.36      | Section: 203.99.36                 |
| <p>Authorizes the Director of Development to assess divisions within the department for the cost of central service operations. Requires that a plan be submitted and approved by the Office of Budget and Management by August 1, 2005 detailing the manner in which assessments will be charged. Also requires that a division's payments be credited to the Supportive Services Fund (Fund 135) using an intrastate transfer voucher.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>269 (CD-526-DEV) General Reimbursement</b>  |                        |                         |                                    |
| Section: 203.99.36   | Section: 203.99.36     | Section: 203.99.36      | Section: 203.99.36                 |
| <p>Requires that appropriation item 195-636, General Reimbursements, be used for conference and subscription fees and other reimbursable costs. Also requires that revenues to the General Reimbursement Fund (Fund 685) consist of fees and other moneys charged for conferences, subscriptions, and other administrative costs that are not central service costs.</p>   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 270 (CD-528-DEV) Worker Guarantee Program

Section: 203.99.36

Section: 203.99.36

Section: 203.99.36

Section: 203.99.36

Requires that GSF appropriation item 195-668, Worker Guarantee Program, be used for the Worker Guarantee Program. Specifies that benefited employers must create at least 100 high-paying, full-time jobs over a three-year period and must demonstrate, prior to the commitment of state funds, that the availability of the skilled workers (provided through the program) is a major factor in the employer's decision to locate or expand in Ohio. Activities eligible for funding under the program include job assessment services, screening and testing of potential employees, customized training activities, and other training or related services approved by the Director of Development.

Same as the Executive.

Same as the Executive.

Same as the Executive.

The program is to provide one-third of a project's costs in state funds. The employer and the local community are required to each provide matching funds equal to one-third of the project's cost.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

271 (CD-1121-DEV) Training Services

Sections: 203.99.37, 203.99.39

Sections: 203.99.37, 203.99.39

Sections: 203.99.37, 203.99.39

No provision.

Earmarks \$400,000 in each fiscal year from appropriation item 195-605, Federal Projects, for grants to the Ohio Weatherization Training Center, administered by the Corporation for Ohio Appalachian Development, for training and technical assistance services. This earmark is in addition to a \$200,000 per fiscal year earmark from appropriation item 195-614, HEAP Weatherization.

(See the item entitled "HEAP Weatherization" in the Department of Development)

Same as the House.

Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 272 (CD-532-DEV) HEAP Weatherization

Section: 203.99.39

Sections: 203.99.39, 203.99.37

Sections: 203.99.39, 203.99.37

Sections: 203.99.39, 203.99.37

Requires that 15% of federal funds received by the state for the Home Energy Assistance Block Grant be deposited in appropriation item 195-614, HEAP Weatherization, to provide home weatherization services in the state.

Same as the Executive, but earmarks \$200,000 in each fiscal year for grants to the Ohio Weatherization Training Center, administered by the Corporation for Ohio Appalachian Development, for training and technical assistance services. This earmark is in addition to a \$400,000 per fiscal year earmark from appropriation item 195-605, Federal Projects.

(See the item entitled "Training Services" in the Department of Development)

Same as the House.

Same as the House.

## 273 (CD-534-DEV) State Special Projects

Section: 203.99.39

Section: 203.99.39

Section: 203.99.39

Section: 203.99.39

Requires that moneys deposited to Fund 4F2, State Special Projects, consist of private-sector funds from utility companies and other miscellaneous state funds. Private-sector funds are to be used to pay the expenses of verifying income-eligibility of HEAP applicants, to market economic development opportunities in the state, and to leverage additional federal funds. State funds are to be used to match federal housing grants for the homeless and to market economic development opportunities in the state.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**274 (CD-536-DEV) Minority Business Bonding Fund**

Section: 203.99.42

Section: 203.99.42

Section: 203.99.42

Section: 203.99.42

Authorizes the Director of Development, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10 million in unclaimed funds over the course of the FY 2006-2007 biennium for the Minority Business Bonding Program. A transfer from the Department of Commerce's Unclaimed Funds Fund (Fund 543) may only occur if funds are needed for the payment of losses arising from the Minority Business Bonding Program, and only after proceeds of the initial transfer of \$2.7 million by the Controlling Board to the program has been used for that purpose.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**275 (CD-535-DEV) Minority Business Enterprise Loan**

Section: 203.99.42

Section: 203.99.42

Section: 203.99.42

Section: 203.99.42

Specifies that repayments from the Minority Development Financing Advisory Board Loan Program and the Ohio Mini-Loan Guarantee Program are to be deposited to the Minority Business Enterprise Loan Fund (Fund 4W1). All operating costs of administering the Minority Business Enterprise Loan Program are to be paid from this fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 276 (CD-543-DEV) Global Analyst Settlement Agreements Payments

Section: 203.99.45

Section: 203.99.45

Section: 203.99.45

Section: 203.99.45

Requires that all payments received by the state pursuant to a series of settlements with ten brokerage firms (referred to as the Global Analyst Settlement Agreements) be deposited to the credit of Fund 5Y6, Economic Development Contingency, which is created in the state treasury. The fund is to be used by the Director of Development to support economic development projects for which appropriations would not otherwise be available, subject to the approval of the Controlling Board.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Global Analyst Settlement Agreements are the result of enforcement actions taken against ten Wall Street firms and two individual analysts following an investigation of research analyst conflicts of interest. The firm settlements were reached with the U.S. Securities and Exchange Commission, the National Association of Securities Dealers, the New York Stock Exchange, the New York Attorney General, and other state regulators. The appropriation item (195-648, Economic Development Contingency) is used on an as-needed basis and has not been appropriated under H.B. 66.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**277 (CD-537-DEV) Economic Development Financing Operating**

Sections: 203.99.45, 203.99.48

Sections: 203.99.45, 203.99.48

Sections: 203.99.45, 203.99.48

Sections: 203.99.45, 203.99.48

Requires that SSR appropriation item 195-625, Economic Development Financing Operating, be used for the operating expenses of financial assistance programs authorized under the economic development provisions of Chapter 166. of the Revised Code and sections 122.43 and 122.45 of the Revised Code. Under Section 203.99.48 of H.B. 66, up to \$1.8 million in cash may be transferred from the Facilities Establishment Fund (Fund 037) to the Economic Development Financing Operating Fund (Fund 451) each fiscal year, subject to Controlling Board approval.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**278 (CD-538-DEV) Volume Cap Administration**

Section: 203.99.45

Section: 203.99.45

Section: 203.99.45

Section: 203.99.45

Requires that SSR appropriation item 195-654, Volume Cap Administration, be used for expenses related to the administration of the Volume Cap Program. Revenues received by the Volume Cap Administration Fund (Fund 617) must consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

Same as the Executive.

Same as the Executive.

Same as the Executive.



| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|--|------------------------|---|------------------------------------|
| <b>279 (CD-539-DEV) Universal Service Fund</b>   |                        |   |                                    |
| Section: 203.99.45   | Section: 203.99.45     | Section: 203.99.45  | Section: 203.99.45                 |
| Requires that SSR appropriation item 195-659, Universal Service, be used to provide payments to regulated electric utility companies for low-income customers enrolled in the Percentage of Income Payment Plan (PIPP), to fund targeted energy efficiency and customer education services for PIPP customers, and to cover the Department of Development's administrative costs related to Universal Service Fund Programs. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>280 (CD-540-DEV) Energy Efficiency Revolving Loan Fund</b>  |                        |   |                                    |
| Section: 203.99.45   | Section: 203.99.45     | Section: 203.99.45  | Section: 203.99.45                 |
| Requires that SSR appropriation item 195-660, Energy Efficiency Loan and Grant, be used to provide financial assistance to customers for eligible energy efficiency projects for residential, commercial and industrial business, local government, educational institution, nonprofit, and agriculture customers. Moneys may also be used to pay for the program's administrative costs.                                    | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| No provision.  | No provision.          | Transfers \$2.5 million in cash in each of fiscal years 2006 and 2007 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) | Same as the Senate.                |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

|               |               |   |                     |
|---------------|---------------|---|---------------------|
| No provision. | No provision. | <p>to the Industrial Site Improvement Fund (Fund 5AR).</p> <p>(See the item entitled "Industrial Site Improvement Fund" in the Department of Development).</p> <p>Transfers \$500,000 in cash in each of fiscal years 2006 and 2007 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Rail Transload Facilities Fund (Fund 5CF) in the Department of Transportation.</p> <p>(See the item entitled "Rail Transload Initiative " in the Department of Transportation).</p> <p>Transfers \$150,000 in cash in each of fiscal years 2006 and 2007 from the Energy Efficiency Revolving Loan Fund (Fund 5M5) to the Alternative Fuel Transportation Grant Fund (Fund 5CG).</p> <p>(See the item entitled "Alternative Fuel Transportation Grant Fund" in the Department of Development).</p> | Same as the Senate. |
| No provision. | No provision. |   | Same as the Senate. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

281 (CD-1327-DEV) Housing Trust Fund Transfer to the Residential State Supplement Fund

Section: 203.99.46

Section: 203.99.46

No provision.

No provision.

Transfers \$1.5 million in cash in each of fiscal years 2006 and 2007 from the Low- and Moderate-Income Housing Trust Fund (Fund 646) to the Residential State Supplement Fund (Fund 5CH) in the Department of Mental Health.

Same as the Senate.

(See the item entitled "Transfer from the Low- and Moderate-Income Housing Trust Fund to the Residential State Supplement Fund" in the Department of Mental Health).

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 282 (CD-558-DEV) Facilities Establishment Fund

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Requires that appropriation item 195-615, Facilities Establishment, be used for the purposes described under Chapter 166. of the Revised Code. Additionally, the following transfers from the Facilities Establishment Fund are authorized under this section:

(1) Up to \$1.8 million each fiscal year to the Economic Development Financing Operating Fund (Fund 451), subject to Controlling Board approval.

(2) Up to \$20.95 million in cash to the Urban Redevelopment Loans Fund (Fund 5D2) over the course of the biennium. The Director of Development is authorized to develop program guidelines for the transfer and release of these funds.

(3) Up to \$3 million in each fiscal year to the Rural Industrial Park Loan Fund (Fund 4Z6), subject to Controlling Board approval.

(4) Up to \$1 million in each fiscal year to the Family Farm Loan Guarantee Fund (Fund 5H1), subject to Controlling Board approval. This is a required transfer under Section 203.99.48 of H.B. 66.

(5) Up to \$3 million each fiscal year to the Rural Development Initiative Fund (Fund 5S8), subject to Controlling Board approval.

(6) Up to \$3 million each fiscal year to the Capital Access Loan Program Fund (Fund

Same as the Executive, but reduces the amount of the transfer from the Facilities Establishment Fund (Fund 037) to the Urban Redevelopment Loans Fund (Fund 5D2) from \$20,950,000 over the biennium to \$10,950,000 over the biennium. The total appropriation to the Urban Redevelopment Loans Fund is \$5,475,000 in each fiscal year.

Additionally, provides for the transfer of \$5 million per fiscal year from the Facilities Establishment Fund (Fund 037) to the Shovel Ready Sites Fund (Fund 5CA), subject to Controlling Board approval.

(See the item entitled "Shovel Ready Sites Program" in the Department of Development)

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

5S9), subject to Controlling Board approval.

**283 (CD-588-DEV) Rural Development Initiative Fund**

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Authorizes the transfer of up to \$3 million in each fiscal year, on an as-needed basis, from the Facilities Establishment Fund (Fund 037) to the Rural Development Initiative Fund (Fund 5S8) and authorizes the Director of Development to make grants from Fund 5S8 to eligible applicants in Appalachian and rural counties that are designated as distressed (with preference being given to applicants in Appalachian counties that are distressed). Only applicants who are eligible for and receive funding under the Rural Industrial Park Loan program, as specified under sections 122.23 to 122.27 of the Revised Code, are also eligible to receive grants from the Rural Development Initiative Fund (Fund 5S8). The Rural Development Initiative Fund is to cease to exist after June 30, 2007 and all remaining moneys in the fund after that date are to revert to the Facilities Establishment Fund (Fund 037).

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 284 (CD-584-DEV) Family Farm Loan Program   |                        |                         |                                    |
| Section: 203.99.48  | Section: 203.99.48     | Section: 203.99.48      | Section: 203.99.48                 |
| <p>Authorizes the transfer of up to \$1 million in each fiscal year from the Facilities Establishment Fund (Fund 037) to the Family Farm Loan Guarantee Fund (Fund 5H1) to be used for loan guarantees. Requires that financial assistance provided by Fund 5H1 be repaid to Fund 5H1. Also specifies that when the Family Farm Loan Guarantee Fund ceases to exist, all outstanding balances, all loan repayments, and any other outstanding obligations are to revert to the Facilities Establishment Fund.</p>                 | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 285 (CD-592-DEV) Capital Access Loan Program  |                        |                         |                                    |
| Section: 203.99.48  | Section: 203.99.48     | Section: 203.99.48      | Section: 203.99.48                 |
| <p>Authorizes the transfer of up to \$3 million in each fiscal year from the Facilities Establishment Fund (Fund 037) to the Capital Access Loan Program Fund (Fund 5S9) and requires that the Capital Access Loan Program Fund be used for operating, program, and administrative expenses of the program. Also requires funds to be used to assist participating financial institutions in making program loans to eligible businesses that face barriers in accessing working capital and obtaining fixed asset financing.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**286 (CD-594-DEV) Innovation Ohio Loan Fund**

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Specifies that appropriation item 195-664, Innovation Ohio, is to be used to provide for Innovation Ohio purposes, including loan guarantees and loans under Chapter 166. and particularly sections 166.12 to 166.16 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**287 (CD-597-DEV) Research and Development**

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Section: 203.99.48

Specifies that appropriation item 195-665, Research and Development, is to be used to provide for research and development purposes, including loans, under Chapter 166. and particularly sections 166.17 to 166.21 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**288 (CD-598-DEV) Clean Ohio Operating Expenses**

Section: 203.99.51

Section: 203.99.51

Section: 203.99.51

Section: 203.99.51

Requires that appropriation item 195-663, Clean Ohio Operating, be used by the Department of Development in administering the Clean Ohio Revitalization Fund (sections 122.65 to 122.658 of the Revised Code).

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee   |
|---|------------------------|---|--|
| 289 (CD-599-DEV) Unclaimed Funds Transfer   |                        |   |  |
| Section: 203.99.54  | Section: 203.99.54     | Section: 203.99.54  | Section: 203.99.54   |
| Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer up to \$8 million in unclaimed funds to the Job Development Initiatives Fund (Fund 5AD) prior to June 30, 2006, and to transfer up to another \$18 million in unclaimed funds to Fund 5AD prior to June 30, 2007. | Same as the Executive. | Same as the Executive.  | Same as the Executive.   |
| Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer up to \$5 million in unclaimed funds to the State Special Projects Fund (Fund 4F2) prior to June 30, 2006, and to transfer up to another \$5 million in unclaimed funds to Fund 4F2 prior to June 30, 2007.       | Same as the Executive. | Same as the Executive, but reduces the amount of unclaimed funds transferred to Fund 4F2 in each fiscal year to \$4,978,210. The remaining \$21,790 in each fiscal year is transferred to the Food Safety Fund (Fund 4P7) in the Department of Agriculture. | Same as the Senate, but increases the transfer of unclaimed funds to Fund 4F2, State Special Projects, to \$5,228,210 in each fiscal year (an increase of \$250,000 per year). The transfer of \$21,790 in unclaimed funds to the Food Safety Fund (Fund 4P7) is retained. |
| No provision.   | No provision.          | Requires the Director of Commerce, upon the request of the Director of Budget and Management, to transfer \$1 million in unclaimed funds to the Defense Conversion Assistance Fund (Fund 5CV) prior to June 30, 2006.                                       | Same as the Senate.  |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

290 (CD-886-DEV) Local Government Services Collaboration Grant Program

Section: 209.78.06

No provision.

Establishes the Local Government Services Collaboration Grant Fund (Fund 088) and requires the Director of Development to use the fund to administer a grant program that will provide local governments (counties, municipal corporations, townships, and fire/ambulance districts) with funding to conduct feasibility studies that address how, and in what manner, local governments may combine provisions of local government services (such as police and fire protection and trash collection). Grants are to be awarded on a competitive basis according to rules and guidelines developed by the Department of Development. Grants will be awarded according to a graduated scale; for a total of three local governments, a grant award shall be equal to 50% of the total cost of the feasibility study; for a total of eight or more local governments, a grant award shall be equal to 100% of the total cost of the feasibility study.

(See the items entitled "Local Government Services Collaboration Grant Program" in Local Government Provisions and "Additional Appropriations" in Revenue Distribution Funds)

Fiscal effect: Local governments may realize cost savings if feasibility studies identify

No provision.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

ways in which the provision of local government services may be combined. The use of state-funded colleges and universities to conduct the feasibility studies is encouraged and may, therefore, provide certain schools with additional revenue. Fund 088 is appropriated \$5 million over the course of the biennium. Moneys deposited to the fund derive from the personal income tax. In December 2005, \$5 million that would have been deposited to the Local Government Fund will instead be deposited to Fund 088.

---

| As Introduced (Executive)  | As Passed by the House                | As Passed by the Senate  | As Amended by Conference Committee    |
|--|---------------------------------------|--|---------------------------------------|
| 291 (CD-585-OBD) Consolidation of Regulatory Boards  |                                       |  |                                       |
| Section: 315.03  | Section: 315.03                       | Section: 315.03  | Section: 315.03                       |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Ohio Board of Dietetics, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.</p> | Same as the Executive.                | Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. | Same as the Senate.                   |
| <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p>   | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive.  | Fiscal effect: Same as the Executive. |
| <p>(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)</p>  |                                       |  |                                       |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 292 (CD-716-EDU) Allowing Specified Public Authorities to Award Single-prime Contracts

R.C. 153.50, 153.51, 153.52

Authorizes specified public authorities, including school districts, to choose between awarding separate and distinct (multiple-prime) contracts or single, aggregate (single-prime) contracts for capital projects under the Public Improvements Law. (See the items entitled "Allowing Specified Public Authorities to Award Single-prime Contracts" under Board of Regents and Local Government Provisions.)

Fiscal effect: The decision of whether to solicit bids for single-prime or multiple-prime contracts will be made by the school district, which will presumably choose the most beneficial method.

No provision.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

293 (CD-1011-EDU) School District Levies Not Subject to H.B. 920 Tax Reduction Factors

R.C. 319.301, 5705.219, 323.17,  
5705.02, 5705.214, 5705.29

No provision.

Permits school districts to levy additional, voter-approved property taxes that would not be subject to the H.B. 920 tax reductions factors. The maximum number of growing mills is 8 mills. The maximum annual growth rate is 4%. The growing mills cannot last more than seven years. (See item entitled "School District Levies Not Subject to H.B. 920 Reduction Factors" in Tax Provisions.)

Fiscal effect: Such growing levies might raise additional revenues or might necessitate submission of fewer levies to voters to raise approximately the same amounts of revenues.

No provision.

No provision.

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|--|---|---|---|
| 294 (CD-713-EDU) Elimination of the 10% Rollback on Some Real Property   |   |   |   |
| R.C. 319.302, 323.152, Section 557.15  | R.C. 319.302, 323.152, Section 557.15   | R.C. 319.302, 323.152, Section 557.15   | R.C. 319.302, 323.152, Section 557.15   |
| <p>Eliminates the 10% property tax rollback on all but residential and agricultural real property starting in TY 2006. Requires that the Tax Commissioner adopt rules for the administration of the rollback.</p> <p>Fiscal effect: School district revenues will not be affected as businesses will be required to pay 100% of their tax liabilities instead of 90% as under current law. Business property owners' taxes will rise by an estimated \$320 million for TY 2006. This amount will grow over time as property values increase. Because real property taxes are paid one year in arrears, and reimbursements to local governments from the GRF are further lagged by several months, no savings to the GRF are expected in FY 2006, and the reduction in GRF tax relief outlays in FY 2007 is estimated at \$160 million. The full amount of the savings to the GRF will be realized beginning in FY 2008. (See the item entitled "Eliminate the 10% Rollback for Class II Real Property" in Tax Provisions.)</p> | <p>Same as the Executive, but begins elimination in TY 2005.</p> <p>Fiscal effect: Same as the Executive, but business property owners' taxes will rise by an estimated \$303 million for TY 2005, and savings to the GRF are estimated at \$152 million in FY 2006 and \$312 million in FY 2007.</p> | <p>Same as the House, but specifies that the rollback is eliminated on property intended for use primarily in a "business activity." Specifies that the term "business activity" does not include farming, leasing property for farming, leasing property improved with single-family, two-family, or three-family dwellings, or holding vacant land that the county auditor determines will be used for farming or to develop single-family, two-family, or three-family dwellings. Property used for these activities, therefore, continues to receive the rollback. Permits, instead of requires, that the Tax Commissioner adopt rules for the administration the rollback.</p> <p>Fiscal effect: Same as the House, except that property not used primarily for business activities will continue to receive the rollback.</p> | <p>Same as the Senate, but clarifies that only real property used in activities that are specifically listed as not being business activities is eligible for the rollback. Adds to this list of activities occupying or holding property improved with single-family, two-family, or three-family dwellings.</p> <p>Fiscal effect: Same as the Senate, except that property owners occupying or holding property improved with single-family, two-family, or three-family dwellings will continue to receive the rollback.</p> |

| As Introduced (Executive)   |   | As Passed by the House |        | As Passed by the Senate |        | As Amended by Conference Committee |        |
|---|---|------------------------|--------|-------------------------|--------|------------------------------------|--------|
| 295   | (CD-714-EDU) Reimbursement for the \$10,000 Business Property Exemption |                        |        |                         |        |                                    |        |
| R.C.  | 321.24  | R.C.                   | 321.24 | R.C.                    | 321.24 | R.C.                               | 321.24 |
| <p>Accelerates the phase-out of the state reimbursement for the \$10,000 business property exemption.</p> <p>Fiscal effect: For school districts, the reimbursement was approximately \$67.6 million in FY 2003. The current phase-out schedule reduces this reimbursement by 10% each fiscal year until it is eliminated in FY 2013. The accelerated phase-out schedule eliminates the reimbursement by FY 2010. In FY 2006, the difference in the reimbursement under the two phase-out schedules would be approximately \$4.1 million. This difference is approximately \$13.5 million in FY 2007, \$16.2 million in FY 2008, \$16.2 million in FY 2009, \$20.3 million in FY 2010, \$13.5 million in FY 2011, and \$6.8 million in FY 2012. Approximately 50% of the loss in reimbursement will be made up for school districts through higher state aid as their valuation is decreased along with the reimbursement phase-out. (Also see the item entitled "Reimbursement for the \$10,000 Business Property Exemption" in Tax Provisions.)</p> |   | Same as the Executive. |        | Same as the Executive.  |        | Same as the Executive.             |        |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

296 (CD-1016-EDU) Municipal Corporation and School District Shared Income Tax

R.C. 718.09, 719.10

R.C. 718.09, 719.10

No provision.

Reauthorizes municipal corporations to levy income taxes to be shared with an overlapping school district. (Also see item entitled "Municipal Corporation and School District Shared Income Tax" in Tax Provisions.)  
Fiscal effect: Allows for an additional way for school districts to raise local revenues.

No provision.

Same as the House, but prohibits the tax from being levied on the incomes of nonresidents.

297 (CD-946-EDU) Administration of Achievement Tests

R.C. 3301.0710, 3301.079, 3301.0711, 3301.0714, 3301.0715

R.C. 3301.0710, 3301.079, 3301.0711, 3301.0714, 3301.0715

R.C. 3301.0710, 3301.079, 3301.0711, 3301.0714, 3301.0715

No provision.

Specifies that the elementary achievement tests generally cannot be administered earlier than Monday of the week of May 1 beginning in the 2006-2007 school year and requires ODE to return these test results to school districts by June 15.  
Eliminates the requirement for the State Board of Education to adopt diagnostic assessments for third grade science and social studies and for any subject in grades four through eight.  
Specifies that the initial administration of each achievement test in grades three through eight is a public record and that at least 40% of the questions used to compute student scores on subsequent

Same as the House.

Same as the House.

Same as the House, but makes this provision effective on July 1, 2005.

Same as the House.

Same as the House.

Same as the Senate.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

administrations of those tests are public records. The remaining questions may be redacted for re-use on future tests.  
 Specifies that only the spring administration of the Ohio Graduation Tests is a public record.  
 Fiscal Effect: Potential increase in expenditures for costs associated with new test-scoring contracts, due to the shortened time frame available for scoring the tests. ODE estimates \$9,000,000 in savings in each fiscal year from the reduction in diagnostic assessments and the ability to use some test questions more than once.

Same as the House, but makes this provision effective on July 1, 2005.  
 Fiscal effect: Same as the House.

Same as the Senate.  
 Fiscal effect: Same as the House. Also, permits ODE to request the Controlling Board transfer up to \$5 million in FY 2007 from the Lottery Profits Education Reserve Fund (Fund 018) if the appropriation for achievement tests is not sufficient to cover the costs of these provisions.

298 (CD-1047-EDU) \* **Partially Vetoed** \* Use of Students' Data Verification Codes

R.C. 3301.12, 3301.0711

R.C. 3301.12, 3301.0711

R.C. 3301.12, 3301.0711

No provision.

Requires ODE and contracting entities to use the data verification codes to protect student privacy when conducting studies and research projects using individual student data. Explicitly prohibits ODE and contracting entities from having access to a student's name, address, or social security number while analyzing student data.

Same as the House.

Same as the House.

No provision.

Permits,  
 [ \*\*\* VETOED - effective July 1, 2006, \*\*\*]

Same as the House.

Same as the House.

companies that score state tests to have access to personally identifiable student information. Requires a student's data verification code to be included on each

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

achievement test administered to the student. Prohibits test scoring companies from releasing students' test results except for the purpose of reporting the scores to districts.

299 (CD-839-EDU) School District Charters

R.C. 3301.16

R.C. 3301.16

R.C. 3301.16

No provision.

Prohibits a school district or school from operating without a charter issued by the State Board of Education.

Fiscal effect: None.

Requires the State Board of Education, upon considering the charter of a new school district, to require the party proposing the new district to submit a map, certified by the county auditor, showing the boundaries of the new district.

Fiscal effect: None.

Same as the House.

Same as the House.

300 (CD-1377-EDU) Montessori Schools

R.C. 3301.56

R.C. 3301.56

No provision.

No provision.

Permits an accredited Montessori program that is licensed as a preschool program to combine three- to five-year-old preschool children with kindergarteners, provided that the maximum group size is 24 children and there is at least one staff member for every 12 children.

Fiscal effect: None.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

301 (CD-564-EDU) Reading Improvement Grants

R.C. 3301.86, 3301.88, 3301.85,  
3301.87, 109.57

R.C. 3301.86, 3301.88, 3301.85,  
3301.87, 109.57

R.C. 3301.86, 3301.88, 3301.85,  
3301.87, 109.57

R.C. 3301.86, 3301.88, 3301.85,  
3301.87, 109.57

Eliminates the OhioReads Office within the Department of Education (ODE) and authorization for the OhioReads community grants program, which ceased to exist, along with the OhioReads Council, on July 1, 2004.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Continues the "OhioReads Classroom Reading Grants Program" but renames it the "Classroom Reading Improvement Grants Program", which will be administered by ODE. ODE is required to award reading intervention grants to public schools and classrooms operated by school districts, community schools, and educational service centers. The grants must be used to engage volunteers to assist students struggling with reading, to improve reading outcomes in low performing schools, and to close the achievement gap between students of different subgroups. The new grants will be provided to serve students in kindergarten through twelfth grade instead of just in kindergarten through fourth grade as under OhioReads.

Fiscal effect: The executive proposal recommends funding of approximately \$12.0 million in each fiscal year in GRF appropriation item 220-566, Reading/Writing Improvement - Classroom Grants, for the Classroom Reading Improvement Grants Program and funding of approximately \$3.9

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

million in each fiscal year from GRF appropriation item 200-445, OhioReads Volunteer Support, for OhioReads programs and grant recipients to support volunteer coordinators, background checks of volunteers, program evaluation, and literacy improvement activities and interventions for students in grades K-12.

302 (CD-1212-EDU) School District Performance Ratings

R.C. 3302.03, Section 206.10.27

R.C. 3302.03, Section 206.10.27

No provision.

No provision.

Excludes student performance data from a conversion community school primarily serving students at risk of dropping out of high school when calculating the sponsoring school district's academic performance for the district report card.  
Fiscal effect: None.

Same as the Senate.

No provision.

No provision.

Directs ODE, when issuing school district performance ratings in 2005 and 2006, not to reduce a district's rating from the prior year based solely on one student subgroup's not meeting adequate yearly progress.  
Fiscal effect: None.

Same as the Senate, but makes the provision permanent and applies it to school buildings as well as school districts.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

303 (CD-1204-EDU) Academic Distress Commission

R.C. 3302.10

R.C. 3302.10

No provision.

No provision.

Requires the Superintendent of Public Instruction, beginning July 1, 2007, to establish an academic distress commission for each academic emergency school district that has failed to make adequate yearly progress for four or more consecutive school years.

Same as the Senate.

No provision.

No provision.

Grants the commission authority over specified personnel, management, and budgetary decisions to improve the district's academic performance.

Same as the Senate.

No provision.

No provision.

Prohibits the board of education of a school district with an academic distress commission from entering into a collective bargaining agreement that would render decisions of the commission unenforceable.

Same as the Senate.

No provision.

No provision.

Restores to the board of a school district for which an academic distress commission has been established any management rights and responsibilities specified in the Collective Bargaining Law that the district board relinquished in a collective bargaining agreement entered into after the bill's effective date.

Same as the Senate.

No provision.

No provision.

Fiscal effect: Funding is provided in GRF appropriation item 200-431, School Improvement Initiatives, for assistance and support to districts in academic watch or emergency. The commission's decisions regarding each affected district may have a

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

fiscal effect on the district.

---

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|---|--|---|---|
| 304 (CD-679-EDU) Educational Choice Scholarship Programs  |  |   |   |
| R.C. 3310.02, 3310.01, 3310.03 - 3310.09, Section 206.10.03   | R.C. 3310.02, 3310.01, 3310.03 - 3310.17, 3317.03, 109.57, 109.572, Section 206.10.03  | R.C. 3310.02, 3310.01, 3310.03 - 3310.17, 3317.03, 109.57, 109.572, Section 206.10.03   | R.C. 3310.02, 3310.01, 3310.03 - 3310.17, 3317.03, 109.57, 109.572, Section 206.10.03   |
| <p>Establishes the Ohio Choice Scholarship Program beginning in FY 2007. The program provides scholarships of the lesser of the actual tuition or \$3,500 to students in grades K-8 who have attended for at least one year a school district-operated school in which two-thirds or more of the students failed reading and math achievement tests for three consecutive school years. The scholarships may be used to attend participating chartered nonpublic schools. A scholarship student is eligible to continue receiving scholarships until the student completes the highest grade offered by the public school in which the student was enrolled immediately prior to receiving a scholarship, as long as the student takes the applicable achievement test and demonstrates progress. Students attending community schools or participating in the Pilot Project Scholarship Program are prohibited from participating in the Ohio Choice Scholarship Program. ODE is required to notify schools whose students are eligible for scholarships in the following year by July 1 of each year and to notify students whether they have received a scholarship no later than August 1 of each year. Requires that participating nonpublic schools administer state achievement tests to scholarship students. Prohibits a</p> | <p>Replaces the Ohio Choice Scholarship Program with the Educational Choice Scholarship Program. This program provides scholarships in FY 2007 of the lesser of the actual per pupil cost of the nonpublic schools, in which the scholarship student is enrolled, or up to \$4,000 to students in grades K-4, \$4,500 to students in grades 5-8, and \$5,000 to students in grades 9-12. These maximum amounts are to be increased annually by the Consumer Price Index. Students who were enrolled in a public school (including a community school) in the year prior to obtaining the scholarship and whose resident districts are in academic watch or academic emergency are eligible for scholarships, except for students in Cleveland Municipal School District who are only eligible for the Pilot Project Scholarship Program. The scholarships may be used to attend registered nonpublic schools. A scholarship student is eligible to continue receiving scholarships through the twelfth grade. Requires that participating nonpublic schools administer state achievement tests to scholarship students. Requires that each participating private school file either a surety bond or a guarantee from a third party. Prohibits a registered private school from charging more than 105% of the</p> | <p>Modifies the House provision with several changes. Designates the program as a pilot program. Qualifies students of school district buildings that have been in academic emergency for three consecutive school years, including community school students who otherwise would attend school in those school buildings. Sets the scholarship amounts as the lesser of the school's tuition or the following maximum amounts in FY 2007: \$4,250 for grades K to 8 and \$5,000 for grades 9 to 12. In subsequent years, the maximum amounts must increase by the same percentage increase in the base-cost formula amount for school districts. Requires that scholarships be used only at chartered nonpublic schools. Requires scholarship students, as a condition of continued eligibility, to take state achievement tests and miss no more than 20 days of school per school year (not including absences for illness or injury documented by a physician). Deletes the requirement that each participating private school file either a surety bond or a guarantee from a third party. Prohibits a chartered nonpublic school from charging more than the scholarship amount to a student whose family income is at or below 200% of the federal poverty guidelines.</p> | <p>Same as the Senate, but adds to the requirements for scholarship students to continue to be eligible for scholarships a requirement that the student remain a resident of the school district in which the student was entitled to attend school when the student's scholarship was first awarded. Also, explicitly defines a chartered nonpublic school (the only type of school that may enroll scholarship students) as a nonpublic school that holds a valid charter issued by the State Board of Education.</p> |

## As Introduced (Executive)

chartered nonpublic school from charging a scholarship student more than the scholarship amount.

Provides that scholarship students not be counted in the average daily membership (ADM) of their resident school districts.

Requires the Superintendent of Public Instruction to begin preparations to implement the Ohio Choice Scholarship Program no later than September 1, 2005. Requires the Superintendent to ensure that school districts, chartered nonpublic schools, students, and parents are informed of the program and how the program may affect them. Requires the Superintendent to provide program information in sufficient time for affected parties to meet any program deadlines for the 2006-2007 school year. Requires the State Board of Education to adopt rules pursuant to R.C. 3310.09 so that those rules are in effect and the program is operational by July 1, 2006.

Fiscal effect: The executive proposal recommends funding of \$9,000,000 for the Ohio Choice Scholarship Program in FY 2007.

## As Passed by the House

scholarship amount to a student whose family income is at or below 200% of the federal poverty guidelines.

Includes students receiving scholarships in the formula ADM of school districts only for the calculation of base cost funding. However, also includes these students in the ADM when calculating valuation per pupil for purposes of a district's parity aid and state school facilities assistance. Deducts the amount of the scholarship from the districts' state funding.

Same as the Executive, and specifies that the Superintendent of Public Instruction award up to 18,000 scholarships in FY 2007. Also requires ODE to disclose on districts' SF-3 forms the aggregate and per pupil differences between the districts' state base cost funding and what it would have been if the scholarship students had not been included in the districts' ADM.

Fiscal effect: Scholarship students will be counted in the ADM of the resident school district to qualify for base cost funding (\$5,399 in FY 2007). The amount of the scholarship will then be deducted from the state aid of the resident district (maximum of \$5,000). The house budget removes the

## As Passed by the Senate

Same as the House, but deducts \$5,200 from the districts' state funding instead of the scholarship amount and states that these funds are to be used to fund scholarships under this program as well as under the existing Pilot Scholarship Program in Cleveland. Also clarifies that scholarship students be included in the ADM for purposes of calculating a district's poverty index and some components of poverty-based assistance funding for school districts.

Same as the House, but reduces the number of scholarships in FY 2007 to 10,000.

Fiscal effect: Same as the House, but the base cost funding amount in FY 2007 is higher (\$5,403). Also, deducts \$5,200 from the district instead of the scholarship amount, resulting in the districts retaining about \$200 per scholarship student.

## As Amended by Conference Committee

Same as the Senate.

Same as the House, but reduces the number of scholarships in FY 2007 to 14,000.

Fiscal effect: Same as the Senate, but the number of scholarships is increased from 10,000 to 14,000.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

\$9,000,000 appropriation for the Ohio Choice Scholarship program.

**305 (CD-1202-EDU) State Board Approval of Education Service Center Change**

R.C. 3311.059

No provision.

No provision.

Removes the requirement of current law that the State Board of Education approve any resolution adopted by a local school district board for severance of the district from its current educational service center and annexation to another before it can take effect.

No provision.

**306 (CD-1376-EDU) Legislative Approval of New School Districts**

R.C. 3311.11

R.C. 3311.11

No provision.

No provision.

Specifies that if the State Board of Education proposes the creation of a new school district that would begin operations in the 2005-2006 school year or later, the General Assembly must approve the district's creation by concurrent resolution. Fiscal effect: None.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

307 (CD-951-EDU) Elimination of School Districts' Annual Spending Plan

R.C. 3311.40, 3313.489, 5705.391

R.C. 3311.40, 3313.489, 5705.391

R.C. 3311.40, 3313.489, 5705.391

No provision.

Eliminates the requirement that school districts produce annual spending plans, detailing all revenue available for appropriation and expected expenditures, including outstanding debts.

Same as the House.

Same as the House.

Eliminates the requirement that school districts file their amended certificates of estimated resources with the Department of Education.

Fiscal effect: Minimal.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

308 (CD-942-EDU) Latchkey Program Expenditures

R.C. 3313.207 through 3313.209

R.C. 3313.207 through 3313.209

R.C. 3313.207 through 3313.209

No provision.

Authorizes joint vocational school districts and educational service centers to provide latchkey programs. Current law authorizes city, local, and exempted village school districts to provide latchkey programs.

Authorizes a board of education of a city, local, exempted village, or joint vocational school district or the governing board of an educational service center to expend money from the school district's or service center's general fund for the latchkey programs.

Fiscal effect: Potentially increases expenditures from the general fund of school districts or educational service centers for the latchkey programs.

Same as the House.

Same as the House.

| As Introduced (Executive)  |  | As Passed by the House |                               | As Passed by the Senate   |                               | As Amended by Conference Committee |                               |
|--|--|------------------------|-------------------------------|---|-------------------------------|------------------------------------|-------------------------------|
| 309  | (CD-682-EDU) Pilot Project Scholarship Program |                        |                               |   |                               |                                    |                               |
| R.C.   | 3313.975, 3313.976 - 3313.978                  | R.C.                   | 3313.975, 3313.976 - 3313.978 | R.C.  | 3313.975, 3313.976 - 3313.978 | R.C.                               | 3313.975, 3313.976 - 3313.978 |
| <p>Expands eligibility for scholarships under the Pilot Project (Cleveland) Scholarship Program to eleventh and twelfth grade students who received a scholarship in a previous year. Codifies a long-standing practice to allow new students to enter the Pilot Project Scholarship Program in any of grades K to 8.<br/>Fiscal effect: The executive proposal recommends funding of \$19.2 million in FY 2006 and \$20.5 million in FY 2007 for the Pilot Scholarship Program.</p> |  | Same as the Executive. |                               | Same as the Executive.  |                               | Same as the Executive.             |                               |
| No provision.  |  | No provision.          |                               | Increases the base scholarship amount to \$3,450 for grades K to 12 (from \$3,000 for grades K to 8 and \$2,700 for grades 9 to 12 as under current law), beginning in FY 2007. |                               | Same as the Senate.                |                               |
| No provision.  |  | No provision.          |                               | Establishes the maximum tutorial assistance grant at \$400 per student (instead of 20% of the average basic scholarship amount as under current law), beginning in FY 2007.     |                               | Same as the Senate.                |                               |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

310 (CD-1145-EDU) Internet or Computer Based Community Schools (E-schools)

R.C. 3314.013, 3314.035, 3314.02, 3314.06, 3314.08, 3314.13

R.C. 3314.01, 3314.013, 3314.016, 3314.02, 3314.08, 3314.085, 3314.13, 3314.21 through 3314.28, 3313.6410

R.C. 3314.01, 3314.013, 3314.016, 3314.02, 3314.08, 3314.085, 3314.13, 3314.21 through 3314.28, 3313.6410, Section 206.10.11

No provision.

Makes the following changes to laws regarding e-schools:

Makes the following changes to laws regarding e-schools:

Makes the following changes to laws regarding e-schools:

No provision.

(1) Requires each e-school to provide a location within 50 miles of a student's residence for the student to take state achievement, diagnostic, or Ohio graduation tests.

(1) Same as the House, but also requires an e-school or a district-operated school that uses a computer-based instructional method to withdraw any student who has failed to participate in the spring administration of the state achievement tests for two consecutive school years, requires the school to report the names of such students, requires ODE to keep a list of such students, and prohibits any of these schools from enrolling any student on the list.

(1) Same as the Senate, but requires the school to report the data verification code for the student instead of the student's name and prohibits any such school from receiving state funds for a student who has not taken the tests for two years. Modifies the Senate provision that prohibits such a student from enrolling in any e-school to allow the enrollment if the student's parent pays tuition equal to the state funds the student would otherwise generate.

No provision.

(2) Requires students, other than kindergarteners, to have been enrolled in a public school for at least one semester out of the previous three school years prior to enrolling in an e-school.

(2) No provision.

(2) No provision.

No provision.

(3) Creates a one-year moratorium on the establishment of new e-schools.

(3) Modifies the House provision to prohibit a sponsor from entering into a contract for a new e-school between May 1, 2005, and one year after the bill's effective date.

(3) Modifies the Senate provision to prohibit a sponsor from entering into a contract for a new e-school between May 1, 2005, and the effective date of any standards governing e-school operations enacted by the General Assembly. Clarifies that this moratorium applies to all e-schools, including conversion e-schools. Also, voids any contract with an e-school that was not open as of May 1, 2005, so the e-school cannot open.

| As Introduced (Executive) | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee   |
|---------------------------|---|--|--|
| No provision.             | (4) Disqualifies e-schools from receiving state parity aid, career-technical education weighted funding, DPIA, or poverty-based assistance payments, including payments for all-day kindergarten. Includes students enrolled in e-schools in the formula ADM of school districts only for the calculation of base cost and special education weighted funding. However, retains e-school students in the ADM used to calculate valuation per pupil for a school district's parity aid and state school facilities assistance. | (4) Same as the House, but also clarifies that e-school students be included in the ADM used to calculate each district's poverty index and some components of poverty-based assistance for school districts.  | (4) Same as the Senate.  |
| No provision.             | (5) No provision.   | (5) Requires ODE to select up to two entities by July 1, 2006, that will have sole authority to sponsor e-schools established after that date. If ODE is unable to select at least one entity, specifies that ODE will have sole authority to sponsor e-schools.   | (5) No provision.  |
| No provision.             | (6) No provision.   | (6) Removes language in the definition of an e-school that permits an e-school to provide instruction via comprehensive instructional methods, including noncomputer-based learning opportunities and the language stating that an e-school's instructional method does not rely on regular classroom instruction. | (6) No provision.  |
| No provision.             | (7) No provision.   | (7) Prohibits a residential facility (defined as a home, institution, foster home, group home, or other residential facility that receives or cares for children) from becoming an e-school.   | (7) Replaces the Senate provision with a provision that prohibits any community school opened after May 1, 2005 from operating from a residential facility until July 1, 2007. |
| No provision.             | (8) No provision.   | (8) Requires the State Board of Education, by June 30, 2006, to adopt rules establishing standards for the operation of e-schools, and requires e-schools in operation after the effective date of the provision to comply with the rules.   | (8) No provision.  |

| As Introduced (Executive) | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee   |
|---------------------------|------------------------|---|--|
| No provision.             | (9) No provision.      | (9) Requires an e-school to retain at least one teacher of record, defined as a teacher who is responsible for the overall academic development and achievement of a student, who is licensed in Ohio. Prohibits the school from relying exclusively on teachers engaged by any person or company from which the school has purchased its curriculum. Requires that each e-school student be assigned at least one teacher of record. Prohibits an e-school from assigning any teacher of record to be primarily responsible for more than 125 students. Requires each e-school to provide each student enrolled in the school with an in-person visit with an Ohio-licensed teacher at a rate of not less than one hour for every 230 hours of learning opportunities. | (9) Same as the Senate, but eliminates the prohibition against an e-school relying exclusively on teachers engaged by a person or company from which the school purchased its curriculum and eliminates the requirement that an e-school provide each enrolled student with an hour-long, in-person visit with a licensed teacher after every 230 hours of learning opportunities provided to the student. Reinstates current law expressing the General Assembly's intent that in-person visits between students and teachers should occur. |
| No provision.             | (10) No provision.     | (10) Limits a student enrolled in an e-school to no more than 10 hours of learning opportunities in each 24-hour period and prohibits the student's school from receiving credit toward the annual minimum number of hours each student must have for any time the student spends over that daily limit. Specifies that if an e-school operates on days rather than hours, one day must consist of a minimum of five hours of learning opportunities.   | (10) Same as the Senate.   |
| No provision.             | (11) No provision.     | (11) Requires each e-school annually to submit to its sponsor a plan for the provision of special education and related services for disabled students enrolled in the school. Requires sponsors to certify specified information regarding these plans to ODE annually based on guidelines developed by ODE.   | (11) Same as the Senate.   |

| As Introduced (Executive) | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee  |
|---------------------------|------------------------|---|---|
| No provision.             | (12) No provision.     | (12) Clarifies current law entitling each e-school student to a computer by specifically prohibiting an e-school from providing a stipend or other substitute in lieu of supplying a computer to the student.   | (12) Same as the Senate.  |
| No provision.             | (13) No provision.     | (13) Establishes a three-year pilot program, to operate in fiscal years 2007 through 2009, for making state base cost payments to e-schools. Under the program, each e-school receives 80% of the base-cost amount each year. If the school is in its first or second fiscal year of operation, it receives the remaining 20% for its start-up costs. If the school is beyond its second fiscal year, it may apply for a grant, up to the remaining 20% of the base cost amount, to operate additional services that are not minimally required of e-schools and that are intended to substantially enhance student learning. Requires the Superintendent of Public Instruction to adopt rules to operate the grant component of the pilot program and to report to the General Assembly, by December 1, 2008, the ODE's findings and conclusions concerning the pilot program and recommendations for a permanent method of calculating and paying base cost funding to e-schools after FY 2009. | (13) No provision.  |
| No provision.             | (14) No provision.     | (14) No provision.  | (14) Requires e-schools, beginning in FY 2007, to spend at least the per-pupil amount designated for base classroom teachers (\$2,747 in FY 2007) on instruction, including (1) teachers, (2) curriculum, (3) academic materials other than computers, and (4) other instructional purposes designated by the Superintendent of Public Instruction. Requires an e-school not in compliance with |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

Fiscal effect: The payment changes reduce the state aid credited to the resident districts of e-school students by any career-technical funding, parity aid, DPIA or poverty-based assistance that would otherwise be generated by the students. Reduces by an identical amount the deduction districts receive in state aid for each e-school student that is then transferred to the e-school. In FY 2005, e-schools have received approximately \$2.0 million in DPIA and \$4.0 million in parity aid.

Provisions tending to limit enrollment in e-schools, to the extent e-schools attract nonpublic school students, could result in savings for the state and school districts.

Fiscal effect: Same as the House, but additional provisions tending to limit enrollment in e-schools, to the extent e-schools attract nonpublic school students, could result in savings for the state and school districts. In FY 2007 to FY 2009, e-schools open for two years will receive a lower base cost amount (80% of that for districts) unless they receive a grant to provide additional services.

the spending requirement to pay a fine equal to the greater of 5% of the school's state funding or the amount the school underspent on instruction, but permits ODE to waive the fine for satisfactory implementation of a compliance plan.

Fiscal effect: Same as the Senate, except that e-schools will only receive a reduction in base-cost funding if they fail to comply with the bill's spending requirements.

311 (CD-1141-EDU) \* **Partially Vetoed** \* Community Schools

R.C. 3314.03, 3314.013, 3314.015, 3314.02, 3314.021, 3314.06, 3314.061, 3314.08, 3314.29, Section 206.10.09

R.C. 3314.013, 3314.015, 3314.02, 3314.021, 3314.03, 3314.06, 3314.061, 3314.08, 3314.084, 3314.12, 3314.17, 3314.18, 3314.19, 3314.22, 3314.35, 3314.36, Section 206.10.05, 206.10.09

R.C. 3314.013, 3314.015, 3314.02, 3314.021, 3314.03, 3314.06, 3314.061, 3314.08, 3314.084, 3314.12, 3314.17, 3314.18, 3314.19, 3314.22, 3314.35, 3314.36, Section 206.09.82, 206.10.05, 206.10.09, 206.10.10

No provision.

Makes the following changes to laws governing all community schools:

Makes the following changes to laws governing all community schools:

Makes the following changes to laws governing all community schools:

| As Introduced (Executive) | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee   |
|---------------------------|--|---|--|
| No provision.             | (1) Establishes a statewide cap, until July 1, 2007, on contracts for start-up community schools sponsored by the school districts in which the schools are located. The cap is 25 plus the number of such contracts in effect on the bill's effective date, but the cap does not include schools whose mission is solely to serve dropouts.   | (1) Same as the House, but changes the cap to 25 more than the number of contracts in effect on the bill's effective date with schools that were actually open as of May 1, 2005, and exempts up to five schools that serve dropouts and students at risk of dropping out from the cap.   | (1) Same as the Senate, but increases the number of additional schools to 30, removes the requirement that the contracts be in effect on the bill's effective date, includes conversion schools that are e-schools in the cap, removes the 5 school exemption for schools serving drop-outs or students at-risk of dropping out, and permits an operator to manage a new community school in excess of the cap for each school managed by the operator on the date the cap is reached that has a performance rating of excellent, effective, or in continuous improvement. |
| No provision.             | (2) Extends the current statewide cap on the number of contracts for start-up community schools sponsored by entities other than school districts for two years to July 1, 2007, and increases the cap to 250 (from the current 225) for that period, but specifies the cap does not apply to schools whose sponsors are designated by a state university and schools whose mission is solely to serve dropouts. | (2) Same as the House, but changes the cap to 25 more than the number of contracts in effect on the bill's effective date with schools that were actually open on May 1, 2005, exempts up to five schools that serve dropouts and students at risk of dropping out, and removes the exemption for university-sponsored schools. | (2) Same as the Senate, but increases the number of additional schools to 30, removes the requirement that the contracts be in effect on the bill's effective date, removes the 5 school exemption for schools serving drop-outs or students at-risk of dropping out, and permits an operator to manage a new community school in excess of the cap for each school managed by the operator on the date the cap is reached that has a performance rating of excellent, effective, or in continuous improvement.  |
| No provision.             | (3) No provision.  | (3) No provision.   | (3) Requires ODE, within thirty days after the bill's effective date, to conduct a lottery to fill the 30 additional slots below each cap. A community school sponsor may apply to ODE to include a school in the lottery if (1) the sponsor has entered into a contract with the school's governing authority, (2) the school is prepared to open for its initial year of operation in the 2005-2006 school year, and (3) selection of the school would not cause the sponsor to exceed the number of schools it may sponsor.   |

| As Introduced (Executive) | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee   |
|---------------------------|---|---|--|
| No provision.             | (4) Limits an entity to sponsoring up to 35 community schools, but permits ODE to increase that limit to up to 50 schools, and does not apply the limit to sponsors designated by state universities. Also, does not include schools whose sole purpose is to serve dropouts in the limit. Requires ODE to assume sponsorship of any schools in excess of the number an entity is allowed to sponsor. | (4) Replaces the House provision with a provision that limits entities approved for sponsorship after July 1, 2005, to 15 community schools, but permits ODE to raise that limit to 50 schools. Limits all entities sponsoring prior to July 1, 2005, as follows: (1) to 35 schools if the entity sponsors 35 or fewer schools that had opened for operation as of May 1, 2005, (2) to the number of schools the entity sponsors that had opened for operation as of May 1, 2005, if the entity sponsors 36 to 50 schools that had opened as of that date, and (3) to the number of schools the entity sponsors that had opened for operation as of May 1, 2005, if the entity sponsors over 50 schools that had opened as of that date. Permits ODE to raise the caps on (1) and (2) to 50 schools on a case-by-case basis and requires the cap on (3) to be reduced by one whenever a community school sponsored by the entity closes for any reason and requires the cap on all other sponsors to be reduced by one for each school sponsored by the entity that is closed for academic reasons. | (4) Replaces the Senate provision with a provision that limits all entities that sponsor community schools as follows: (1) to 50 schools for new sponsors and existing sponsors that sponsored 50 or fewer schools that were open as of May 1, 2005, (2) to the number of schools the entity sponsored that were open as of May 1, 2005, for existing sponsors that sponsored 51-75 schools that were open as of that date, and (3) until June 30, 2006, to the number of schools the entity sponsored that were open as of May 1, 2005, and after June 30, 2006, to 75 schools for existing sponsors that sponsored more than 75 schools that were open as of May 1, 2005. Requires the limit on an entity in (2) or (3) to be reduced by one for each of the entity's schools that permanently closes until the entity is down to 50 schools. Directs ODE to assist schools in excess of an entity's limit to secure new sponsors and, if a school is unable to find a new sponsor, requires ODE to assume sponsorship of the school for up to two school years. |
| No provision.             | (5) Requires entities, approved by ODE to sponsor community schools after the bill's effective date, to have a record of financial responsibility and successful implementation of educational programs. If the entities sponsor or operate community schools in another state, at least one of those schools must be performing as well as or better than Ohio schools in academic watch.            | (5) Same as the House.  | (5) Same as the House.   |
| No provision.             | (6) Requires the contract between the sponsor and governing authority of a new community school to be adopted by March  | (6) Same as the House.  | (6) Same as the House.   |

| As Introduced (Executive) | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|--|-------------------------|------------------------------------|
| No provision.             | <p>15 prior to the school year in which the school will open.</p> <p>(7) Requires community schools, other than those that serve dropouts, to open by September 30 each school year, beginning in the 2006-2007 school year. If a school fails to open by September 30 in its initial year of operation, the school's contract with its sponsor is void.</p>   | (7) Same as the House.  | (7) Same as the House.             |
| No provision.             | <p>(8) Specifies that if a community school fails to open within one year after the adoption of the contract between the sponsor and the school's governing authority or permanently closes prior to the contract's expiration, the contract is void and the school may not seek another sponsor. Specifies that a voided contract does not count toward the statewide cap on the number of community schools.</p> | (8) Same as the House.  | (8) Same as the House.             |
| No provision.             | <p>(9) Permits a community school to be established specifically to serve autistic students together with students who are not handicapped. However, unless total capacity for the school is filled, prohibits such a community school from denying admission to a student with any handicap on the basis of that handicap.</p>  | (9) Same as the House.  | (9) Same as the House.             |
| No provision.             | <p>(10) Requires ODE to administer a self-insurance program for participating community schools to pay surety claims up to \$1 million per occurrence or \$3 million aggregate.</p>  | (10) No provision.      | (10) No provision.                 |
| No provision.             | <p>(11) Provides for payment to a community school (and corresponding deductions from the resident school districts of the community school's students) of per pupil amounts of the four new components of</p>   | (11) Same as the House. | (11) Same as the House.            |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

|                      |  |   |  |
|----------------------|--|---|--|
| <p>No provision.</p> | <p>poverty-based assistance.</p> <p>***VETOED: Including a specific method for calculating the community school's payment for intervention for limited-English proficient students. ***]</p> <p>(12) No provision.</p> | <p>(12) Requires, beginning in the 2006-2007 school year, fall and spring administrations of reading and math assessments approved by ODE to community school students in grades 1-12 for schools that (1) are in continuous improvement, academic watch, or academic emergency, (2) have not been in operation for at least two school years, or (3) do not have a performance rating based on achievement test data. Requires a minimum participation rate for the assessments of 95%. If this participation rate is not met, ODE must assume a score of zero for each student that must be added to bring the rate up to the minimum. Directs the State Board to establish standards for community schools regarding expected gains in student achievement and authorizes the Board to establish different levels of expected gains to correspond with differences in the baseline achievement of various students. Imposes specified sanctions on academic watch and academic emergency community schools and community schools that do not have a performance rating based on achievement test data if (1) less than 55% of the school's students make the gains for a school open for two years; (2) less than 60% make the gains for a school open for three years, and (3) less than 65% make the gains for a</p> | <p>(12) Same as the Senate, but reduces the minimum participation rate to 90%, eliminates the authorization for the State Board to establish different levels of expected gains, specifies that the sanctions are imposed when less than 55% of students make expected gains, regardless of how long the school has been open, modifies the sanctions and applies them only to e-schools, except that all community schools are still required to close after three years of not making the gains. However, does not reduce the cap of the sponsors of schools required to close unless the sponsor has more than 50 schools. Establishes the following new sanctions for e-schools that do not make the expected gains: (1) prohibition against enrolling students in excess of the number of students the school enrolled at the end of the school year before the sanctions started, (2) requirement for a student who has not made expected gains for two consecutive school years to be withdrawn at the end of the school's second year under the sanctions, unless the student's parent agrees to pay tuition equal to the amount of state funding the student would otherwise generate, and (3) in the third year under sanctions, prohibition against receiving state funding for a student who has not made expected gains for two</p> |
|----------------------|--|---|--|

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

|               |                    |   |   |
|---------------|--------------------|---|---|
| No provision. | (13) No provision. | <p>school open four or more years. These sanctions increase in severity each year. Requires a community school to permanently close after failing to make expected gains for three consecutive school years and reduces by one the cap on the number of schools for its sponsor. Allows other community schools to be evaluated in the same manner. The evaluation method must be used for a minimum of three years if a school chooses to be evaluated in this way.</p> <p>(13) Requires the sponsor of each community school annually to submit to ODE a report describing the special education and related services provided to the school's students during the previous fiscal year and the school's expenditures for those services.</p> | consecutive school years.   |
| No provision. | (14) No provision. | <p>(14) Requires any community school that is not an e-school but provides nonclassroom-based learning opportunities via an Internet- or other computer-based instructional method to provide a computer to any student that is required to access those opportunities from home if the opportunities are not supplemental or remedial and constitute a significant portion of the learning provided to the student and the student's home does not already have a computer the student may use.</p>  | (14) Same as the Senate, but removes the reference to remedial opportunities. |
| No provision. | (15) No provision. | <p>(15) Prohibits a sponsor from charging fees to a community school for the sponsor's services, except for oversight and monitoring, beginning July 1, 2006.</p>   | (15) No provision.  |



| As Introduced (Executive) | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|---------------------------|------------------------|--|------------------------------------|
| No provision.             | (16) No provision.     | (16) Specifies that a student is considered enrolled in a community school beginning on the later of (1) the date on which the student actually enrolls in the school or (2) 30 days prior to the date on which the student is entered into the Education Management Information System (EMIS). Eliminates the 30-day period a community school has to withdraw a student after the student has missed 105 consecutive hours of learning opportunities without excuse. | (16) Same as the Senate.           |
| No provision.             | (17) No provision.     | (17) For community schools established after the bill's effective date, increases to 100 (from 25 under current law for those schools established prior to that date) the minimum number of students that a school must serve; however, permits a school's sponsor to obtain a waiver from ODE.  | (17) No provision.                 |
| No provision.             | (18) No provision.     | (18) Requires ODE by December 31, 2005, to make recommendations to the General Assembly regarding the payment of state parity aid to community schools in fiscal year 2007.  | (18) No provision.                 |
| No provision.             | (19) No provision.     | (19) Requires each community school to participate in Battelle for Kids' Project SOAR. (Project SOAR is a pilot project that provides participating school districts and schools with analyses of the value-added academic growth of their students.) Requires each community school to cover the costs of participation in Project SOAR in FY 2006 and ODE to cover the costs after FY 2006.  | (19) No provision.                 |
| No provision.             | (20) No provision.     | (20) Provides specific procedures for deductions from a school district and payments to a community school for a child living in a residential "home." Under those   | (20) Same as the Senate.           |

| As Introduced (Executive) | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee   |
|---------------------------|------------------------|---|--|
| No provision.             | (21) No provision.     | <p>procedures, the child's district of residence counts the child in the district's average daily membership for funding purposes, and ODE deducts from that district the amount of the payments to the community school.</p> <p>(21) Eliminates (1) the requirement that a community school's fiscal officer is responsible for reporting data to the Education Management Information System (EMIS) and (2) the authority of the Superintendent of Public Instruction to impose a \$100 civil fine on a fiscal officer for failure to report accurate data.</p> | (21) No provision.   |
| No provision.             | (22) No provision.     | (22) Explicitly applies to community schools the EMIS sanctions for school districts by directing ODE to withhold 10% of the state funding due to a community school for the school's first incident of noncompliance with EMIS reporting requirements and an additional 20% of the funding for a second incident.  | (22) No provision.   |
| No provision.             | (23) No provision.     | (23) Requires ODE to examine the proficiency and achievement test data reported by each community school for completeness and accuracy.   | (23) No provision.   |
| No provision.             | (24) No provision.     | (24) Requires ODE to adopt procedures for a community school governing authority and sponsor to use when closing the community school.  | (24) Same as the Senate.   |
| No provision.             | (25) No provision.     | (25) No provision.  | (25) Eliminates, beginning in FY 2007, the provision that guarantees each community school as much in aggregate state base cost and special education funding for students receiving special education services as the school received in FY 1999. |



| As Introduced (Executive) | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|---------------------------|---|---|---|
| No provision.             | (26) No provision.  | (26) No provision.  | (26) Establishes a temporary subsidy paid directly with state funds to community schools in which, in each of fiscal years 2006 and 2007, at least half of the enrolled students are identified as severe behavior handicapped (SBH). The amount of the subsidy is the positive difference between the aggregate additional weighted amount calculated for the school's SBH students under current law and what that amount would have been in FY 2001. The provision is similar to temporary provisions that existed in fiscal years 2002 to 2005. |
| No provision.             | (27) No provision.  | (27) No provision.  | (27) Repeals outdated language in the Community School Law regarding the transition period community schools established under the original pilot project were granted to become fully compliant with that law.   |
| No provision.             | Fiscal effect: Provisions limiting the number of community schools may limit the amount of state aid deducted from school districts for community schools. In FY 2005, approximately \$14.7 million in DPIA is provided to community schools. | Fiscal effect: As under the House, provisions limiting the number of community schools may limit the amount of state aid deducted from school districts for community schools. The bill earmarks \$3,778,540 in FY 2007 of GRF appropriation item 200-439, Accountability/Report Cards, for a statewide pilot value-added progress dimension such as that provided by Project SOAR. | Fiscal effect: Same as the Senate, except that the removal of the requirement to participate in Project SOAR may decrease costs for community schools and ODE.  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

312 (CD-999-EDU) Suspension of Set-Asides for Certain School Districts

R.C. 3315.17, 3315.18, 3316.06,  
3316.16

R.C. 3315.17, 3315.18, 3316.06,  
3316.16

R.C. 3315.17, 3315.18, 3316.06,  
3316.16

No provision.

Exempts a fiscal emergency school district from making otherwise required deposits into its "Textbook and Instructional Materials Fund" and its "Capital and Maintenance Fund." The district is also excused from eliminating deficits in these funds that accrued in the prior year. However, the district's five-year projection of revenues and expenditures must project that the district will comply with the requirement to make those deposits the year after the district's financial planning and supervision commission is proposed to be terminated. Fiscal effect: Gives districts in fiscal emergency more flexibility.

Same as the House.

Same as the House.

No provision.

No provision.

No provision.

Permits a school district in fiscal watch or fiscal caution to apply to the Superintendent of Public Instruction for an annual waiver from the requirements to deposit specified amounts into the district's textbook and instructional materials fund or its capital and maintenance fund. The waiver may be granted if the district demonstrates to the satisfaction of the Superintendent that the deposits will create an undue financial hardship.

No provision.

No provision.

No provision.

Permits any district not in fiscal emergency, watch, or caution to apply for a waiver from those requirements not more often than once every three fiscal years. The waiver may be granted if the district demonstrates

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

to the satisfaction of the Superintendent that the deposits will necessitate reduction or elimination of a program critical to the academic success of students and that no other reasonable alternatives exist.

**313 (CD-842-EDU) School District Five-Year Projections**

R.C. 3316.043

R.C. 3316.043

R.C. 3316.043

No provision.

Requires a fiscal watch or fiscal emergency district to update its five-year projection of revenues and expenditures when its financial plan or financial recovery plan is approved by the Superintendent of Public Instruction.  
Fiscal effect: Minimal.

Same as the House.

Same as the House.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|--|--|--|--|
| 314 (CD-554-EDU) Base Cost Funding   |  |  |  |
| <p>R.C. 3317, 3317.012, 3319.98, 3314.08, 3317.022, 3317.023, 3317.026, 3317.027</p>   | <p>R.C. 3317, 3317.012, 3313.98, 3314.08, 3317.012, 3317.02, 3317.021, 3317.022, 3317.023, 3317.026, 3317.027, 3317.20, 3365.01</p>  | <p>R.C. 3317, 3317.01, 3317.012, 3313.98, 3314.08, 3317.02, 3317.022, 3317.023, 3317.026, 3317.027, 3317.03, 3317.20, 3365.01, Section 206.10.24</p>   | <p>R.C. 3317, 3317.01, 3317.012, 3313.98, 3314.08, 3317.02, 3317.022, 3317.023, 3317.026, 3317.027, 3317.03, 3317.20, 3365.01, Section 206.10.24</p> |
| <p>Divides the base cost formula amount into three components for the purpose of determining its annual rate of increase: (1) salaries and non-health care benefits, which is inflated by the Employment Cost Index (ECI), wages only; (2) health care benefits, which is inflated by the ECI, benefits only; and (3) other goods and services, which is inflated by the Gross Domestic Product Deflator. Based on this breakdown and application of the inflation factors, the executive budget prescribes a formula amount for FY 2006 of \$5,328 and for FY 2007 of \$5,489, which represents annual increases of 3.1% and 3.0% respectively.</p> | <p>Removes the breakdown of the formula amount into components, instead provides annual increases of 2.2% for a formula amount of \$5,283 in FY 2006 and \$5,399 in FY 2007.</p> | <p>Replaces the Executive and House provisions with a "building blocks" provision that breaks the base cost into three components: (1) costs of base classroom teachers; (2) other personnel support; and (3) nonpersonnel support. Establishes a student to base classroom teacher ratio of 20:1 for the biennium and a level of base classroom teacher compensation equal to \$53,680 in FY 2006 and \$54,941 in FY 2007. States that the General Assembly shall determine the ratio of students to base classroom teachers and the level of base classroom teacher compensation for each fiscal year, and shall apply the annual percentage increase in base classroom teacher compensation to the other personnel support component. Also, states that nonpersonnel support shall increase by the projected Gross Domestic Product Deflator. These determinations result in a formula amount of \$5,283 in FY 2006 and \$5,403 in FY 2007, which represents annual increases of 2.2% and 2.3%, respectively.</p> | <p>Same as the Senate.</p>   |
| <p>Phases in the following four base funding supplements for school districts (but not joint vocational school districts). These supplements are calculated using the</p>  | <p>Delays the addition of these supplements until FY 2007.</p>   | <p>Same as the Executive, with the following changes in the calculation of the supplements:</p>  | <p>Same as the Senate, but with the following change:</p>  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

current year formula average daily membership (ADM) for the district and then added to the district's total base cost.

(1) 0.5% of the formula amount per pupil for academic intervention services phased in at 40% in FY 2006 and 60% in FY 2007 (\$10.66 per pupil in FY 2006 and \$16.47 per pupil in FY 2007).

(2) 4.4484% of the formula amount per teacher (assuming student teacher ratio of 20:1) for professional development phased in at 40% in FY 2006 and 60% in FY 2007 (\$4.74 per pupil in FY 2006 and \$7.33 per pupil in FY 2007).

(3) 0.1087% of the formula amount per pupil for data-based decision making (\$5.79 per pupil in FY 2006 and \$5.97 per pupil in FY 2007).

(4) 7.9082% of the formula amount for 20% of teachers (assuming a student teacher ratio of 12:1 for Urban 21 districts and 17:1 for other districts) and 7.9082% of the formula amount per principal (assuming a teacher principal ratio of 20:1) for professional development for data-based decision making (for Urban 21 districts: \$8.78 per pupil in FY 2006 and \$9.04 per pupil in FY 2007, for all other districts: \$6.20 per pupil in FY 2006 and \$6.38 per pupil in FY 2007).

No provision.

(1) Same as the Executive, but funding is not provided in FY 2006 and is phased in at 50% in FY 2007 (\$13.50 per pupil in FY 2007).

(2) Same as the Executive, but funding is not provided in FY 2006 and is phased in at 50% in FY 2007 (\$6.00 per pupil in FY 2007).

(3) Same as the Executive, but funding is not provided in FY 2006 (\$5.87 per pupil in FY 2007).

(4) Same as the Executive, but funding is not provided in FY 2006 (for Urban 21 districts: \$8.90 per pupil in FY 2007, for all other districts: \$6.28 per pupil in FY 2007).

No provision.

(1) Replaces the Executive calculation with one that provides 25 hours of large-group intervention, assuming a 20:1 student teacher ratio and an hourly rate of \$20.00 in FY 2006 and \$20.40 in FY 2007 (\$25.00 per pupil in FY 2006 and \$25.50 per pupil in FY 2007).

(2) Same as the Executive, but provides 4.5% times the formula amount, assumes a student teacher ratio of 17:1, and phases in the supplement at 25% in FY 2006 and 50% in FY 2007 (\$3.50 per pupil in FY 2006 and \$7.15 per pupil in FY 2007).

(3) Same as the Executive, but provides 0.1% of the formula amount (\$5.28 per pupil in FY 2006 and \$5.40 per pupil in FY 2007).

(4) Same as the Executive, but provides 8.0% times the formula amount and assumes a student teacher ratio of 17:1 and a student to principal ratio of 340:1 for all districts (\$6.22 per pupil in FY 2006 and \$6.36 per pupil in FY 2007).

Specifies that the General Assembly intends that school districts spend the state funds provided for each component of the building blocks (including the supplements)

(1) Same as the Senate.

(2) Same as the Senate, but increases the phase-in percentage to 75% in FY 2007 (\$10.73 per pupil in FY 2007).

(3) Same as the Senate.

(4) Same as the Senate.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Eliminates the cost-of-doing-business factor (CDBF) adjustment in calculating a school district's base cost.

Restores the use of the greater of current year formula ADM or three-year average formula ADM in the calculation of a district's base cost, instead of the use of just the current year formula ADM.

Guarantees that each school district's and each joint vocational school district's combined state and local shares of the base cost (including the base funding supplements) is not less than its combined state and local shares of the base cost in FY 2005.

No provision.

Delays the elimination of the cost-of-doing-business factor adjustment until FY 2007.

Returns to the use of current year ADM only and provides for two ADM counts, one in May of the prior fiscal year for use during the first six months of the fiscal year and the second in October of the current fiscal year for use in the last six months of the fiscal year.

Same as the Executive, but delays this guarantee until FY 2007 and bases the guarantee on FY 2006 total base cost.

Includes in the valuation upon which the charge-off is calculated the value of real property exempted from taxation in a tax increment financing (TIF) incentive district. Requires the Tax Commissioner to annually certify to ODE each district's TIF incentive district tax-exempt value.

according to each block's stated purpose.

Phases out the CDBF adjustment, applying a 5.0% range in FY 2006 and a 2.5% range in FY 2007.

Same as the House, but retains the current practice of having one ADM count in October to be used for the entire fiscal year. Also, requires the Superintendent of Public Instruction to recommend a plan to the General Assembly whereby a second formula ADM count may be used to guarantee a minimum level of state funding in the next fiscal year.

Replaces the Executive and House provisions with a guarantee based on the state share of total base cost instead of the combined state and local shares. Guarantees that each district's state base cost payment is not less than its state aggregate or per pupil base cost payment in FY 2005, whichever is lower.

No provision.

Same as the Senate, but enumerates the factors for each county in each year.

Same as the Senate, but requires two ADM counts, the first in the first full week of October to be used for the first 6 months of the fiscal year, the second in the third full week of February to be averaged with the October count and used for the second 6 months of the fiscal year. Specifies that the February count include students who were in the October count, but have since received high school diplomas. Permits the Superintendent of Public Instruction to designate alternative weeks for the second ADM count if schools are closed for calamities such as hazardous weather conditions during the designated count week.

Same as the Senate.

Same as the House, but excludes certain property exempted prior to January 1, 2006. Also, includes in the valuation upon which the charge-off is calculated the value of real property exempted from taxation prior to January 1, 2006, pursuant to agreements adopted by municipal corporations, townships, or counties that exempt property as part of urban renewal projects, community redevelopment programs,

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

Fiscal effect: The formula amount increases 3.1% in FY 2006 and 3.0 % in FY 2007. In addition, new base funding supplements total \$29.98 per pupil in FY 2006 and \$38.82 per pupil in FY 2007 for Urban 21 districts and \$27.40 per pupil in FY 2006 and \$36.16 per pupil in FY 2007 for other districts. Elimination of the CDBF decreases state base cost funding for districts. Use of the three-year average formula ADM increases base cost funding for districts with declining enrollments. Overall SF-3 funding for school districts increases under the executive proposal by approximately 2.1% in FY 2006 and 2.7% in FY 2007.

Adds to each district's base cost charge-off one-half of the amount of total payments the district receives in lieu of taxes under tax exemptions granted by a municipal corporation, township, or county, except for TIF tax exemptions. Requires that district treasurers report these payments to the Director of Development, who is required to annually certify them to ODE. Authorizes ODE to revoke a treasurer's license for willful failure to comply.

Fiscal effect: Increases the formula amount by 2.2% per year, providing a lower formula amount than the executive proposal and delays the addition of the base funding supplements until FY 2007. These supplements total \$34.27 per pupil for Urban 21 districts and \$31.65 per pupil for other districts in FY 2007. Retention of the CDBF increases state base cost funding for districts as compared to the executive proposal in FY 2006. Use of only the current year ADM reduces base cost funding for districts with declining enrollments as compared with the executive proposal. Including value exempted in a TIF and including 1/2 of payments in lieu of taxes in districts' charge-off decrease base cost funding for districts. Overall SF-3 funding for school districts increases under the

No provision.

Fiscal effect: The formula amount increases 2.2% in FY 2006 and 2.3% in FY 2007. In addition, new base funding supplements total \$39.99 per pupil in FY 2006 and \$44.41 per pupil in FY 2007. Phase-out of the CDBF decreases state base cost funding for districts. Basing the guarantee on the state share instead of total base cost tends to increase base cost funding for districts as does the elimination of the House provisions including value exempted in a TIF and 1/2 of payments in lieu of taxes in districts' charge-offs. Overall SF-3 funding for school districts increases under the Senate proposal by approximately 2.2% in FY 2006 and 1.9% in FY 2007.

community reinvestment programs, enterprise zones, local railroad operations, or programs for the remediation of contaminated property, to the extent that revenues on this property are compensated in some way. Starts to add this exempted property into the valuation in FY 2007.

Same as the House, except removes the provision including one-half of the amount of total payments the district receives in lieu of taxes. Retains the reporting requirements.

Fiscal effect: The formula amount increases 2.2% in FY 2006 and 2.3% in FY 2007. In addition, new base funding supplements total \$39.99 per pupil in FY 2006 and \$47.99 per pupil in FY 2007. Phase-out of the CDBF decreases state base cost funding for districts. Including the exempted property value in the 23-mill charge-off decreases state base cost funding for districts beginning in FY 2007. Basing the guarantee on the state share instead of total base cost tends to increase base cost funding for districts. Overall SF-3 funding for school districts increases under the Conference Committee proposal by approximately 2.3% in FY 2006 and 2.1% in FY 2007.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

house proposal by approximately 2.1% in FY 2006 and 2.0% in FY 2007.

315 (CD-565-EDU) Poverty-Based Assistance for School Districts

R.C. 3317, 3317.029, 3314.03, 3314.08, 3314.13, 3317.0212, 3317.0217, Section 206.09.42

R.C. 3317, 3317.029, 3314.03, 3314.08, 3314.13, 3317.0212, 3317.0217, Sections 206.09.37, 206.09.38

R.C. 3317, 3317.029, 3314.03, 3314.08, 3314.13, 3317.0212, 3317.0217, Sections 206.09.37

R.C. 3317, 3317.029, 3314.03, 3314.08, 3314.13, 3317.0212, 3317.0217, Sections 206.09.37

Renames disadvantaged pupil impact aid (DPIA) as poverty-based assistance and revises the subsidy as follows:

Provides a 2% increase in DPIA in FY 2006 to all districts receiving DPIA in FY 2005 except those that are on the DPIA guarantee which are flat funded. Delays and revises the changes made by the executive proposal as follows:

Same as the Executive, with the following changes:

Same as the Senate with the following changes:

(1) Uses the new poverty indicator in determining the poverty index that counts students whose families' incomes do not exceed the federal poverty guidelines and whose families participate in at least one of five programs: (a) Ohio Works First (OWF); (b) Food Stamps; (c) Medicaid; (d) the Children's Health Insurance Program (CHIP); or (e) the state Disability Assistance Program. The old indicator used participation in OWF only.

(1) Same as the Executive, but notwithstanding the formulas in FY 2006 so does not use the new poverty indicator until FY 2007.

(1) Does not use the new poverty indicator, but instead uses a poverty indicator based only on participation in OWF.

(1) Same as the Senate.

(2) Continues funding for all-day kindergarten as it exists in current law, although use of the new poverty indicator increases the number of districts eligible for funding.

(2) Same as the Executive in FY 2007, but notwithstanding the formulas and instead provides a 2% increase for districts in FY 2006.

(2) Same as the Executive, but also codifies the current practice that provides all-day kindergarten funding to districts that have received this funding in a prior year even if their poverty index falls below 1.0.

(2) Same as the Senate.

(3) Bases class-size reduction funding on an assumption that districts currently have a student teacher ratio of 20:1 in grades kindergarten through third instead of the current assumption of a ratio of 23:1.

(3) Same as the Executive in FY 2007, but notwithstanding the formulas and instead provides a 2% increase for districts in FY 2006.

(3) Same as the Executive.

(3) Same as the Executive.



| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee  |
|--|--|--|---|
| <p>(4) Increases the poverty index required for eligibility for class-size reduction funding from 0.6 to 1.0 and decreases the poverty index above which districts receive full class-size reduction funding from 2.5 to 1.5. Funding is provided on a sliding scale for districts with indices between 1.0 and 1.5.</p>   | <p>(4) Same as the Executive in FY 2007, but notwithstanding the formulas and instead provides a 2% increase for districts in FY 2006.</p>                               | <p>(4) Same as the Executive.</p>  | <p>(4) Same as the Executive.</p>   |
| <p>(5) Increases the salary allowance for additional teachers under class-size reduction funding from \$43,658 in FY 2003 to \$56,465 in FY 2006 and \$58,667 in FY 2007.</p>  | <p>(5) Same as the Executive in FY 2007, but notwithstanding the formulas and instead provides a 2% increase for districts in FY 2006.</p>                               | <p>(5) Bases the salary allowance for class-size reduction funding on the base classroom teacher compensation, which is \$53,680 in FY 2006 and \$54,941 in FY 2007.</p>   | <p>(5) Same as the Senate.</p>  |
| <p>(6) Changes the calculation of safety, security, and remediation funding. Under the current DPIA formulas, districts with indices between 0.35 and 1.0 receive \$230 per poverty student. Districts with indices above 1.0 receive \$230 adjusted by the district's index per poverty student. The executive budget phases in a two tier system. The first tier provides 2.0% of the formula amount per poverty student for districts with indices above 1.25, and funding on a sliding scale from 0.5% to 2.0% of the formula amount for districts with indices from 0.25 to 1.25. The second tier provides 14% of the formula amount per poverty student to districts with indices above 1.75, and funding on a sliding scale from 4% to 14% of the formula amount to districts with indices from 1.25 to 1.75. Total funding is equal to tier 1 plus tier 2 multiplied by phase-in percentages of 40% in FY 2006 and 60% in FY 2007.</p> | <p>(6) Same as the Executive in FY 2007, but phases in the funding at 50%. Notwithstanding the formulas and instead provides a 2% increase for districts in FY 2006.</p> | <p>(6) Stipulates that this funding is for academic intervention programs instead of safety, security, and remediation programs and requires that districts spend the funding on these services. Replaces this calculation with a three-tier (large, medium, and small group intervention funding) system. All funding is based on hours of intervention at an hourly rate of \$20.00 in FY 2006 and \$20.40 in FY 2007. The first tier is based on a student teacher ratio of 20:1 and provides 25 hours in FY 2006 and 30 hours in FY 2007 per student to districts with indices above 0.75. Districts with indices from 0.25 to 0.75 are provided funding on a sliding scale from 0 to 25 hours in FY 2006 and from 0 to 30 hours in FY 2007. The second tier is based on a student teacher ratio of 10:1 and provides 100 hours in FY 2006 and 105 hours in FY 2007 per poverty student to districts with indices above 1.5. Districts with indices from 0.75 to 1.5 are provided funding on a sliding scale from 25 to 100 hours in FY 2006 and from 30 to 105 hours in FY 2007. The third tier is based on a</p> | <p>(6) Same as the Senate, but for level 1 intervention provides a maximum number of hours of 25 in both fiscal years, for level 2 intervention increases the student teacher ratio to 15:1, provides a range of hours from 25 to 50 in both fiscal years, and provides the funding for all students instead of just poverty students, for level 3 intervention increases the student teacher ratio to 10:1, provides a range of hours from 25 to 160 in both fiscal years, and multiplies the poverty students funded by 3. Also, increases the phase-in percentage for FY 2007 to 100%.</p> |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

(7) Phases in a new payment for limited English proficient (LEP) student intervention. Eligible districts have at least 2% of their students who were classified as LEP on the 2002-2003 local report card and a poverty index of at least 1.0. Eligible districts with an index of 2.0 or greater receive 25.702% of the formula amount per LEP student. Eligible districts with indices from 1.0 to 2.0 receive funding on a sliding scale from 12.851% to 25.702% of the formula amount. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.

(8) Requires that ODE, by July 1, 2006 recommend a method of identifying the number of LEP students in a district for purposes of calculating the payment after FY 2007.

(7) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007.

(8) Same as the Executive, but moves the date to December 31, 2006.

student teacher ratio of 5:1 and provides 375 hours in FY 2006 and 415 hours in FY 2007 per poverty student to districts with indices above 2.5. Districts with indices from 1.5 to 2.5 are provided funding on a sliding scale from 25 to 375 hours in FY 2006 and from 30 to 415 hours in FY 2007. Total funding is equal to tier 1 plus tier 2 plus tier 3. Phases-in these payments at 60% in FY 2006 and 85% in FY 2007. Requires each district receiving funds under tier 2 or tier 3 to annually submit to ODE a plan describing how the district will deploy these funds. Specifies that no collective bargaining agreement entered into after the effective date of this provision can require use of the academic intervention payment for any other purpose.

(7) Same as the Executive, but eligible districts with an index of 1.75 or greater receive 25.0% of the formula amount per LEP student. Eligible districts with indices between 1.0 and 1.75 receive funding on a sliding scale from 12.5% to 25.0% of the formula amount. The phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007.

(8) Same as the House.

(7) Same as the Senate.

(8) Same as the House.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee |
|---|---|---|------------------------------------|
| (9) Requires that districts use the LEP payment to (a) hire teachers or other personnel to provide intervention services to LEP students, (b) contract for intervention services for LEP students, or (c) provide other services to assist LEP students in passing the third grade reading achievement test and to provide other mandated intervention services to LEP students.  | (9) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.                       | (9) Same as the Executive.  | (9) Same as the Executive.         |
| (10) Phases in a new payment for teacher professional development for districts with poverty indices of at least 1.0. For districts with indices greater than or equal to 2.0, funding of 4.4484% of the formula amount is provided for every 20 students. Funding is provided on a sliding scale for districts with indices between 1.0 and 2.0. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.   | (10) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007. | (10) Same as the Executive, but for districts with indices greater than or equal to 1.75, funding of 4.5% of the formula amount is provided for every 17 students. Funding is provided on a sliding scale for districts with indices between 1.0 and 1.75. The phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007. | (10) Same as the Senate.           |
| (11) Does not restrict the use of the professional development payment to the provision of professional development, but stipulates that if the district chooses to use the funds for professional development the professional development be in either (a) data-based decision making, (b) standards-based curriculum models, or (c) research-based and job-embedded activities. Unless the district receives a waiver it must choose a professional development program from a list approved by ODE. | (11) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.                      | (11) Same as the Executive, but does not restrict the use of the professional development payment to the provision of professional development.   | (11) Same as the Senate.           |
| (12) Phases in a new payment for dropout prevention programs for the "Big 8" school districts. Each of these districts receives 0.5% of the formula amount multiplied by the district's poverty index per student. This funding is phased in at 40% in FY 2006 and  | (12) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007. | (12) Same as the Executive, but the phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007.  | (12) Same as the Senate.           |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee |
|---|--|--|------------------------------------|
| <p>60% in FY 2007.</p> <p>(13) Requires that districts use dropout prevention payments for dropout prevention programs or for safety, security, and remediation measures. Unless districts receive a waiver, requires districts choosing to use the funds for drop out prevention programs to choose a program from a list approved by ODE.</p> | <p>(13) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.</p>  | <p>(13) Same as the Executive, but also permits the payment to be spent on academic intervention services.</p>   | <p>(13) Same as the Senate.</p>    |
| <p>(14) Phases in a new payment for community outreach programs for the "Urban 21" school districts. These districts receive the community liaison personnel allowance for every 1,000 students. The allowance is \$42,729 in FY 2006 and \$44,396 in FY 2007. This funding is phased in at 40% in FY 2006 and 60% in FY 2007.</p>              | <p>(14) Same as the Executive, but the funding is not provided in FY 2006 and phased in at 50% in FY 2007.</p>   | <p>(14) Replaces the Executive calculation with one that provides 0.5% of the formula amount multiplied by the district's poverty index per student to Urban-21 districts. The phase-in percentages are changed to 40% in FY 2006 and 70% in FY 2007</p>   | <p>(14) Same as the Senate.</p>    |
| <p>(15) Requires that districts use the community outreach payment for community liaison officers, attendance or truant officers, safety and security personnel, or safety, security, and remediation measures.</p>   | <p>(15) Same as the Executive in FY 2007, but the funding is not provided in FY 2006.</p>  | <p>(15) Same as the Executive, but replaces the "safety, security, and remediation measures" usage with provisions allowing the payment to also be used for programs designed to ensure schools are free of drugs and violence and have a disciplined environment, and for academic intervention services.</p> | <p>(15) Same as the Senate.</p>    |
| <p>(16) Replaces the current DPIA guarantee, which ensures districts receive at least as much DPIA as they received in FY 1998, with a new guarantee that ensures districts receive at least as much poverty-based assistance as the DPIA they received in FY 2005.</p>   | <p>(16) Same as the Executive in FY 2007, but notwithstanding the formulas and instead provides flat funding for districts on the DPIA guarantee in FY 2006.</p> | <p>(16) Same as the Executive, but subtracts from the FY 2005 base guaranteed amount the amount of payments that year to e-schools.</p>  | <p>(16) Same as the Senate.</p>    |
| <p>(17) Requires that districts spend their poverty-based assistance first to provide all-day kindergarten, if eligible for an all-day kindergarten payment. Districts must then</p>  | <p>(17) Same as the Executive.</p>   | <p>(17) Same as the Executive, but requires that districts follow the guidelines for each payment, as described above, first, then use the assistance for all-day kindergarten, then</p>   | <p>(17) Same as the Senate.</p>    |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

follow the guidelines for each of the payments as described above. Current law specifies that districts with indices less than one are required to use 70% of their DPIA on one or more itemized services. The bill requires instead that they spend 100% of their poverty-based assistance on these services.

(18) No provision.

(18) No provision.

use the remaining assistance for itemized services.

(18) Expands the existing provision authorizing districts with poverty indices less than 1.0 to expend state poverty-based assistance funding for early childhood education and early learning programs (as well as Head Start of preschool, as under current law).

(18) Same as the Senate.

(19) Requires ODE to review the spending requirements for poverty-based assistance and to recommend any changes by July 1, 2006.

(19) Same as the Executive.

(19) Same as the Executive, but changes the date to March 31, 2007.

(19) Same as the Senate.

Fiscal effect: The executive budget provides approximately \$434.2 million in FY 2006 and \$481.1 million in FY 2007 for poverty-based assistance. This assistance will be distributed to approximately 436 districts. In FY 2005, the current DPIA program provides approximately \$340.3 million to 349 districts.

Fiscal effect: The house budget provides approximately \$346.6 million in FY 2006 for DPIA. This funding will be distributed to approximately 349 districts. The house budget provides approximately \$449.8 million in FY 2007 for poverty-based assistance. This funding will be distributed to approximately 539 districts.

Fiscal effect: The senate budget provides approximately \$379.0 million in FY 2006 and \$428.9 million in FY 2007 for poverty-based assistance. This assistance will be distributed to approximately 405 districts.

Fiscal effect: The Conference Committee budget provides approximately \$380.9 million in FY 2006 and \$435.0 million in FY 2007 for poverty-based assistance. This assistance will be distributed to approximately 405 districts.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

316 (CD-566-EDU) Other School Funding Formula Changes

R.C. 3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.0217, 3317.024, 3317.081, Sections 206.09.21, 206.09.39, 206.09.42

R.C. 3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.16, 3317.216, 3317.0217, 3317.024, 3317.081, Sections 206.09.18, 206.09.21, 206.09.39, 206.09.42

R.C. 3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.16, 3317.0216, 3317.0217, 3317.024, 3317.081, Sections 206.09.21, 206.09.39, 206.09.42

R.C. 3317, 3317.0212, 3314.08, 3317.013, 3317.0213, 3317.16, 3317.0216, 3317.0217, 3317.024, 3317.081, Sections 206.09.21, 206.09.39, 206.09.42

Makes the following other changes to the school funding (SF-3) formula and related provisions:  
 (1) Extends the phase-in of parity aid by providing a phase-in percentage of 80% in FY 2006 and 85% in FY 2007. Requires that parity aid be calculated using the greater of a district's current year formula ADM or three-year average formula ADM instead of only the current year formula ADM.

(2) Specifies that the weights for special education and related services weighted funding continue to be paid at 90% for FY 2006 and FY 2007, the same phase-in percentage as in FY 2005. Requires the ODE, by May 30, 2006 and 2007, to report to the Office of Budget and Management the amount of state and local shares of special education and related services weighted funding calculated for each school district and the amount of federal special education funds passed through to each district. (ODE currently is required to submit such a report on May 30, 2004 and 2005.)

Makes the following other changes to the school funding (SF-3) formula and related provisions:  
 (1) Same as the Executive, but uses only the current year ADM in the calculation.

(2) Same as the Executive.

Makes the following other changes to the school funding (SF-3) formula and related provisions:  
 (1) Same as the House, but reduces the millage rate used in the parity aid calculation from 9.5 mills to 7.5 mills and pays 100% beginning in FY 2006. States that the millage rate adjustment is to account for the General Assembly's policy decision to phase out the cost-of-doing-business factor in the base cost funding formula.

(2) Same as the Executive.

Makes the following other changes to the school funding (SF-3) formula and related provisions:  
 (1) Same as the Senate.

(2) Same as the Executive.



| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate                               | As Amended by Conference Committee |
|---|--|---|------------------------------------|
| (3) Maintains the personnel allowance of the speech service subsidy at \$30,000 in FY 2006 and FY 2007 (same as provided for FY 2005).  | (3) Same as the Executive.   | (3) Same as the Executive.                            | (3) Same as the Executive.         |
| (4) Notwithstanding the transportation funding formulas for FY 2006 and FY 2007 and instead provides increases of 2% per year to school districts receiving transportation funding in FY 2005. However, the bill retains the use of the transportation funding formulas for the calculation of the local share of transportation funding that is used to calculate the excess cost supplement and the charge-off supplement. Requires that ODE recommend a new transportation funding formula by July 1, 2006. Specifies that no transportation funding be provided to a district in FY 2006 and FY 2007 if the district did not receive transportation funding in FY 2005. | (4) Same as the Executive, but increases the local share of transportation by 2% per year also, instead of using the formulas. | (4) Same as the House.                                | (4) Same as the House.             |
| (5) Specifies that the personnel allowance for the GRADS subsidy, for programs for pregnant and parenting students, is \$47,555 in FY 2006 and FY 2007 (same as provided for FY 2005 under current law).  | (5) Same as the Executive.   | (5) Same as the Executive.                            | (5) Same as the Executive.         |
| (6) Phases out funding for the fundamental aid guarantee for school districts and joint vocational school districts. This funding guarantees each school district receive at least as much fundamental aid as it received in FY 1998 and that each joint vocational school district receive at least as much SF-3 funding as it received in FY 1999. These guarantees are funded at 50% in FY 2006 and are eliminated in FY 2007.   | (6) Funds these guarantees at 100% in FY 2006 and 50% in FY 2007.  | (6) Eliminates these guarantees beginning in FY 2006. | (6) Same as the Senate.            |

## As Introduced (Executive)

(7) Provides transitional aid to school districts and joint vocational school districts. Transitional aid for school districts provides a 100% guarantee in FY 2006 and a 98% guarantee in FY 2007. That is, each district's total SF-3 funding plus charge-off supplement in FY 2006 is guaranteed to be at least equal to its funding in FY 2005 and in FY 2007 is guaranteed to be at least 98% of its funding in FY 2006. For joint vocational school districts in FY 2006 and FY 2007, the guarantee is 95% of each district's total joint vocational funding from the prior year.

(8) Increases the catastrophic threshold amount for the special education catastrophic cost subsidy from \$25,700 to \$26,500 for special education categories two through five and from \$30,800 to \$31,800 for special education category six.

(9) Applies the formula funding changes made in the bill to funding for county MR/DD boards, community schools, interdistrict open enrollment, and the Post-Secondary Enrollment Options Program.

(10) Repeals the statute authorizing Equity Aid. Current law specifies that no Equity Aid payments be made after FY 2005.

(11) No provision.

## As Passed by the House

(7) Same as the Executive, but provides a 100% guarantee in FY 2007 for school districts and no guarantee in FY 2006 for joint vocational school districts.

(8) Same as the Executive.

(9) Same as the Executive.

(10) Same as the Executive.

(11) Establishes a new, three-year payment to phase out the charge-off supplement to school districts that become ineligible for the charge-off supplement after passing property tax or income tax levies in TY 2005 or thereafter. Such a district would receive 75% of their prior year's payment in the first year, 50% in the second, and 25% in the third.

## As Passed by the Senate

(7) Same as the House, but provides a 98% guarantee to joint vocational school districts in FY 2006 and FY 2007.

(8) Same as the Executive.

(9) Same as the Executive.

(10) Same as the Executive.

(11) Same as the House.

## As Amended by Conference Committee

(7) Same as the House, but provides a 100% guarantee to joint vocational school districts in FY 2006 and FY 2007.

(8) Same as the Executive.

(9) Same as the Executive.

(10) Same as the Executive.

(11) Same as the House.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(12) No provision.

(12) No provision.

(12) Adds to the revenue considered to be received by a school district for purposes of calculating eligibility for the charge-off supplement, revenues received as direct reimbursement for tax revenue lost due to the bill's proposed phase-out of the tangible personal property tax.

(12) Same as the Senate.

Fiscal effect: Overall SF-3 funding for school districts increases under the executive proposal by approximately 2.1% in FY 2006 and 2.7% in FY 2007. In addition, the executive budget provides \$18.0 million in FY 2006 and \$19.0 million in FY 2007 for the special education catastrophic cost subsidy.

Fiscal effect: Overall SF-3 funding for school districts increases under the house proposal by approximately 2.1% in FY 2006 and 2.0% in FY 2007. In addition, the house budget also provides \$18.0 million in FY 2006 and \$19.0 million in FY 2007 for the special education catastrophic cost subsidy. The phase-out of the charge-off supplement may initially increase state aid, but to the extent it encourages districts to pass levies, it would eventually decrease state funding for the charge-off supplement.

Fiscal effect: Same as the House, but overall SF-3 funding for school districts increases under the Senate proposal by approximately 2.2% in FY 2006 and 1.9% in FY 2007, and inclusion of TPP reimbursements result in lower charge-off supplement payments than if these revenues had not been included.

Fiscal effect: Same as the Senate, but overall SF-3 funding for school districts increases under the Conference Committee proposal by approximately 2.3% in FY 2006 and 2.1% in FY 2007. Providing transitional aid to joint vocational school districts at 100% in both years increases funding for these districts.

317 (CD-1414-EDU) \* **Vetoed** \* School District Property Tax to Offset Charge-off Increases

R.C. 3317.01, 5705.211

No provision.

No provision.

No provision.

[\*\*\*VETOED: Authorizes school districts to propose to voters a property tax that adjusts to provide local revenue to offset year-to-year decreases in state funding caused by increases in the district's base-cost funding charge-off, subject to a 4% limit on year-to-year increases in total taxes from current expense levies other than new levies. If a school district proposes such a levy, the levy must last a minimum of five years. \*\*\*]

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

318 (CD-1165-EDU) Reporting and Spending of State Building Blocks Funds

R.C. 3317.016, 3317.017

R.C. 3317.016, 3317.017

No provision.

No provision.

Requires ODE to publish on its web site a spreadsheet for each district that specifies the constituent components of the district's "building blocks" funds. Included on the spreadsheet are a district's aggregate and per pupil state funds and combined state and local funds for compensation of base classroom teachers, other personnel support, nonpersonnel support, each base funding supplement, and each component of poverty-based assistance. (See items entitled "Base Cost Funding" and "Poverty-Based Assistance" for a description of these components.)

Same as the Senate.

No provision.

No provision.

Requires the Superintendent of Public Instruction to adopt a rule authorizing the Superintendent to issue orders to school districts under academic watch or in a state of academic emergency that could require the districts to periodically report on their spending of state building blocks funds, require the districts to establish separate accounts for each of their state building block payments, or have the state Superintendent direct the spending of the districts' state building block funds.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

319 (CD-980-EDU) Removing Truants from a School District's Formula ADM

R.C. 3317.02, 3317.034

No provision.

Requires school districts to report any student who is absent from school without legitimate excuse for 21 consecutive days or, if the student's school operates under an alternative attendance schedule, for 105 consecutive hours.

Fiscal effect: Minimal.

Requires ODE to remove any student absent without a legitimate excuse for 21 consecutive days or 105 consecutive hours from a district's formula ADM for school funding purposes.

Requires ODE to remove a truant student plus the equivalent of one additional student from a school district's formula ADM if that school district has failed to report a truant student.

Fiscal effect: Potentially decreases a school district's state aid as a result of removing truant students from the district's formula ADM.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

320 (CD-1214-EDU) Public Utility Property Taxes and School Aid Computations

R.C. 3317.021, 5727.47

No provision.

No provision.

Specifies that when the Tax Commissioner certifies to ODE information pertaining to public utility property taxes so that ODE can calculate state school aid, the Commissioner is not to certify amounts pertaining to taxes that a public utility contests and with respect to which the public utility withholds payment. Requires public utilities to make a binding election as to whether or not to pay contested property taxes at the time they file a petition for reassessment.  
Fiscal effect: Could increase state aid to districts with contested public utility property.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**321 (CD-1412-EDU) Deduction and Payment of Nonfederal Share of Medicaid Reimbursements**

R.C. 3317.023

No provision.

No provision.

No provision.

Requires ODE, upon request of the Department of Job and Family Services (ODJFS) through an intrastate voucher, to pay to ODJFS the nonfederal share of Medicaid reimbursements made to a school district for Medicaid services provided by a district and to deduct the amount of that payment from the district's state aid account.

(See item entitled "Deduction and Payment of Nonfederal Share of Medicaid Reimbursements" in Job and Family Services.)

**322 (CD-433-EDU) Subsidy for Transporting Special Education Students**

R.C. 3317.024

R.C. 3317.024

R.C. 3317.024

R.C. 3317.024

Authorizes ODE to pay school districts and educational service centers the subsidy for transporting all categories of special education students who cannot be transported by a regular school bus, instead of only "developmentally handicapped" students as stated under current law.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  |  | As Passed by the House   |                              | As Passed by the Senate |                              | As Amended by Conference Committee                     |                              |
|--|--|--|------------------------------|-------------------------|------------------------------|--|------------------------------|
| <b>323</b>   | <b>(CD-685-EDU) Recalculating School District Valuations</b>     |  |                              |                         |                              |  |                              |
| R.C.   | 3317.027, 3317.026, 3317.028                                     | R.C.   | 3317.027, 3317.026, 3317.028 | R.C.                    | 3317.027, 3317.026, 3317.028 | R.C.   | 3317.027, 3317.026, 3317.028 |
| Changes the date by which reimbursements be made to school districts whose state aid is recalculated due to certain changes in the district's valuation from the end of the fiscal year to July 31 of the following fiscal year.             |  | Same as the Executive.   |                              | Same as the Executive.  |                              | Same as the Executive.                                 |                              |
| Bases the reimbursement on all SF-3 payments instead of a more restrictive base cost and weighted funding.   |  | Same as the Executive.   |                              | Same as the Executive.  |                              | Same as the Executive.                                 |                              |
| Provides that beginning in FY 2007, instead of 5% changes in the value of all tangible personal property triggering a recalculation, 5% changes in the value of only public utility tangible personal property will trigger a recalculation. |  | Same as the Executive.   |                              | Same as the Executive.  |                              | Same as the Executive.                                 |                              |
| Fiscal effect: The executive proposal recommends a set-aside of \$30 million in each fiscal year for these reimbursements.   |  | Same as the Executive.   |                              | Same as the Executive.  |                              | Same as the Executive.                                 |                              |
| <b>324</b>   | <b>(CD-987-EDU) Random Audits of School District ADM Reports</b> |  |                              |                         |                              |  |                              |
|  |  | R.C.   | 3317.035                     |                         |                              | R.C.   | 3317.035                     |
| No provision.  |  | Requires the Auditor of State to conduct annual audits of the ADM information reported by a random sample of school districts. |                              | No provision.           |                              | Same as the House, but makes the provision permissive. |                              |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

325 (CD-844-EDU) Handicapped Preschool Units

R.C. 3317.05, 3323.20

R.C. 3317.05, 3323.20

R.C. 3317.05, 3323.20

No provision.

Changes the date for determining the eligibility of children for handicapped preschool units based on their age from December 1 to the date on which the children must have attained the minimum age to start school in their districts (August 1 or September 30).  
Fiscal effect: None.

Replaces the House provision with a provision that requires children to be under age six on the date on which they must have attained the minimum age to start school in their school districts (August 1 or September 30) and at least age three on December 1 in order to qualify for handicapped preschool units.  
Fiscal effect: None.

Same as the Senate.

No provision.

Requires ODE annually, beginning in FY 2007, to electronically report to the General Assembly the number of handicapped preschool children served the previous fiscal year disaggregated according to handicap.  
Fiscal effect: Minimal.

Replaces the House provision with a requirement that ODE annually report to the General Assembly the number of handicapped preschool children reported to the United States Department of Education in December of each year.  
Fiscal effect: Minimal.

Same as the House.

No provision.

No provision.

Clarifies that related services units be approved for any statutorily-defined related services.  
Fiscal effect: None.

Same as the Senate.

| As Introduced (Executive)                                     | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|---|------------------------|---|------------------------------------|
| 326 (CD-1207-EDU) Nonpublic Administrative Cost Reimbursement |                        | R.C. 3317.063   | R.C. 3317.063                      |
| No provision.   | No provision.          | Increases, from \$250 to \$275 per pupil, the cap on reimbursement payments to chartered nonpublic schools for mandated administrative expenses.<br>Fiscal effect: The bill appropriates \$56.8 million in FY 2006 and \$58.1 million in FY 2007 for these reimbursements.  | Same as the Senate.                |
| 327 (CD-1374-EDU) School Bus Purchase Allocations             |                        | R.C. 3317.07  | R.C. 3317.07                       |
| No provision.   | No provision.          | Modifies the payment to (1) a county MR/DD board for buses purchased for the transportation of children in special education programs operated by the board or (2) a school district for buses purchased for the transportation of handicapped and nonpublic school students from 100% of the cost incurred to a per pupil allocation.<br>Fiscal effect: The bill earmarks up to 28% of GRF appropriation item 200-503, Bus Purchase Allowance, for these buses. This totals about \$2.4 million in FY 2006 and about \$4.0 million in FY 2007. This change will likely result in this funding being distributed more widely. | Same as the Senate.                |



| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate       | As Amended by Conference Committee |
|--|---|-------------------------------|------------------------------------|
| <p>328 (CD-840-EDU) Statistical Report Filing</p>  | <p>R.C. 3317.09</p>   | <p>R.C. 3317.09</p>           | <p>R.C. 3317.09</p>                |
| <p>No provision.</p>   | <p>Eliminates the requirement for ODE to file a copy of monthly and annual statistical reports with the Governor, Senate, House of Representatives, Auditor of State, and Legislative Service Commission.<br/>Fiscal effect: Minimal.</p> | <p>Same as the House.</p>     | <p>Same as the House.</p>          |
| <hr/> <p>329 (CD-438-EDU) Joint Vocational School District Excess Costs for Special Education</p>  |   |                               |                                    |
| <p>R.C. 3317.16</p>  | <p>R.C. 3317.16</p>   | <p>R.C. 3317.16</p>           | <p>R.C. 3317.16</p>                |
| <p>Permits a joint vocational school district (JVSD) to decline having ODE transfer payments to it from the state aid of city, exempted village, or local school districts or community schools for the excess costs of providing special education and related services.<br/>Fiscal effect: JVSDs who choose to decline the transfer payment presumably will rely on direct payment from the district or community school. Therefore, JVSDs should still receive payments for their excess costs.</p> | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

330 (CD-515-EDU) Categorical Funding for State Institutions

R.C. 3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16

R.C. 3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16

R.C. 3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16

R.C. 3317.201, 3317.03, 3317.05, 3317.052, 3317.053, 3323.091, 3323.16

Requires the payment of a per pupil amount (weighted by category of handicap) to institutions operated by the Departments of Mental Health, Rehabilitation and Correction, and Youth Services (instead of a unit-funding amount as under current law) for special education. Guarantees each institution to receive no less under the new weighted funding per pupil formula than the unit funding the institution received in FY 2005. Leaves unchanged unit funding for preschool children receiving special education from institutions.  
Fiscal effect: The executive budget recommends funding of \$46,857,775 in FY 2006 and \$47,326,353 in FY 2007 to fund special education weights at these institutions as well as at county boards of mental retardation and developmental disabilities.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

Eliminates, effective July 1, 2005, authorization for ODE to award "units" for funding of state institutions operating vocational education programs and instead authorizes ODE to award grants to those institutions for those programs.

No provision.

No provision.

No provision.

Requires the institutions annually to report to ODE on the delivery of vocational education services and the performance of students and any other information required by ODE.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

331 (CD-1209-EDU) School District Internal Auditor

R.C. 3319.06

R.C. 3319.06

No provision.

No provision.

Authorizes school districts to create the position of internal auditor and requires persons employed in that position to hold a valid permit to practice as a certified public accountant or public accountant.  
Fiscal effect: None.

Same as the Senate.

332 (CD-985-EDU) Reductions in Force of Teachers and Nonteaching Employees

R.C. 3319.081, 3319.17, 3319.172, Section 563.03

R.C. 3319.081, 3319.17, 3319.172, Section 563.03

R.C. 3319.081, 3319.17, 3319.172, Section 563.03

No provision.

Allows boards of education and governing boards of educational service centers to reduce the number of teachers for financial reasons.

Same as the House.

Same as the House.

No provision.

Expands the reasons for which these boards may reduce the number of nonteaching employees to include the same reasons the board would reduce the number of teaching employees.

Same as the House.

Same as the House.

No provision.

Specifies that teaching and nonteaching employees whose contracts are suspended have a right to restoration.

Same as the House.

Same as the House.

No provision.

Specifies that when reducing teaching or nonteaching employees, the school district or the educational service center must give preference first to employees with continuing contracts (tenure) and then to employees based upon seniority.

Same as the House.

Same as the House.

| As Introduced (Executive) | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee |
|---------------------------|--|--|------------------------------------|
| No provision.             | Allows, on a case-by-case basis, a board of education or an educational service center governing board to suspend an employee's contract in part rather than in whole.   | Same as the House.   | Same as the House.                 |
| No provision.             | Specifies that it is the intent of the General Assembly that the provisions authorizing reductions in force for financial reason of teachers and nonteaching employees apply to existing collective bargaining agreements. | Replaces the House provision with a provision that specifies that it is the intent of the General Assembly that these provisions do not affect collective bargaining agreements entered into prior to the bill's effective date. Also, specifies, in the codified language of these provisions, that these provisions prevail over conflicting provisions of collective bargaining agreements entered into after the provision's effective date. | Same as the Senate.                |
| No provision.             | Fiscal effect: May give school districts and educational service centers more flexibility related to staffing costs.   | Fiscal effect: Same as the House.  | Fiscal effect: Same as the House.  |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 333 (CD-1067-EDU) Termination of School District Transportation Staff

R.C. 3319.081, 3319.0810, 4141.29

R.C. 3319.081, 3319.0810, 4141.29

R.C. 3319.081, 3319.0810, 4141.29

No provision.

Permits local or exempted village school districts (not city districts, which are civil service districts) to terminate the positions of transportation employees for reasons of economy and efficiency and to contract with an independent agent to provide student transportation services. Specifies that an individual who is terminated under this provision is not entitled to unemployment compensation benefits during the period between the academic term in which the individual's position is terminated and the next academic term unless not offered an employment opportunity for the next term. Fiscal effect: Possible savings for school districts.

Same as the House, but removes the provision specifying that staff terminated under this provision are not eligible for unemployment compensation benefits unless not offered an employment opportunity for the next term.

Same as the Senate.

## 334 (CD-843-EDU) National Board Certification of Teachers

R.C. 3319.55

R.C. 3319.55

R.C. 3319.55

No provision.

Limits eligibility for the annual stipend paid to teachers certified by the National Board for Professional Teaching Standards to the 10-year period of initial certification.

Same as the House.

Same as the House.

| As Introduced (Executive)  |  | As Passed by the House  |  | As Passed by the Senate   |  | As Amended by Conference Committee |  |
|--|--|---|--|---------------------------|--|------------------------------------|--|
| 335  | (CD-415-EDU) Excess Costs for Special Education and Related Services |   |  |                           |  |                                    |  |
| R.C.   | 3323.14, 3314.08, 3317.023,<br>3317.0212                             | R.C.  | 3323.14, 3314.08, 3317.023,<br>3317.0112, Section 618.06 | R.C.                      | 3323.14, 3314.08, 3317.023,<br>3317.0112, Section 618.06 | R.C.                               | 3323.14, 3314.08, 3317.023,<br>3317.0112, Section 618.06 |
| <p>Authorizes a school district, in the case of a disabled child who is placed in a home, institution, foster home, group home, or other residential facility by a court order, to charge the child's "district of residence" (the district obligated to pay for the child's education) the "excess cost" of providing special education and related services for that child through a transfer performed by ODE.</p> <p>Fiscal effect: Some school districts may receive additional funds to cover payment of excess costs for special education services given to a child who has been placed, by court order, in a residential "home". The child's resident district (generally, where the child's parents reside), however, will then be charged for the excess costs.</p> |  | <p>Same as the Executive, but makes a nonsubstantive, stylistic change in the wording of a provision.</p> |  | <p>Same as the House.</p> |  | <p>Same as the House.</p>          |  |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 336 (CD-1056-EDU) Ohio Center for Autism and Low Incidence

R.C. 3323.30, 3323.31, 3323.32,  
3323.33

R.C. 3323.30, 3323.31, 3323.32,  
3323.33

R.C. 3323.30, 3323.31, 3323.32,  
3323.33

No provision.

Creates the Ohio Center for Autism and Low Incidence (OCALI) within ODE to administer programs and coordinate services for infants, preschool and school-age children, and adults with autism and other disabilities. Fiscal effect: OCALI is currently operating under a federally funded initiative. No additional funding is provided.

Same as the House.

Same as the House.

## 337 (CD-1013-EDU) Adoption of a Statewide "Grade Acceleration" Policy

R.C. 3324.10

R.C. 3324.10, Section 206.09.28

R.C. 3324.10

No provision.

Requires the Superintendent of Public Instruction to adopt a statewide grade acceleration policy from among those currently used in school districts throughout the state and provide each district with a copy of the policy by March 31, 2006. Requires districts that currently do not have a policy to adopt the statewide policy. Fiscal effect: Minimal.

Replaces the House provision with a provision that requires the State Board of Education to adopt a model student acceleration policy by June 30, 2006, addressing at least the options of whole grade acceleration, subject area acceleration, and early high school graduation. The policy must address the recommendations of an acceleration study completed in 2005 under the Gifted Research and Demonstration Grant Program. Does not require districts to adopt the model policy.

Same as the Senate, but also requires that districts either adopt ODE's policy or adopt one of its own for implementation beginning in the 2006-2007 school year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

338 (CD-841-EDU) Pupil Transportation Requirements

R.C. 3327.01

R.C. 3327.01

R.C. 3327.01

No provision.

Codifies a requirement that school districts transport their high school pupils who attend career technical classes at another district, including a joint vocational district.  
Fiscal effect: None.

Same as the House.

Same as the House.

339 (CD-964-EDU) \* **Partially Vetoed** \* Post-Secondary Enrollment Options Program (PSEO)

R.C. 3365.02, Section 206.09.99

R.C. 3365.01, 3365.02, 3365.021, 3365.04, 3356.041, 3365.05, 3365.07, 3365.08, 3365.10, 3365.11, Section 206.09.99

R.C. 3365.02, Section 206.09.99

R.C. 3365.02, Section 206.09.99

Specifies that, after July 1, 2005, a high school student must be a resident of Ohio to participate in the Post-Secondary Enrollment Options Program (PSEO).

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Presumably this provision will only affect nonpublic school students.

Funding for these students is paid through an earmark in GRF appropriation item 200-511, Auxiliary Services. If students who are not residents of Ohio are denied funding through the program, the likely result will be that more Ohio residents will be provided with funding.

No provision.

[\*\*\*VETOED: Specifies that the purpose of the PSEO is to provide enriched education opportunities that are beyond the opportunities offered by the students' high schools.

No provision.

Same as the House.



| As Introduced (Executive) | As Passed by the House  | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|---|-------------------------|------------------------------------|
| No provision.             | Fiscal effect: None. ***]<br>Requires reimbursement from a student or a student's parent for state funds paid to a college for a course in which a student does not obtain a passing final grade.<br>Fiscal effect: Potentially decreases state or school district expenditures for the PSEO program.   | No provision.           | Same as the House.                 |
| No provision.             | Disqualifies students in nonchartered nonpublic high schools and students enrolled in physical education college courses from enrolling in Option B (the state pays for high school student enrollment in college courses for both high school and college credit) of the PSEO program beginning with the 2006-2007 school year. These students are still eligible to participate in Option A of the PSEO program whereby students or their parents pay for courses.<br>Fiscal effect: Potentially reduces state expenditures for students no longer able to receive state funding to participate in Option B of the PSEO program beginning in the 2006-2007 school year. | No provision.           | No provision.                      |
| No provision.             | Allows a student participating in option A of the PSEO (the student pays the costs of the college courses) to receive high school credit for the courses as well as college credit.<br>Fiscal effect: None.   | No provision.           | Same as the House.                 |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

340 (CD-1211-EDU) Use of Volunteers by School Districts

R.C. 4117.103

R.C. 4117.103

No provision.

No provision.

Prohibits collective bargaining agreements entered into on or after the provision's effective date from barring school districts from using volunteers to assist with functions that are not required to be performed by persons holding a license, permit, or certificate issued by the State Board of Education or a school bus driver's certificate.  
Fiscal effect: May reduce districts' expenses if volunteers replace paid staff.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

341 (CD-1375-EDU) Cosmetology Courses for Adults at High Schools

R.C. 4713.441

No provision.

No provision.

Prohibits any school district from operating cosmetology courses for adult students, except continuing education cosmetology courses, if the school is within the same county or a contiguous county as a proprietary cosmetology school licensed by the State Board of Cosmetology, unless the district enters into an agreement with each cosmetology school in the same county or a contiguous county permitting the district to offer specific courses. If the school is outside of the same county or a contiguous county as a licensed cosmetology school, the school district may operate the program for adult students only with the approval of the State Board of Cosmetology and ODE. (See also the item entitled "Cosmetology Courses for Adults at High Schools" in the Board of Cosmetology.)  
Fiscal effect: Minimal.

No provision.

| As Introduced (Executive)  |  | As Passed by the House |  | As Passed by the Senate |  | As Amended by Conference Committee |  |
|--|--|------------------------|--|-------------------------|--|------------------------------------|--|
| 342  | (CD-688-EDU) Community Alternative Funding System  |                        |  |                         |  |                                    |  |
| R.C.   | <i>5111.041, 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041, 5123.045 to 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054 to 5126.057, 5126.12, 5705.091, Sections 206.6678, 209.09.09</i> | R.C.                   | <i>5111.041, 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041, 5123.045 to 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054 to 5126.057, 5126.12, 5705.091, Sections 206.6678, 209.09.09</i> | R.C.                    | <i>5111.041, 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041, 5123.045 to 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054 to 5126.057, 5126.12, 5705.091, Sections 206.6678, 209.09.09</i> | R.C.                               | <i>5111.041, 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041, 5123.045 to 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054 to 5126.057, 5126.12, 5705.091, Sections 206.6678, 209.09.09</i> |
| Terminates the community alternative funding system (CAFS) for habilitation centers effective July 1, 2005. (See the item entitled "Community Alternative Funding System Terminated" in Mental Retardation and Developmental Disabilities.)<br>Fiscal effect: In FY 2003, school districts received approximately \$52 million in Medicaid reimbursement for services provided to Medicaid-eligible students with mental retardation or developmental disabilities through CAFS. The special education services continue to be mandated by the federal Individuals with Disabilities Education Act. Districts may be able to find other ways to receive reimbursement under Medicaid, but according to the Ohio Department of Mental Retardation and Developmental Disabilities, reimbursement rates likely will be lower than under CAFS. |  | Same as the Executive. |  | Same as the Executive.  |  | Same as the Executive.             |  |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 343 (CD-462-EDU) Phase-out of Tax on Some Tangible Personal Property

R.C. 5711.22, 5711.21, 5713.01,  
5727.02, 5727.031, 5727.06,  
5727.10, 5727.11, 5727.12

R.C. 5711.22, 5711.20, 5711.21,  
5713.01, 5727.02, 5727.031,  
5727.06, 5727.10, 5727.11,  
5727.12, 5751.20-5751.22,  
Section 206.09.61

R.C. 5711.22, 5711.20, 5711.21,  
5713.01, 5727.02, 5727.031,  
5727.06, 5727.10, 5727.11,  
5727.12, 5751.20-5751.22,  
Section 206.09.61

R.C. 5711.22, 5711.20, 5711.21,  
5713.01, 5727.02, 5727.031,  
5727.06, 5727.10, 5727.11,  
5727.12, 5751.20-5751.22,  
Section 206.09.61

Reduces the property tax on existing machinery and equipment by 50% in TY 2006 and completely eliminates the tax beginning in TY 2007. Exempts all machinery and equipment installed after TY 2004 from taxation. Accelerates the current phase-out of the tax on inventories by reducing the assessment rate on inventories from 21% in TY 2007 to 14% in TY 2008, 7% in TY 2009, and 0% beginning in TY 2010.

Sets up a mechanism by which school districts and joint vocational school districts will be reimbursed for their tax revenue losses due to the phase-out of the tax on machinery and equipment and the acceleration of the phase-out of the tax on inventories. The tax revenue losses eligible for reimbursement are based on the value of this property in TY 2004 and TY 2004 effective tax rates plus any additional levies that become effective for TY 2005 before September 2, 2005. Reimbursement is provided through a combination of higher state aid resulting from districts' decreases in valuation (state education aid offset) and direct reimbursement. The direct reimbursement payments are to be made

Same as the Executive, but also phases out the tax on furniture and fixtures over five years beginning in TY 2006, and adds the tax value loss from this phase-out to the reimbursements in the executive proposal. Also, requires that the Director of Budget and Management transfer \$10,010,000 in FY 2006 and \$70,210,000 in FY 2007 from the GRF to Fund 047, School District Property Tax Replacement - Business to reimburse districts for this additional tax value loss.

Same as the House, but phases out taxation of all business tangible personal property evenly, in one-fourth increments, over four years, eliminating the tax in TY 2009, except for new manufacturing equipment, which is exempted immediately. Makes corresponding changes in the school district reimbursement provisions. Direct reimbursements are to be phased out at a rate of 3/17 in the first two years and then at a rate of 2/17 per year for the remaining phase-out period.

Same as the Senate, but provides for three annual payments for the reimbursement and specifies that two varieties of school district levies, which have phased in or increasing rates, are to be reimbursed at their 2010 tax rate. Also, beginning in TY 2007, classifies tangible personal property of telephone, telegraph, and interexchange telecommunications companies as general business tangible personal property. Phases-out the taxation of this property beginning in TY 2007 evenly, in one-fifth increments, over five years, eliminating the tax in TY 2011. Sets up a reimbursement mechanism similar to that for other TPP taxes, except that due to the reclassification of the property and the later start to the phase-out, the reimbursements start in TY 2009. The phase-out of the direct reimbursements follows the same schedule as that of the other TPP taxes.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

four times per year.

Reimburses fixed-sum levies (emergency and bond levies) above a 0.5 mill threshold. Emergency levies are fully reimbursed from TY 2006 until TY 2010 and will be reimbursed after TY 2010 if the levy is renewed. Bond levies are fully reimbursed for the duration of their existence.

Reimburses fixed-rate levy losses on machinery and equipment fully from TY 2006 until TY 2010. Direct reimbursements start to phase out in TY 2011 at a rate of 2/15 per year until completely eliminated after TY 2017.

Reimburses fixed-rate levy losses on the acceleration of the inventory tax phase-out fully from TY 2006 until TY 2010. Direct reimbursements start to phase out in TY 2011 at a rate of 2/15 per year until completely eliminated after TY 2018.

Fiscal effect: The executive budget provides \$28.8 million in FY 2006 and \$220.8 million in FY 2007 for direct reimbursements to school districts and joint vocational school districts through appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047). Districts will not be reimbursed for potential losses from future levies or from machinery and equipment established after TY 2004. Districts will be reimbursed through the combination of state education aid increases and direct reimbursements. While state education aid increases will be permanent, direct

Fiscal effect: Same as the Executive, but the House budget provides an additional \$10,010,000 in FY 2006 for a total of \$38,810,000 and an additional \$70,210,000 in FY 2007 for a total of \$291,010,000 for direct reimbursements to school districts and joint vocational school districts.

Fiscal effect: Same as the House, but appropriation item number for appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047) is changed to 200-909.

Fiscal effect: Same as the Senate, but the appropriation is increased by \$10,540,000 in FY 2006 and by \$78,044,000 in FY 2007, for a total of \$49,350,000 in FY 2006 and \$369,054,000 in FY 2007.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

reimbursements will eventually be phased-out.

(See also the item entitled "Phase-out of Tax on Some Tangible Personal Property" in Tax Provisions).

(See also the item entitled "Phase-out of Tax on Some Tangible Personal Property" in Tax Provisions).

(See also the item entitled "Phase-out of Tax on Some Tangible Personal Property" in Tax Provisions).

(See also the item entitled "Phase-out of Tax on Some Tangible Personal Property" in Tax Provisions).

**344 (CD-715-EDU) Property Tax Replacement Payments**

R.C. 5727.85, 5727.84, 3318.111

R.C. 5727.85, 5727.84, 3318.111

R.C. 5727.85, 5727.84, 3318.111

R.C. 5727.85, 5727.84, 3318.111

Specifies a method whereby property tax replacements from Fund 053 for the reductions in assessment rates on utility property made by Am. Sub. S.B. 3 and Am. Sub. S.B. 287 of the 123rd General Assembly are determined when school districts merge or transfer property. Fiscal effect: Any fiscal effect is dependent on future mergers and property transfers.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Increases the kilowatt hour tax and reduces the percentage of this tax allocated to Fund 053 from 25.4% to 19.538%.

Same as the Executive.

Same as the Executive.

No provision.

Fiscal effect: Based on projected increases in revenue from the increase in the tax, the revenue deposited into Fund 053 is not expected to be affected by this provision.

Changes the use of excess funds in Fund 053. Under current law, the excess funds are to be distributed to school districts on a per pupil basis for capital and maintenance improvements. Under the executive budget, the excess funds are first to be used to fund the newly established half-mill equalization program and then for the school building assistance program of the School Facilities

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Commission. Also see the item entitled "Half-Mill Maintenance Equalization" in the School Facilities Commission.  
 Fiscal effect: The executive proposal recommends funding of \$10.7 million in FY 2007 for the half-mill maintenance equalization program. The changes made in the use of excess of funds in the School District Property Tax Replacement Fund (Fund 053) would provide more money to some districts and less money to other districts.

**345 (CD-1104-EDU) School District Income Taxes**

R.C. *5748.01, 5748.02, 5748.03, 5748.04, 5748.08*

R.C. *5748.01, 5748.02, 5748.03, 5748.04, 5748.08*

No provision.

Permits school districts to apply school district income taxes only to earnings, rather than to entire Ohio adjusted gross income less exemptions. The tax would be subject to approval by voters. (See the item entitled "School District Income Taxes" in Tax Provisions.)

No provision.

Same as the House.

Fiscal effect: By applying the school district income tax to a narrower base, school districts might obtain voter approval of levies that would otherwise be defeated. Alternatively, the narrower base might result in reduction of school district revenues from income taxation.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

346 (CD-389-EDU) Personal Services

Section: 206.09.03

Section: 206.09.03

Section: 206.09.03

Section: 206.09.03

Makes the following earmark of GRF appropriation item 200-100, Personal Services:  
 (1) Earmarks \$1,581,181 in each fiscal year to provide vocational administration matching funds under 20 U.S.C. 2311.  
 (2) No provision.  
 (3) No provision.

Makes the following changes to earmarks of GRF appropriation item 200-100, Personal Services:  
 (1) Same as the Executive.  
 (2) Earmarks \$1,000,000 in FY 2007 for ODE to administer the Educational Choice Scholarship Program.  
 (3) Earmarks \$65,000 in each fiscal year for the Southern State Community College's Pilot Post-Secondary Enrollment Options Program with Miami Trace High School.

Makes the following changes to earmarks of GRF appropriation item 200-100, Personal Services:  
 (1) No provision. This funding is moved to GRF appropriation item 200-416, Career-Technical Education Match.  
 (2) No provision. Funding for this purpose is provided in GRF appropriation item 200-421, Alternative Education Programs.  
 (3) No provision. Funding for this purpose is provided in GRF appropriation item 200-431, School Improvement Initiatives.

Same as the Senate.

347 (CD-388-EDU) Maintenance and Equipment

Section: 206.09.03

Section: 206.09.03

Section: 206.09.03

Section: 206.09.03

Makes the following earmarks to GRF appropriation item 200-320, Maintenance and Equipment:  
 (1) Earmarks up to \$25,000 in each fiscal year for State Board of Education out-of-state travel.  
 (2) Earmarks \$652,014 in each fiscal year to provide vocational administration matching funds under 20 U.S.C. 2311.

Same as the Executive.  
 (1) Same as the Executive.  
 (2) Same as the Executive.

Makes the following changes to earmarks of GRF appropriation item 200-320, Maintenance and Equipment:  
 (1) Same as the Executive.  
 (2) No provision. This funding is moved to GRF appropriation item 200-416, Career-Technical Education Match.

Same as the Senate.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee  |
|---|------------------------|---|---|
| 348 (CD-402-EDU) Early Childhood Education  |                        |   |   |
| Section: 206.09.06  | Section: 206.09.06     | Section: 206.09.06  | Section: 206.09.06  |
| Specifies that GRF appropriation item 200-408, Early Childhood Education, shall be distributed to pay the costs of comprehensive early childhood education programs.  | Same as the Executive. | Same as the Executive.  | Same as the Executive, but removes the qualifier "comprehensive" in the description of programs to be funded. |
| Permits ODE to increase the per-pupil amount funded by a reasonable percentage for inflation.   | Same as the Executive. | Same as the Executive.  | Same as the Executive, but permits ODE to increase the per-pupil amount for any reason, not just inflation.   |
| Earmarks up to 2% of GRF appropriation item 200-408, Early Childhood Education, for both fiscal years to be used by ODE for program support and technical assistance.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.  |
| Specifies that a child is eligible for the program if the child is at least three years old, is not eligible for kindergarten, and is a member of a family that earns not more than 200% of the federal poverty level.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.  |
| Permits school districts, joint vocational school districts, educational service centers, or community-based entities experienced in educating children that are licensed as a preschool or child day-care center to receive funds under the program.                             | Same as the Executive. | Same as the Executive, but eliminates the eligibility of community-based entities for this funding. | Same as the Senate.   |
| Requires that ODE provide an annual report with specified information about early childhood education programs. Permits ODE to reallocate unobligated or unspent money to districts for expansion and improvement of programs. Specifies that ODE may award new grants based on a | Same as the Executive. | Same as the Executive.  | Same as the Executive.  |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

competitive bidding process if current grantees voluntarily waive the funding or are denied the funding for not meeting program standards. Requires that these grantees transfer property to a new grantee.

Makes the following requirements for participating programs: (a) development and administration costs may not exceed 15% of the cost of each program, (b) fiscal records must be maintained, (c) a corrective action plan, approved by ODE, must be implemented if the program is found to not be meeting standards (ODE may deny funding if a program fails to successfully complete its plan), (d) teacher qualification requirements prescribed by law must be met, including a requirement that teachers attend a minimum of twenty hours per year of professional development regarding implementation of content standards and assessments, (e) curriculum must be aligned to the early learning program guidelines for school readiness, (f) assessment requirements prescribed by law must be met, (g) child progress in meeting the early childhood guidelines for school readiness must be documented and reported, (h) families who earn more than the federal poverty level must be charged a fee based on a sliding schedule.

Fiscal effect: The executive proposal recommends funding of \$18,622,151 in each fiscal year for grants under this program. The 2% set aside for administration totals \$380,044 in each fiscal year under the executive budget.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but modifies (d) by exempting teachers working toward an associate or bachelor's degree from the requirement to attend at least 20 hours of professional development annually, modifies (e) by requiring alignment of curriculum to the early learning content standards instead of the early learning program guidelines for school readiness, makes (g) more general by removing reference to "in meeting the early learning program guidelines for school readiness", and adds a requirement that programs meet and report compliance with early learning program guidelines for school readiness.

Fiscal effect: Same as the Executive.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee   |
|---|---|--|--|
| 349 (CD-461-EDU) Educator Training  |   |  |  |
| Section: 206.09.09  | Section: 206.09.09  | Section: 206.09.09   | Section: 206.09.09   |
| <p>Requires ODE to promote cultural competency in professional development programs.</p> <p>Makes the following earmarks of GRF appropriation item 200-410, Educator Training:</p> <p>(1) Earmarks up to \$7,850,000 in FY 2006 and up to \$8,250,000 in FY 2007 to reward teachers who have obtained National Board certification and to pay \$2,000 of the application fee for up to 400 public and chartered nonpublic school teachers applying for certification in each fiscal year. Up to \$300,000 of the earmark in each fiscal year may be used by ODE for administrative costs.</p> <p>(2) Earmarks up to \$9,515,817 in each fiscal year for teacher entry year programs for beginning teachers in school districts and chartered nonpublic schools.</p> <p>(3) Earmarks up to \$250,000 in each fiscal year for Teacher Advancement Programs.</p> <p>(4) Earmarks \$500,000 in each fiscal year for training and professional development of school administrators, treasurers, and business officials.</p> <p>(5) Earmarks \$100,000 in each fiscal year for ODE to develop a report on the availability of quality educators and critical</p> | <p>Same as the Executive.</p> <p>Makes the following changes to GRF appropriation item 200-410, Educator Training:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Reduces earmark to \$200,000 in each fiscal year.</p> <p>(4) Reduces earmark to \$350,000 in each fiscal year.</p> <p>(5) Same as the Executive, but removes the earmark for FY 2006.</p> | <p>Same as the Executive.</p> <p>Makes the following changes to GRF appropriation item 200-410, Educator Training:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the House.</p> <p>(4) Same as the House.</p> <p>(5) Same as the House.</p> | <p>Same as the Executive.</p> <p>Makes the following changes to GRF appropriation item 200-410, Educator Training:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive, but allows the funds to be spent for entry year principals as well as teachers.</p> <p>(3) Same as the House.</p> <p>(4) Same as the House.</p> <p>(5) Same as the House.</p> |

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee |
|--|--|---|------------------------------------|
| <p>educator shortage areas in Ohio.</p> <p>(6) Earmarks up to \$1,106,740 in each fiscal year for educator recruitment programs targeting shortage areas. The funds may also be used to provide an alternative route to licensure for principals and other administrators.</p>   | <p>(6) Reduces the earmark to \$885,740 in each fiscal year.</p>   | <p>(6) Same as the House.</p>   | <p>(6) Same as the House.</p>      |
| <p>(7) Earmarks up to \$375,000 in each fiscal year for ODE to identify hard-to-staff schools and provide incentives for highly qualified teachers to teach in these schools.</p>  | <p>(7) Reduces the earmark to \$187,500 in each fiscal year and permits stipends to be provided to special education teachers in addition to middle or high school math or science teachers.</p> | <p>(7) Same as the House.</p>   | <p>(7) Same as the House.</p>      |
| <p>(8) Earmarks up to \$63,000 in each fiscal year to support the Ohio University Leadership Program.</p>  | <p>(8) Same as the Executive.</p>  | <p>(8) Same as the Executive.</p>   | <p>(8) Same as the Executive.</p>  |
| <p>(9) Earmarks up to \$4,371,000 in each fiscal year for districts to provide embedded professional development to teachers who teach reading, writing, mathematics, science, or social studies to ninth or tenth grade students. ODE will allocate funds on a per pupil basis to school districts in academic emergency or with a three-year average graduation rate of not more than 75%.</p> | <p>(9) Same as the Executive.</p>  | <p>(9) No provision.</p>  | <p>(9) No provision.</p>           |
| <p>(10) No provision.</p>  | <p>(10) No provision.</p>  | <p>(10) Earmarks \$250,000 in each fiscal year to support the Ohio School Leadership Institute.</p> | <p>(10) Same as the Senate.</p>    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**350 (CD-1237-EDU) Career-Technical Education Match**

Section: 206.09.10

Section: 206.09.10

No provision.

No provision.

Specifies that GRF appropriation item 200-416, Career-Technical Education Match, be used to provide vocational administration matching funds under 20 U.S.C. 2311.

Same as the Senate.

**351 (CD-630-EDU) Computer/Application/Network Development**

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Specifies that GRF appropriation item 200-420, Computer/Application/Network Development, be used to support the development and implementation of information technology solutions designed to improve the performance and services provided by ODE.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**352 (CD-486-EDU) Alternative Education Programs**

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Creates the Alternative Education Advisory Council.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Makes the following earmarks of GRF appropriation item 200-421, Alternative Education Programs:

Makes the following changes to earmarks of GRF appropriation item 200-421, Alternative Education Programs:

Makes the following changes to earmarks of GRF appropriation item 200-421, Alternative Education Programs:

Same as the Senate.

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee |
|--|---|--|------------------------------------|
| (1) Earmarks up to \$6,302,310 in each fiscal year for alternative education grants for the Urban 21 school districts.   | (1) Reduces the earmark to \$6,227,310 in each fiscal year.                     | (1) Same as the House.   | (1) Same as the House.             |
| (2) Earmarks up to \$6,408,074 in each fiscal year for alternative education grants for suburban and rural school districts.   | (2) Same as the Executive.  | (2) Same as the Executive.   | (2) Same as the Executive.         |
| (3) Earmarks up to \$422,281 in each fiscal year for program administration, monitoring, technical assistance, support, research, and evaluation.  | (3) Same as the Executive.  | (3) Same as the Executive.   | (3) Same as the Executive.         |
| (4) Earmarks up to \$258,497 in each fiscal year to contract with the Center for Learning Excellence at the Ohio State University to provide technical assistance and evaluation of the grant program. | (4) No provision.   | (4) No provision.  | (4) No provision.                  |
| (5) No provision.  | (5) Earmarks \$75,000 in each fiscal year to support the Toledo Tech Academy.   | (5) Same as the House.   | (5) Same as the House.             |
| (6) No provision.  | (6) Earmarks \$100,000 in each fiscal year for Youth Opportunities United, Inc. | (6) Same as the House.   | (6) Same as the House.             |
| (7) No provision.  | (7) No provision.   | (7) Earmarks \$675,000 in FY 2006 and \$500,000 in FY 2007 for the administration of the Educational Choice Scholarship Pilot Program. | (7) Same as the Senate.            |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 353 (CD-495-EDU) School Management Assistance   |                        |                         |                                    |
| Section: 206.09.12  | Section: 206.09.12     | Section: 206.09.12      | Section: 206.09.12                 |
| <p>Earmarks up to \$1,315,000 of GRF appropriation item 200-422, School Management Assistance, in each fiscal year to be used by the Auditor of State for expenses related to the Auditor's duties in respect to districts in fiscal caution, fiscal watch, and fiscal emergency. Also specifies that these funds may be used to conduct performance audits consistent with the recommendations of the Governor's Blue Ribbon Task Force on Financing Student Success.</p> <p>Specifies that the remainder of GRF appropriation item 200-422, School Management Assistance, in each fiscal year be used by ODE to provide assistance to districts in fiscal watch and fiscal emergency.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 354 (CD-499-EDU) Policy Analysis  |                        |                         |                                    |
| Section: 206.09.12  | Section: 206.09.12     | Section: 206.09.12      | Section: 206.09.12                 |
| <p>Specifies that GRF appropriation item 200-424, Policy Analysis, be used to support a system of administrative, statistical, and legislative education information to be used for policy analysis. Permits ODE to use this funding to contract for related services.</p>  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

355 (CD-508-EDU) Tech Prep Consortia Support

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Specifies that GRF appropriation item 200-425, Tech Prep Consortia Support, be used to support state-level activities in support of tech prep programs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

356 (CD-510-EDU) Ohio Educational Computer Network

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Section: 206.09.12

Specifies that GRF appropriation item 200-426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance in support of the State Education Technology Plan. Makes the following earmarks:

Same as the Executive.

Same as the Executive, but makes the following changes to the earmarks of GRF appropriation item 200-426, Ohio Educational Computer Network:

Same as the Senate.

(1) Earmarks up to \$18,136,691 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet. Specifies that public school buildings include instructional buildings of any school district, community school, educational service center, Ohio School of the Deaf, Ohio School of the Blind, high schools chartered by the Department of Youth Services, and high schools operated by the Ohio Department of Rehabilitation and

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Corrections' Ohio Central School System.

(2) Earmarks up to \$1,700,000 in each fiscal year for the Union Catalog and InfOhio Network.

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Earmarks up to \$8,338,468 in each fiscal year to be used, through a formula and guidelines devised by ODE, to subsidize the activities of designated data acquisition sites to provide school districts and chartered nonpublic schools with computer-based student and teacher instructional and administrative information services.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) No provision.

(4) No provision.

(4) Earmarks up to \$769,223 in each fiscal year for the INFOhio Network to support provision of electronic resources to public schools.

(4) Same as the Senate.

(5) Specifies that the remainder of the appropriation in each fiscal year be used to support a network of uniform and compatible computer-based informational and instructional systems. Allows ODE and data acquisition sites to jointly purchase equipment, materials, and services from funds provided under this appropriation for use by the network and to utilize the services of appropriate state purchasing agencies.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

**357 (CD-520-EDU) Academic Standards**

**Section: 206.09.12**

**Section: 206.09.12**

**Section: 206.09.12**

**Section: 206.09.12**

Makes the following earmarks to GRF appropriation item 200-427, Academic Standards:

Makes the following changes to the earmarks of GRF appropriation item 200-427, Academic Standards.

Makes the following changes to the earmarks of GRF appropriation item 200-427, Academic Standards.

Same as the Senate.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee |
|---|---|--|------------------------------------|
| (1) Earmarks up to \$2,547,912 in each fiscal year to provide funds to school districts that have teachers participating in the teacher-on-loan program.  | (1) Reduces the earmark to \$747,912 in each fiscal year.   | (1) Same as the House.   | (1) Same as the House.             |
| (2) Earmarks up to \$150,000 in each fiscal year to be used to support Ohio's Partnership for Continued Learning at the direction of the Office of the Governor. Specifies that these funds are to be used in combination with funding earmarked for this purpose in the Board of Regents' budget under appropriation item 235-321, Operating Expenses. (See the item entitled "Operating Expenses" under the Board of Regents) | (2) Same as the Executive.  | (2) Same as the Executive.   | (2) Same as the Executive.         |
| (3) Earmarks \$1,000,000 in each fiscal year for Project Lead the Way leadership and management oversight and initial and continuing support of the project's workforce development programs.   | (3) Reduces the earmark to \$500,000 in each fiscal year.   | (3) Same as the Executive.   | (3) Same as the Executive.         |
| (4) Earmarks \$2,600,000 for intensive teacher professional development institutes that focus on classroom implementation of the mathematics standards.   | (4) Same as the Executive, but clarifies earmark is for each fiscal year.                           | (4) Same as the House.   | (4) Same as the House.             |
| (5) No provision.   | (5) Earmarks up to \$200,000 in each fiscal year for the Ohio Resource Center for Math and Science. | (5) Same as the House, but requires the Department to expend \$200,000 instead of "up to \$200,000." | (5) Same as the Senate.            |
| (6) No provision.   | (6) No provision.   | (6) Earmarks up to \$282,000 in each fiscal year for the JASON Expedition project.                   | (6) Same as the Senate.            |
| (7) No provision.   | (7) No provision.   | (7) Earmarks \$285,000 in each fiscal year for the Ohio Science Institute (OSCI).                    | (7) Same as the Senate.            |
| Specifies that the remainder of the appropriation be used by ODE for the development and dissemination of academic content standards and curriculum models.   | Same as the Executive.  | Same as the Executive.   | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|---|--|--|--|
| 358 (CD-531-EDU) School Improvement Initiatives   |  |  |  |
| Section: 206.09.15  | Section: 206.09.15   | Section: 206.09.15   | Section: 206.09.15   |
| <p>Makes the following earmarks to GRF appropriation item 200-431, School Improvement Initiatives:</p> <p>(1) Earmarks up to \$14,972,949 in FY 2006 and \$15,122,678 in FY 2007 to provide technical assistance to school districts that are in academic watch or academic emergency, support districts in the development and implementation of their continuous improvement plans, support a statewide comprehensive system of field relations that support local educators' abilities to foster student academic achievement, and provide technical assistance and support in accordance with Title I of the "No Child Left Behind Act of 2001."</p> <p>(2) Earmarks up to \$315,000 in each fiscal year to reduce the dropout rate by addressing the academic and social problems of inner-city students through Project GRAD.</p> <p>(3) Earmarks \$1,574,535 in FY 2006 and \$2,753,985 in FY 2007 to create early college high schools. Specifies that these funds are to be used in combination with funding provided in the Board of Regents' budget under appropriation item 235-434, College Readiness and Access. (See the item entitled "College Readiness and Access" in the Board of Regents)</p> | <p>Makes the following earmarks to GRF appropriation item 200-431, School Improvement Initiatives:</p> <p>(2) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> | <p>Makes the following changes to the earmarks of GRF appropriation item 200-431, School Improvement Initiatives:</p> <p>(1) Reduces earmark to \$13,972,949 in FY 2006 and to \$13,672,678 in FY 2007 .</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> | <p>Makes the following changes to the earmarks of GRF appropriation item 200-431, School Improvement Initiatives:</p> <p>(1) Same as the Senate.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> |

| As Introduced (Executive)  | As Passed by the House     | As Passed by the Senate   | As Amended by Conference Committee  |
|--|----------------------------|---|---|
| (4) Earmarks up to \$3,000,000 in FY 2006 and up to \$5,000,000 in FY 2007 to convert existing large urban high schools into small, personalized high schools. Funds are to be used in partnership with nonprofit groups with expertise in this area. Specifies that priority in funding be given to districts without other sources of funding. | (4) Same as the Executive. | (4) Reduces the earmark to \$2,935,000 in FY 2006 and to \$4,935,000 in FY 2007. Also, modifies the earmark to remove prioritization for funding to be given to districts without other sources of funding.   | (4) Same as the Senate.   |
| (5) No provision.  | (5) No provision.          | (5) Earmarks \$300,000 in FY 2006 and \$450,000 in FY 2007 for Ohio's Rural Appalachian Leadership Development Initiative.  | (5) Same as the Senate.   |
| (6) No provision.  | (6) No provision.          | (6) Earmarks \$1,000,000 in each fiscal year to support Jobs for Ohio Graduates (JOG), and requires a two to one match of local to state funding before the Department can release funds to JOG   | (6) Same as the Senate.   |
| (7) No provision.  | (7) No provision.          | (7) Earmarks \$65,000 in each fiscal year to be provided to Southern State Community College for the Pilot Post-Secondary Enrollment Options Program with Miami Trace High School. Under the House version, funding was provided for this purpose in GRF appropriation item 200-100, Personal Services. | (7) Same as the Senate.   |
| (9) No provision.  | (9) No provision.          | (9) No provision.   | (9) Earmarks \$50,000 in each fiscal year for the Big City Schools Program in Cincinnati.               |
| (8) No provision.  | (8) No provision.          | (8) Earmarks up to \$601,165 in each fiscal year for ODE to contract with educational media centers to provide instructional resources and services to public schools.  | (8) Same as the Senate.   |
| No provision.  | No provision.              | No provision.   | (10) Earmarks \$1,000,000 in FY 2006 to support Improved Solutions for Urban Students (ISUS) in Dayton. |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee |
|---|--|--|------------------------------------|
| <b>359 (CD-552-EDU) Reading/Writing Improvement-Professional Development</b>  |  |  |                                    |
| Section: 206.09.15  | Section: 206.09.15   | Section: 206.09.15   | Section: 206.09.15                 |
| Makes the following earmarks to GRF appropriation item 200-433, Reading/Writing Improvement-Professional Development:   | Makes the following earmark changes to GRF appropriation item 200-433, Reading/Writing Improvement-Professional Development: | Makes the following earmark changes to GRF appropriation item 200-433, Reading/Writing Improvement-Professional Development: | Same as the Senate.                |
| (1) Earmarks up to \$10,075,000 in each fiscal year for educator training in literacy for classroom teachers, administrators, and literacy specialists.   | (1) Reduces earmark to \$9,175,000 in each fiscal year.  | (1) Increases earmark to \$9,790,000 in each fiscal year.  | (1) Same as the Senate.            |
| (2) Earmarks up to \$5,000,000 in each fiscal year to support literacy professional development partnerships between ODE, higher education institutions, literacy networks, and school districts. | (2) Same as the Executive.   | (2) Same as the Executive.   | (2) Same as the Executive.         |
| (3) No provision.   | (3) Earmarks up to \$900,000 in each fiscal year to fund the Reading Recovery Training Network.                              | (3) Same as the House.   | (3) Same as the House.             |
| (4) No provision.   | (4) Earmarks \$250,000 in each fiscal year for the Waterford Early Reading Program.  | (4) Same as the House.   | (4) Same as the House.             |
| Specifies that the remainder of the appropriation be used by ODE to provide administrative support of literacy professional development programs.   | Same as the Executive.   | Same as the Executive.   | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|--|------------------------|---|------------------------------------|
| <b>360 (CD-631-EDU) Student Assessment</b>   |                        |   |                                    |
| Section: 206.09.15   | Section: 206.09.15     | Section: 206.09.15  | Section: 206.09.15                 |
| Specifies that GRF appropriation item 200-437, Student Assessment, be used by ODE for costs associated with student assessment tests.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>361 (CD-555-EDU) Accountability/Report Cards</b>  |                        |   |                                    |
| Section: 206.09.15   | Section: 206.09.15     | Section: 206.09.15  | Section: 206.09.15                 |
| Earmarks up to \$200,100 in fiscal year 2006 and up to \$2,778,540 in fiscal year 2007 of GRF appropriation item 200-439, Accountability/Report Cards, for ODE to incorporate a statewide pilot value-added progress dimension into performance ratings for school districts and to train regional specialists. Specifies that these funds are to be used in consultation with a credible nonprofit organization with expertise in value-added program dimensions. | Same as the Executive. | Same as the Executive, but increases the earmark to up to \$3,778,540 in FY 2007. | Same as the Senate.                |
| Specifies that the remainder of the appropriation be used for the development of an accountability system that includes the preparation and distribution of school report cards.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| <b>362 (CD-632-EDU) Child Care Licensing</b>   |                        |                         |                                    |
| Section: 206.09.15   | Section: 206.09.15     | Section: 206.09.15      | Section: 206.09.15                 |
| Specifies that GRF appropriation item 200-442, Child Care Licensing, be used by ODE to license and to inspect preschool and school-age child care programs.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>363 (CD-633-EDU) OhioReads Volunteer Support</b>  |                        |                         |                                    |
| Section: 206.09.15   | Section: 206.09.15     | Section: 206.09.15      | Section: 206.09.15                 |
| Specifies that funds from GRF appropriation item 200-445, OhioReads Volunteer Support, may be allocated by ODE for volunteer coordinators in public school buildings, background checks for volunteers, to evaluate programs, and to develop, implement, and support literacy improvement activities and interventions for students. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>364 (CD-556-EDU) Education Management Information System</b>  |                        |                         |                                    |
| Section: 206.09.18   | Section: 206.09.18     | Section: 206.09.18      | Section: 206.09.18                 |
| Specifies that GRF appropriation item 200-466, Education Management Information System, be used to improve the education management information system (EMIS) and makes the following earmarks:  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



| As Introduced (Executive)   | As Passed by the House     | As Passed by the Senate    | As Amended by Conference Committee |
|---|----------------------------|----------------------------|------------------------------------|
| (1) Earmarks up to \$1,295,857 in each fiscal year to be distributed to data acquisition sites for costs related to processing, storing, and transferring data for the effective operation of the EMIS.   | (1) Same as the Executive. | (1) Same as the Executive. | (1) Same as the Executive.         |
| (2) Earmarks up to \$8,055,189 in each fiscal year to be distributed on a per-pupil basis to school districts, community schools, educational service centers (ESCs), joint vocational school districts (JVSDs), and any other education entity that reports data through EMIS. Specifies that each school district or community school with more than 100 students and each JVSD shall receive a minimum of \$5,000 in each fiscal year. Specifies that each school district or community school with between 1 and 100 students and each ESC and each county board of MR/DD that submits data shall receive \$3,000 in each fiscal year.  | (2) Same as the Executive. | (2) Same as the Executive. | (2) Same as the Executive.         |
| Specifies that the remainder of the appropriation be used to develop and support a common core of data definitions and standards as adopted by the Education Data Advisory Council (EDAC). Specifies that these funds also be used to support the development and implementation of data standards and the design, development, and implementation of a new data exchange system. Specifies that any provider of software meeting the standards approved by the EDAC be designated as an approved vendor and may enter into contracts with educational entities for the purpose of collecting and managing data required under Ohio's EMIS laws. Requires ODE to convene an advisory group on an annual | Same as the Executive.     | Same as the Executive.     | Same as the Executive.             |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

basis to review the EMIS system data definitions and data format standards and to recommend changes. Specifies that school districts and community schools that are not implementing a common and uniform set of data definitions and data format standards for EMIS purposes will not receive funding until they are in compliance.

**365 (CD-634-EDU) GED Testing**

**Section: 206.09.18**

**Section: 206.09.18**

**Section: 206.09.18**

**Section: 206.09.18**

Specifies that GRF appropriation item 200-447, GED Testing, be used to provide General Educational Development (GED) testing at no cost to applicants. Specifies that ODE shall reimburse school districts and community schools for a portion of the costs incurred in providing services to students who have not graduated because of their inability to pass a state achievement test.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**366 (CD-563-EDU) Educator Preparation**

**Section: 206.09.18**

**Section: 206.09.18**

**Section: 206.09.18**

**Section: 206.09.18**

Makes the following earmarks of GRF appropriation item 200-448, Educator Preparation:  
 (1) Earmarks \$100,000 in each fiscal year for the Teacher Quality Partnership project, to support a comprehensive longitudinal

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

study of the preparation, in-school support, and effectiveness of Ohio teachers. Specifies that these funds are to be used in conjunction with funding in the Board of Regents' budget under appropriation item 235-435, Teacher Improvement Initiatives. (See the item entitled "Teacher Improvement Initiatives" in Board of Regents)  
 (2) Earmarks up to \$1,551,000 in each fiscal year to be used by ODE to support the Educator Standards Board as it develops and recommends to the State Board of Education standards for educator training and standards for teacher and other school leadership positions.

**367 (CD-601-EDU) Community Schools**

**Section: 206.09.18**

**Section: 206.09.18**

**Section: 206.09.18**

**Section: 206.09.18**

Makes the following earmarks of GRF appropriation item 200-455, Community Schools:  
 (1) Earmarks up to \$1,308,661 in each fiscal year to be used by ODE for additional services and responsibilities under R.C. 3314.11.  
 (2) Earmarks up to \$225,000 in each fiscal year for the development and conduction of training sessions for sponsors and prospective sponsors of community schools. Specifies that the remainder of the appropriation be used for grants of up to \$50,000 each to groups with a preliminary agreement for a community school to defray

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

planning and initial start up costs; and for grants of up to \$100,000 to the governing authority of a community school in its first year of operation to partially defray additional start up costs. Specifies that a community school shall not be eligible for these grants if it has been awarded a federal start up grant from appropriation item 200-613, Public Charter Schools (Fund 3T4).

**368 (CD-602-EDU) Pupil Transportation**

**Section: 206.09.21**

**Section: 206.09.21**

**Section: 206.09.21**

**Section: 206.09.21**

Makes the following earmarks to GRF appropriation item 200-502, Pupil Transportation:  
 (1) Earmarks up to \$822,400 in each fiscal year for training prospective and experienced school bus drivers.  
 (2) Earmarks up to \$58,115,428 in FY 2006 and \$59,277,737 in FY 2007 for special education transportation reimbursements to school districts and county MR/DD boards for transportation operating costs as provided in R.C. 3317.024 (M).  
 Specifies that the remainder of the appropriation be used for state reimbursement of public school districts' costs in transporting pupils to and from school.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| <b>369 (CD-603-EDU) Bus Purchase Allowance</b>  |                        |                         |                                    |
| Section: 206.09.21  | Section: 206.09.21     | Section: 206.09.21      | Section: 206.09.21                 |
| Specifies that GRF appropriation item 200-503, Bus Purchase Allowance, be distributed to school districts, educational service centers, and county MR/DD boards pursuant to rules adopted under R.C. 3317.07 (for the purchase of school buses). Earmarks up to 28% of the amount appropriated to reimburse school districts and educational service centers for the purchase of buses to transport handicapped and nonpublic school students, and to county MR/DD boards, the Ohio School for the Deaf, and the Ohio School for the Blind for the purchase of buses to transport handicapped students. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>370 (CD-604-EDU) School Lunch Match</b>  |                        |                         |                                    |
| Section: 206.09.21  | Section: 206.09.21     | Section: 206.09.21      | Section: 206.09.21                 |
| Specifies that GRF appropriation item 200-505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House            | As Passed by the Senate  | As Amended by Conference Committee |
|---|-----------------------------------|--|------------------------------------|
| <p>371 (CD-605-EDU) Adult Literacy Education</p>  |                                   |  |                                    |
| <p>Section: 206.09.24</p>   | <p>Section: 206.09.24</p>         | <p>Section: 206.09.24</p>  | <p>Section: 206.09.24</p>          |
| <p>Specifies that GRF appropriation item 200-509, Adult Literacy Education, be used to support adult basic and literacy education instructional programs and the State Literacy Resource Center Program, and makes the following earmarks:</p>                | <p>Same as the Executive.</p>     | <p>Same as the Executive, but makes the following changes to earmarks of GRF appropriation item 200-509, Adult Literacy Education:</p>   | <p>Same as the Senate.</p>         |
| <p>(1) Earmarks up to \$488,037 in each fiscal year for the support and operation of the State Literacy Resource Center.</p>  | <p>(1) Same as the Executive.</p> | <p>(1) Same as the Executive.</p>  | <p>(1) Same as the Executive.</p>  |
| <p>(2) Earmarks up to \$175,000 in each fiscal year for state reimbursement to school districts for adult high school continuing education programs or for costs associated with awarding adult high school diplomas.</p>                                     | <p>(2) Same as the Executive.</p> | <p>(2) Same as the Executive.</p>  | <p>(2) Same as the Executive.</p>  |
| <p>(3) No provision.</p>  | <p>(3) No provision.</p>          | <p>(3) Earmarks \$130,000 in each fiscal year to support English as a Second Language programs. States that earmarked funds are to be distributed as follows for each fiscal year: \$60,000 for the Jewish Community Federation of Cleveland; \$25,000 for Yassenoff Jewish Community Center of Columbus; \$30,000 for Jewish Family Services of Cincinnati; and, \$15,000 for Jewish Family Services of Dayton.</p> | <p>(3) Same as the Senate.</p>     |
| <p>Specifies that the remainder of the appropriation be used to continue to satisfy the state match and maintenance of effort requirements for the support and operation of the ODE-administered instructional grant program for adult basic and literacy</p> | <p>Same as the Executive.</p>     | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>      |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

education.

**372 (CD-607-EDU) Auxiliary Services**

Section: 206.09.24

Section: 206.09.24

Section: 206.09.24

Section: 206.09.24

Specifies that GRF appropriation item 200-511, Auxiliary Services, be used for providing services and materials to students enrolled in nonpublic schools. Earmarks up to \$2,000,000 in each fiscal year for payment for nonpublic students participating in the Post-Secondary Enrollment Options Program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**373 (CD-608-EDU) Postsecondary Adult Career-Technical Education**

Section: 206.09.24

Section: 206.09.24

Section: 206.09.24

Section: 206.09.24

Specifies that GRF appropriation item 200-514, Postsecondary Adult Career-Technical Education, be used to provide postsecondary adult career-technical education under R.C. 3313.52 and 3313.53.

Same as the Executive.

Same as the Executive, but also earmarks \$40,000 for statewide coordination of the Ohio Young Farmers.

Same as the Senate.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate    | As Amended by Conference Committee |
|---|---|----------------------------|------------------------------------|
| <b>374 (CD-609-EDU) Gifted Pupil Program</b>  |   |                            |                                    |
| Section: 206.09.27  | Section: 206.09.27  | Section: 206.09.27         | Section: 206.09.27                 |
| Specifies that GRF appropriation item 200-521, Gifted Pupil Program, be used for gifted education units not to exceed 1,110 in each fiscal year, and makes the following earmarks:                                | Same as the Executive, but makes the following changes to the earmarks of GRF appropriation item 200-521, Gifted Pupil Program: | Same as the House.         | Same as the House.                 |
| (1) Earmarks up to \$4,700,000 in each fiscal year to be used as an additional supplement for identifying gifted students.  | (1) Same as the Executive.  | (1) Same as the Executive. | (1) Same as the Executive.         |
| (2) Earmarks up to \$940,000 in each fiscal year for the Summer Honors Institute for gifted freshman and sophomore high school students.  | (2) Same as the Executive.  | (2) Same as the Executive. | (2) Same as the Executive.         |
| (3) Earmarks up to \$564,000 in each fiscal year for research and demonstration projects.   | (3) No provision.   | (3) No provision.          | (3) No provision.                  |
| (4) Earmarks up to \$65,800 in each fiscal year for the Ohio Summer School for the Gifted (Martin Essex Program).   | (4) Same as the Executive.  | (4) Same as the Executive. | (4) Same as the Executive.         |
| <b>375 (CD-610-EDU) Ohio Choice Scholarships</b>  |   |                            |                                    |
| Section: 206.09.27  |   |                            |                                    |
| Specifies that GRF appropriation item 200-530, Ohio Choice Scholarships, be used in fiscal year 2007 to fund Ohio choice scholarships. See the item entitled "Ohio Choice Scholarships Program" for more details. | No provision.   | No provision.              | No provision.                      |



| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|---|--|--|--|
| <b>376 (CD-611-EDU) Nonpublic Administrative Cost Reimbursement</b>   |  |  |  |
| Section: 206.09.27  | Section: 206.09.27   | Section: 206.09.27   | Section: 206.09.27   |
| Specifies that GRF appropriation item 200-532, Nonpublic Administrative Cost Reimbursement, be used by ODE to reimburse nonpublic schools for mandated service costs.   | Same as the Executive.   | Same as the Executive.   | Same as the Executive.   |
| <hr/> <b>377 (CD-612-EDU) Special Education Enhancements</b>  |  |  |  |
| Section: 206.09.30  | Section: 206.09.30   | Section: 206.09.30   | Section: 206.09.30   |
| <p>Makes the following earmarks to GRF appropriation item 200-540, Special Education Enhancements:</p> <p>(1) Earmarks up to \$46,857,775 in FY 2006 and up to \$47,326,353 in FY 2007 to fund special education and related services at county boards of mental retardation and developmental disabilities (MR/DD boards) and institutions.</p> <p>(2) Earmarks up to \$2,906,875 in each fiscal year for home instruction for children with disabilities.</p> <p>(3) Earmarks up to \$1,462,500 in each fiscal year for parent mentoring programs.</p> <p>(4) Earmarks up to \$2,783,396 in each fiscal year for school psychology interns.</p> | <p>Makes the following earmark changes to GRF appropriation item 200-540, Special Education Enhancements:</p> <p>(1) Reduces earmark to \$46,357,775 in FY 2006 and to \$46,826,353 in FY 2007.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Reduces earmark to \$2,408,396 in each fiscal year.</p> | <p>Makes the following earmark changes to GRF appropriation item 200-540, Special Education Enhancements:</p> <p>(1) Same as the House, but changes the earmark to the remainder of the appropriation.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> | <p>Makes the following earmark changes to GRF appropriation item 200-540, Special Education Enhancements:</p> <p>(1) Same as the Senate.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee  |
|---|--|--|---|
| (5) No provision.   | (5) Earmarks up to \$750,000 in each fiscal year for the Out of School Initiative of Sinclair Community College.                       | (5) Same as the House.   | (5) Same as the House.  |
| (6) No provision.   | (6) Earmarks up to \$500,000 in each fiscal year to fund the Research Based Reading Mentoring Programs for Students with Disabilities. | (6) No provision.  | (6) No provision.   |
| (7) No provision.   | (7) Earmarks up to \$315,000 in each fiscal year for the Collaborative Language and Literacy Instruction Project.                      | (7) No provision.  | (7) Same as the House.  |
| (8) No provision.   | (8) No provision.  | (8) Earmarks \$200,000 in each fiscal year for a preschool special education pilot project in the Bowling Green City School District.  | (8) Same as the Senate.   |
| (9) No provision.   | (9) No provision.  | (9) Earmarks \$100,000 in each fiscal year to support the Bellefaire Jewish Children's Bureau.   | (9) Same as the Senate, but increases the earmark to \$200,000 in each fiscal year. |
| (10) Earmarks up to \$79,194,060 in FY 2006 and up to \$79,986,001 in FY 2007 for preschool special education and preschool supervisory units at county MR/DD boards, educational service centers, and school districts. Requires recipients to document child progress using research-based indicators prescribed by ODE and to report results annually. | (10) Same as the Executive.  | (10) Same as the Executive, but requires that physical therapy and occupational therapy assistants that provide services funded through this earmark practice in accordance with the Revised Code and the Administrative Code. | (10) Same as the Senate.  |

**378 (CD-613-EDU) Career-Technical Education Enhancements**

**Section: 206.09.33**

Makes the following earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:

**Section: 206.09.33**

Makes the following earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:

**Section: 206.09.33**

Makes the following changes to earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:

**Section: 206.09.33**

Makes the following changes to earmarks to GRF appropriation item 200-545, Career-Technical Education Enhancements:

| As Introduced (Executive)  | As Passed by the House     | As Passed by the Senate  | As Amended by Conference Committee |
|--|----------------------------|--|------------------------------------|
| (1) Earmarks up to \$2,436,070 in each fiscal year to fund career-technical education units at institutions.   | (1) Same as the Executive. | (1) Same as the Executive, but specifies that the earmark is for grants instead of units. (See also the item entitled "Categorical Funding for Institutions"). | (1) Same as the Executive.         |
| (2) Earmarks up to \$2,621,507 in each fiscal year to fund competitive grants to tech prep consortia.  | (2) Same as the Executive. | (2) Same as the Executive.   | (2) Same as the Executive.         |
| (3) Earmarks \$943,873 in FY 2006 to provide funds to eligible school districts for the replacement or updating of equipment essential for the instruction of students in career-technical programs. These funds are allotted to districts at 30%, 40%, or 50% of cost based on a rating developed by ODE using the state share percentage of base cost funding. | (3) Same as the Executive. | (3) Same as the Executive.   | (3) Same as the Executive.         |
| (4) Earmarks up to \$3,431,000 in each fiscal year for High Schools that Work programs.  | (4) Same as the Executive. | (4) Reduces earmark to \$3,401,000 in each fiscal year.  | (4) Same as the Senate.            |
| (5) Earmarks up to \$466,992 in each fiscal year for the Ohio Career Information System.   | (5) Same as the Executive. | (5) Same as the Executive.   | (5) Same as the Executive.         |
| (6) Earmarks up to \$270,000 in each fiscal year for Agriculture 5th Quarter Project.  | (6) Same as the Executive. | (6) Increases earmark to \$300,000 in each fiscal year.  | (6) Same as the Senate.            |

**379 (CD-638-EDU) Foundation Funding**

Section: 206.09.36

Section: 206.09.36

Section: 206.09.36

Section: 206.09.36

Provides the following concerning GRF appropriation item 200-550, Foundation Funding:

Makes the following changes concerning GRF appropriation item 200-550, Foundation Funding:

Makes the following changes concerning GRF appropriation item 200-550, Foundation Funding:

Same as the Senate.

(1) Specifies that the appropriation include \$85,000,000 in each fiscal year for the state education aid offset due to the change in

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

| As Introduced (Executive)  | As Passed by the House     | As Passed by the Senate    | As Amended by Conference Committee |
|--|----------------------------|----------------------------|------------------------------------|
| public utility valuation as a result of Am. Sub. S.B. 3 and Am. Sub. S.B. 287, both of the 123rd G.A. Permits the Director of Budget and Management to increase or decrease the cash transfer from fund 053, appropriation item 200-900, School District Property Tax Replacement - Utility, upon certification by ODE of the actual state aid offset. |                            |                            |                                    |
| (2) Earmarks up to \$425,000 in each fiscal year to help defray the cost of educating children who are placed in a private institution, school, or residential treatment center by the order of an Ohio court.   | (2) Same as the Executive. | (2) Same as the Executive. | (2) Same as the Executive.         |
| (3) Requires that an amount be available in each fiscal year for the cost of the reappraisal guarantee.  | (3) Same as the Executive. | (3) Same as the Executive. | (3) Same as the Executive.         |
| (4) Requires that an amount be available in each fiscal year to fund up to 225 full-time equivalent approved GRADS teacher grants.   | (4) Same as the Executive. | (4) Same as the Executive. | (4) Same as the Executive.         |
| (5) Requires that an amount be available in each fiscal year to provide a subsidy to school districts with high proportions of exempted valuation.   | (5) Same as the Executive. | (5) Same as the Executive. | (5) Same as the Executive.         |
| (6) Requires that an amount be available in each fiscal year to make payments to school districts for the excess cost supplement.  | (6) Same as the Executive. | (6) Same as the Executive. | (6) Same as the Executive.         |
| (7) Requires that an amount be available in each fiscal year to make guarantee payments to school districts with 150 or fewer students.  | (7) Same as the Executive. | (7) Same as the Executive. | (7) Same as the Executive.         |
| (8) Earmarks up to \$30,000,000 in each fiscal year for payments to districts with large changes in valuation. Permits the Controlling Board to increase this amount if requested.   | (8) Same as the Executive. | (8) Same as the Executive. | (8) Same as the Executive.         |

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee |
|--|---|---|------------------------------------|
| (9) Earmarks up to \$18,000,000 in fiscal year 2006 and up to \$19,000,000 in fiscal year 2007 to provide additional state aid to school districts for the special education catastrophic cost supplement.   | (9) Same as the Executive.  | (9) Same as the Executive.  | (9) Same as the Executive.         |
| (10) Earmarks up to \$2,000,000 in each fiscal year for Youth Services tuition payments.   | (10) Same as the Executive.   | (10) Same as the Executive.   | (10) Same as the Executive.        |
| (11) Earmarks up to \$52,000,000 in each fiscal year to fund the state reimbursement of educational service centers.   | (11) Same as the Executive.   | (11) Same as the Executive.   | (11) Same as the Executive.        |
| (12) Requires that an amount be available in each fiscal year for special education weighted funding.  | (12) Same as the Executive.   | (12) Same as the Executive.   | (12) Same as the Executive.        |
| (13) Requires that an amount be available in each fiscal year to be used by ODE for transitional aid to school districts and joint vocational school districts.  | (13) Same as the Executive.   | (13) Same as the Executive.   | (13) Same as the Executive.        |
| (14) Earmarks up to \$1,000,000 in each fiscal year to be used by ODE to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to any of the facilities participating in the Private Treatment Facility Project.  | (14) Same as the Executive.   | (14) Same as the Executive.   | (14) Same as the Executive.        |
| (15) Earmarks up to \$3,700,000 in each fiscal year to be used for school breakfast programs. Of this amount, ODE is required to use \$900,000 in each fiscal year for the purpose of increasing participation in child nutrition programs. Specifies that the remainder of the earmark is to be used by ODE to partially reimburse school buildings required to have a school breakfast program by the state. | (15) Same as the Executive, but requires ODE to use the \$900,000 set aside in each fiscal year to contract with the Children's Hunger Alliance to expand access to child nutrition programs. | (15) Same as the House, but requires the Children's Hunger Alliance to use at least \$150,000 of the \$900,000 contract with ODE to subcontract with appropriate organizations to expand summer food participation in underserved areas of the state. | (15) Same as the Senate.           |

| As Introduced (Executive)   | As Passed by the House      | As Passed by the Senate  | As Amended by Conference Committee |
|---|-----------------------------|--|------------------------------------|
| (16) Earmarks up to \$7,300,000 in FY 2006 and up to \$8,600,000 in FY 2007 to be used by ODE to operate Cleveland Scholarship and Tutoring Program. Specifies that up to \$11,901,887 of the funds in each fiscal year distributed to the Cleveland Municipal School District under this section also be used to operate the program.  | (16) Same as the Executive. | (16) Same as the Executive, but increases the GRF earmark to up to \$8,800,000 in FY 2006 and decreases the amount of Cleveland's state aid to be used for the program to up to \$10,401,887 in FY 2006. | (16) Same as the Senate.           |
| (17) Specifies that the remainder of the appropriation be expended for the public schools of city, local, exempted village, and joint vocational school districts, including base cost funding, special education weight funding, career-technical education associated service funding, guarantee funding, teacher training and experience funding, poverty-based assistance, parity aid, charge-off supplement, and the excess cost supplement.   | (17) Same as the Executive. | (17) Same as the Executive.  | (17) Same as the Executive.        |
| (18) Specifies that GRF appropriation item 200-502, Pupil Transportation, 200-521, Gifted Pupil Program, 200-540, Special Education Enhancements, and 200-550, Foundation Funding, other than specific set-asides, are collectively used in each fiscal year to pay state formula aid obligations for school districts and joint vocational school districts. Provides that the ODE seek Controlling Board approval to transfer funds among these items in order to meet state formula aid obligations. | (18) Same as the Executive. | (18) Same as the Executive.  | (18) Same as the Executive.        |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| <b>380 (CD-793-EDU) Emergency Loan Interest Subsidy</b>   |                        |                         |                                    |
| Section: 206.09.42  | Section: 206.09.42     | Section: 206.09.42      | Section: 206.09.42                 |
| Specifies that GRF appropriation item 200-558, Emergency Loan Interest Subsidy, be used to pay districts the difference between the amount of interest the district is paying on an emergency loan and the amount of interest the district would have paid had the interest rate on the loan been 2%. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>381 (CD-649-EDU) Reading/Writing Improvement - Classroom Grants</b>  |                        |                         |                                    |
| Section: 206.09.45  | Section: 206.09.45     | Section: 206.09.45      | Section: 206.09.45                 |
| Specifies that GRF appropriation item 200-566, Reading/Writing Improvement-Classroom Grants, be disbursed by ODE to provide reading improvement grants to public schools in city, local, and exempted village school districts; community schools; and educational service centers.                   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House    | As Passed by the Senate   | As Amended by Conference Committee |
|--|---------------------------|---------------------------|------------------------------------|
| <b>382 (CD-650-EDU) Safe and Supportive Schools</b>  |                           |                           |                                    |
| Section: <i>206.09.45</i>  | Section: <i>206.09.45</i> | Section: <i>206.09.45</i> | Section: <i>206.09.45</i>          |
| Earmarks up to \$224,250 of GRF appropriation item 200-578, Safe and Supportive Schools, in each fiscal year to fund a safe school center to provide resources for parents and for school and law enforcement personnel.<br>Specifies that the remainder of the appropriation be distributed based on guidelines developed by ODE to enhance school safety.  | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |
| <b>383 (CD-651-EDU) Property Tax Allocation - Education</b>  |                           |                           |                                    |
| Section: <i>206.09.48</i>  | Section: <i>206.09.48</i> | Section: <i>206.09.48</i> | Section: <i>206.09.48</i>          |
| Prohibits the Superintendent of Public Instruction from requesting, and the Controlling Board from approving, the transfer of funds from GRF appropriation item 200-901, Property Tax Allocation - Education, to any other appropriation item. Specifies that GRF appropriation item 200-901, Property Tax Allocation - Education, be used to pay for the state's costs incurred because of the homestead exemption and the property tax rollback. | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |



| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee                             |
|---|--|--|--|
| <p><b>384 (CD-652-EDU) Tangible Tax Exemption</b></p> <p>Section: <i>206.09.48</i></p> <p>Specifies that GRF appropriation item 200-906, Tangible Tax Exemption - Education, be used to pay for the state's costs incurred because of the tangible personal property tax exemption pursuant to R.C. 5709.01 (C) (3).</p>                    | <p>Section: <i>206.09.48</i></p> <p>Same as the Executive.</p> | <p>Section: <i>206.09.48</i></p> <p>Same as the Executive.</p> | <p>Section: <i>206.09.48</i></p> <p>Same as the Executive.</p> |
| <p><b>385 (CD-653-EDU) Teacher Certification and Licensure</b></p> <p>Section: <i>206.09.51</i></p> <p>Specifies that appropriation item 200-681, Teacher Certification and Licensure (Fund 4L2) in the general services fund group, be used in each year of the biennium by ODE for the teacher certification and licensure functions.</p> | <p>Section: <i>206.09.51</i></p> <p>Same as the Executive.</p> | <p>Section: <i>206.09.51</i></p> <p>Same as the Executive.</p> | <p>Section: <i>206.09.51</i></p> <p>Same as the Executive.</p> |
| <p><b>386 (CD-654-EDU) School District Solvency Assistance</b></p> <p>Section: <i>206.09.51</i></p> <p>Specifies the following concerning appropriation item 200-687, School District Solvency Assistance, (Fund 5H3) in the general services fund group:</p>   | <p>Section: <i>206.09.51</i></p> <p>Same as the Executive.</p> | <p>Section: <i>206.09.51</i></p> <p>Same as the Executive.</p> | <p>Section: <i>206.09.51</i></p> <p>Same as the Executive.</p> |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

(1) Allocates \$9,000,000 in each fiscal year for the School District Shared Resource Account.

(2) Allocates \$9,000,000 in each fiscal year for the Catastrophic Expenditures Account.

Specifies that these funds be used to provide assistance and grants to school districts to enable them to remain solvent pursuant to R.C. 3316.20. Requires assistance and grants be subject to the approval of the Controlling Board. Requires that any required reimbursements from school districts be made to the appropriate account in the School District Solvency Assistance Fund (Fund 5H3).

**387 (CD-655-EDU) Reading First**

**Section: 206.09.51**

**Section: 206.09.51**

**Section: 206.09.51**

**Section: 206.09.51**

Specifies that appropriation item 200-632, Reading First (Fund 3Y4) in the federal special revenue fund group, be used by school districts to administer federal diagnostic tests as well as other functions permitted by federal statute. Not withstands section 3301.079 of the Revised Code. Specifies that federal diagnostic tests may be recognized as meeting the state diagnostic testing requirements.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|--|--|---|---|
| 388 (CD-656-EDU) Half-Mill Maintenance Equalization  |  |   |   |
| Section: 206.09.51   | Section: 206.09.51   | Section: 206.09.51  | Section: 206.09.51  |
| Specifies that appropriation item 200-626, Half-Mill Maintenance Equalization (Fund 5BJ) in the state special revenue fund group, be used in fiscal year 2007 to make payments pursuant to R.C. 3318.111. For a description of the half-mill maintenance equalization proposal see the item entitled "Half-Mill Maintenance Equalization" in the School Facilities Commission.   | Same as the Executive.   | Same as the Executive.  | Same as the Executive.  |
| 389 (CD-684-EDU) * <b>Partially Vetoed</b> * Head Start and Early Learning Initiative  |  |   |   |
| Sections: 206.09.54, 206.09.18, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38   | Sections: 206.09.54, 206.09.18, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38 | Sections: 206.09.54, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38   | Sections: 206.09.54, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38 |
| Eliminates state-funded Head Start and Head Start Plus programs and requires that GRF funds provided in FY 2004 and FY 2005 as start-up grants to Title IV-A Head Start and Title IV-A Head Start Plus agencies be reimbursed to the GRF when the programs cease to exist in FY 2006. If payment is not made 100 days after the effective date of the bill, the ODE must refer any amounts remaining due and payable to the Attorney General for collection. | Same as the Executive.   | Same as the Executive, but allows agencies to keep the start-up grants to the extent that they provide early learning services under the new early learning initiative program. Requires ODE and the agencies to determine the amount of the grants to be repaid and the repayment schedule. ODE must refer any amounts remaining due and payable after June 30, 2007 to the Attorney General for collection. | Same as the Senate.   |

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee |
|---|---|---|------------------------------------|
| No provision.   | No provision.   | Requires each entity operating as a federally-funded head start program to meet the criteria for, and be licensed as, a child day-care center.  | Same as the Senate.                |
| Establishes the Early Learning Initiative (ELI), paid for with TANF funds and jointly administered by ODE and the Department of Job and Family Services (ODJFS), to provide early learning programs and child care to TANF-eligible children.   | Same as the Executive, but specifies that in addition to being TANF-eligible, the children served must also come from families whose incomes do not exceed 185% of the federal poverty line. Once children begin receiving services they remain eligible until their families' incomes exceed 195% of the federal poverty line. | Same as the House, but also specifies that eligible children must be at least three years old but not of compulsory school age or enrolled in kindergarten. Also clarifies that the programs may offer full-day, part-day, or both services.  | Same as the Senate.                |
| Specifies that the contract between ODE, ODJFS, and the early learning agency shall include: (1) the duties of each party to the contract; (2) requirements for use of Title IV-A funds; (3) requirement that administrative costs not exceed 15% of the total costs; (4) reporting requirements; (5) reimbursement methodology; (6) audit requirements; (7) provisions for suspending, modifying, or terminating the contract. | Same as the Executive, but specifies that the contract include a requirement that a child enrolled in Head Start Plus in FY 2005 be given priority to enroll in this early learning program.  | Same as the House, but specifies that included in the reporting requirements is a requirement to inform ODE when the provider learns that a kindergarten-eligible child will not be enrolled in kindergarten.   | Same as the Senate.                |
| Requires that ODJFS, jointly with ODE, adopt rules to implement ELI. Specifies that these rules include provisions regarding the establishment of co-payments for families and a definition of "weekly attendance rate" for the purposes of reimbursing early learning agencies.  | Same as the Executive, but requires that the rules be adopted by ODJFS in consultation with ODE and exempts from co-payment requirements families whose income is equal to or less than 165% of the federal poverty line.   | Same as the House, but specifies that the rules also include provisions establishing<br>[***VETOED: the following ***]<br>reimbursement rates:<br>[***VETOED: (1) For a child who attends 25 hours or more a week, the weekly reimbursement rate must be at least \$200.73;<br>(2) For a child who attends 15 hours or more but less than 25 hours a week, the weekly reimbursement rate must be at least | Same as the Senate.                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Requires that county departments of job and family services determine eligibility for Title IV-A services and establish co-payment requirements. Also, requires that ODJFS shall ensure that all reimbursements are for Title IV-A services provided to eligible children.

No provision.

No provision.

Same as the Executive.

Requires ODJFS, in consultation with ODE, to establish a caretaker employment eligibility requirement for participation in the Early Learning Initiative.

No provision.

\$160.58;

(3) For a child who attends less than 15 hours a week, the hourly reimbursement rate must be at least \$8.03. \*\*\*]

Same as the Executive, but requires that early learning agencies determine eligibility for Title IV-A services and that ODJFS reimburse agencies for up to 25 days per year an eligible child is absent from the program.

Same as the House, but permits a child to remain eligible for 30 days if the county department of job and family services determines that the caretaker is expected to begin engaging in an approved activity within that 30-day period. These approved activities are to be designated by ODJFS by rule.

Makes the following requirements for participating early learning programs: (a) teacher qualification requirements prescribed by law must be met, including a requirement that teachers attend a minimum of twenty hours per year of professional development regarding implementation of content standards and assessments unless they are working toward an associate's or bachelor's degree, (b) curriculum must be aligned to the early learning program guidelines for school readiness, (c) assessment requirements prescribed by law must be met, (d) child progress in meeting the early learning program guidelines for school readiness must be documented and reported, (e) early learning program

Same as the Senate, but requires the county departments of job and family services to determine eligibility for Title IV-A services and requires the determination be made within 15 days after receipt of a completed application.

Same as the Senate.

Same as the Senate, but modifies (b) by requiring the curriculum be aligned with the early learning content standards instead of the early learning guidelines for school readiness, and makes (d) more general by removing reference to "in meeting the early learning program guidelines for school readiness."

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

guidelines for school success must be met and compliance reported.  
 Authorizes individuals whose eligible child participates in an early learning program to obtain certificates for payment for child care for periods in which the child is not in an early learning program. Authorizes an individual who is required to meet certain employment and training requirements for the certificate of payment to meet the requirements while the child is participating in an early learning program.

Same as the Senate, but removes the specification that the certificates be used when the child is not in an early learning program and the express authorization concerning meeting the employment and training requirements while the child is participating in an early learning program.

Permits the Director of OBM to transfer appropriation from appropriation item 200-663, Early Learning Initiative, in ODE's budget to appropriation item 600-689, TANF Block Grant, in ODJFS's budget to support ELI. This provision also specifies that this transfer of appropriation is not to take place until at least 15 days after ODE has determined the number of children to be served by each approved agency. Specifies that ODJFS is to provide up to 10,000 slots in FY 2006 and up to 12,000 slots in FY 2007 of services in ELI.

Same as the Executive, but specifies that each county in the state be allocated at least 17 slots in each fiscal year.

Same as the House, but requires that ODE and ODJFS extend the deadline for submission of applications to be an early learning agency if no agencies have been approved for a given county by the effective date of the bill.

Same as the Senate.

Transfers up to \$2.2 million in FY 2006 and FY 2007 from Fund 3V6, Temporary Assistance for Needy Families in the federal special revenue fund group, to Fund 5W2, Early Learning Initiative, in the state special revenue fund group and earmarks \$2.2 million of appropriation item 200-663, Early Learning Initiative, (Fund 5W2) , in each fiscal year for ODE to use for administrative functions related to ELI.

Same as the Executive, but clarifies that this administrative funding is for ODE.

Same as the House.

Same as the House.

## As Introduced (Executive)

Specifies that, beginning in FY 2006, a preschool, school child (latchkey), or early learning program is prohibited from receiving state funds unless at least 50% of the program's teachers are working toward an associate degree and, beginning in FY 2008, is prohibited from receiving state funds unless 100% of the program's teachers have attained an approved associate degree.

Fiscal effect: The executive proposal recommends funding of up to \$94,380,000 in FY 2006 and \$113,256,000 in FY 2007 from appropriation item 600-689, TANF Block Grant (Fund 3V6), in the federal special revenue fund group under ODJFS, for the enrollment of up to 10,000 eligible children in FY 2006 and up to 12,000 eligible children in FY 2007 in the Early Learning Initiative. The funds are to be used for the reimbursement of early learning agencies. The proposal also allows for any excess funds to be used to provide publicly funded child care. (See the item entitled "Head Start and Early Learning Initiative" in ODJFS).

## As Passed by the House

Same as the Executive.

Fiscal effect: Same as the Executive.

## As Passed by the Senate

Same as the Executive, but includes early childhood education programs in and eliminates school child (latchkey) programs from the prohibition. Also, prohibits these programs from receiving state funds after July 1, 2010 unless 50% of the teachers employed by the programs have attained a bachelor's degree.

Fiscal effect: Same as the Executive, but dedicates an additional \$10.0 million in FY 2006 and \$12.0 million in FY 2007 in TANF dollars to fund the program.

## As Amended by Conference Committee

Same as the Senate.

Fiscal effect: Same as the Senate.

| As Introduced (Executive)  | As Passed by the House    | As Passed by the Senate   | As Amended by Conference Committee |
|--|---------------------------|---------------------------|------------------------------------|
| <b>390 (CD-657-EDU) Auxiliary Services Reimbursement</b>   |                           |                           |                                    |
| Section: <i>206.09.54</i>  | Section: <i>206.09.55</i> | Section: <i>206.09.55</i> | Section: <i>206.09.55</i>          |
| Requires that the Treasurer of State transfer, if the unobligated cash balance is sufficient, \$1,500,000 in each fiscal year from the Auxiliary Services Personnel Unemployment Compensation Fund to ODE's Auxiliary Services Reimbursement Fund (Fund 598) in the state special revenue fund group.  | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |
| <b>391 (CD-658-EDU) Lottery Profits Education Fund</b>   |                           |                           |                                    |
| Section: <i>206.09.57</i>  | Section: <i>206.09.57</i> | Section: <i>206.09.57</i> | Section: <i>206.09.57</i>          |
| Specifies that appropriation item 200-612, Base Cost Funding (Fund 017) in the lottery profits education fund group, be used in conjunction with GRF appropriation item 200-550, Foundation Funding, to provide payments to school districts pursuant to R.C. 3317. Requires that ODE, with the approval of the Director of Budget and Management, determine and adjust, if necessary, the monthly distribution schedules of GRF appropriation item 200-550, Foundation Funding, and appropriation item 200-612, Base Cost Funding (Fund 017).<br>Requires that the Director of Budget and Management transfer via intrastate transfer voucher the amount appropriated under the | Same as the Executive.    | Same as the Executive.    | Same as the Executive.             |



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Lottery Profits Education Fund (Fund 017) for appropriation item 200-682, Lease Rental Payment Reimbursement, to the General Revenue Fund. Specifies that these funds be used to support GRF appropriation item 230-428, Lease Rental Payments, of the School Facilities Commission.

**392 (CD-659-EDU) Lottery Profits Education Reserve Fund**

**Section: 206.09.60**

**Section: 206.09.60**

**Section: 206.09.60**

**Section: 206.09.60**

Creates the Lottery Profits Education Reserve Fund (Fund 018) in the State Treasury. Stipulates that at no time shall the amount to the credit of the fund exceed \$75,000,000 and that investment earnings of the fund be credited to the fund. Appropriates in FY 2006 and FY 2007 to ODE an amount necessary to make adjustments to school districts with certain amounts of uncollected local taxes. These adjustments are to be paid back to ODE if the taxes are eventually collected. Requires that the Director of Budget and Management, on or before the July 15 following the respective fiscal year, determine the amount by which the lottery profit transfers received by the Lottery Profits Education Fund for FY 2005 and FY 2006 exceed \$637,900,000.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee |
|---|--|---|------------------------------------|
| <b>393 (CD-660-EDU) School District Property Tax Replacement - Business</b>   |  |   |                                    |
| Section: 206.09.63  | Sections: 206.09.63, 206.09.61   | Sections: 206.09.63, 206.09.61  | Sections: 206.09.63, 206.09.61     |
| Specifies that appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047), be used by ODE, in consultation with the Department of Taxation, to make direct reimbursements to school districts and joint vocational school districts for losses they incur due to the elimination of the tax on machinery and equipment and the acceleration of the phase-out of the tax on inventories. Also see the item entitled "Phase-out of Tax on Some Tangible Personal Property." | Same as the Executive, but also requires the Director of Budget and Management to transfer \$10,010,000 in FY 2006 and \$70,210,000 in FY 2007 from the GRF to Fund 047, to reimburse school districts for the phase-out of the tax on furniture and fixtures that is added in the House budget. | Same as the House, but changes the line item number for GRF appropriation item 200-900, School District Property Tax Replacement-Business, (Fund 047) to 200-909. | Same as the Senate.                |
| <b>394 (CD-661-EDU) School District Property Tax Replacement - Utility</b>  |  |   |                                    |
| Section: 206.09.63  | Section: 206.09.63   | Section: 206.09.63  | Section: 206.09.63                 |
| Specifies that appropriation item 200-900, School District Property Tax Replacement - Utility (Fund 053), be used by ODE, in consultation with the Department of Taxation, to make direct reimbursements to school districts and joint vocational school districts of losses they incurred due to the reduction in assessment rates on utility property made in Am. Sub. S.B. 3 and Am. Sub. S.B. 287 of the 123rd General Assembly.  | Same as the Executive.   | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 395 (CD-662-EDU) Distribution Formulas   |                        |                         |                                    |
| Section: 206.09.66   | Section: 206.09.66     | Section: 206.09.66      | Section: 206.09.66                 |
| Requires that ODE report to the Director of Budget and Management, the Legislative Office of Education Oversight, and the Legislative Service Commission the following changes: (a) Changes in formulas for distributing state appropriations; (b) discretionary changes in formulas for distributing federal appropriations; and (c) federally mandated changes in formulas for distributing federal appropriations. Requires these changes be reported two weeks prior to their effective dates. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 396 (CD-663-EDU) Educational Service Centers Funding

Section: 206.09.69

Section: 206.09.69

Section: 206.09.69

Section: 206.09.69

Provides that no funds shall be provided to an educational service center (ESC) in either fiscal year for pupils of a city or exempted village school district unless an agreement was entered into by January 1, 1997 or within one year of the date upon which a district changed from a local to a city district. Provides that if insufficient funds are appropriated in FYs 2006 or 2007 for the ESC payments specified in R.C. 3317.11 (B), ESCs first receive \$37 or \$40.52 per pupil in its service center ADM (the ADM of all local school districts within its service area). The remaining funds are first to be distributed proportionally based on each ESC's client ADM (the ADM of all other school districts with agreements to receive services from the ESC) and then to be distributed based on the number of students in community schools (excluding e-schools) sponsored by ESCs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 397 (CD-664-EDU) Waiver of Required Pupil Teacher Ratio

Section: 206.09.72

Section: 206.09.72

Section: 206.09.72

Section: 206.09.72

Permits the Superintendent of Public Instruction to waive the pupil teacher ratio in K-4 required in rule 3301-35-05 of the Administrative Code (currently no more than 25:1) if the following apply: (a) the board of education of the district requests the waiver; (b) ODE determines that meeting the required ratio would impose an extreme hardship on the district; and (c) The board of education provides assurances that it will act in good faith to meet the required ratio as soon as possible.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 398 (CD-665-EDU) Private Treatment Facility Project

Section: 206.09.75

Section: 206.09.75

Section: 206.09.75

Section: 206.09.75

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment facility are enrolled in an approved educational program in or near the facility. Requires that the school district responsible for tuition for a residential child pay the tuition to the provider of the educational program. Prohibits a district from including the youth in the district's average daily membership (ADM). Requires that ODE reimburse the educational program providers. Requires that ODE track the utilization of funds and monitor the program for educational accountability. Fiscal effect: In addition to the tuition payment, the executive budget earmarks \$1.0 million in each fiscal year for the Private Treatment Facility Project.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 399 (CD-666-EDU) School District Participation in National Assessment of Educational Progress

Section: 206.09.78

Section: 206.09.78

Section: 206.09.78

Section: 206.09.78

Expresses the General Assembly's intention that Ohio school districts participate in the administration of the National Assessment of Education Progress (NAEP). Each school and school district selected is required to participate.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

400 (CD-667-EDU) Department of Education Appropriation Transfers for Student Assessment

Section: 206.09.81

Section: 206.09.81

Section: 206.09.81

Section: 206.09.81

Authorizes the Director of Budget and Management to transfer unspent and unencumbered funds within ODE, as necessary, to GRF appropriation item 200-437, Student Assessment, to fully fund the student assessment requirements of Am. Sub. H.B. 3 of the 125th G.A.

Same as the Executive.

Same as the Executive.

Same as the Executive, but includes the student assessment requirements of this act (H.B. 66) and permits the Superintendent to request the Controlling Board to transfer up to \$5 million cash from the Lottery Profits Education Reserve Fund (Fund 018) in FY 2007 for GRF appropriation item 200-437, Student Assessment, if the unspent and unencumbered funds are not sufficient.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee |
|---|---|---------------------------|------------------------------------|
| 401 (CD-670-EDU) Pilot Project Special Education Scholarship Program  |   |                           |                                    |
| Section: 206.09.84  | Section: 206.09.84  | Section: 206.09.84        | Section: 206.09.84                 |
| <p>Continues to authorize the Pilot Project Special Education Scholarship Program, which allows the parent of a child identified as autistic to apply for and receive a \$15,000 scholarship to pay all or part of the cost of a special education program provided by another school district, another public entity, or a nonpublic entity. Requires ODE to deduct the amount of a scholarship under the pilot project program from the account of the school district in which the child is entitled to attend school.</p> <p>Fiscal effect: In addition to the base cost, an autistic child receives a weight of 4.7342. The weight is funded at 90% in FY 2006 and FY 2007. The combination of state and local moneys generated by an autistic child totals approximately \$28,029 in FY 2006 and \$28,876 in FY 2007.</p> | <p>Same as the Executive, but increases the scholarship amount to \$20,000.</p> <p>Fiscal effect: Same as the Executive, but more school district state aid may be deducted for scholarship students.</p> | <p>Same as the House.</p> | <p>Same as the House.</p>          |



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 402 (CD-672-EDU) Required Eye Exam for Disabled Students

Section: 206.09.87

Section: 206.09.87

Sections: 206.09.87, R.C. 3323.19

Sections: 206.09.87, R.C. 3323.19

Requires each student identified with disabilities for the first time in the 2005-2006 and 2006-2007 school years to undergo a comprehensive eye examination within three months after beginning to receive special education services. Exempts from this requirement students who have undergone such an examination within nine months prior to being identified with disabilities. Specifies that a student who has not undergone the required eye examination may not be prohibited from receiving services prescribed in the student's individualized education program (IEP). Specifies that neither the state nor a school district will be responsible for paying the costs of the required eye examination except in cases where the student is entitled to a comprehensive eye examination in the identification of the student's disabilities, in the development of the student's IEP, or as a related service under the student's IEP.

Same as the Executive.

Same as the Executive, but codifies this provision and makes it permanent.

Same as the Senate.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|---|------------------------|--|------------------------------------|
| <b>403 (CD-673-EDU) Intervention Funding</b>  |                        |  |                                    |
| Section: 206.09.90  | Section: 206.09.90     | Section: 206.09.90   | Section: 206.09.90                 |
| Requires school districts to report intervention costs by type of intervention provided, including both state and local funds used for intervention, no later than December 31, 2006 in a manner defined by ODE. Specifies that ODE will use the report from school districts that do not meet adequate progress standards to make recommendations on how state and local funding for intervention should be deployed in a more effective manner. | Same as the Executive. | Same as the Executive, but requires districts to include only the deployment of state intervention funding, changes the date of the report to September 30, 2006, and requires ODE to make recommendations only on how state funding for intervention should be deployed in a more effective manner. | Same as the Senate.                |
| <b>404 (CD-674-EDU) Earmark Accountability</b>  |                        |  |                                    |
| Section: 206.09.93  | Section: 206.09.93     | Section: 206.09.93   | Section: 206.09.93                 |
| Authorizes the Superintendent of Public Instruction to request accountability reports from any entity that receives a budget earmark in H.B. 66 of the 126th General Assembly and requires their submission before the subsidy is paid in each fiscal year.   | Same as the Executive. | Same as the Executive.   | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 405 (CD-509-EDU) School Funding Advisory Council

Sections: 206.09.96, R.C. 3317.012

Sections: 206.09.96, R.C. 3317.012

Establishes the School Funding Advisory Council to examine research for further defining a building-blocks methodology for school funding and to make recommendations by September 30, 2006.  
Fiscal effect: The bill specifies that members are to serve without compensation.

Same as the Executive.

No provision.

No provision.

## 406 (CD-1004-EDU) School District Consolidation Legislative Committee

Section: 206.10.06

Section: 206.10.05

No provision.

Establishes a legislative committee, composed of six members including two majority party members and one minority party member from each house, to study the feasibility and economic impact of school district consolidation. The committee must recommend legislation to accomplish the consolidation if it determines that school district consolidation is feasible. The committee must report its findings to the General Assembly one year after the bill's effective date. After its report, the committee will be dissolved.  
Fiscal effect: Minimal.

No provision.

Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

407 (CD-969-EDU) School Physical Fitness and Wellness Advisory Council

Section: 206.10.12

Section: 206.10.12

Section: 206.10.12

No provision.

Establishes the School Physical Fitness and Wellness Advisory Council to develop, by December 31, 2005, best practices guidelines and evaluation strategies for school districts regarding nutrition education, physical activity for students, and student wellness. Included on the council are members appointed by the Ohio Association for Health, Physical Education, Recreation and Dance, the Ohio School Food Service Association, the Ohio Dietetic Association, the Ohio State Medical Association, the Ohio Chamber of Commerce, the Ohio Parent Teacher Association, the Ohio Soft Drink Association, the Department of Education, and the Ohio Parks and Recreation Association.

Fiscal effect: Minimal.

Same as the House, but adds to the council membership the Director of Health and one representative from the Ohio Children's Hunger Alliance.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

408 (CD-1062-EDU) \* **Partially Vetoed** \* Earmark of Federal Grant Funds

Section: 206.10.15

Section: 206.10.15

No provision.

Earmarks up to \$1.5 million  
[ \*\*\* VETOED - in each fiscal year \*\*\* ]

No provision.

Same as the House, but prohibits these funds being spent outside of Ohio.

in federal grant funds from the State Grants For Improving Teacher Quality Program to the Columbiana County Educational Service Center for the Ohio Wyami Appalachian Teacher Cohorts Program.

409 (CD-1208-EDU) Disposal of School District Real Property

Section: 206.10.21

Section: 206.10.21

No provision.

No provision.

Permits a school district, until December 31, 2005, to dispose of real property by private sale in support of economic development, in lieu of offering the property for sale at public auction, or to a community school, or to another government entity, as otherwise required under current law, if certain conditions are satisfied.  
Fiscal effect: Temporarily gives districts more flexibility in the disposal of real property.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

410 (CD-1200-EDU) Refund of Motor Fuel Tax

Section: 553.02.01

Section: 553.02.01

No provision.

No provision.

Gives school districts and educational service centers (ESCs) that failed to file an application for a refund of that portion of the motor fuel tax that became effective on July 1, 2003, 60 days after the effective date of the bill to file the application.

Fiscal effect: Districts and ESCs that take advantage of the additional time will receive additional funds from the state. (See also item entitled "Refund of Motor Fuel Tax" in Tax Provisions)

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 411 (CD-918-EDU) School Employee Life and Health Benefits

Sections: 203.12, 203.12.11, R.C. 9.901, 9.833, 9.90, 3311.19, 3313.12, 3313.202, 3313.33, 3314.03, 4117.03, 4117.08

Section: 206.10.07

Sections: 611.03, R.C.9.833, 9.90, 9.901, 3311.19, 3313.12, 3313.202, 3313.33, 4117.03, 4117.08

No provision.

Creates the School Employees Health Care Board to design life and medical plans for public school employees, with administrative support provided by the Department of Administrative Services (DAS). Requires that all life and health care benefits provided to employees of school districts, joint vocational school districts, community schools, and educational service centers be provided by plans designed by the School Employees Health Care Board. Permits districts participating in a health care consortium including at least one other district or one other political subdivision and representing at least 5,000 employees as of January 1, 2005 to request permission, on an annual basis, from the Board to continue offering the plans of the consortium. Permits school employees to bargain collectively for life and health benefits as long as plans are chosen from those designed by the Board. Also, allows employees, during bargaining, to agree to pay a higher percentage of the plans' premiums than that designated by the Board, but not a lower percentage. Creates the School Employees Health Care Fund in the state treasury to receive premiums and pay out benefits for plans designed by the Board.

Replaces the House provisions with a requirement that DAS contract with a third party to investigate the most cost effective method for funding school districts' health benefits and creation of the Health Care Task Force to use the data gathered by the third party to make recommendations regarding changes to the existing school employee health benefit purchasing system.

Replaces the Senate provision with a provision that proposes to require public school districts to use medical plans designed by the newly-created School Employees Health Care Board. The Board, a private consultant the amendment requires the Board to hire, and a newly-proposed advisory committee to the Board, are to do various studies and submit reports on the Board and the proposed medical plans to the Governor and the General Assembly. The consultant must make recommendations to the Board for the Board's successful development and implementation of a program of medical plans for the state's public school employees. The Advisory Committee must make recommendations to the Board relating to the Board's accomplishment of the duties assigned to the Board. Removes the Senate provision requiring DAS to conduct a study of the funding of health care plans for school district employees' health benefits. Delays (until such time and unless the General Assembly subsequently confirms the delayed provisions and orders their implementation by a future enactment of law) implementation of the following provisions that would (1) require public school districts to obtain employee and

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

school board member health insurance benefits from plans designed and obtained by the school employees health care board through a process of competitive bidding for medical plans, (2) require premium payments by a school district to a board plan, (3) require written reports to the Governor and the General Assembly starting in year 2009, (4) make special provision for dealing with school districts that utilize consortiums to furnish employee health care benefits, and (5) confer a duty on the new Board that involved the actual administration of a centralized health care plan system.

Fiscal effect: Potentially costs to school districts for health and life benefits could decrease significantly statewide. Some districts, however, may experience increases in costs. The bill appropriates \$750,000 in FY 2006 and \$250,000 in FY 2007 in the DAS budget in order to meet the initial administrative costs of the Board. These funds are to be reimbursed to the GRF when the balance in the School Employees Health Care Fund is sufficient.

Fiscal effect: Appropriates \$750,000 in fiscal year 2006 in the DAS budget for the third party contract.

Fiscal effect: The bill appropriates \$1,200,000 in FY 2006 and \$1,500,000 in FY 2007 in the DAS budget to provide administrative support to the School Employees Health Care Board and the public school health insurance program. The amendment imposes a requirement but (as with those other provisions mentioned above) delays the requirement that when a sufficient reserve of public school employee health benefit premiums have been deposited into the School Employees Health Care Fund (Fund 815) within the agency fund group, the amendment would require that \$2,700,000 be repaid to the GRF.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

412 (CD-1387-FUN) Funeral Director Apprenticeships

R.C. 4717.05

R.C. 4717.05

No provision.

No provision.

Requires a person who desires to be licensed as a funeral director to satisfactorily complete, instead of "serve," as under existing law, a one-year apprenticeship under a licensed funeral director and, as an alternative to completing mortuary science college training, to satisfactorily complete, instead of serve, as under existing law, a two-year apprenticeship under a licensed funeral director, in addition to other requirements.

Same as the Senate.

Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 413 (CD-426-FUN) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Board of Embalmers and Funeral Directors, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

414 (CD-286-ERB) SERB Training, Publications, and Grants Fund

R.C. 4117.24

R.C. 4117.24

R.C. 4117.24

R.C. 4117.24

Renames the State Employment Relations Board's (SERB) "Training and Publications Fund" the "Training, Publications, and Grants Fund" and allows SERB to seek, solicit, apply for, accept, and receive grants, gifts, and contributions and enter into contracts for those grants.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential increase in revenue in the Training and Publications Fund (Fund 572) within the general services fund group. If SERB receives any of these funds, it plans to expand its employee training opportunities.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

415 (CD-425-ENG) Consolidation of Regulatory Boards

Section: 315.03

Sections: 315.03, 206.24

Sections: 315.03, 206.24

Sections: 315.03, 206.24

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Board of Registration for Professional Engineers and Surveyors, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Removes the State Board of Registration for Professional Engineers and Surveyors from the proposal to consolidate certain regulatory boards into the departments of Commerce, Health, and Public Safety.

Fiscal effect: Establishes appropriations for FY 2007 at FY 2006 recommended levels. It may be that costs for central services may increase as there would be fewer boards benefiting from cost-pooling for human resources, accounting, and IT support services managed by DAS-Central Services Agency.

Same as the House.

Same as the House.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

| As Introduced (Executive)                   | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee  |
|---|------------------------|--|---|
| 416 (CD-1268-EPA) Contaminated Site Cleanup |                        | R.C. 123.01, 3734.20, 3734.21, 3734.22, 3734.23, 3734.57, 3734.573   | R.C. 123.01, 3734.20, 3734.21, 3734.22, 3734.23, 3734.57, 3734.573  |
| No provision.                               | No provision.          | Allows the Ohio Environmental Protection Agency (Ohio EPA) to enter into contracts independent of the Department of Administrative Services for certain clean-up activities if there is a threat to public health or safety or the environment.                    | Same as the Senate, except specifies that construction contracts for clean-up activities that may be entered into by the Director of Environmental Protection independently of the Department of Administrative Services cannot be for projects that require the issuance of a building permit or a certificate of occupancy. |
| No provision.                               | No provision.          | Authorizes money in the existing Environmental Protection Remediation Fund to be used for certain clean-up activities.   | Same as the Senate.   |
| No provision.                               | No provision.          | Clarifies that existing contractual bidding requirements apply to hazardous waste clean-up activities conducted by Ohio EPA regardless of whether property has been acquired by Ohio EPA.  | Same as the Senate.   |
| No provision.                               | No provision.          | Makes it optional that clean-up agreements with landowners contain provisions for the reimbursement of the state for the costs of the cleanup and that unreimbursed portions of the cost of a cleanup be recorded at the office of the applicable county recorder. | Same as the Senate.   |
| No provision.                               | No provision.          | Fiscal effect: Potential increase in expenditures from the Environmental Protection Remediation Fund and potential decrease in expenditures from the Hazardous Waste Cleanup Fund.   | Fiscal effect: Same as the Senate.  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

417 (CD-1269-EPA) Clean Diesel School Bus Fund

R.C. 3704.144, Section 206.27

R.C. 3704.144, Section 206.27

No provision.

No provision.

Creates the Clean Diesel School Bus Fund (Fund 5CD) consisting of money from gifts, grants, and contributions for the purpose of adding pollution control equipment to diesel school buses, including contributions made pursuant to the settlement of an administrative or civil action brought at the request of Ohio EPA; requires Ohio EPA to use money in the Fund to make grants to Ohio school districts for the purpose of adding pollution control equipment to diesel buses and to pay Ohio EPA's related administrative costs; requires Ohio EPA to give priority to school districts meeting certain criteria; allows Ohio EPA to make grants to school districts to maintain pollution control equipment on school buses and to offset the additional costs of using ultra-low sulfur diesel fuel; and appropriates \$650,000 in fiscal year 2006 and \$850,000 in fiscal year 2007 from appropriation item 715-682, Clean Diesel School Buses.

Same as the Senate.

Fiscal effect: Allows Ohio EPA to make grants to school districts; the number and size of grants would depend on the income derived from the sources listed above, as well as program administration costs.

| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|
|---------------------------|------------------------|-------------------------|------------------------------------|

418 (CD-924-EPA) Construction and Demolition Debris Disposal Fees

R.C. 3714.07

R.C. 3714.07, 1502.02, 3714.073

R.C. 3714.07, 1502.02, 3714.073, Section 513.03

No provision.

Specifies that the fee levied on the disposal of construction and demolition debris (C&DD) at a solid waste facility under the Construction and Demolition Debris Law does not apply if there is no licensed C&DD facility within 35 miles of the solid waste facility as determined by a facility's property boundaries rather than within 40 miles as in current law.

Fiscal effect: None.

(New C&DD disposal fee: See item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect of the new \$0.25 per-ton fee on the disposal of C&DD.)

Same as the House, but also exempts from C&DD fees at a C&DD facility source separated materials exclusively composed of reinforced or nonreinforced concrete, asphalt, clay tile, building or paving brick, or building or paving stone when these materials are used as a fire prevention measure at a C&DD facility or as fill material for construction purposes at a C&DD facility or to bring the facility up to grade.

Fiscal effect: Minimal.

(New C&DD disposal fees: See item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect of the \$0.25 per-ton fee on the disposal of C&DD to be used to fund the Soil and Water Conservation District Assistance Fund and the \$0.75 per-ton fee to be used to fund the Recycling and Litter Prevention Fund.)

Same as the Senate.

No provision.

No provision.

Specifies that the new C&DD fees imposed for the purposes of funding the Department of Natural Resources' Soil and Water Conservation District Assistance Fund and Recycling and Litter Prevention Fund do not apply to the disposal of C&DD at a solid waste facility if the owner or operator of that facility chooses to collect fees on the C&DD

Same as the Senate, but also exempts from C&DD fees at a C&DD facility source separated materials exclusively composed of reinforced or nonreinforced concrete, asphalt, clay tile, building or paving brick, or building or paving stone when these materials are used as a fire prevention measure at a C&DD facility or as fill material

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

that are identical to the fees that are collected on the disposal of solid wastes at that facility.

Fiscal effect: This limit on applicability is identical to the applicability limit placed on existing C&DD disposal fees; minimal fiscal impact.

No provision.

for construction purposes at a C&DD facility or to bring the facility up to grade.

Fiscal effect: These limits on applicability are identical to the applicability limit placed on existing C&DD disposal fees; minimal fiscal impact.

Establishes a six-month moratorium on the licensing of new C&DD facilities, but authorizes boards of county commissioners to request that pending applications for licenses be processed; specifies that the moratorium does not apply to new facilities that are contiguous or adjacent to existing facilities or to expansions of or modifications to existing facilities; creates the Construction and Demolition Debris Facility Study Committee to study certain topics related to C&DD facilities and make recommendations to the General Assembly by September 30, 2005 for changes regarding the laws governing those facilities; and requires the General Assembly to enact legislation based on the Committee's recommendations as soon as is practicable.

Fiscal effect: The moratorium is on new C&DD facilities only and lasts from July 1, 2005 to December 31, 2005. This would result in minimal loss of fee revenue along with a concurrent reduction in oversight costs associated with new facilities. The newly created Commission members will not receive compensation for their service on the Committee and shall not receive reimbursement for expenses incurred



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

related to that service; therefore, minimal to no fiscal impact associated with this provision.

---

**419 (CD-435-EPA) Infectious Waste Management**

R.C. 3734.021, 3734.01, 3734.02,  
3734.022, 3734.05

Eliminates certain state requirements governing generators and transporters pertaining to shipping and packaging of infectious waste that must be included in rules adopted by the Director of EPA, and instead requires the Director to adopt rules that include standards established by the United States Department of Transportation under federal law; amends the definition of "infectious waste" by adding certain items to the list of "sharps"; and amends the definition of "infectious agent" by adding proteinaceous particles, prions, plasmids, and other genetic elements to the definition.

No Provision.

No provision.

No provision.

Fiscal effect: None.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

420 (CD-431-EPA) Repayment of Costs to the Hazardous Waste Cleanup Fund

R.C. 3734.28, 3745.12

R.C. 3734.28, 3745.12

R.C. 3734.28, 3745.12

R.C. 3734.28, 3745.12

Specifies that money from the Hazardous Waste Cleanup Fund (Fund 505) within the state special revenue fund group used to pay the costs of clean-up activities and subsequently recovered in a civil action must be repaid to that fund instead of to the Immediate Removal Fund (Fund 500) within the state special revenue fund group as required in current law.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential increased revenue in the Hazardous Waste Cleanup Fund and reduced revenue in the Immediate Removal Fund.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

421 (CD-501-EPA) \* **Partially Vetoed** \* Solid Waste Management

R.C. 3734.57, 3745.015

R.C. 3734.57, 3734.01, 3745.015

R.C. 3734.57, 3734.01, 3745.015,  
3734.573

R.C. 3734.57, 3734.01, 3745.015,  
3734.573

Extends from June 30, 2006, to June 30, 2008, the expiration date of the fee on the disposal of solid waste that is deposited into the Solid Waste Fund (Fund 4K3); allows the Ohio EPA to use the fund to provide compliance assistance to small businesses; continues the monthly reporting requirement for owners and operators of solid waste facilities, but also specifies that the monthly return indicate the total tonnage of solid waste received for disposal during that month and the total amount of fees required to be collected during that month; specifies how fees are to be calculated; establishes a discount for the timely submission of a return of fees; and specifies that the late submission of the return and fees results in a loss of the .75% payment discount and a charge of 10%, rather than 50%, of the amount of the fees for each month the fees are late.

No provision.

Same as the Executive, but also specifies that if solid waste is first deposited at a transfer facility, disposal fees shall be collected at the transfer facility and that if solid waste first goes to a solid waste disposal facility, fees shall be collected at the disposal facility. Also specifies that fees levied on this waste do not apply to materials separated from a mixed waste stream for recycling by a generator or materials removed from the solid waste stream through recycling.

[\*\*\*VETOED: Excludes from the definition of solid wastes certain shale and clay products.\*\*\*]

Same as the House.

[\*\*\*VETOED: Same as the House, but also excludes from the definition of solid waste certain refinery catalysts, unless these catalysts are disposed of at a solid waste facility or are accumulated before being recycled. Also \*\*\*]

exempts from solid waste disposal and generation fees solid wastes generated as a result of certain clean-up activities involving

Same as the House, but specifies that only transfer facilities located in Ohio are required to collect solid waste disposal fees; establishes requirements for calculating the amount of fees that solid waste transfer and disposal facilities must remit to the state and governing what must be included on a solid waste disposal fee return; establishes procedures by which an owner or operator of a solid waste facility may receive a refund or credit from the Director of Environmental Protection for state solid waste disposal fees that remain unpaid to the owner or operator; and specifies that solid waste disposal fees are required to be paid by a customer to a facility owner regardless of whether a contract that the customer has with the owner does not require or allow such payment.

Same as the Senate, except requires the Director of Environmental Protection to issue an order exempting solid wastes generated from certain clean-up activities from solid waste disposal and generation fees rather than automatically exempting the wastes; requires the Director to include with the order a determination that the amount of the fees not received by a solid waste management district as a result of the order

## As Introduced (Executive)

Fiscal effect: Extends the current fee on disposal of solid waste that is deposited into the Solid Waste Fund (Fund 4K3) through the coming biennium; therefore, there is no new fiscal effect associated with this part of the provision. The establishment of the timely submission discount and the change in late submission charges will have minimal fiscal effect. Allowing Fund 4K3 to be used to provide compliance assistance to small businesses will have minimal fiscal effect.

(See item entitled "Environmental Protection Fund" for the fiscal effect on that fund.)

## As Passed by the House

Fiscal effect: Results in 360,000 more tons of solid waste for fee collection. Potential increased revenue of approximately \$360,000 for the Solid Waste Fund (4K3) and potential increased revenue of approximately \$360,000 that will be split between the Hazardous Waste Facility Management Fund (Fund 503) and the Hazardous Waste Cleanup Fund (Fund 505).

(See the item entitled "Environmental Protection Fund" for the fiscal effect on that fund.)

## As Passed by the Senate

public funds and conducted under contracts entered into by the United States Environmental Protection Agency, Ohio EPA, or the Department of Administrative Services on behalf of Ohio EPA.

Fiscal effect: Same as the House. Minimal fiscal effect associated with the exemption from disposal and generation fees of solid wastes generated as a result of certain clean-up activities.

(See the item entitled "Environmental Protection Fund" for the fiscal effect on that fund.)

## As Amended by Conference Committee

will not adversely impact the implementation and financing of the district's approved solid waste management plan and any approved amendments to the plan; and specifies that such an order is a final action of the Director.

Fiscal effect: The original estimate of fee revenue from fees being collected at transfer facilities assumed fees would be collected only at transfer facilities in this state; therefore, the fiscal effect is the same as the House.

The provision requiring the Director of Environmental Protection to include with the order a determination that the amount of the fees not received by a solid waste management district as a result of the order will not adversely impact the implementation and financing of the district's approved solid waste management plan and any approved amendments to the plan ensures that the amount of fees not received by a solid waste management district will not adversely affect the district.

Potential increase in expenditures for Ohio EPA associated with the provision stating that owners or operators of solid waste facilities may receive a refund or credit from Ohio EPA for state solid waste disposal fees that remain unpaid. However, the provision states that the fees must have become a debt that has become worthless or uncollectable for a period of six months or more, and may be claimed as a deduction; the refund request must not include any costs resulting from the efforts to collect

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

unpaid fees; the refund or credit amount must not exceed an amount equal to 90 days' worth of fees owed to an owner or operator; a refund or credit shall not be granted more than once in any one-year period for fees owed to the owner or operator by a particular debtor; and the owner or operator must remit the fees to Ohio EPA if the owner or operator receives payment of all or part of the owed fees after receiving a refund or credit from Ohio EPA. It is uncertain how many facilities are owed money, so scope of the impact of this provision is unclear.

(See the item entitled "Environmental Protection Fund" for the fiscal effect on that fund.)

422 (CD-1431-EPA) Hazardous Waste Funding

R.C. 3734.57

No provision.

No provision.

No provision.

Specifies that the existing \$1 per-ton solid waste disposal fee, the proceeds of which are split between the Hazardous Waste Facility Management Fund (Fund 503) and the Hazardous Waste Cleanup Fund (Fund 505), expires on June 30, 2008.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

423 (CD-484-EPA) Scrap Tire Management Program Funding

R.C. 3734.901, 3734.9010

R.C. 3734.901, 3734.9010

R.C. 3734.901, 3734.9010, 3734.85

R.C. 3734.901, 3734.9010, 3734.85

Extends the sunset of the fee on the sale of new tires that is used to fund the Scrap Tire Management program from June 30, 2006, to June 30, 2011. Reduces the amount of money that the Department of Taxation receives to pay its costs in administering the fee on new tires that is used to fund the Scrap Tire Management program from 4% to 2%. (See the item entitled "Tire Tax Administration" in the Department of Taxation)

Same as the Executive, as it pertains to Ohio EPA. Proposes an additional \$1.00 per tire fee on the sale of new tires, the proceeds of which will be credited to the Department of Natural Resources' Recycling and Litter Prevention Fund.

(See the item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect on that agency.)

Same as the Executive.

(See the item entitled "State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Soil and Water" in the Department of Natural Resources for the fiscal effect of the Senate-proposed elimination of the additional \$1.00 per tire fee on the sale of new tires and replacement with a \$0.75 per ton fee on the disposal of construction and demolition debris (C&DD) to be used to fund DNR's Recycling and Litter Prevention Fund.

Same as the Executive.

Fiscal effect: The extension of the fee sunset authorizes Ohio EPA to continue collecting current fees; therefore, there is no new fiscal effect associated with this provision. The reduction in the amount of new tire fees paid to the Department of Taxation will result in Ohio EPA receiving 98% rather than 96% of the fee on new tire sales, resulting in slightly increased revenue in the Scrap Tire Management Fund (Fund 4R5) within the state special revenue fund group.

No provision.

No provision.

Alters the cost recovery procedure for scrap tire removal actions taken by Ohio EPA by requiring Ohio EPA to record the costs and establish a lien on the property that was the subject of the removal action upon Ohio EPA's incurring of the costs rather than after a civil action has been adjudicated, and

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

specifies that any money received or recovered shall be credited to the Scrap Tire Management Fund (Fund 4R5).

Fiscal effect: Potential increased revenue in the Scrap Tire Management Fund.

424 (CD-483-EPA) Environmental Protection Fund

R.C. 3745.015, 3734.57

Creates the Environmental Protection Fund (Fund 5BC) to be used to administer certain programs and establishes an additional fee of \$1.75 per ton on the disposal of solid waste beginning October 1, 2005, the proceeds of which must be deposited into the fund.

Fiscal effect: Estimated revenue of \$25.2 million annually, which is to fully replace Ohio EPA's GRF funding by FY 2007.

R.C. 3745.015, 3734.57, Section 206.27

Reduces the per ton fee on the disposal of solid waste from \$1.75 to \$1.50. Also specifies that fees will be collected on solid waste at either a solid waste disposal facility or transfer facility (rather than solely at disposal facilities as under current law), depending on where the waste arrives first. Collection of the fees at transfer facilities will result in fees being collected on an estimated additional 360,000 tons of solid waste.

Starts collection of the new \$1.50 fee on the disposal of solid waste on July 1, 2005 rather than October 1, 2005.

Fiscal effect: Estimated revenue gain of \$22.3 million instead of \$25.2 million from the lower \$1.50 fee.

R.C. 3745.015, 3734.57, Section 206.27

Same as the House.

R.C. 3745.015, 3734.57, Section 206.27

Same as the House, except specifies that this fee shall be collected from July 1, 2005, through June 30, 2008.

Fiscal effect: Same as the House, but collection of this fee will cease on June 30, 2008, unless renewed.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

425 (CD-488-EPA) Extension of Various Fee Sunsets

R.C. 3745.11, 6109.21

R.C. 3745.11, 6109.21

R.C. 3745.11, 6109.21

R.C. 3745.11, 6109.21

Extends the sunset on various Ohio EPA fees, including annual emissions fees for synthetic minor facilities; various water pollution control and safe drinking water fees; fees for certification of operators of water supply systems or wastewater systems; and application fees for permits under the Water Pollution Control Law and Safe Drinking Water Law. Some of the water pollution control and safe drinking water fees are on a tiered structure. The fee extension continues the first tier fee, which is higher. At the end of the extension the fee reverts to a lower fee. The tiers are the same as in current law.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Authorizes Ohio EPA to continue collecting current fees; therefore, there is no new fiscal effect.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

426 (CD-429-EPA) Revision of Industrial Classifications in the Air Pollution Control Fee Schedule

R.C. 3745.11

R.C. 3745.11

R.C. 3745.11

R.C. 3745.11

Revises the industrial classifications in the air pollution control permit fee schedule based on process weight rates by eliminating seven classifications and adding nine classifications.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

427 (CD-437-EPA) Surface Water Protection Fee

R.C. 3745.114

R.C. 3745.114

R.C. 3745.114

R.C. 3745.114

Establishes an application fee of \$200 for a section 401 water quality certification under the Section 401 Certification/Wetlands Permitting program; requires the payment of review fees of \$500 for each acre of wetland to be impacted, \$10 per linear foot of each stream to be impacted, and \$3 per cubic yard of dredged or fill material to be moved with respect to a lake; establishes caps on the total amount of the fee of \$5,000 for applications submitted by counties, townships, and municipal corporations and \$25,000 for all other applicants; requires fee proceeds to be credited to the Surface Water Protection Fund (Fund 4K4); and specifies that the fees do not apply to state agencies or to projects authorized by general or nationwide permits issued by the United States Army Corps of Engineers.

Fiscal effect: Approximately \$800,000 to \$900,000 per year in revenue to the Surface Water Protection Fund (Fund 4K4).

Same as the Executive, but exempts coal mining and reclamation operations from the new section 401 water quality certification fees. (See the item entitled "Exemption for Coal Mining from Section 401 Water Quality Certification Fees" in the Department of Natural Resources)

Fiscal effect: A loss of approximately \$200,000 from the Executive's proposal in annual revenue to the Surface Water Protection Fund (Fund 4K4) for a net effect of \$600,000 to \$700,000 in annual revenue to that fund.

Same as the Executive, but rather than imposing a stream review fee of \$10 per linear foot of any type of stream to be impacted, specifies different fees for ephemeral (\$3 per linear foot, or \$200, whichever is greater), intermittent (\$6 per linear foot, or \$200, whichever is greater), and perennial streams (\$10 per linear foot, or \$200, whichever is greater); removes the House-passed exemption for coal mining and reclamation projects; and specifies that one-half of the review fees are due at the time of application for a section 401 water quality certification with the remainder due at the time of issuance.

Fiscal effect: At the time of this analysis, it is uncertain how many streams of each type would be impacted; therefore the fiscal effect of this provision is uncertain. However, it is possible that this change in fee structure will result in decreased revenue compared to the Executive version associated with lower review fees for certain types of streams.

Removal of the House-passed exemption for coal mining and reclamation projects will restore approximately \$200,000 in fee revenue.

Changes the review fee for section 401 water quality certifications for ephemeral streams to \$5 per linear foot of stream impacted; for intermittent streams to \$10 per linear foot of stream impacted; and for perennial streams to \$15 per linear foot of stream impacted. Requires one-half of the review fees to be paid upon final disposition of a certification application rather than upon issuance of the certification; eliminates a requirement that review fees be refunded if an application is withdrawn; and specifies that coal mining and reclamation projects are exempt from section 401 water quality certification application and review fees for one year.

Fiscal effect: It is uncertain how many streams of each type would be impacted; therefore the fiscal effect of this provision is uncertain. However, it can be assumed the slightly higher review fees would result in increased revenue compared to the Senate-passed version. The elimination of the requirement that review fees be refunded if an application is withdrawn may also result in slightly increased revenues.

Restoration of the exemption of coal mining and reclamation projects from application and review fees for one year will result in

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

reduced revenue compared to the Senate-passed version (because the exemption is for one year only, revenue loss is estimated to be about \$100,000).

428 (CD-432-EPA) Certification of Certified Professionals under the Voluntary Action Program (VAP) Law

R.C. 3746.04, 3746.071

R.C. 3746.04, 3746.071

R.C. 3746.04, 3746.071

R.C. 3746.04, 3746.071

Requires the issuance, denial, renewal, suspension, and revocation of certifications of certified professionals under the Voluntary Action Program (VAP) Law to be published on the Ohio EPA web site and in the agency's weekly review, rather than in newspapers of general circulation as in current law, not later than 15 days after the date of the action regarding a certification and not later than 30 days prior to a hearing or public meeting concerning the action. Also allows the Director of Ohio EPA to suspend or revoke the certification of certain certified professionals in accordance with the VAP Law rather than the EPA Law.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential savings for the VAP program, estimated to be approximately \$180,000 in the coming biennium, associated with using electronic rather than paper notice of certifications.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

429 (CD-1128-EPA) \* **Partially Vetoed** \* Section 401 Water Quality Certifications

R.C. 6111.0210, 6111.02, 6111.028, 6111.0211, 6111.0212, 6111.0213

R.C. 6111.30, 6111.02, 6111.0211, 6111.0212, 6111.0213 (removed from bill), 6111.30, 6111.31, 6111.32

R.C. 6111.30, 6111.02, 6111.0211, 6111.0212, 6111.0213 (removed from bill), 6111.30, 6111.31, 6111.32

No provision.

Replaces existing administrative rules by establishing requirements governing the issuance of section 401 water quality certifications for wetlands that are not isolated wetlands and for three categories of streams, including different levels of review and criteria for the issuance or denial of certifications depending on the category and size of the wetland or stream that is subject to dredging and filling and pre-activity notice requirements; establishes requirements for public notice prior to the issuance of a section 401 water quality certification; and requires all standards, methods, processes, procedures, and policies that are used to determine the approval or denial of a mitigation proposal to be established or identified in accordance with specified provisions of the Administrative Procedure Act in order to have the force of law.

Fiscal effect: The amendment does not exempt bodies of water from 401 certification, but provides for a different form of review; no new fiscal effect, but will likely accelerate permitting process.

Eliminates the House-passed section 401 water quality certification requirements but establishes procedural requirements regarding the issuance of certifications; establishes requirements specifying what must be submitted with a certification application; requires the Director of Environmental Protection to conduct a completeness determination regarding the application; establishes public notice, hearing, and comment requirements; establishes procedures and time frames for issuance or denial of a certification; requires wetland, stream, or lake mitigation standards to be adopted in accordance with specified provisions of the Administrative Procedure Act in order to have the force of law;

[\*\*\*VETOED: and establishes certain mitigation requirements for impacts to wetlands and streams. \*\*\*]

Fiscal effect: The provisions clarify procedures to be used in issuing certifications

[\*\*\*VETOED: and establishing mitigation requirements; \*\*\*]

Same as the Senate, but increases the time frame for issuance of a certification from 150 days to 180 days after a complete application for a certification is received; triggers the 180-day approval period upon the submission of a complete application rather than upon the submission of an application;

[\*\*\*VETOED: and specifies that mitigation required to be conducted in the same United States Army Corps of Engineers district as the impacts must take place in that portion of the district located in Ohio. \*\*\*]

Fiscal effect: Same as the Senate.

(See item titled "Surface Water Protection Fee" for the fiscal effect associated with section 401 water quality certification fee changes.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

and have no fiscal effect.

(See item titled "Surface Water Protection Fee" for the fiscal effect associated with section 401 water quality certification fee changes.)

---

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|---|--|-------------------------|------------------------------------|
| 430 (CD-412-EPA) Cash Transfer for Environmental Protection Fund  |  |                         |                                    |
| Section: 206.27   | Section: 206.27  | Section: 206.27         | Section: 206.27                    |
| <p>Requires the transfer of cash (a total of \$11 million) from the following funds to the newly created Environmental Protection Fund (Fund 5BC) within the state special revenue fund group to use as start-up money until revenue can be generated by the proposed Environmental Protection Fee: Central Support Indirect Fund (Fund 219), Hazardous Waste Facility Management Fund (Fund 503), Solid Waste Fund (Fund 4K3), and Hazardous Waste Cleanup Fund (Fund 505), all within the state special revenue fund group. Also requires that a portion of the borrowed money (a total of \$6.5 million) be repaid to Fund 503, Fund 4K3, and Fund 505 by the end of FY 2007.</p> <p>Fiscal effect: Reductions in the balances of the various funds being borrowed from, and start-up capitalization for the Environmental Protection Fund (Fund 5BC).</p> | <p>Permits, rather than requires, cash to be transferred from these funds to the Environmental Protection Fund (Fund 5BC) and eliminates the requirement that cash transferred from certain Ohio EPA funds be repaid to those funds.</p> <p>Fiscal effect: Potential, though not required, decrease in the balance of the various Ohio EPA funds from which cash may be transferred to the Environmental Protection Fund (Fund 5BC) and a potential increase in that fund. Potentially, less cash will need to be transferred as a result of the new \$1.50 fee on the disposal of solid waste being collected beginning July 1, 2005 rather than October 1, 2005.</p> | Same as the House.      | Same as the House.                 |

| As Introduced (Executive)                   | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee  |
|---|---|--|---|
| 431 (CD-936-EPA) Automobile Emissions Tests | Section: 206.27   | Sections: 206.27, RC 3704.035, 3704.14, 3704.142 (repealed), 3704.143, 3704.17 (repealed), 3704.99, 4503.103, and 5552.01  | Sections: 206.27, RC 3704.035, 3704.14, 3704.142 (repealed), 3704.143, 3704.17 (repealed), 3704.99, 4503.103, and 5552.01   |
| No provision.                               | <p>Creates the Auto Emissions Test Fund (Fund 5BY) and transfers \$8,100,000 in FY 2006 and \$15,200,000 in FY 2007 from the Tobacco Master Settlement Agreement Fund (Fund 087) to this newly created fund; and specifies that the fund shall be used to pay up to \$19.50 per automobile emissions test in counties required to continue the testing.</p> <p>Fiscal effect: Decrease of \$8,100,00 in fiscal year 2006 and \$15,200,000 in fiscal year 2007 in the Tobacco Master Settlement Fund and corresponding increase in the newly created Auto Emissions Test Fund, which will be offset by expenditures from the fund for automobile emissions tests.</p> <p>(See the item entitled, "Automobile Emissions Tests" in the Tobacco Use Prevention and Control Foundation.)</p> | <p>Same as the House, except eliminates the appropriation for GSF appropriation item 715-681, Auto Emissions Test, and instead specifies that the Auto Emissions Test Fund shall be used to pay for the operation and oversight of the auto emissions testing programs beginning January 1, 2006, without providing a specific per-test amount to be covered.</p> <p>Also states that rather than transferring a specific amount of money from the Tobacco Master Settlement Agreement Fund (Fund 087), Ohio EPA, in consultation with the Office of Budget and Management (OBM), shall determine an amount to withhold and later transfer from that fund to the Auto Emissions Test Fund, and specifies that any money withheld but not transferred to the Auto Emissions Test Fund shall be transferred to the Tobacco Use Prevention and Cessation Trust Fund.</p> <p>Fiscal effect: Decrease in the Tobacco Master Settlement Fund and corresponding increase in the newly created Auto Emissions Test Fund. The amount will depend on the agreed amount of the auto emissions testing contract, and Ohio EPA administrative expenses.</p> | <p>Same as the Senate, but explicitly states that the Auto Emissions Test Fund (Fund 5BY) will be used to pay for Ohio EPA's oversight costs, as well as the operation costs, associated with the automobile emissions testing program.</p> <p>Fiscal effect: Same as the Senate.</p> |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

No provision.

(See the item entitled, "Automobile Emissions Tests" in the Tobacco Use Prevention and Control Foundation.)

Requires EPA to continue to implement an enhanced motor vehicle inspection and maintenance program only in any county of the state in which such a program is federally mandated; requires the program to expire on December 31, 2007, and prohibits the continuation of the program beyond that date unless otherwise federally mandated; and requires the EPA to adopt rules necessary to implement the program in the applicable counties.

Same as the Senate.

Fiscal effect: None.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 432 (CD-1127-EPA) National Pollution Discharge Elimination System Funding Transfer

Section: 206.27

Section: 206.27

Section: 206.27

No provision.

Transfers federal moneys for agriculture-related aspects of the National Pollution Discharge Elimination System (NPDES) from Ohio EPA to the Ohio Department of Agriculture through the Controlling Board once the Department of Agriculture's state program is submitted and approved by the United States EPA, and the federal moneys are disbursed.

Fiscal effect: Upon future transfer by the Controlling Board, decreased federal moneys for Ohio EPA and an associated increase in federal moneys for the Department of Agriculture to issue NPDES permits.

(See item entitled National Pollution Discharge Elimination System Funding Transfer in the Department of Agriculture for the fiscal effect on that agency.)

Requires Ohio EPA, the Department of Agriculture, and OBM to calculate the amount of compensation to be made to either Ohio EPA or the Department of Agriculture from federal moneys disbursed and received for purposes of administering the National Pollutant Discharge Elimination System (NPDES) Program, and to calculate the amount of state matching funding that is required. Specifies that if all federal moneys are awarded to one agency, that agency shall transfer the appropriate amount of money to the other agency in accordance with the calculations made.

Fiscal effect: Potential increase in funding, in proportion to the amount of NPDES work being carried out by Ohio EPA.

(See item entitled National Pollution Discharge Elimination System Funding Transfer in the Department of Agriculture for the fiscal effect on that agency.)

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 433 (CD-701-EPA) Utility Radiological Safety Board Assessments

Section: 306.03

Section: 306.03

Section: 306.03

Section: 306.03

Specifies that the maximum amount that may be assessed against nuclear electric utilities for the purpose of funding appropriation item 715-631, ER Radiological Safety (Fund 644), in the state special revenue fund group is \$286,114 in each fiscal year.

(See the item entitled "Utility Radiological Safety Board Assessments" in the Public Utilities Commission)

Fiscal effect: The specified maximum amount is the same as the proposed appropriation for both fiscal years; no new fiscal effect.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

434 (CD-1151-ETC) eTech Ohio - Merger of SchoolNet and OETNC

R.C. 3353.02, 125.05, 183.28, 3301.80, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.235, 3353.01, 3353.03, 3353.04, 3353.06, 3353.07, Sections 315.09, 315.10, 315.11

R.C. 3353.02, 125.05, 183.28, 3301.80, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.235, 3353.01, 3353.03, 3353.04, 3353.06, 3353.07, Sections 315.09, 315.10, 315.11

R.C. 3353.02, 125.05, 183.28, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.235, 3353.01, 3353.03, 3353.04, 3353.06, 3353.07, Sections 315.09, 315.10, 315.11, 316.03

R.C. 3353.02, 125.05, 183.28, 3314.074, 3317.06, 3317.50, 3317.51, 3319.22, 3319.235, 3353.01, 3353.03, 3353.04, 3353.06, 3353.07, Sections 315.09, 315.10, 315.11, 316.03

(1) Eliminates, as of July 1, 2005, the Ohio SchoolNet Commission and the Ohio Educational Telecommunications Network Commission as independent agencies and transfers their functions, assets, liabilities, and employees to an agency designated by the Governor, based upon recommendations of a task force appointed by the Governor.

(2) No provision.

(1) Same as the Executive.

(2) No provision.

(1) Effective July 1, 2005, transfers the functions, assets, liabilities, and employees of the existing Ohio SchoolNet Commission and the Ohio Educational Telecommunications Network Commission to a new agency called eTech Ohio.

(2) Requires the 11-member governing body of the eTech Ohio Commission to consist of (1) the Superintendent of Public Instruction, the Chancellor of the Board of Regents, the Director of Administrative Services, and four representatives of the public (who have a demonstrated interest in public broadcasting and education) appointed by the Governor as voting members and (2) two members of the Senate and two members of the House of Representatives as nonvoting members. Subjects the Governor's appointees to Senate approval and permits the Governor to remove them for cause. Specifies that Commission members be appointed by July 1, 2005. Requires the Commission's chairperson to be one of the public members. Members of the Commission are

(1) Same as the Senate.

(2) Same as the Senate, except increases the membership of the Commission to 13 members by adding two additional voting members representing the public, one of whom is appointed by the Speaker of the House of Representatives and one of whom is appointed by the President of the Senate. Eliminates the requirement that public members must have a demonstrated interest in public broadcasting and education. Specifies that Commission members be appointed on July 1, 2005, or as soon as possible thereafter, rather than by July 1, 2005. Authorizes the Director of Budget and Management to exercise the authority of the Commission until the appointments are in place. Requires the Governor to appoint the Commission

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(3) No provision.

(3) No provision.

to serve without compensation; however, members appointed by the Governor will be reimbursed for actual and necessary expenses related to their official duties.

chairperson from among the voting members rather than from among the public representatives.

(3) Requires the Commission to appoint an executive director following the term of an interim executive director appointed by the Governor and subjects the appointment of the interim executive director to Senate approval. Specifies that the interim executive director be appointed by July 1st, 2005.

(3) Same as the Senate, except specifies that the interim executive director be appointed on July 1, 2005 or as soon as possible thereafter, rather than by July 1, 2005 and authorizes the Director of Budget and Management to exercise the authority of the interim executive director until the appointment is in place.

(4) No provision.

(4) No provision.

(4) Specifies that all employees of the Commission are in the unclassified service. Under current law some Ohio Educational Telecommunications Network Commission employees are in the classified service. Employees of the existing commissions must be either transferred to eTech Ohio or dismissed, effective July 1, 2005. Any transferred Ohio Educational Telecommunications Network Commission employees would no longer be part of any collective bargaining unit to which they once belonged.

(4) Same as the Senate, but permits employees of the eTech Ohio Commission who were subject to the Public Employee Collective Bargaining Law (R.C. Chapter 4117.) as employees of the Ohio Educational Telecommunications Network Commission to continue to be subject to that law and provides that all new employees of the Commission (whether hired to fill vacancies or new positions) are not subject to that law.

(5) No provision.

(5) No provision.

(5) Requires the Commission to establish advisory groups to provide guidance on educational technology issues.

(5) Same as the Senate.

(6) No provision.

(6) No provision.

(6) Specifies that (unlike the Ohio Educational Telecommunications Network Commission under current law) the eTech Ohio Commission does not have authority to (a) own interconnection facilities, (b) own or operate transmission facilities and enter into agreements with educational television or radio broadcasting stations or radio reading services to transmit programs to them, (c)

(6) Same as the Senate in (c) and (d). For (a) and (b), replaces the Senate provisions with provisions that authorize (like the Ohio Educational Telecommunications Network Commission under current law) the eTech Ohio Commission to (1) own or operate transmission facilities or contract for those facilities, (2) own interconnection facilities, and (3) enter into agreements with

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

(7) No provision.

(7) No provision.

(7) No provision.

(7) Requires educational technology organizations to be approved by the Commission in order to receive financial and other assistance.

Fiscal effect: Places GRF funding for both agencies in GRF appropriation item 911-417, Educational Technology Fund, of the Controlling Board.

Fiscal effect: Same as the Executive.

Fiscal effect: Removes the GRF funding for educational technology that was held within the Controlling Board's budget and establishes the FY 2006-FY 2007 budget for eTech Ohio.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

435 (CD-1162-ETC) Operations

Section: 206.31.03

Section: 206.31.03

No provision.

No provision.

Requires eTech Ohio to enter into an agreement with the Department of Administrative Services (DAS) to provide for the maintenance of telecommunication towers currently maintained by the Ohio Educational Telecommunications Network Commission.

Same as the Senate.

Requires eTech Ohio and DAS to develop a plan by July 1, 2006, to address the best method for transferring ownership and control of all towers to DAS.

436 (CD-1152-ETC) Statehouse News Bureau

Section: 206.31.06

Section: 206.31.06

No provision.

No provision.

Specifies that GRF appropriation item 935-401, Statehouse News Bureau, be used solely to support the operations of the Ohio Statehouse News Bureau.

Same as the Senate.

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee        |
|--|---|--|---|
| <b>437 (CD-1153-ETC) Ohio Government Telecommunications Studio</b> |   |  |   |
| No provision.  | No provision.   | Section: 206.31.06<br>Specifies that GRF appropriation item 935-402, Ohio Government Telecommunications Studio, be used solely to support the operations of the Ohio Government Telecommunications Studio.   | Section: 206.31.06<br>Same as the Senate. |
| <b>438 (CD-1155-ETC) Technical Operations</b>                      |   |  |   |
| No provision.  | No provision.   | Section: 206.31.06<br>Specifies that GRF appropriation item 935-403, Technical Operations, be used to pay the expenses of the television and radio transmission infrastructure.  | Section: 206.31.06<br>Same as the Senate. |
| <b>439 (CD-1156-ETC) Telecommunications Operating Subsidy</b>      |   |  |   |
| No provision.  | Earmarks \$45,000 in each fiscal year from GRF appropriation item 911-417, Educational Technology Fund, of the Controlling Board to be used for a competitive grant for radio reading services (see also the item entitled "Radio Reading Services" under the Controlling Board). | Section: 206.31.06<br>Same as the House except earmarks the funds from GRF appropriation item 935-404, Telecommunications Operating Subsidy, of eTech Ohio and explicitly requires the radio reading service contract to be awarded through a competitive bidding process. Also requires the Controlling Board's approval before funds can be disbursed. | Section: 206.31.06<br>Same as the Senate. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

Specifies that the remainder of the appropriation be distributed to Ohio's public television stations, radio reading services, and educational radio stations to support their operations pursuant to the allocation formula used by the Ohio Educational Telecommunications Network Commission unless and until a substitute formula is developed by eTech Ohio.

Same as the Senate.

440 (CD-1157-ETC) Technical and Instructional Professional Development

Section: 206.31.09

Section: 206.31.09

No provision.

No provision.

Specifies that GRF appropriation item 935-406, Technical and Instructional Professional Development, be used by eTech Ohio to make grants or provide services to qualifying public schools for the provision of hardware, software, telecommunications services, and staff development to support educational uses of technology in the classroom.

Same as the Senate.

Makes the following earmarks of GRF appropriation item 935-406, Technical and Instructional Professional Development:

(1) Earmarks up to \$200,000 in each fiscal year to provide competitive professional development grants to school districts.

(1) Same as the Senate.

(2) Earmarks up to \$1,260,000 in each fiscal year to be allocated equally among the 12 Ohio educational television stations and used with the advice and approval of eTech Ohio. Funds shall be used for the production

(2) Same as the Senate, except specifies that the earmark also be used for teleconferences to support eTech Ohio.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

of interactive instructional programming series for the poorest 200 school districts in the state.

(3) Specifies that the remainder of the appropriation be used for professional development for teachers and administrators for the use of educational technology. eTech Ohio may make grants to provide technical assistance and professional development to school districts. Grants are to be made to entities on a contractual basis. Grant applications must be consistent with a school district's technology plan that meets the minimum specifications prescribed by eTech Ohio.

(3) Same as the Senate.

441 (CD-1158-ETC) Education Technology

Section: 206.31.12

Section: 206.31.12

No provision.

No provision.

Requires eTech Ohio to monitor the operations of its networks and align its improvement efforts to coordinate network operations through the Office of Information Technology and the Third Frontier Network.

Same as the Senate.

Specifies that GRF appropriation item 935-539, Education Technology, be used to provide funding to suppliers of information services to school districts for the provision of hardware, software, and staff development in support of educational uses of technology in the classroom.

Same as the Senate.

Makes the following earmarks of GRF appropriation item 935-539, Education

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Technology:

(1) Earmarks up to \$1,829,240 in each fiscal year to be used to link all public K-12 classrooms to each other and the Internet, and to provide access to voice, video, and data educational resources for students and teachers through the OneNet Ohio Program.

(1) Same as the Senate.

(2) Earmarks up to \$4,139,551 in each fiscal year to contract with public television to provide Ohio public schools with instructional resources and services. Such instructional resources and services are also to be made available for purchase by chartered nonpublic schools or by school districts for the benefit of pupils attending chartered nonpublic schools. Specifies that funding be distributed based on the formula used by the Ohio School Net Commission unless or until a substitute formula is developed by eTech Ohio. Requires eTech Ohio to collaborate with public television stations and cooperate with education technology centers in the acquisition, development, and delivery of educational resources. Specifies that the delivery of such resources may utilize a variety of technologies

(2) Same as the Senate, except specifies that the earmark be used to contract with educational rather than public television to provide Ohio public schools with instructional resources. Requires eTech Ohio to cooperate with education technology agencies rather than centers in the acquisition, development, and delivery of educational resources. Specifies that preference be given to a high-speed integrated information network for the delivery of such resources.

| As Introduced (Executive)           | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|-------------------------------------|------------------------|---|------------------------------------|
| 442 (CD-1159-ETC) Telecommunity     | No provision.          | Section: 206.31.15  | Section: 206.31.15                 |
| No provision.                       | No provision.          | Specifies that State Special Revenue Fund appropriation item 935-630, Telecommunity, be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" through interactive video technologies in the school district. | Same as the Senate.                |
| 443 (CD-1160-ETC) Distance Learning | No provision.          | Section: 206.31.15  | Section: 206.31.15                 |
| No provision.                       | No provision.          | Specifies that State Special Revenue Fund appropriation item 935-634, Distance Learning, be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" in the school district.                                    | Same as the Senate.                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**444 (CD-1161-ETC) Gates Foundation Grants**Section: *206.31.15*Section: *206.31.15*

No provision.

No provision.

Specifies that State Special Revenue Fund appropriation item 935-607, Gates Foundation Grants, be used by eTech Ohio to provide professional development to school district principals, superintendents, and other administrative staff for the use of education technology.

Same as the Senate.

**445 (CD-1163-ETC) Name conformity changes in capital appropriations bill and tobacco budget bill**Sections: *401.05, 403.01*Sections: *401.05, 403.01*

No provision.

No provision.

Amends Am. Sub. H.B. 16, the capital appropriations bill of the 126th General Assembly, and Sub. H.B. 434, the tobacco budget bill of the 125th General Assembly, to make the name conformity changes to eTech Ohio.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

446 (CD-1164-ETC) Changes to capital reappropriations bill of the 126th G.A.

Section: 403.10.01

Section: 403.10.01

No provision.

No provision.

Amends Am. Sub. S.B. 189, the capital reappropriations bill of the 125th General Assembly, to make the eTech Ohio name conformity change and to increase the reappropriation for item CAP-001, Educational Television and Radio Equipment, to \$3,378,684.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**447 (CD-808-GOV) Appointment of Legal Counsel for the Governor**

Section: 206.39

Section: 206.39

Section: 206.39

Section: 206.39

Authorizes the Governor's office to expend a portion of GRF appropriation item, 040-321 Operating Expenses, to hire or appoint legal counsel to be used in proceedings involving the Governor in the Governor's official capacity, without the approval of the General Assembly.

Same as the Executive.

Same as the Executive.

Same as Executive

**448 (CD-809-GOV) Federal Relations**

Section: 206.39

Section: 206.39

Section: 206.39

Section: 206.39

Authorizes a portion of GRF appropriation item 040-403, Federal Relations, and 040-607, Federal Relations, Fund 5AK within the general services fund group, to be used to support Ohio's membership in national or regional associations.

Same as the Executive.

Same as the Executive.

Same as Executive.

**449 (CD-1420-GOV) Veterans' Hall of Fame**

Section: 206.39

No provision.

No provision.

No provision.

Earmarks \$25,000 in appropriation item 040-408, Office of Veterans' Affairs, to be used in FY 2006 for the Ohio Veterans' Hall of Fame expenses.

| As Introduced (Executive) |  | As Passed by the House |   | As Passed by the Senate |   | As Amended by Conference Committee |   |
|---------------------------|--|------------------------|---|-------------------------|---|------------------------------------|---|
| 450                       | (CD-271-DOH) County Tuberculosis Control Programs and Detention Costs  |                        |   |                         |   |                                    |   |
| R.C.                      | 339.72, 339.77 (repealed), 339.88, 3701.146  | R.C.                   | 339.72, 339.73, 339.77 (repealed), 339.88, 3701.146   | R.C.                    | 339.72, 339.73, 339.77 (repealed), 339.88, 3701.146 | R.C.                               | 339.72, 339.73, 339.77 (repealed), 339.88, 3701.146 |
|                           | Repeals the requirement that the Department make financial assistance available to county tuberculosis programs.   |                        | Same as the Executive.  |                         | Same as the Executive.                              |                                    | Same as the Executive.                              |
|                           | Eliminates the option that a county or district tuberculosis unit be a county tuberculosis program receiving financial assistance from the Department.   |                        | Same as the Executive.  |                         | Same as the Executive.                              |                                    | Same as the Executive.                              |
|                           | No provision.  |                        | Provides that boards of county commissioners are permitted, rather than required, to pay for tuberculosis treatment to the extent that payment is not made through third-party benefits.  |                         | No provision.                                       |                                    | No provision.                                       |
|                           | Repeals the requirement that the Department reimburse boards of county commissioners for the cost of detaining indigent persons with tuberculosis.   |                        | Same as the Executive.  |                         | Same as the Executive.                              |                                    | Same as the Executive.                              |
|                           | Fiscal effect: According to the County Commissioners' Association, in FY 2004, the Department provided \$250,000 for treatment for tuberculosis and \$60,000 for detention costs. These dollars were distributed to counties that dealt with tuberculosis cases. As a result of this provision, the Department would no longer be required to allocate such funding to the county tuberculosis programs. |                        | Fiscal effect: According to the County Commissioners' Association, most county commissioners will choose not to pay for tuberculosis treatment since it is permissive. As a result, this cost could shift to local health or general health districts. County commissioners will still be responsible for tuberculosis detention costs. |                         | Fiscal effect: Same as the Executive.               |                                    | Fiscal effect: Same as the Executive.               |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

451 (CD-1388-DOH) Certificate of Authority to Establish or Operate a Health Insuring Corporation

R.C. 1751.03, 1751.04, 1751.05

R.C. 1751.03, 1751.04, 1751.05

No provision.

No provision.

Removes the requirement that the Director of Health review the application to establish or operate a health insuring corporation (HIC) to cover solely recipients of assistance under Medicaid before the Superintendent of Insurance may issue or deny a certificate of authority to establish or operate the HIC. Lengthens from 45 days to 135 days the period of time given to the Superintendent of Insurance to issue or deny a certificate of authority to establish or operate a HIC. The existing limit of 45 days is retained for all other types of certificate of authority applications.

Same as the Senate.

Fiscal effect: The Department could realize a minimal decrease in expenditures due to the removal of the requirement involving the Department's reviewal of applications and documents.

Fiscal effect: Same as the Senate.

(See also the entry entitled "Certificate of Authority to Establish a Health Insuring Corporation" under the Department of Insurance.)



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

452 (CD-937-DOH) Bureau of Children with Medical Handicaps (Program for Medically Handicapped Children)

R.C. 3701.021, 3701.023, Sections 206.42.12, 206.42.13

R.C. 3701.021, 3701.023, Sections 206.42.12, 206.42.13

R.C. 3701.021, 3701.023, Sections 206.42.12, 206.42.13

No provision.

Makes Medicaid-eligible individuals ineligible for the Program for Medically Handicapped Children except in limited circumstances.

Requires the Public Health Council to return financial eligibility requirements for fiscal years 2006 and 2007 to the levels in effect prior to October 13, 2003.

Eliminates a provision of current law that provides that a medically handicapped child is not required to apply for Medicaid as a condition of eligibility for the Program for Medically Handicapped Children if applying for or receiving Medicaid violates a religious belief of the child or child's parent or guardian.

Fiscal effect: Provides funding in GRF appropriation item 440-505, Medically Handicapped Children, at levels that will allow for the return of 5,000 families to the program (these children had been made ineligible in October of 2003 due to a change in financial eligibility requirements). This is assuming that the following conditions are met: religious exemption is implemented, Medicaid recipients are no longer enrolled on BCMH, Local Health District outreach contracts are eliminated, and there is more Help Me Grow coordination with the program for those clients three years old and under.

No provision.

Same as the House.

Same as the House, but makes technical changes.

Fiscal effect: The Department has estimated that allowing Medicaid-eligible individuals to maintain eligibility for BCMH will cost approximately \$800,000 in FY 2006 and \$2 million in FY 2007. According to estimates provided by the Department, funding in GRF appropriation item 440-505, Medically Handicapped Children, should be sufficient to provide for the return of the 5,000 children that were made ineligible in October of 2003 due to a change in financial eligibility requirements and maintain current service levels (assuming that the religious exemption is implemented, Local Health District outreach contracts are eliminated, and there is more Help Me Grow

No provision.

Same as the House.

Same as the Senate.

Fiscal effect: Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Creates the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps to examine issues involving the Program's operation, services, and funding.

Fiscal effect: The requirement for the creation of the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps would increase expenditures for the Department. The amount of this increase is unknown at this time.

coordination with the program for those clients three years old and under).

Modifies a provision of House-passed version of the bill establishing the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps (BCMh) by doing the following:

- (1) Replacing the Director of Budget and Management with one representative each from the Ohio Hospital Association, the Ohio Association of Health Commissioners, and the Ohio Nurses Association;
- (2) Allowing the Speaker of the House of Representatives and the President of the Senate to each appoint three members (instead of one member) of the public who suffer from a disease or disorder covered by BCMh or their family members;
- (3) Removing the authority of the Governor to appoint members of the Committee;
- (4) Changing the date by which the Committee must make recommendations from December 1, 2005 to December 1, 2006;
- (5) Requiring the Department of Health to contact all persons who lost eligibility for the BCMh program or their parents to inform them of rule changes that may affect their eligibility for BCMh services.

Fiscal effect: Same as the House.

Same as the Senate, but specifies that the three members of the general public who suffer from a disease or disorder covered by BCMh who are selected as members on the Legislative Committee on the Future Funding of the Bureau for Children with Medical Handicaps shall have different diseases or disorders.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

453 (CD-1189-DOH) Critical Access Hospitals

R.C. 3701.073

R.C. 3701.073

No provision.

No provision.

Requires the Director of Health to designate certain rural hospitals as critical access hospitals.

Same as the Senate.

Fiscal effect: The Department must survey each hospital in order for the hospital to receive a critical access hospital status. If additional hospitals are eligible for this status, costs to the Department could increase, dependent upon the number surveyed.

Fiscal effect: Same as the Senate.

454 (CD-1078-DOH) Administration and Implementation of the "Choose Life" Fund

R.C. 3701.65

R.C. 3701.65

R.C. 3701.65

No provision.

Requires that the Department adopt rules to implement the "Choose Life" Fund.

Same as the House.

Same as the House.

Provides that it is not the General Assembly's intent that the Department create a new position to implement and administer the "Choose Life" Fund.

Same as the House.

Same as the House.

Fiscal effect: There could be an increase in expenditures as a result of adopting rules to implement and administer the "Choose Life" Fund. This increase should be minimal in nature. Once the fund is in place, the Department will realize a gain in revenues dependent upon the number of "Choose

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Life" license plates issued. Grants will be awarded to organizations for the material needs of pregnant women who are planning to place their children for adoption and for counseling, training, and advertising expenses.

455 (CD-279-DOH) Certificate of Need Moratorium on Long-Term Care Beds

R.C. 3702.68, 3702.141, 3702.51, Sections 403.23, 403.24

R.C. 3702.68, 3702.141, 3702.51, Sections 403.23, 403.24

R.C. 3702.68, 3702.141, 3702.51, Sections 403.23, 403.24

R.C. 3702.68, 3702.141, 3702.51, Sections 403.23, 403.24

Delays, until July 1, 2007, the scheduled termination of the moratorium on reviewing applications for certificates of need for long-term care beds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires that specified health and safety standards and requirements concerning periods of operation be met for a certificate of need application to be reviewed under the moratorium's provisions requiring continued review of applications for the relocation of long-term care beds within the same county.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None. The moratorium has been in place since 1993. If the moratorium were to expire, there would be more applications for certificates of need.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

However, any increase in expenditures for reviewing applications for certificates of need would be offset by application fees associated with the program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

456 (CD-1201-DOH) Physician Loan Repayment Program

R.C. 3702.71

R.C. 3702.71

No provision.

No provision.

Adds psychiatrists to the primary care specialists eligible for the Physician Loan Repayment Program to fill a primary care need in underserved areas of the state.  
Fiscal effect: This provision will allow the Department to award physician loan repayments to psychiatrists who fill a primary care need in underserved areas of the state. The Department still chooses which eligible primary care specialists receive these loan repayments.

Same as the Senate.

Fiscal effect: Same as the Senate.

457 (CD-275-DOH) J-1 Visa Waiver Program

R.C. 3702.83

R.C. 3702.83

R.C. 3702.83

R.C. 3702.83

Requires that the Department administer the J-1 Visa Waiver Program to recruit foreign-born physicians educated in the United States to serve in underserved areas of the state and establishes a fee of \$3,571 for renewing an application.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Projected annual gain in fee revenue of \$107,130 to be deposited into Fee Supported Programs (Fund 470) in the state special revenue fund group. These funds will be used to help cover operating expenses.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

| As Introduced (Executive)  |                                     | As Passed by the House                |                   | As Passed by the Senate               |                   | As Amended by Conference Committee    |                   |
|--|-------------------------------------|---------------------------------------|-------------------|---------------------------------------|-------------------|---------------------------------------|-------------------|
| 458  | (CD-280-DOH) Fees for Vital Records |                                       |                   |                                       |                   |                                       |                   |
| R.C.   | 3705.242, 3705.24                   | R.C.                                  | 3705.242, 3705.24 | R.C.                                  | 3705.242, 3705.24 | R.C.                                  | 3705.242, 3705.24 |
| Increases the fees for birth records and death certificates by \$1.50 and divorce and dissolution of marriage decrees by \$5.50 to provide funds for grants to family violence shelters.   |                                     | Same as the Executive.                |                   | Same as the Executive.                |                   | Same as the Executive.                |                   |
| Fiscal effect: Projected annual gain of over \$1 million for birth and death certificate fee increases to be deposited into Family Violence Shelter Programs (Fund 5BK) in the state special revenue group within the Department of Public Safety. The projected annual increase for divorce and dissolution of marriage fee increases is unknown at this time. These funds will be used for grants to family violence shelters. |                                     | Fiscal effect: Same as the Executive. |                   | Fiscal effect: Same as the Executive. |                   | Fiscal effect: Same as the Executive. |                   |
| (See also entry entitled "Family Violence Prevention Fund" in the Department of Public Safety.)  |                                     |                                       |                   |                                       |                   |                                       |                   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

459 (CD-485-DOH) General Health District Office Space and Utilities

R.C. 3709.34, 3709.29

R.C. 3709.34, 3709.29

R.C. 3709.34, 3709.29

Provides that a general health district levy can be used to cover the costs of office space and utilities. Generally, requires counties to provide office space and utilities to their general health district's board of health through fiscal year (FY) 2005; requires them to pay in FY 2006 through FY 2009 specified decreasing proportions of the cost of the office space and utilities; specifies that they have no obligation to provide or pay for the office space and utilities after FY 2009; permits them in FY 2010 and thereafter to contract to provide the office space and utilities; and permits them in any fiscal year in their discretion and notwithstanding the aforementioned fiscal year limitations, to provide the office space and utilities free of charge. Also, relieves a board of county commissioners of its office space and utilities obligations if the board of health of the county's general health district acquires office space on its own in any of several specified manners.

Same as the Executive.

Same as the Executive, but requires counties to instead provide office space and utilities to their general health district board of health through FY 2006 and requires them to pay in FY 2007 through FY 2009 specified decreasing proportions of the cost of the office space and utilities.

No provision.

Fiscal effect: Currently, a county is required to provide suitable quarters including utilities, phone, heat, water and light for the general health districts. As a result of this provision, counties will no longer have to provide these to general health districts. Instead, the general health district will have to dedicate funding from inside millage for

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive, but the increase in expenditures for general health districts will not begin until FY 2007.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

this purpose or cut personnel or services to cover this expense. This will result in a decrease of expenditures for county governments and an increase in expenditures for general health districts beginning in FY 2006 . According to the Association of Health Commissioners, the costs for office space, utilities, etc. could increase expenditures to each general health district anywhere from \$60,000 to \$250,000 per year by FY 2009.

(See also entry entitled "General Health District Office Space and Utilities" in the Local Government Provisions Section.)

**460 (CD-274-DOH) Hospice Care Facility Inspection Fee**

R.C. 3712.03

R.C. 3712.03

R.C. 3712.03

R.C. 3712.03

Authorizes the Public Health Council to adopt rules establishing an inspection fee for hospice care facilities not to exceed \$1,750.  
Fiscal effect: Projected annual gain of \$35,000 to be deposited into Fee Supported Programs (Fund 470) in the state special revenue fund group. These funds will be used to help cover operating expenses.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.



|                           |                        |                         |                                    |
|---------------------------|------------------------|-------------------------|------------------------------------|
| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|

**461 (CD-272-DOH) Nursing Home and Residential Care Facility Licensing Fees**

R.C. 3721.02

R.C. 3721.02

R.C. 3721.02

Increases the licensing and inspection fee for nursing homes and residential care facilities to \$170 for each 50 persons in a home or facility's licensed capacity (from \$105).

No provision.

Same as the Executive.

Same as the Executive.

Fiscal effect: Projected annual gain of \$200,000 to be deposited into Fee Supported Programs (Fund 470) in the state special revenue fund group. These funds will be used to help cover operating expenses and to shift more of the cost sharing from the GRF to the nursing home providers.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**462 (CD-278-DOH) Revocation and Denial of Nursing Home and Residential Care Facility Licenses**

R.C. 3721.03, 3721.032, 3721.07

R.C. 3721.03, 3721.032, 3721.07

R.C. 3721.03, 3721.032, 3721.07

R.C. 3721.03, 3721.032, 3721.07

Authorizes the Department to revoke or refuse to issue a nursing home or residential care facility license if the licensee or applicant demonstrates a long-standing pattern of violations of Ohio law governing nursing homes and residential care facilities that caused physical, emotional, mental, or psychosocial harm to one or more residents.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Prohibits the transfer or assignment of the right to operate a nursing home or residential care facility during the

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

adjudication of a license revocation. Fiscal effect: Minimal. There are currently six facilities that may be subject to this revocation due to repeat noncompliance. A one time hearing cost may be involved if these homes request an administrative hearing. Any increase in expenditures as a result of this hearing would be somewhat offset by the cost savings from not having to perform an annual inspection.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**463 (CD-1079-DOH) Religious Nonmedical Health Care Institutions**

R.C. 3721.21

R.C. 3721.21

R.C. 3721.21

No provision.

Exempts religious nonmedical health care institutions that meet or exceed standards for participation in Medicare from the laws requiring long-term care facilities to use nurse aides who have undergone training and competency evaluation programs.

Same as the House.

Same as the House.

**464 (CD-267-DOH) Adult Care Facility Inspection Fees**

R.C. 3722.04

R.C. 3722.04

R.C. 3722.04

Increases the adult care facility inspection fee to \$20 per bed (from \$10) and requires that the fee be paid following each inspection, as well as each issuance or renewal of a license.

No provision.

Same as the Executive.

Same as the Executive.

Fiscal effect: Projected annual gain of \$56,660 to be deposited into Fee Supported Programs (Fund 470) in the state special

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

revenue fund group. These additional funds will be used to help cover operating expenses and to shift more of the cost sharing from the GRF to nursing home providers.

**465 (CD-269-DOH) Radiation Control Program Fees**

R.C. 3748.07, 3748.13

R.C. 3748.07, 3748.13

R.C. 3748.07, 3748.13

R.C. 3748.07, 3748.13

Increases radiology registration and inspection fees by approximately 9%.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Projected annual gain of \$148,000 to be deposited into Fee Supported Programs (Fund 470) in the state special revenue fund group. These funds will be used to help cover operating expenses.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee   |
|--|--|---|--|
| <p>466 (CD-250-DOH) Child and Family Health Services</p>   |  |   |  |
| <p>Section: 206.42.03</p>  | <p>Section: 206.42.03</p>  | <p>Section: 206.42.03</p>   | <p>Section: 206.42.03</p>  |
| <p>Makes the following earmarks in GRF appropriation item 440-416, Child and Family Health Services:</p> <p>(1) Earmarks not more than \$1.7 million in each fiscal year for women's health services.</p> <p>(2) Earmarks not more than \$270,000 in each fiscal year for the OPTIONS dental care access program.</p> <p>(3) Earmarks not more than \$900,000 in each fiscal year for federally qualified health centers and federally designated look-alikes to provide services to uninsured low-income persons.</p> <p>(4) Earmarks not more than \$500,000 in each fiscal year for abstinence-only education. Also, the Director of Health shall develop guidelines for the establishment of abstinence programs for teenagers with the purpose of decreasing unplanned pregnancies and abortion.</p> <p>(5) No provision.</p> <p>(6) No provision.</p> <p>(7) No provision.</p> | <p>Makes the following earmarks:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) \$10,000 in each fiscal year to the Jewish Community Center in Cleveland;</p> <p>(6) \$10,000 in each fiscal year to the Jewish Vocational Services in Cincinnati;</p> <p>(7) \$10,000 in each fiscal year to the Wexner Heritage Village in Columbus;</p> | <p>Makes the following earmarks:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Changes the earmark to the Jewish Family Services in Cleveland.</p> <p>(6) Changes the earmark to the Jewish Family Services in Cincinnati.</p> <p>(7) Same as the House.</p> | <p>Makes the following earmarks:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Senate.</p> <p>(6) Same as the Senate.</p> <p>(7) Same as the House.</p> |

| As Introduced (Executive) | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|---------------------------|--|--|--|
| (8) No provision.         | (8) \$10,000 in each fiscal year to the Jewish Family Services in Dayton;          | (8) Same as the House.   | (8) Same as the House.   |
| (9) No provision.         | (9) \$5,000 in each fiscal year to the Jewish Community Center in Akron;           | (9) Same as the House.   | (9) Same as the House.   |
| (10) No provision.        | (10) \$5,000 in each fiscal year to the Jewish Community Center in Sylvania;       | (10) Same as the House.  | (10) Same as the House.  |
| (11) No provision.        | (11) \$2,500 in each fiscal year to the Jewish Community Center in Youngstown; and | (11) Same as the House.  | (11) Same as the House.  |
| (12) No provision.        | (12) \$2,500 in each fiscal year to the Jewish Community Center in Canton.         | (12) Same as the House.  | (12) Same as the House.  |
| (13) No provision.        | (13) No provision.   | (13) \$10,000 in each fiscal year to the Jewish Family Services in Columbus;                     | (13) Same as the Senate.   |
| (14) No provision.        | (14) No provision.   | (14) \$16,667 in each fiscal year to the Yassenoff Jewish Community Center;                      | (14) Same as the Senate.   |
| (15) No provision.        | (15) No provision.   | (15) \$16,667 in each fiscal year to the Jewish Community Center in Cincinnati;                  | (15) Same as the Senate.   |
| (16) No provision.        | (16) No provision.   | (16) \$16,666 in each fiscal year to the Jewish Community Center in Cleveland;                   | (16) Same as the Senate.   |
| (17) No provision.        | (17) No provision.   | (17) \$450,000 in each fiscal year to the Visiting Nurse Association; and                        | (17) Same as the Senate.   |
| (18) No provision.        | (18) No provision.   | (18) \$25,000 in each fiscal year to Clermont County's Comprehensive Suicide Prevention Program. | (18) Same as the Senate.   |
| (19) No provision.        | (19) No provision.   | (19) No provision.   | (19) \$100,000 in FY 2006 to the People Working Cooperatively in Cincinnati. |
| (20) No provision.        | (20) No provision.   | (20) No provision.   | (20) \$50,000 in each fiscal year to the Mayerson Inclusion Project.         |

| As Introduced (Executive)  | As Passed by the House        | As Passed by the Senate       | As Amended by Conference Committee |
|--|-------------------------------|-------------------------------|------------------------------------|
| <p>467 (CD-261-DOH) Women's Health Services</p>  |                               |                               |                                    |
| <p>Section: 206.42.06</p>  | <p>Section: 206.42.06</p>     | <p>Section: 206.42.06</p>     | <p>Section: 206.42.06</p>          |
| <p>Specifies that none of the funds received through grants for women's health services under this section from GRF appropriation item 440-416, Child and Family Health Services, shall be used to provide abortion services. None of the funds received through these grants shall be used for counseling for or referrals for abortion, except in the case of a medical emergency. These funds shall be distributed by the Director of Health to programs that the Department determines will provide services that are physically and financially separate from abortion-providing and abortion-promoting activities.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Lists the services to be provided under women's health services and requires them to be performed by doctors, nurses, medical assistants, counselors, and social workers in a medical clinic setting.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Requires the Director to promulgate rules in accordance with Chapter 119. of the Revised Code that define eligibility requirements to receive state funding.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Specifies that the Director shall give priority to grant requests from local health departments that provide services from the local health department's personnel. Specifies that grant applicants do not have to provide all of the women's health care services.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: Because of the priority given to local health departments, the provision may increase the amount of state funds received by some local health departments.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**468 (CD-1357-DOH) Transfer from the Tobacco Master Settlement Agreement Fund to Immunizations**

Sections: 206.42.09, 206.42, 312.24

Sections: 206.42.09, 206.42, 312.24

No provision.

No provision.

Transfers \$800,000 in FY 2007 from the Tobacco Master Settlement Agreement Fund (Fund 087) to the GRF. Increases GRF appropriation item 440-418, Immunizations, by the same amount. The amount being transferred would have otherwise been transferred to the Ohio's Public Health Priorities Trust Fund in fiscal year 2007.

Same as the Senate.

No provision.

No provision.

Earmarks up to \$800,000 in GRF appropriation item 440-418, Immunizations, in FY 2007 for the purchase of varicella vaccines.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

469 (CD-1339-DOH) Free Clinic Liability Insurance

Section: 206.42.09

Section: 206.42.09

No provision.

No provision.

Earmarks up to \$20,000 in GRF appropriation item 440-431, Free Clinic Liability Insurance, in each fiscal year for the Department of Health for administrative expenses related to the Medical Liability Insurance Reimbursement Program. The remainder in each fiscal year shall be used to pay for medical liability insurance for free clinics, including the clinics' staff and volunteer health care professionals and volunteer health care workers. The necessity and feasibility of the program shall be reviewed as part of the next biennial budget. The appropriation item is appropriated \$275,000 in FY 2006 and \$325,000 in FY 2007.

Same as the Senate.

(See also entry entitled "Free Clinics' Medical Malpractice Insurance Premiums" in the Miscellaneous Provisions.)

470 (CD-292-DOH) HIV/AIDS Prevention/Treatment

Section: 206.42.09

Section: 206.42.09

Section: 206.42.09

Section: 206.42.09

Requires that not more than \$6.7 million per fiscal year in GRF appropriation item 440-444, AIDS Prevention and Treatment, be used to assist persons with HIV/AIDS in acquiring HIV-related medications.

Same as the Executive.

Same as the Executive.

Same as the Executive.



| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| <b>471 (CD-295-DOH) Infectious Disease Prevention</b>  |                        |                         |                                    |
| Section: 206.42.09   | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| Requires that funds in GRF appropriation item 440-446, Infectious Disease Prevention, be used for the purchase of drugs for sexually transmitted disease.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>472 (CD-300-DOH) Help Me Grow</b>   |                        |                         |                                    |
| Section: 206.42.09   | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| Requires that the funds in GRF appropriation item 440-459, Help Me Grow, be used for the Help Me Grow Program. Allows these funds to be used in conjunction with the Temporary Assistance for Needy Families funds, Early Intervention funds, and other early childhood funds and services to promote the optimal development of young children. Requires the Department to enter into an interagency agreement with the Departments of Education, Mental Retardation and Developmental Disabilities, Job and Family Services, and Mental Health to ensure programs are coordinated and school linked. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House                             | As Passed by the Senate   | As Amended by Conference Committee                    |
|---|--|---|---|
| <b>473 (CD-307-DOH) Targeted Health Care Services Over 21</b>   |  |   |   |
| Section: 206.42.09  | Section: 206.42.09                                 | Section: 206.42.09  | Section: 206.42.09                                    |
| <p>Requires that funds in GRF appropriation item 440-507, Targeted Health Care Services Over 21, be used for the administration of the cystic fibrosis and Hemophilia Insurance Premium Payment Program.</p> <p>No provision.</p> | <p>Same as the Executive.</p> <p>No provision.</p> | <p>Requires that \$731,033 in each fiscal year in GRF appropriation item 440-507, Targeted Health Care Services Over 21, be used for the administration of the cystic fibrosis and Hemophilia Insurance Premium Payment Program.</p> <p>Earmarks \$900,000 in each fiscal year for essential medications for the cystic fibrosis program.</p> | <p>Same as the Senate.</p> <p>Same as the Senate.</p> |
| <b>474 (CD-312-DOH) Maternal Child Health Block Grant</b>   |  |   |   |
| Section: 206.42.09  | Section: 206.42.09                                 | Section: 206.42.09  | Section: 206.42.09                                    |
| <p>Requires that \$2,091,299 for each fiscal year in appropriation item 440-601, Maternal Child Health Block Grant (Fund 320) in the federal special revenue fund group, be used for abstinence-only education.</p>               | <p>Same as the Executive.</p>                      | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>                         |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 475 (CD-318-DOH) Genetics Services  |                        |                         |                                    |
| Section: 206.42.09  | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| Requires that funds in appropriation item 440-608, Genetics Services, (Fund 4D6) in the state special revenue fund group be used for the administration of programs authorized in ORC sections 3701.501 and 3702.501. These programs address issues such as: education, detection, and treatment of genetic diseases; and habilitation, rehabilitation, and counseling of persons possessing a genetic trait of, or afflicted with, genetic disease. Specifies that no funds shall be used to counsel or refer for abortion, except in the case of a medical emergency. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 476 (CD-320-DOH) Safety and Quality of Care Standards   |                        |                         |                                    |
| Section: 206.42.09  | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| Allows the Department to use appropriation item 440-619, Certificate of Need, (Fund 471) in the state special revenue fund group to administer ORC sections 3702.11 to 3702.20 and 3702.30.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 477 (CD-322-DOH) Medically Handicapped Children Audit   |                        |                         |                                    |
| Section: 206.42.09  | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| <p>Specifies that moneys in appropriation item 440-627, Medically Handicapped Children Audit, (Fund 477) in the state special revenue fund group may be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging recipients to apply for third-party benefits. Moneys may also be used for payments for diagnostic and treatment services on behalf of medically handicapped children and Ohio residents who are twenty-one or more years of age and who are suffering from cystic fibrosis or hemophilia. Also, moneys may be expended for administrative expenses incurred in operating the Medically Handicapped Children's Program.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 478 (CD-323-DOH) Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund   |                        |                         |                                    |
| Section: 206.42.09   | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| Transfers moneys from the Liquor Control Fund (Fund 043) in the liquor control fund group to appropriation item 440-615, Alcohol testing and Permit Fund, (Fund 5C0) in the state special revenue fund group to meet the operating needs of the Alcohol Testing and Permit Program. Before any funds are transferred, the Department must submit a plan to the Office of Budget and Management outlining the cash transfer schedule. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 479 (CD-324-DOH) Medically Handicapped Children - County Assessments   |                        |                         |                                    |
| Section: 206.42.09   | Section: 206.42.09     | Section: 206.42.09      | Section: 206.42.09                 |
| Requires that funds in appropriation item 440-607, Medically Handicapped Children - County Assessments, (Fund 666) in the state special revenue fund group be used for payments to providers to perform diagnostic services necessary to determine whether the resident suffers from a medically handicapping or potentially medically handicapping condition for any Ohio resident under 21 years of age.                           | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee  |
|--|---|--|---|
| 480 (CD-330-DOH) Nursing Facility Technical Assistance Program   |   |  |   |
| Section: 206.42.09   | Section: 206.42.16  | Section: 206.42.16   | Section: 206.42.16  |
| Requires the Director of Budget and Management to transfer moneys from Fund 4E3, Resident Protection Fund, in the Department of Job and Family Services to Fund 5L1, Nursing Facility Technical Assistance Program Fund, in the Department of Health. The moneys are to be used in accordance with ORC section 3721.026. The transfers are to equal \$183,843 in FY 2006 and \$617,517 in FY 2007. | Same as the Executive.  | Same as the Executive.   | Same as the Executive.  |
| 481 (CD-1095-DOH) Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund  |   |  |   |
|  | Sections: 206.42.19, 206.42   | Sections: 206.42.19, 206.42  | Sections: 206.42.19, 206.42   |
| No provision.  | Transfers cash totaling \$200,000 in each fiscal year from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Health's Poison Control Fund (Fund 5CB) and earmarks \$50,000 each for poison control centers in Cleveland, Cincinnati, Columbus, and Dayton.<br><br>(See also entry entitled "Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund" in the Department of Commerce.) | Same as the House, but changes wording that poison control centers in Cleveland, Cincinnati, Columbus, and Dayton shall each "receive an allocation" of \$50,000 rather than "be awarded a grant" of \$50,000. | Same as the Senate, but changes the earmark of \$50,000 for the municipal corporation of Dayton to the Greater Dayton Area Hospital and specifies that these funds are to be used for poison control purposes. The other earmarks remain unchanged. |

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate         | As Amended by Conference Committee |
|--|---|---------------------------------|------------------------------------|
| <b>482 (CD-774-DOH) Utility Radiological Safety Board Assessments</b>  |   |                                 |                                    |
| Section: <i>306.03</i>   | Section: <i>306.03</i>  | Section: <i>306.03</i>          | Section: <i>306.03</i>             |
| Specifies the maximum amounts that the Board may assess against nuclear electric utilities to provide funding for the Radiation Emergency Response (Fund 610) in the state special revenue fund group. The maximum amount that may be assessed for Fund 610 is \$850,000 in both FY 2006 and FY 2007.<br><br>(See also the entry entitled "Utility Radiological Safety Board Assessments" in the Public Utilities Commission Section.) | Same as the Executive.  | Same as the Executive.          | Same as the Executive.             |
| <b>483 (CD-901-DOH) Transfer of Tobacco Master Settlement Dollars</b>  |   |                                 |                                    |
|  | Sections: <i>312.27, 206.42</i>   | Sections: <i>312.27, 206.42</i> | Sections: <i>312.24, 206.42</i>    |
| No provision.  | Requires the Director of Budget and Management, on July 1, 2005, or as soon as possible thereafter, to transfer up to \$5 million cash from the Tobacco Master Settlement Agreement Fund (Fund 087) to the Healthy Ohioans Fund (Fund 5BL) in the Department of Health.<br><br>(See the item entitled, "Transfer of Tobacco Master Settlement Dollars to the Department of Health" in the Tobacco Use Prevention and Control Foundation.) | Same as the House.              | Same as the House.                 |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

484 (CD-517-DOH) Consolidation of Regulatory Boards

Section: 315.03

Sections: 315.03, 203.93, 209.03, 209.21, 209.42

Sections: 315.03, 203.93, 209.03, 209.21, 209.42

Sections: 315.03, 203.93, 209.03, 209.21, 209.42

Consolidates the occupational licensing boards into either the departments of Health, Public Safety, or Commerce in FY 2007. The boards consolidated into the Department of Health are the: Chemical Dependency Professionals Board; Board of Chiropractic Examiners; Counselor, Social Worker, and Marriage and Family Therapist Board; State Dental Board; Ohio Board of Dietetics; State Medical Board; Board of Nursing; Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board; Ohio Optical Dispensers Board; State Board of Optometry; State Board of Orthotics, Prosthetics, and Pedorthics; State Board of Pharmacy; State Board of Psychology; Ohio Respiratory Care Board; Board of Speech-Language Pathology and Audiology; and State Veterinary Medical Licensing Board.

Removes the following boards from the proposal to consolidate certain regulatory boards into the Department of Health: the State Dental Board, Medical Board, Board of Nursing, and the State Board of Pharmacy.

Same as the House, but adds three members to the transition team to be selected by the boards still affected by consolidation.

Same as the Senate.

Requires the Directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety to appoint representatives to a transition team. This team shall develop a plan and address the details of the consolidation. The team shall also develop budgets for the respective departments and the consolidated boards and commissions. The team shall submit a report to the Governor containing recommendations and the details for the



## As Introduced (Executive)

consolidation no later than December 31, 2005. A bill is to be introduced in fiscal year (FY) 2006 that will include necessary statutory changes and appropriations.

Fiscal effect: Unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entries entitled "Consolidation of Regulatory Boards" under the Chemical Dependency Professionals Board; Board of Chiropractic Examiners; Counselor, Social Worker, and Marriage and Family Therapist Board; State Dental Board; Ohio Board of Dietetics; State Medical Board; Board of Nursing; Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board; Ohio Optical Dispensers Board; State Board of Optometry; State Board of Orthotics, Prosthetics, and Pedorthics; State Board of Pharmacy; State Board of Psychology; Ohio Respiratory Care Board; Board of Speech-Language Pathology and Audiology; and State Veterinary Medical Licensing Board.)

## As Passed by the House

Fiscal effect: The boards listed above are appropriated for FY 2007 at FY 2006 recommended levels. The fiscal effect for the remaining boards are unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

## As Passed by the Senate

Fiscal effect: Same as the House.

## As Amended by Conference Committee

Fiscal effect: Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 485 (CD-1146-DOH) Nursing Facility Regulatory Reform Task Force

Section: 490.06

Section: 490.06

Section: 490.06

No provision.

Eliminates an uncodified provision requiring the Director of Health to convene the Nursing Facility Regulatory Reform Task Force if the Secretary of the United States Department of Health and Human Services approves development of an alternative regulatory procedure for nursing facilities subject to federal regulation.

Same as the House.

Same as the House.

No provision.

Fiscal effect: None. The Task Force has never convened, so no costs were ever expended. As such, eliminating the requirement to convene will not result in any savings.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 486 (CD-489-HEF) Meetings by Teleconference   |                        |                         |                                    |
| R.C. 3377.03  | R.C. 3377.03           |                         |                                    |
| <p>Makes an exception to the Open Meetings ("Sunshine") Law by allowing members of the Higher Education Facilities Commission to be considered present at meetings by interactive video teleconference or teleconference for the purpose of a quorum and to cast votes, as long as public attendance is allowed at the meeting's location.</p> <p>Fiscal effect: Since Commission members are reimbursed for their travel expenses, this provision could lead to a possible minimal decrease in expenditures.</p> | Same as the Executive. | No provision.           | No provision.                      |

|     | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|-----|--|------------------------|-------------------------|------------------------------------|
| 487 | (CD-490-HEF) Fund Transfer   |                        |                         |                                    |
|     | Section: 209.64.75   | Section: 209.64.75     | Section: 209.64.75      | Section: 209.64.75                 |
|     | <p>Authorizes the Director of Budget and Management to transfer up to \$55,000 cash from the Commission's agency fund (Fund 461) to the Higher Educational Facility Commission Administration fund (Fund 4E8) under the Board of Regents in each fiscal year at the request of the Chancellor of the Board of Regents.</p> <p>Fiscal effect: The transferred funds would allow the Board of Regents to hire one staff person to manage the administrative duties of the Commission.</p> <p>(See also the item entitled "Ohio Higher Educational Facility Commission Support" under the Board of Regents)</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

488 (CD-1283-OHS) Disbursement of Funds by the Ohio Historical Society

R.C. 149.30

R.C. 149.30, Section 149.30

No provision.

No provision.

Requires the Historical Society to distribute money appropriated for grants or subsidies to other entities for site-related programs within 90 days of accepting a grant or subsidy application for the money and prohibits the Society from charging or retaining a fee for distributing the money to those entities.

Same as the Senate, but moves the prohibition against the Ohio Historical Society's charging or retaining an administrative, service, or processing fee for distributing money that is appropriated to other entities for their site-related programs from permanent to temporary law.

Fiscal effect: Under current practice, the Historical Society does not charge or retain a fee for distributing money from grants or subsidies to other sites. There should be no fiscal effect from this change.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

489 (CD-325-OHS) Subsidy Appropriation

Section: 206.51

Section: 206.51

Section: 206.51

Section: 206.51

Specifies that the funds appropriated to the Ohio Historical Society (OHS) shall be the contractual consideration provided by the state to support the OHS. Specifies that the release of moneys to the OHS be in quarterly installments. Specifies requirements for an audit to be conducted by an independent certified public accountant approved by the Auditor of State and the financial statements required to be submitted by the OHS to the Office of Budget and Management.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: As a not-for-profit organization, the Ohio Historical Society annually prepares a budget and related financial statements at a cost of approximately \$40,000. Additional costs to submit the budget to the Office of Budget and Management are minimal, approximately \$5,000. Audit costs are approximately \$35,000 per year.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate               | As Amended by Conference Committee    |
|--|---|---------------------------------------|---------------------------------------|
| <b>490 (CD-328-OHS) Hayes Presidential Center</b>  |   |                                       |                                       |
| Section: 206.51  | Section: 206.51   | Section: 206.51                       | Section: 206.51                       |
| <p>Authorizes a potential transfer of operations and/or maintenance of the Hayes Presidential Center, in Fremont, to the United States government, if the United States government chooses to do so.</p>   | Same as the Executive.  | Same as the Executive.                | Same as the Executive.                |
| <p>Fiscal effect: The Hayes Presidential Center has received between \$500,000 and \$700,000 for the last four fiscal years from the State of Ohio; in FY 2004 and 2005, this represented approximately a third of the Center's budgeted income. A transfer of operations to the U.S. government would release these funds for other purposes.</p> | Fiscal effect: Same as the Executive.   | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |
| <hr/> <b>491 (CD-1118-OHS) Historical Grants</b>   |   |                                       |                                       |
|  | Section: 206.51   | Section: 206.51                       | Section: 206.51                       |
| No provision.  | Earmarks \$35,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Castle Farm project in Mason, Ohio.   | Same as the House.                    | Same as the House.                    |
| No provision.  | Earmarks \$75,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Hebrew Union College in Cincinnati for the Center for Holocaust and Humanity Education. | Same as the House.                    | Same as the House.                    |

| As Introduced (Executive) | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee   |
|---------------------------|---|---|--|
| No provision.             | Earmarks \$100,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Western Reserve Historical Society in Cleveland.       | Earmarks \$250,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Western Reserve Historical Society in Cleveland.       | Same as the Senate.  |
| No provision.             | Earmarks \$100,000 in fiscal year 2006 from GRF appropriation item 360-508, Historical Grants, for the Harbor Heritage Society Steamship Mather in Cleveland. | Earmarks \$125,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Harbor Heritage Society Steamship Mather in Cleveland. | Same as the Senate.  |
| No provision.             | Earmarks \$100,000 in fiscal year 2006 from GRF appropriation item 360-508, Historical Grants, for the Great Lakes Historical Society in Vermilion.           | Earmarks \$225,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Great Lakes Historical Society in Vermilion.           | Same as the Senate.  |
| No provision.             | Earmarks \$25,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Cincinnati Museum Center.                               | Earmarks \$250,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Cincinnati Museum Center.                              | Same as the Senate.  |
| No provision.             | No provision.   | Earmarks \$100,000 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Art Academy of Cincinnati.                             | Same as the Senate.  |
| No provision.             | No provision.   | No provision.   | Earmarks \$25,000 in fiscal year 2006 from GRF appropriation item 360-508, Historical Grants, for the Springboro Historical Society Heritage Triangle. |
| No provision.             | No provision.   | Earmarks \$12,500 in each fiscal year from GRF appropriation item 360-508, Historical Grants, for the Roseville Historical Society.                           | Same as the Senate.  |



| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 492 (CD-548-REP) Operating Expenses   |                        |                         |                                    |
| Section: 206.54   | Section: 206.54        | Section: 206.54         | Section: 206.54                    |
| Requires the Director of Budget and Management, at the direction of the Chief Administrative Officer of the House of Representatives, to: (1) transfer any FY 2005 unencumbered appropriations in GRF appropriation item 025-321, Operating Expenses, to FY 2006 for use within that same GRF appropriation item, and (2) transfer any FY 2006 unencumbered appropriations in GRF appropriation item 025-321, Operating Expenses, to FY 2007 for use within that same GRF appropriation item. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

|  | As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee   |
|--|---|------------------------|-------------------------|--|
| <b>493 (CD-810-IGO) Special Investigations</b>                           |   |                        |                         |  |
|  | Section: <i>206.60</i>  | Section: <i>206.60</i> | Section: <i>206.60</i>  | Section: <i>206.60</i>   |
|  | Authorizes up to \$100,000 in each fiscal year of appropriation item 965-602, Special Investigations, Fund 4Z3 within the general services fund group, to be used for investigative costs, pursuant to section 121.481 of the Revised Code. | Same as the Executive. | Same as the Executive.  | Same as the Executive.   |
| <b>494 (CD-1425-IGO) Inspector General Fiduciary Review of BWC Funds</b> |   |                        |                         |  |
|  | No provision.   | No provision.          | No provision.           | Sections: <i>206.60, 502.01, 502.03.01</i>   |
|  |   |                        |                         | Increases appropriation item 965-321, Operating Expenses, by \$750,000 in fiscal year 2006, and earmarks this amount to be used to contract with an independent firm to conduct a fiduciary review of assets invested by the Bureau of Workers' Compensation. A copy of the fiduciary review must be submitted to the Governor, Attorney General, Auditor of State and General Assembly. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

495 (CD-1380-INS) Certificate of Authority to Establish a Medicaid Health Insuring Corporation

R.C. 1751.03, 1751.04, 1751.05

R.C. 1751.03, 1751.04, 1751.05

No provision.

No provision.

Removes the requirement that the Director of Health review the application to establish or operate a health insuring corporation (HIC) to cover solely recipients of assistance under Medicaid before the Superintendent of Insurance may issue or deny a certificate of authority to establish or operate the HIC. Lengthens from 45 days to 135 days the period of time given to the Superintendent of Insurance to issue or deny such a certificate of authority to establish or operate a HIC. The existing limit of 45 days is retained for all other types of certificate of authority applications.

Fiscal effect: None.

Same as the Senate.

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee           |
|---|--|--|--|
| 496 (CD-1015-INS) Performance Bonds for Medicaid Health Insuring Corporations | R.C. 1751.271, 1751.03, 3903.14,<br>3903.421   | R.C. 1751.271, 1751.03, 3903.14,<br>3903.421   | R.C. 1751.271, 1751.03, 3903.14,<br>3903.421 |
| No provision.   | Requires each health insuring corporation that provides coverage to Medicaid recipients to post a performance bond in the amount of \$1 million with the Superintendent of Insurance. The company may deposit securities worth an equivalent value with the Superintendent in lieu of posting a bond, with any interest on the securities paid to the company. The bond or securities shall be payable to the Department of Insurance in the event that the health insuring corporation is placed in rehabilitation or liquidation. The Department is required to use the proceeds of any such payment to reimburse the company's creditors.<br>Fiscal effect: None. | Same as the House, except that the required amount of the performance bond is increased from \$1 million to \$3 million.<br>Fiscal effect: None. | Same as the Senate.                          |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

497 (CD-1219-INS) Medicaid Managed Care External Review

R.C. 1751.89, 5101.93

R.C. 1751.89, 5101.93

No provision.

No provision.

Eliminates existing law provisions that exclude health insuring corporations covering Medicaid recipients from the statutes that otherwise require them to offer external reviews of denials of coverage based on lack of medical necessity. This provision is described also under the Department of Job and Family Services. Fiscal effect: Potential increase in Department of Insurance resources and expenditures needed to administer external review process.

Replaces the Senate provisions with provisions that (1) require health insuring corporations (HICs) to provide a grievance process for denials of claims for Medicaid recipients in accordance with federal law and (2) allow persons hearing appeals for the Department of Job and Family Services to order independent medical reviews of decisions denying claims due to lack of medical necessity or other clinical issues. Fiscal effect: Eliminates the fiscal effect of the Senate version, resulting in no fiscal effect on the Department of Insurance.

| As Introduced (Executive)  |  | As Passed by the House   |          | As Passed by the Senate   |          | As Amended by Conference Committee |          |
|--|--|--|----------|---------------------------|----------|------------------------------------|----------|
| 498  | (CD-625-INS) Revenues for Department of Insurance Operating Fund |  |          |                           |          |                                    |          |
| R.C.   | 3901.021   | R.C.   | 3901.021 | R.C.                      | 3901.021 | R.C.                               | 3901.021 |
| <p>Requires revenues collected by the Superintendent of Insurance, other than appointment and other fee revenue already collected, to be paid into the Department of Insurance Operating Fund (Fund 554). The bill provides the examples of revenue deriving from sponsored seminars or conferences and grants from private entities. Fiscal effect: No fiscal effect; this provision would codify current practice.</p> |  | <p>Same as the Executive, except that the distribution of revenues from certain fees is changed. The Department of Insurance Operating Fund (Fund 554) will receive 70% of the revenues derived from insurance company fees for 1) filing a statement, 2) a certificate of authority or license, and 3) a certificate of compliance; the other 30% of revenues will go to the GRF. Fiscal effect: This provision would decrease revenue to Fund 554 and correspondingly increase revenue to the GRF. If considered together with changes that the bill makes to sections 3901.78, 3905.04, 3905.40 of the Revised Code, the overall impact on revenues to Fund 554 and the GRF is approximately revenue neutral.</p> |          | <p>Same as the House.</p> |          | <p>Same as the House.</p>          |          |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|---|--|---|---|
| 499 (CD-1365-INS) Medicaid Managed Care - Prompt Payment                        |  |   |   |
|   |  | R.C. 3901.3814, 5101.94   | R.C. 3901.3814, 5101.94   |
| No provision.   | No provision.  | Eliminates an existing law provision that excludes health insuring corporations covering Medicaid recipients from the statutes that would otherwise require them to make prompt payments. (See item under the Department of Job and Family Services "Medicaid Managed Care - Prompt Payment and External Reviews")<br>Fiscal effect: Potential increase in expenditures for the Department of Insurance to monitor compliance with prompt pay requirements. | Same as the Senate, but clarifies that this provision applies to claims submitted electronically or non-electronically with respect to coverage of Medicaid recipients by health insuring corporations.<br>Fiscal effect: Same as the Senate. |
| 500 (CD-1139-INS) Requirement to Notify of Out-of-State Discipline for Insurers |  |   |   |
|   | R.C. 3901.41   | R.C. 3901.41  | R.C. 3901.41  |
| No provision.   | Eliminates the requirement that every licensed insurance company and every certified health insuring corporation notify the Superintendent of Insurance within 30 days when the insurer is disciplined in another state.<br>Fiscal effect: None. | Same as the House.  | Same as the House.  |

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|--|--|---|---|
| 501 (CD-1007-INS) Certificates of Compliance for Foreign Insurance Companies       | R.C. 3901.78, 3901.781, 3901.782, 3901.783, and 3901.784   | R.C. 3901.78, 3901.781, 3901.782, 3901.783, and 3901.784  | R.C. 3901.78, 3901.781, 3901.782, 3901.783, and 3901.784  |
| No provision.  | Eliminates the requirement that the Superintendent of Insurance issue annually to every foreign insurance company and association of insurers with one or more agencies in Ohio a certificate of compliance and that the certificate of compliance be published in a newspaper in each county where the insurer has an agency.<br>Fiscal effect: This provision reduces revenue to the Department of Insurance Operating Fund (Fund 554) and to the GRF. If considered together with changes made by the bill to sections 3901.021, 3905.04, and 3905.40 of the Revised Code, the overall impact on revenues to Fund 554 and the GRF is approximately revenue neutral. | Same as the House.  | Same as the House.  |
| 502 (CD-1302-INS) Distribution of Claims from Health Insuring Corporation's Estate | No provision.  | R.C. 3903.42  | R.C. 3903.42  |
| No provision.  | No provision.  | Advances to a higher priority (Class 2) the contracted providers of a health insuring corporation for purposes of the distribution of claims from the corporation's estate in a delinquency proceeding.<br>Fiscal effect: None. | Same as the Senate, except that only provider claims against health insuring corporations relating to Medicaid patients are advanced to Class 2 priority in the case of a delinquency proceeding.<br>Fiscal effect: None. |



|     | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|-----|--|------------------------|-------------------------|------------------------------------|
| 503 | (CD-627-INS) Exemption for "Employer Insureds" from the Unauthorized Foreign Insurance Tax |                        |                         |                                    |
|     | R.C. 3905.36, 3901.17  | R.C. 3905.36, 3901.17  | R.C. 3905.36, 3901.17   | R.C. 3905.36, 3901.17              |

Current law imposes a tax on out-of-state insurers and other persons engaged in the business of insurance that are not authorized to do business in Ohio if the insurer, its affiliate, or its agent takes any of a number of listed actions in Ohio. This tax has several exemptions, one of which is for contracts of insurance issued to an "employer insured," which is defined as an insured with at least 25 full-time employees and annual aggregate insurance premiums of at least \$25,000, that procures insurance by the use of a full-time employee acting as an insurance manager or buyer or by the use of a continuously qualified insurance consultant. The bill ends this exemption. It also ends an exemption to a requirement that an Ohio insured that obtains insurance through an unauthorized foreign insurer annually return a statement to the Superintendent of Insurance providing specified information about that insurance coverage.

Fiscal effect: Increase of \$7 million to \$12 million per year, depending on market conditions, to the GRF.

Same as the Executive.

Same as the Executive, except that provisions were added to clarify that the tax should not apply to parent organizations or individual owners of captive insurers, or to affiliates of the owners.  
Fiscal effect: No change from the Executive. The clarification does not change the Department of Insurance's interpretation of the intent of this provision.

Same as the Senate, except that professional or medical liability insurance procured by a hospital organized under Ohio law is exempted from the tax.  
Fiscal effect: Reduces the revenue increase from the Executive version by \$200,000 to \$400,000 per year.

| As Introduced (Executive)       | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------------|--|-------------------------|------------------------------------|
| 504 (CD-1123-INS) Fee Increases | R.C. 3905.40, 3905.04  | R.C. 3905.40, 3905.04   | R.C. 3905.40, 3905.04              |
| No provision.                   | <p>Increases fee for an insurance company to file a "statement" from \$25 to \$175. Increases fee for a license or certificate of authority from \$5 to \$175. Increases fee for a certificate of compliance from \$20 to \$60. Eliminates requirement that foreign insurance companies pay for making and forwarding annually, semiannually, and quarterly the interest checks and coupons accruing on securities deposited with the Superintendent of Insurance.</p> <p>Fiscal effect: Increases revenue to the Department of Insurance Operating Fund (Fund 554) and to the GRF. If considered together with changes that the bill makes to sections 3901.021 and 3901.78 of the Revised Code, the overall impact on revenues to Fund 554 and the GRF is approximately revenue neutral.</p> | Same as the House.      | Same as the House.                 |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 505 (CD-705-INS) Examinations of Domestic Fraternal Benefit Societies  |                        |                         |                                    |
| Section: 206.63  | Section: 206.63        | Section: 206.63         | Section: 206.63                    |
| <p>Permits the Superintendent of Insurance to transfer funds from the Department of Insurance Operating Fund (Fund 554) to the Examination Fund (Fund 555) to cover the costs of conducting examinations of domestic fraternal benefit societies.</p> <p>Fiscal effect: The amount of funds transferred would depend on the costs of conducting such examinations, which were \$61,500 in FY 2003 and \$320,580 in FY 2004. This provision creates no net increase in either revenues or expenditures.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 506 (CD-704-INS) Market Conduct Examination   |                        |                         |                                    |
| Section: 206.63   | Section: 206.63        | Section: 206.63         | Section: 206.63                    |
| <p>Permits the Superintendent of Insurance to assess the costs of a market conduct examination of an insurance company against that company, and permits the Superintendent to enter into consent agreements to impose assessments or fines for conduct that is found to violate Ohio laws or regulations. Any money collected under this provision is required to be deposited into the Department of Insurance Operating Fund (Fund 554).</p> <p>Fiscal effect: Depends on the costs of market conduct examinations and the amount of fines assessed. The costs of examinations averaged approximately \$28,300 in FY 2003 and \$33,600 in FY 2004. Fines assessed in FY 2003 averaged approximately \$56,000, and fines assessed in FY 2004 averaged approximately \$31,000.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

507 (CD-1255-JFS) Joint Legislative Committee on Medicaid Technology and Reform

R.C. 101.391

R.C. 101.391

No provision.

No provision.

Creates the Joint Legislative Committee on Medicaid Technology and Reform, with five members of the Senate and five members of the House of Representatives, and permits the committee to employ an executive director.

Same as the Senate.

Fiscal effect: The bill appropriates and earmarks \$100,000 in each fiscal year in the Legislative Service Commission's GRF appropriation item 035-321, Operating Expenses, to be used to employ the executive director.

Fiscal effect: Same as the Senate.

508 (CD-1050-JFS) Audits of Medicaid Providers and Performance Audit of Medicaid Program

R.C. 117.10, Section 206.66.49

R.C. 117.10, Section 206.66.49

R.C. 117.10, Section 206.66.49

No provision.

Expands the Auditor of State's authority to audit Medicaid providers by eliminating the limitation that the Department must first request the audit.

Same as the House.

Same as the Senate.

No provision.

Authorizes the Auditor of State to conduct a single performance audit of the Medicaid program during fiscal years 2006 and 2007. (See the item entitled "Audits of Medicaid Providers and Performance Audit of Medicaid Program" in Auditor of State)

Requires the Department of Job and Family Services to reimburse the Auditor of State for the costs of the performance audit required by the bill.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: Agencies are responsible for paying the costs of audits that are conducted by the Auditor of State. Therefore, this provision could increase costs for the agencies that provide Medicaid services if the Auditor of State chooses to conduct a single performance audit of the Medicaid program during fiscal years 2006 and 2007.

Fiscal effect: Makes the Department of Job and Family Services responsible for the audit costs.

Fiscal effect: Same as the Senate.

509 (CD-448-JFS) Summary of Minor Adoption Proceedings

R.C. 2151.416, 3107.10

R.C. 2151.416, 3107.10

R.C. 2151.416, 3107.10

R.C. 2151.416, 3107.10

Eliminates the requirement that a court prepare and send to ODJFS a summary of each proceeding for adoption of a minor. Fiscal effect: According to ODJFS, these summaries were being received, stored on site at ODJFS for a while, and then sent to storage. This provision will decrease the administrative burden on courts to prepare and send a summary of each proceeding and will decrease the administrative burden of ODJFS to receive and store this information.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

510 (CD-1324-JFS) Medicaid Eligibility Fraud

R.C. 2307.65, 2913.401

R.C. 2307.65, 2913.401

No provision.

No provision.

Prohibits and provides criminal and civil remedies for knowingly doing any of the following in an application for Medicaid benefits or in a document that requires a disclosure of assets for the purpose of determining eligibility to receive Medicaid benefits: making or causing to be made a false statement or false representation of a material fact; concealing an interest in property; or failing to disclose a transfer of property that occurred during the 36- or 60-month period, depending on the type of transfer, before submission of the application or document.

Fiscal effect: Same as the Senate.

Fiscal effect: The Department of Job and Family Services could recoup some money through these civil actions, the magnitude of which is unknown at this time.

Fiscal effect: Same as the Senate.

(See item "Medicaid Eligibility Fraud" in Attorney General and Local Government Provisions)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

511 (CD-512-JFS) Lump Sum Payments Sent to the Office of Child Support

R.C. 3121.12

R.C. 3121.12

R.C. 3121.12

R.C. 3121.12

When a lump sum of \$150 or more is due a child support obligor who is in arrears, authorizes issuance of an order requiring a portion of the lump sum be transmitted to the Office of Child Support that is sufficient to pay the arrearage in full, rather than the entire lump sum. This provision also replaces a provision directing how the Office of Child Support must distribute the lump sum with a requirement that the Office distribute it in accordance with administrative rules.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Federal regulations require that lump sums be allocated first to current support, then arrears, and the remainder held for future obligations. Current practice is that when a lump sum exceeds that which is necessary to pay the arrearage in full, the overpayment is returned to the obligor. By authorizing transfer of only that which is sufficient to pay the arrearage in full, the Office of Child Support will neither have to return any money to the obligor nor hold it for future obligation. This provision will ensure compliance with federal regulations.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

512 (CD-514-JFS) Electronic Disbursements of Child Support

R.C. 3121.50

R.C. 3121.50

R.C. 3121.50

R.C. 3121.50

Permits the Office of Child Support to distribute child support amounts by means of electronic disbursement, rather than by check or warrant, unless otherwise prohibited from doing so by state or federal law. The provision also requires the person receiving the child support to accept payment by electronic means. The Director of Job and Family Services may adopt or amend rules under the Administrative Procedure Act (R.C. Chapter 119.) to assist in the implementation of this provision.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This provision will allow the Office of Child Support to take the E-Quick Pay system, which is currently operating as a pilot program, statewide. If the number of paper checks issued is reduced by 600,000 a month (currently processing over one million paper checks per month), the Office of Child Support expects to save at least \$2.2 million per year.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

| As Introduced (Executive)  |   | As Passed by the House  |          | As Passed by the Senate   |   | As Amended by Conference Committee  |   |
|--|---|---|----------|---|---|---|---|
| 513  | (CD-513-JFS) Child Support Federal Incentives |   |          |   |   |   |   |
| R.C.   | 3125.191                                      | R.C.  | 3125.191 | R.C.  | 3125.191, and Sections 206.6691 and 206.66.92 | R.C.  | 3125.191, and Sections 206.6691 and 206.66.92 |
| <p>Creates in the state treasury the Child Support Operating Fund as a state special revenue fund. The Department may deposit into the fund a portion of the federal incentives related to the federal child support enforcement laws contained in Title IV-D of the Social Security Act that ODJFS receives from the U.S. Department of Health and Human Services. The provision permits ODJFS to use money in the fund for program and administrative purposes associated with the Child Support Enforcement Program.</p> <p>Fiscal effect: The dollars that will be deposited into this fund are not new revenue for the Department. This provision is redirecting a portion of incentive dollars received from the federal government for the child support program to this new fund.</p> <p>No provision.</p> |   | <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> <p>No provision.</p> |          | <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> <p>Authorizes ODJFS to retain \$1,820,000 of certain federal incentives received to reimburse ODJFS for the state share of payments it makes for mandatory contracts used by child support enforcement agencies in the Child Support Enforcement Program.</p> <p>Based on the actual usage of optional contracts by each county, authorizes ODJFS to retain a portion of certain federal incentives that are paid to child support enforcement agencies to reimburse the</p> |   | <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> <p>Same as the Senate, but reduces the amount of federal incentives that ODJFS may retain, based on mandatory contracts, by \$320,000 (to \$1.50 million from \$1.82 million).</p> |   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Department for the state share of the contractual obligation for the monthly use of optional contracts by each agency in the Child Support Enforcement Program.

Fiscal effect: The bill contains an appropriation of \$5.0 million in each fiscal year for state special revenue appropriation item 600-693, Child Support Operating, which is supported by federal incentives retained by the Department. If the amount of federal incentives that are retained by the Department exceeds \$5.0 million per year, the Department will have to go to the Controlling Board for an increase in appropriation to spend any amount it retains over \$5.0 million.

Fiscal effect: Same as the Senate.

514 (CD-1452-JFS) Deduction and Payment of Nonfederal Share of Medicaid Reimbursements

R.C. 3317.023

No provision.

No provision.

No provision.

Requires ODE, upon request of the Department of Job and Family Services (ODJFS) through an intrastate voucher, to pay to ODJFS the nonfederal share of Medicaid reimbursements made to a school district for Medicaid services provided by a district and to deduct the amount of that payment from the district's state aid account.

(See item entitled "Deduction and Payment of Nonfederal Share of Medicaid Reimbursements" in Education.)

| As Introduced (Executive) |  | As Passed by the House |  | As Passed by the Senate |   | As Amended by Conference Committee |   |
|---------------------------|--|------------------------|--|-------------------------|---|------------------------------------|---|
| 515                       | (CD-398-JFS) Nursing Home Franchise Permit Fee   |                        |  |                         |   |                                    |   |
| R.C.                      | 3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.231   | R.C.                   | 3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.20, 5111.235, 5111.266  | R.C.                    | 3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.20, 5111.235, 5111.266   | R.C.                               | 3721.50, 3721.51, 3721.511 (repealed), 3721.52, 3721.541, 3721.56, 3721.561, 3721.58, 5111.20, 5111.235, 5111.266 |
|                           | Extends to fiscal years 2006 and 2007 the increase in the nursing home franchise permit fee to \$4.30 (from \$1) per bed per day.  |                        | Provides that the nursing home franchise permit fee for fiscal years 2006 and 2007 is \$6.25.  |                         | Same as the House.  |                                    | Same as the House.  |
|                           | Provides that the portion of the nursing home franchise permit fee that is deposited into the Nursing Facility Stabilization Fund is to be used for the same purposes in fiscal years 2006 and 2007 as it was in fiscal year 2005. |                        | Provides that the portion of the nursing home franchise permit fee that is deposited into the Nursing Facility Stabilization Fund is to be used to make (1) Medicaid payments to nursing facilities and (2) quarterly payments beginning in the third quarter of calendar year 2005 to nursing facilities to reimburse the cost of the franchise permit fee. |                         | Same as the House, but does not provide that the portion of the nursing home franchise permit fee that is deposited into the Nursing Facility Stabilization Fund is to be used to make quarterly payments to nursing facilities to reimburse the cost of the franchise permit fee. (See "Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities" below.) |                                    | Same as the Senate.   |
|                           | Authorizes the Department to withhold a Medicaid payment or terminate a Medicaid provider agreement if a facility subject to the nursing home franchise permit fee fails to pay the fee when due.                                  |                        | Same as the Executive.   |                         | Same as the Executive.  |                                    | Same as the Executive.  |
|                           | Eliminates the exemption from the nursing home franchise permit fee available to certain facilities because of a federal Medicaid waiver.  |                        | Same as the Executive.   |                         | Same as the Executive.  |                                    | Same as the Executive.  |
|                           | Exempts a nursing home maintained and operated by the Ohio Veteran's Home Agency from the nursing home franchise permit fee.   |                        | Same as the Executive.   |                         | Same as the Executive.  |                                    | Same as the Executive.  |
|                           | Fiscal effect: The Executive estimates that the \$4.30 franchise permit fee would generate a total of about \$144.4 million per  |                        | Fiscal effect: ODJFS estimates that this provision will generate approximately \$80.9 million all funds (\$32.5 million state share) in  |                         | Fiscal effect: This provision eliminates the House provision that requires the Department to use money in the Nursing   |                                    | Fiscal effect: Same as the Senate.  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

year in franchise permit fee revenues in FYs 2006 and 2007.

FY 2006 and \$121.7 million all funds (\$48.8 million state share) in FY 2007.

Facility Stabilization Fund to make quarterly payments to NFs regarding the nursing home franchise permit fee. Another provision ("Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities") increases the reimbursement rate to NFs by the increase in the nursing home franchise permit fee. The net effect to the state of these two provisions when combined is zero. In other words, the net total payments to NFs in FY 2006 and FY 2007 will be the same as under the As Passed by the House version.

516 (CD-1364-JFS) Medicaid Managed Care - Prompt Payment and External Reviews

R.C. 3901.3814, 1751.89, 5101.93, 5101.94

R.C. 3901.3814, 1751.89, 5101.93, 5101.94

No provision.

No provision.

Eliminates existing law provisions that exclude health insuring corporations covering Medicaid recipients from the statutes that would otherwise require them to make prompt payments and to offer external reviews of denials of coverage based on lack of medical necessity.

Same as the Senate, but clarifies that the prompt payment provisions apply to claims submitted electronically or non-electronically and replaces the provisions regarding external review with provisions that (1) require health insuring corporations (HICs) to provide a grievance process for denials of claims for Medicaid recipients in accordance with federal law and (2) allow persons hearing appeals for the Department to order independent medical reviews of decisions denying claims due to lack of medical necessity or other clinical issues.

No provision.

No provision.

Requires that the Department apply for waivers of federal Medicaid requirements if necessary to implement the prompt payment and external review provisions. If a waiver is granted or determined to be unnecessary for

Same as the Senate, but provides that the prompt pay provision is to be implemented within 18 months after the Department sends the notice to the Department of Insurance and HICs rather than 60 days.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

the prompt payment provision, the Department must notify the Department of Insurance that this provision can be implemented and to notify health insuring corporations that provide coverage to Medicaid recipients of the requirement to comply with the prompt payment provisions. (See item under the Department of Insurance "Medicaid Managed Care - Prompt Payment" and "Medicaid Managed Care External Review")

Fiscal effect: Requiring health insuring corporations to make prompt payments may increase their costs. In turn, state Medicaid costs for managed care may increase.

Fiscal effect: Same as the Senate regarding prompt payment, but also requires that the Department of Job and Family Services pay the costs associated with independent medical review.

517 (CD-829-JFS) Support Services Funds

R.C. 5101.07, 5101.071

R.C. 5101.07, 5101.071

R.C. 5101.07, 5101.071

R.C. 5101.07, 5101.071

Creates two new funds in the state treasury: the Support Services Federal Operating Fund (Fund 3AX), in the federal special revenue fund group, and the Support Services State Operating Fund (Fund 230), in the general services fund group. Provides for money in those funds to be used to pay for ODJFS' costs for computer projects and the operating costs of the Department that provide general support services for the rest of the agency.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This provision creates the funds that are necessary for the Department to restructure its appropriation items as

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

specified in the temporary law provision titled, "Appropriation Item Restructuring."

518 (CD-387-JFS) Disciplinary Action in the Form of Increase in County Share of Public Assistance

R.C. 5101.24

R.C. 5101.24

R.C. 5101.163, 5101.16

R.C. 5101.163, 5101.16

Authorizes the Department to require a county to increase its share of public assistance expenditures by an amount equaling the amount of a reduction the county is responsible for in federal financial participation or in a federal grant or payment.

Authorizes the Department to increase a county's share of public assistance expenditures to the extent the county is responsible for the state being required to increase its maintenance of efforts requirements under the Temporary Assistance for Needy Families block grant.

Authorizes the Department to increase, without having to provide notice to a county and an opportunity for an administrative review, a county's share of public assistance expenditures if the federal government requires an increase in the state's TANF maintenance of effort because of one or more failures, resulting from the actions or inactions of one or more county family services agencies, to meet a federal TANF requirement.

Same as the Senate.

No provision.

No provision.

Authorizes the Department to make the increase even if it results in a county having to pay more for public assistance expenditures than the cap established by current law permits.

Same as the Senate.

Fiscal effect: Future reductions or sanctions will indicate the impact on counties this provision may have.

Fiscal effect: Future reductions or sanctions will indicate the impact on counties this provision may have.

Fiscal effect: Future reductions or sanctions will indicate the impact on counties this provision may have.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

519 (CD-428-JFS) Consolidated Funding Allocations

R.C. 5101.21

R.C. 5101.21

R.C. 5101.21

R.C. 5101.21

Eliminates the provisions of state law governing fiscal agreements between the Director of Job and Family Services and boards of county commissioners that concern consolidated funding allocations.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The consolidated funding allocation was discontinued during FY 2005; this provision eliminates the possibility that a consolidated allocation could be adopted in the future. TANF funds formerly used inappropriately for food stamp administration and Medicaid eligibility determinations must be replaced by other means.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

520 (CD-494-JFS) Workforce Development Activities

R.C. 5101.241

R.C. 5101.241

R.C. 5101.241

R.C. 5101.241

Allows ODJFS to take two additional actions to enforce compliance by a local administering entity with workforce development activity: (1) the revocation of a local plan, or (2) imposition of a reorganization. Modifies the current administrative process used by ODJFS to review action taken to enforce compliance with a local workforce development activity by eliminating: (1) the opportunity for an informal resolution of a dispute, and (2) the requirement that the Director of ODJFS offer reasons for modifying or disapproving the recommendations of the review panel.

Removes the Executive provision that would allow a reorganization plan to be imposed upon a local area. Specifies the revocation of a local plan may take place only when a plan conflicts with federal or state law.

Same as the House.

Same as the House.

Specifies in statute the Governor's authority to decertify a local workforce investment board for reasons specified in federal law, including fraud or abuse and failure to comply with the Workforce Investment Act (WIA). Allows the Governor to declare an emergency and consult with chief elected officials in a local area to provide WIA services if the Governor finds that access to basic WIA services is not provided. Modifies the dispute resolution procedure used by ODJFS and the chief elected officials of a local area.

Fiscal effect: Contingent upon ODJFS action toward a local workforce development area. The Department could reorganize a local area or revoke a local plan to avoid a situation in which the state may lose federal funds.

Fiscal effect: Contingent upon the Executive's determination to take action toward a local workforce development area.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

521 (CD-1226-JFS) Recovery of Excess Payments Made to County Family Services Agencies

R.C. 5101.244

R.C. 5101.244

No provision.

No provision.

Authorizes the Department to recover excess payments made to county departments of job and family services, public children services agencies, and child support enforcement agencies without following current law that governs the Department's actions against such agencies.

Replaces the Senate provision with a provision authorizing the Department to recover excess allocations, advances, reimbursements, and cash draws made to or by county departments of job and family services, public children services agencies, and child support enforcement agencies without following current law that governs the Department's actions against such agencies.

Fiscal effect: The fiscal impact of payment recovery will depend on the number and amount of overpayments to the counties made by the Department.

Fiscal effect: The fiscal impact of payment recovery will depend on the number and amount of excess allocations, advances, reimbursements, and cash draws made to or by the affected county entities.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

522 (CD-430-JFS) Audits of Title XX Social Services Block Grant Funds

R.C. 5101.46

R.C. 5101.46

R.C. 5101.46

R.C. 5101.46

Eliminates a provision requiring the departments of Job and Family Services, Mental Health, and Mental Retardation and Developmental Disabilities each to commission an entity independent of itself to conduct a biennial audit of its expenditures of funds received from the federal Title XX Social Services Block Grant. The bill also requires Title XX social services providers to pay the cost of audits required by the state departments and their respective local agencies, and eliminates provisions specifying that the cost of an audit must be reimbursed under a subsequent or amended Title XX contract.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Current law permits any of the three departments and their respective local agencies to require that an entity under contract to provide social services with Title XX funds submit to an audit on the basis of alleged misuse or improper accounting of funds. The law states that the cost of conducting the audit is to be reimbursed under a subsequent or amended Title XX contract with the provider. The bill requires the Title XX social services providers to pay outright the cost of audits required by the state departments and their respective local agencies. If there were adverse findings and a department or local agency chooses

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

to terminate or refuses to enter into a Title XX contract with that provider, then it is possible that the costs of the audit would not be collected. The bill may enable the departments and local agencies to recoup audit costs that would have otherwise gone uncollected.

Fiscal effect: According to ODJFS, the departments to which this provision applies do not in practice have independent audits of Title XX expenditures conducted despite the fact such audits are required by state law. Elimination of this provision will not save the departments any money since they are not currently paying for such audits.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**523 (CD-444-JFS) Use of TANF Funds for Title XX Social Services**

R.C. 5101.46, 329.04, 5101.35, 5101.46, 5101.821

R.C. 5101.46, 329.04, 5101.35, 5101.46, 5101.821

R.C. 5101.46, 329.04, 5101.35, 5101.46, 5101.821

R.C. 5101.46, 329.04, 5101.35, 5101.46, 5101.821

Allows ODJFS, to the maximum extent permitted by federal law, to use funds received through the TANF Block Grant for the provision of Title XX social services and provides that the use of TANF funds for Title XX social services is not subject to other laws applicable to the use of Title XX funds, and eliminates similar provisions from existing law. This provision also specifies auditing and rule-making procedures for the use of TANF funds for Title XX social services.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This provision clarifies that TANF funds transferred to the Title XX Social Services Block Grant are to be used

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

on social services eligible under Title XX and are exempt from Revised Code statutes apportioning Title XX funds among three agencies.

**524 (CD-386-JFS) Eligibility Determinations for Public Assistance Programs**

R.C. 5101.47

R.C. 5101.47

R.C. 5101.47

R.C. 5101.47

Adds the Food Stamp Program to the public assistance programs for which the Department may perform administrative activities such as accepting applications and determining eligibility and authorizes the Department to perform such activities for other programs for which the Department determines administrative cost savings and efficiency may be achieved by having the Department perform such activities.

Same as the Executive, but provides that the Department may not perform the administrative activities for a program that current law or the bill otherwise authorizes the Department to perform if federal law requires that individuals apply in person.

Same as the House, but specifies that if federal law requires a face to face interview to complete an eligibility determination for a public assistance program, ODJFS may not conduct face to face interviews for the program.

Same as the Senate.

Adds eligibility re-determinations to the administrative activities the Department may perform for certain public assistance programs.

Fiscal effect: This provision could result in program savings depending on the programs for which the director determines a change in eligibility criteria is necessary.

Fiscal effect: Limits the number of additional programs for which the Department may perform administrative activities. No fiscal effect should result.

Fiscal effect: Clarifies that the Department shall not conduct face to face intake interviews for any federal public assistance program which requires them. As under current practice, the county departments of job and family services conduct such interviews, no fiscal impact on the Department should result.

Fiscal effect: Same as the Senate.

| As Introduced (Executive)          | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee  |
|------------------------------------|---|--|---|
| 525 (CD-868-JFS) Kinship Caregiver | <p>R.C. 5101.802, 2151.86, 3125.18, 5101.35, 5101.80, 5101.801, and 5153.16, Sections 120.07, 120.08, 120.09</p>  | <p>R.C. 5101.802, 3125.18, 5101.35, 5101.80, 5101.801, and 5153.16; Section 206.67.08</p>  | <p>R.C. 5101.802, 3125.18, 5101.35, 5101.80, 5101.801, and 5153.16; Section 206.67.08</p>   |
| No provision.                      | <p>Creates the Kinship Caregiver Subsidy Program under which a monthly subsidy is provided to a kinship caregiver to help care for a child in the place of the child's parents.</p> | <p>Replaces the House provision with a provision that creates the Kinship Permanency Incentive Program to provide an eligible kinship caregiver a one-time initial incentive payment and subsequent incentive payments at six month intervals, prohibits the rules governing the method by which incentive payments are provided under the Program from requiring a public children services agency to seek reimbursement from the Department, provides that the caregiver's family income may not exceed 200% rather than 120% of the federal poverty guidelines, eliminates the restriction that the caregiver and minor child may not be participating in Ohio Works First or have had participation terminated because of a sanction, eliminates the requirement that the caregiver and other adults in the household undergo a criminal records check, clarifies that in addition to those awarded legal custody through the Juvenile Court, kinship caregivers who are awarded guardianship by the Probate Court may participate in the Program, permits the Department to terminate or reduce funding for the program if funds are insufficient, and requires the Department to begin implementing the program by January 1, 2006, rather than immediately.</p> | <p>Same as the Senate, but eliminates the prohibition against the rules governing the method by which incentive payments are provided under the Program from requiring a public children services agency to seek reimbursement from the Department.</p> |

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee |
|--|--|---|------------------------------------|
| No provision.  | No provision.  | Requires that the Department prepare and submit reports concerning the financial and permanency outcomes of the Program to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate in 2008 and 2010.   | Same as the Senate.                |
| No provision.  | Fiscal effect: \$10 million of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year is earmarked in temporary law for the Kinship Caregiver Subsidy Program. (See item entitled "TANF Earmarks")   | Fiscal effect: Same as the House, but renames the program the Kinship Permanency Incentive Program.<br><br>(See item entitled "TANF Earmarks" in Job and Family Services)   | Fiscal effect: Same as the Senate. |
| <b>526 (CD-383-JFS) Title IV-A Demonstration Program</b>   |  |   |                                    |
| R.C. 5101.802, 3125.18, 5101.35, 5101.80, 5101.801, 5153.16  | R.C. 5101.803, 3125.18, 5101.35, 5101.80, 5101.801, 5153.16  | R.C. 5101.803   | R.C. 5101.803                      |
| Creates the Title IV-A Demonstration Program under which the Department may provide funding to government agencies and not-for-profit entities administering a project designed to meet one of the four purposes of the Temporary Assistance for Needy Families block grant. | Same as the Executive, but requires a government agency or private-not-for-profit entity seeking to administer a non-statewide project under the program to provide the Department evidence that the agency or entity has notified the county department of job and family services of each county where persons may be affected by the implementation of the project. | Same as the House but provides that the effective date of the Revised Code section establishing the program is the 91st day after the act is filed with the Secretary of State, rather than January 1, 2006, and requires the Department of Job and Family Services to begin implementing the program by January 1, 2006. | Same as the Senate.                |
| Fiscal effect: The Department's TANF spending plan indicates that \$10 million in each fiscal year will be designated for Title IV-A Demonstration Projects at the county level.   | Fiscal effect: Negligible administrative cost for a local agency to notify a county department of job and family services that individuals in that county will be impacted by a proposed demonstration project.  | Fiscal effect: Same as the House, but may increase the administrative costs to the Department to implement the program sooner than the House specified.   | Fiscal effect: Same as the Senate. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

527 (CD-1394-JFS) Reimbursement Ceilings for Publicly-Funded Child Care

R.C. 5104.30, and Section 206.67.12

R.C. 5104.30, Sections 206.67.12, 206.67.13

No provision.

No provision.

Requires that reimbursement ceilings for providers of publicly funded child care be amounts that are not less than 65% of the market's usual and customary cost to the public based on the most recently conducted market rate survey required by federal regulations.

Same as the Senate, except moves this provision to temporary law and specifies that 65% reimbursement ceiling is for fiscal years 2006 and 2007.

Fiscal effect: The bill increases the appropriation for federal special revenue appropriation item 600-689, TANF Block Grant, by \$10.5 million in each fiscal year above the Executive recommended funding level to pay for the increase in costs for the publicly funded child care program due to this provision. This will decrease by \$10.5 million the year-end balance of the TANF Block Grant.

Fiscal effect: Same as the Senate.

No provision.

No provision.

Permits the Department of Job and Family Services to increase for FY 2007 the reimbursement ceilings for providers of publicly funded child care to not less than 65% of the market's usual and customary cost to the public if the estimated monthly average of children expected to enroll in publicly funded child care from December 2005 through March 2006 exceeds the actual number enrolled by at least 2,000.

Same as the Senate, except changes the reimbursement ceiling to "not more than 70%."

Fiscal effect: The Department may incur some minimal costs to estimate and compare the monthly average number of children enrolled in the program. It is likely

Fiscal effect: Same as the Senate.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

that the Department would only decide to exercise the authority to increase the reimbursements ceilings for providers of publicly funded child care if funds are available at that time.

**528 (CD-529-JFS) Fees for Publicly Funded Child Care**

R.C. 5104.38

R.C. 5104.38

R.C. 5104.38

Removes a provision limiting co-payments for publicly funded child care to 10% of a family's income and provides for fees to be calculated as permitted by federal law.  
Fiscal effect: This provision will increase the co-payment that some families pay for subsidized child care, thereby offsetting the cost that ODJFS pays for child care for those families. The Department has not yet estimated how much this will save the child care program.

Same as the Executive.

Same as the Executive.

No provision.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**529 (CD-384-JFS) Income Requirement for Initial Ohio Works First Eligibility**

R.C. 5107.10

R.C. 5107.10

R.C. 5107.10

R.C. 5107.10

Provides that an assistance group meets the first step in determining income eligibility for Ohio Works First if the assistance group's gross income does not exceed the higher of 50% of the federal poverty guidelines or the current gross income maximum.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: For all assistance groups larger than two persons, this provision will increase the gross income threshold for initial OWF eligibility determination. Providing an alternative threshold, rather than completely replacing the current gross income threshold with the federal poverty guidelines, will prevent current OWF assistance groups from losing eligibility. The provision will allow for automatic periodic adjustments in the eligibility threshold levels.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**530 (CD-385-JFS) LEAP Program Incentives and Post-Secondary Enrollment Award**

R.C. 5107.30, 5107.05, 5107.301

R.C. 5107.30, 5107.05, 5107.301

R.C. 5107.30, 5107.05, 5107.301

R.C. 5107.30, 5107.05, 5107.301

Authorizes the Department to provide (1) additional incentives to teens participating in the Learning, Earning, and Parenting (LEAP) Program who attend an educational program designed to lead to a high school diploma or its equivalent and (2) an award to an individual who has successfully completed the LEAP Program and enrolls in post-secondary education.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This will allow the Department to increase LEAP incentives; the Department has indicated that current incentives for LEAP for attendance and enrollment will increase from \$62 to \$200. Incentives for graduation will increase from \$200 to \$500. The new incentive for college enrollment will be \$500. The Department's TANF spending plan indicates that approximately \$200,000 will be spent on

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

these increases.

531 (CD-1021-JFS) Statistics on Frequently Dispensed Drugs Under Ohio's Best Rx Program to be Calculated Annually

R.C. 5110.39

R.C. 5110.39

R.C. 5110.39

No provision.

Requires the list that the Department is required, under existing law, to create of the 25 drugs most often dispensed to Ohio's Best Rx Program participants to be created annually rather than just once.

Same as the House.

Same as the House.

Fiscal effect: This provision would result in a minimal increase in costs for the Department to produce the list more often.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

532 (CD-1218-JFS) ABD Medicaid Eligibility

R.C. 5111.011

R.C. 5111.011

No provision.

No provision.

Extends to thirteen months (from six months) the period during which ODJFS must exclude an institutionalized person's real property used as a homestead from being counted as a resource for purposes of determining Medicaid eligibility for aged, blind, and disabled persons.

Same as the Senate.

Fiscal effect: Current administrative rules consider a person's real property used as a homestead to not be the person's homestead for purposes of determining Aged, Blind, and Disabled Medicaid eligibility if the person has resided in a nursing home, intermediate care facility for the mentally retarded, or other medical institution for at

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

least 6 months. This provision codifies this rule and extends it to 13 months. Under this provision, individuals or residents' real properties are to be exempted as resources for a longer period of time when determining eligibility. The state could incur an increase in Medicaid costs if some individuals are determined eligible for Medicaid for an additional seven months and the state is unable to eventually recover some of those costs from the sale of the property.

533 (CD-1243-JFS) Medicaid Look-Back Period

R.C. 5111.011

R.C. 5111.011

No provision.

No provision.

Requires that the Department apply for a federal Medicaid waiver to expand to five years the look-back period for determining whether any assets, not just assets in a trust, have been transferred for less than fair market value.

Same as the Senate.

Fiscal effect: By extending the look-back period and broadening the assets that are to be examined, fewer individuals may be determined to be eligible for Medicaid or their eligibility may be delayed. If this occurs, then Medicaid cost savings could be realized.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

534 (CD-954-JFS) Medicaid Co-Payment Program

R.C. 5111.0112, 2913.40

R.C. 5111.0112, 2913.40

R.C. 5111.0112, 2913.40

No provision.

Requires the Department to institute a Medicaid co-payment program under which a co-payment requirement is established for each group of Medicaid recipients and services, other than generic drugs, that federal law permits.

Replaces the House provision with a provision that requires the Department to institute a copayment program for only dental services, vision services, and prescription drugs, other than generic drugs. Requires that the Department institute the copayment program not later than July 1, 2006.

Same as the Senate, but includes non-emergency emergency department services among the list of services to which a copayment must apply.

No provision.

Fiscal effect: This provision could result in a gain in co-payment revenue.

Fiscal effect: This provision could result in a gain in co-payment revenue.

Fiscal effect: This provision could result in a gain in co-payment revenue.

Prohibits a provider from waiving a Medicaid recipient's obligation to pay the provider a co-payment.

Same as the House.

Same as the House.

No provision.

Provides that under the Medicaid co-payment program, a provider whose routine business practice is to refuse service to an individual who has an outstanding debt may consider an unpaid co-payment an outstanding debt.

Same as the House, but explicitly states that the provider may refuse service if a Medicaid recipient owes the provider an outstanding debt.

Same as the Senate.

Fiscal effect: No direct fiscal impact on the state. This provision could have the indirect effect of discouraging some Medicaid recipients from having prescriptions filled, thus reducing prescription drug costs.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

535 (CD-1228-JFS) Multiple State Prescription Drug Purchasing Program

R.C. 5111.0114

R.C. 5111.0114

No provision.

No provision.

Authorizes the Department to enter into or administer an agreement or cooperative arrangement with other states to create or join a multiple-state drug purchasing program for the purpose of negotiating with drug manufacturers for discounts or rebates for drugs dispensed under the Medicaid program.

Same as the Senate.

Fiscal effect: This provision could save the state money. However, the impact cannot be estimated at this time because the savings would be affected by unknown factors (e.g., which states Ohio would pool with, the impact of Medicare Part D).

Fiscal effect: Same as the Senate.

536 (CD-381-JFS) Medicaid Eligibility Reduction for Parents

R.C. 5111.019, 206.66.39

R.C. 5111.019, 206.66.39

R.C. 5111.019, Section 206.66.39

R.C. 5111.019, Section 206.66.39

Requires that the Department seek federal approval to reduce to 90% (from 100%) of the federal poverty guidelines the maximum family income a parent of a child under age 19 may have and still qualify for Medicaid.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately \$8.6 million all funds (\$3.4 million state share) in FY 2006 and \$84.4 million all funds (\$33.9 million state share) in

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

FY 2007 as a result of the reduction.

537 (CD-446-JFS) Rules Governing State Medicaid Plan Services

R.C. 5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61

R.C. 5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61

R.C. 5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61

R.C. 5111.02, 317.08, 317.36, 340.03, 340.16, 5107.26, 5111.02 (5111.021), 5111.021 (5111.022), 5111.022 (5111.023), 5111.023 (5111.0114), 5111.025, 5119.61

Provides that the rules R.C. 5111.02 authorizes the Department to adopt are for state Medicaid plan services and defines "state Medicaid plan service" as a service covered by the Medicaid program pursuant to the state Medicaid plan, or an amendment to the plan, approved by the United States Secretary of Health and Human Services and excludes a service provided under the Medicaid program's care management system or a Medicaid waiver.

Same as the Executive.

No provision.

No provision.

Requires that the rules adopted under R.C. 5111.02 include rules establishing procedures for enforcing rules governing state Medicaid plan services, including procedures for corrective action plans for, and imposing sanctions on, violators of the rules.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

538 (CD-1238-JFS) Medicaid-Funded Community Mental Health Services

R.C. 5111.023

R.C. 5111.023

No provision.

No provision.

Extends the deadline for the Department to seek federal approval to provide assertive community treatment and intensive home-based mental health services under the Medicaid program from July 21, 2004, to July 21, 2006.

Same as the Senate.

Fiscal effect: The cost of seeking federal approval to provide assertive community treatment and intensive home-based mental health services under the Medicaid program would be minimal. If approved, federal reimbursement for such services could be received. However, it is possible that additional state and local costs could also be incurred.

Fiscal effect: Same as the Senate.

539 (CD-1018-JFS) Medicaid Coverage of Erectile Dysfunction Drugs

R.C. 5111.027

R.C. 5111.027

R.C. 5111.027

No provision.

Prohibits the Medicaid program from providing reimbursement for erectile dysfunction drugs.

Same as the House.

Same as the House.

Fiscal effect: This provision could reduce Medicaid prescription drug costs.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

540 (CD-1223-JFS) Step Therapy System for Medicaid

R.C. 5111.028

No provision.

No provision.

Permits the Director of Job and Family Services to establish a step therapy system for the Medicaid program.

No provision.

No provision.

No provision.

Exempts antiretroviral agents from the step therapy system.

No provision.

Fiscal effect: Under a step therapy program, a prescribing physician must first try a basic therapy. If the initial medical treatment does not treat the symptoms or effect a cure, the physician must sequentially prescribe increasingly more costly treatments after providing proof that the previous treatment was unsafe or ineffective. Essentially, a step therapy requirement operates like a restrictive formulary. This provision could save money once implemented, but how much is unknown.

541 (CD-371-JFS) Abandoned Medicaid Provider Agreements

R.C. 5111.06

R.C. 5111.06

R.C. 5111.06

R.C. 5111.06

Authorizes the Department to terminate or not renew a Medicaid provider agreement without an administrative hearing if the provider has not submitted claims for two or more years and has not left an active address with the Department.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: This provision could result in a reduction of the number of administrative hearings, and thus could reduce the Department's administrative costs associated with such hearings. The fiscal effect is expect to be minimal.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**542 (CD-373-JFS) Recovery of Medicaid Overpayments**

R.C. *5111.061, 5111.06, 5111.062, 5111.914*

R.C. *5111.061, 5111.06, 5111.062, 5111.914*

R.C. *5111.061, 5111.06, 5111.062, 5111.914*

R.C. *5111.061, 5111.06, 5111.062, 5111.914*

Authorizes the Department to recover overpayments made to Medicaid providers and provides that the recovery may occur at any time.

Same as the Executive.

Same as the Executive, but changes the definition of "third-party" to be consistent with existing Medicaid laws that require third-party cooperation.

Same as the Senate, but limits the period during which a Medicaid overpayment may be recovered to the five-year period following the end of the state fiscal year in which the overpayment was made.

Requires that subsequent final fiscal audits or findings be reduced by the amount of any overpayments collected.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Permits a state agency that administers a component of the Medicaid program for the Department to commence actions to recover overpayments the state agency identifies but requires that the Department issue any final order resulting from a hearing the state agency holds regarding the overpayment.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Provides that the Department, and a state agency administering a component of the Medicaid program for the Department, is not required to hold a hearing for a provider if notice of an opportunity for a hearing has been provided but the provider fails to make a timely request for the hearing.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: This provision could result in a gain in revenue to the state if the state recovers more overpayments from Medicaid providers.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive, but with a limited time period for overpayment recovery.

**543 (CD-365-JFS) Retail Pharmacy Operations Survey for Medicaid**

**R.C. 5111.07, (repealed), 5110.352, 5111.071 (renumbered 5111.07)**

Eliminates the requirement that the Department, every two years, initiate a survey of retail pharmacy operations for the purpose of helping the Department establish the Medicaid dispensing fee for pharmacists.  
Fiscal effect: This provision could reduce the Department's administration costs by eliminating the survey.

No provision.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

544 (CD-1083-JFS) Long-Term Care Pharmacy Management Incentive Payment Program

R.C. 5111.072

No provision.

Requires that the Department (1) resume operation of the Long-Term Care Pharmacy Management Incentive Payment Program beginning on July 1, 2005, (2) if necessary to resume the Program, apply to the United States Secretary of Health and Human Services for a waiver of federal Medicaid requirements, (3) require participation in the Program by any pharmacy that provides pharmacy services to institutionalized Medicaid recipients as a condition of being reimbursed for the services, and (4) distribute pharmacy management incentive payments on a quarterly basis each state fiscal year.

No provision.

No provision.

No provision.

Authorizes the Department to (1) contract with a pharmacy benefits manager to oversee the Program and (2) adopt any rules necessary to implement and administer the Program.

No provision.

No provision.

Fiscal effect: The state could experience a decrease in prescription drug expenditures as a result of this provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

545 (CD-377-JFS) Supplemental Drug Rebate Program

R.C. 5111.082

R.C. 5111.082

R.C. 5111.082

R.C. 5111.082

Eliminates a requirement that any drug product approved by the federal government to treat mental illness, HIV, or AIDS be exempted from the Medicaid program's Supplemental Drug Rebate Program.

Same as the Executive.

Same as the Executive, but permits ODJFS to receive a rebate negotiated under the Supplemental Drug Rebate Program for a drug product dispensed to a Medicaid recipient pursuant to a prescription or a drug product purchased by a Medicaid provider to be administered to a Medicaid recipient in the provider's primary place of business.

Same as the Senate.

Fiscal effect: The Executive estimates that the state could generate revenue totaling approximately \$29.6 million all funds (\$11.9 million state share) in FY 2007 as a result of receiving supplemental drug rebates for these drugs.

Fiscal effect: Same as the Executive.

Fiscal effect: This provision will increase the number of prescriptions for which the state may receive a supplemental rebate. Therefore, under this provision, the state may realize a gain in supplemental rebate revenue.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

546 (CD-974-JFS) Update of Cost and Control Numbers for Medicaid Drugs

R.C. 5111.083

R.C. 5111.083

R.C. 5111.083

No provision.

Requires the Department to establish a program to update, on a daily basis, the maximum allowable cost for each generic prescription drug and the control number for each general prescription drug available under Medicaid.

Fiscal effect: This provision would increase the frequency of updating the maximum allowable cost for generic drugs. If a generic drug's cost changes, the state will incur the new price sooner. This could result in an increase or decrease in prescription drug costs depending on whether the drug's cost goes up or down.

Requires the Director of Job and Family Services to establish a State Maximum Allowable Cost Program for purposes of managing reimbursement for certain prescription drugs available under Medicaid.

Requires the Director to identify drugs to be included in the Program and to update and review, on a weekly basis, the drugs included in the Program and the per unit amount ODJFS reimburses terminal distributors of dangerous drugs for each drug included in the Program.

Fiscal effect: This provision would increase the frequency of updating the maximum allowable cost for certain drugs identified by the Director of Job and Family Services. If a certain drug's cost changes, the state will incur the new price sooner. This could result in an increase or decrease in prescription drug costs depending on whether the drug's cost goes up or down.

Same as the Senate.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

547 (CD-1220-JFS) Medicaid E-Prescribing System

R.C. 5111.084

R.C. 5111.084

No provision.

No provision.

Permits the Director of Job and Family Services to establish an e-prescribing system under which certain Medicaid providers must use an electronic system when prescribing a drug for a Medicaid recipient.

Same as the Senate.

No provision.

No provision.

Provides that a Medicaid provider must use the e-prescribing system for a fiscal year if the provider was one of the ten Medicaid providers that issued the most prescriptions for Medicaid recipients receiving hospital services during the calendar year that precedes the fiscal year.

Same as the Senate.

No provision.

No provision.

Requires that the Director seek the most federal financial participation available for the development and implementation of the e-prescribing system.

Same as the Senate.

Fiscal effect: The Department would incur costs developing an e-prescribing system, a portion of which may be reimbursed by the federal government.

Fiscal effect: Same as the Senate.

548 (CD-1210-JFS) Pharmacy and Therapeutics Committee

R.C. 5111.085

R.C. 5111.085

No provision.

No provision.

Modifies the composition of the Committee to include an additional pharmacist.

Same as the Senate.

| As Introduced (Executive)  |   | As Passed by the House  |   | As Passed by the Senate  |   | As Amended by Conference Committee    |   |
|--|---|---|---|--|---|---------------------------------------|---|
|  |   |   |   | Fiscal effect: It is unknown if members of the committee are compensated. If so, then this provision could have a minimal fiscal impact on the Department. |   | Fiscal effect: Same as the Senate.    |   |
| <b>549</b>   | <b>(CD-443-JFS) Reviews of the Medicaid Program</b>   |   |   |  |   |                                       |   |
| R.C.   | <i>5111.10, 5111.85</i>   | R.C.  | <i>5111.10, 5111.85</i>   | R.C.   | <i>5111.10, 5111.85</i>   | R.C.                                  | <i>5111.10, 5111.85</i>   |
| Authorizes the Department to conduct reviews of the Medicaid program.  |   | Same as the Executive.  |   | Same as the Executive.   |   | Same as the Executive.                |   |
| Fiscal effect: None.   |   | Fiscal effect: Same as the Executive.   |   | Fiscal effect: Same as the Executive.  |   | Fiscal effect: Same as the Executive. |   |
| <b>550</b>   | <b>(CD-469-JFS) Medicaid Estate Recovery and Liens</b>  |   |   |  |   |                                       |   |
| R.C.   | <i>5111.11, 2113.041, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.113 (5111.114), 5731.39, Section 206.66.48</i> | R.C.  | <i>5111.11, 2113.041, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.113 (5111.114), 5731.39, Section 206.66.48</i> | R.C.   | <i>5111.11, 2113.041, 2117.061, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.113 (5111.114), 5731.39, Section 206.66.48</i> | R.C.                                  | <i>5111.11, 2113.041, 2117.061, 3721.15, 5111.111, 5111.112 (5111.113), 5111.112 (new), 5111.113 (5111.114), 5731.39, Section 206.66.48</i> |
| Expands the Medicaid Estate Recovery Program to include any real and personal property and other assets in which an individual subject to recovery has any legal title or interest at the time of death, including assets conveyed to a survivor, heir, or assign of the individual through joint tenancy, tenancy in common, survivorship, life estate, living trust, or other arrangement. |   | Same as the Executive.  |   | Same as the Executive.   |   | Same as the Executive.                |   |
| Limits Medicaid estate recovery and liens to state Medicaid plan services.   |   | Applies Medicaid estate recovery and liens to all Medicaid services, not just state Medicaid plan services. |   | Same as the House.   |   | Same as the House.                    |   |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Revises state law governing Medicaid estate recovery and liens to make it more closely follow federal law.

Same as the Executive.

Same as the Executive, but (1) eliminates the requirement that the Department use criteria established by the federal government when determining whether to waive seeking an adjustment or recovery because of an undue hardship, (2) permits the Department to limit the duration of an undue hardship waiver to the period during which the undue hardship exists, (3) revises the provisions regarding whether an individual is a permanently institutionalized individual for purposes of estate recovery and liens, and (4) requires that the Department institute estate recovery "to the extent permitted by federal law."

Same as the Senate.

No provision.

No provision.

Requires that the administrator of the Medicaid Estate Recovery Program develop a Medicaid estate recovery reporting form on which the person responsible for the estate must list all of decedent's real and personal property and other assets that are part of the estate and subject to the estate recovery program. Requires that the form include a statement that knowingly making a false statement on the form is falsification, a misdemeanor of the first degree.

Same as the Senate.

Authorizes the Department to contract with a government entity, rather than just a private entity, to administer the Medicaid estate recovery program on behalf of the Department or perform any of the functions required to carry out the estate recovery program.

Same as the Executive.

Same as the Executive.

Replaces the Executive provision with a provision that requires that the Department certify amounts due under the estate recovery program to the Attorney General pursuant to current law governing the Attorney General collecting amounts due the state. Authorizes the Attorney General to contract with any private or government entity to collect the amounts due on the Attorney General's behalf. Requires that the Attorney General, in entering into such a

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: This provision broadens the base for estate recovery under the state Medicaid program. Thus, it could result in gains in state revenue if more real and personal property or other assets are collected.

Fiscal effect: By further broadening the base for Medicaid estate recovery the state may experience a gain in revenue.

Fiscal effect: By further broadening the base for Medicaid estate recovery the state may experience a gain in revenue. In addition, by requiring a list of all of the decedent's real and personal property on a form and including on the that form that knowingly making a false statement is falsification, a misdemeanor of the first degree, the likelihood of recovery may increase.

contract, comply with all of the requirements that must be met for the receipt of federal financial participation for the contract's costs.

Fiscal effect: Same as the Senate.

551 (CD-413-JFS) Medicaid Mandatory Managed Care Enrollment Service Areas

R.C. 5111.16

R.C. 5111.16

Authorizes the Department to designate one or more counties as a mandatory managed care service area where Medicaid recipients designated by the Department are required to enroll in and obtain health care services through a managed care organization under contract with the Department.

Fiscal effect: None.

Same as the Executive.

No provision.

No provision.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

552 (CD-970-JFS) Behavioral Health Exclusion from Medicaid Care Management

R.C. 5111.16

R.C. 5111.16

No provision.

Excludes alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services from being included in any component of the Medicaid care management system, but permits recipients of such services to be included in the system for purposes of receiving other Medicaid services.

(See the item entitled "Behavioral Health Exclusion from Medicaid Care Management" in the Department of Alcohol and Drug Addiction Services and in the Department of Mental Health.)

Fiscal effect: This provision would likely have no fiscal effect because it would not change how these services are currently provided.

No provision.

Same as the House, but (1) excludes Medicaid-covered alcohol, drug addiction, and mental health services from the care management system only when the nonfederal share of the services' cost is provided by a board of alcohol, drug addiction, and mental health services or a state agency other than the Department, (2) does not refer to the excluded behavioral health services as being covered by Medicaid as "rehabilitative services," and (3) specifies that recipients of the excluded services may otherwise be designated for participation in the care management system.

Fiscal effect: This provision would likely have no fiscal effect because it would not change how these services are currently provided.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

553 (CD-1257-JFS) Medicaid Care Management System Annual Report

R.C. 5111.16

R.C. 5111.16

No provision.

No provision.

Requires that the Department, beginning October 1, 2007, prepare an annual report for the General Assembly on the Medicaid care management system that addresses the Department's ability to implement the system's various components.  
Fiscal effect: The Department will likely incur some minimal costs preparing and distributing the report, beginning in FY 2008 and annually thereafter.

Same as the Senate.

Fiscal effect: Same as the Senate.

554 (CD-1258-JFS) Mandatory Managed Care for Covered Families and Children

R.C. 5111.16

R.C. 5111.16

No provision.

No provision.

Requires that all Medicaid recipients in the category the Department identifies as "covered families and children" be designated for mandatory participation in the Medicaid care management system by January 1, 2006, and enrolled in health insuring corporations by December 31, 2006.  
Fiscal effect: The Executive estimated in the As Introduced version of the bill that the state will need additional spending for the statewide expansion totaling approximately \$32.2 million all funds (\$12.9 million state share) in FY 2006 and \$49.1 million all funds (\$19.7 million state share) in FY 2007. The

Same as the Senate, but excludes persons in groups that cannot be required to enroll in managed care according to federal Medicaid regulations.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

implementation dates could have an effect on this fiscal impact.

Revenue for the program is to be generated through another provision in the bill.

(See item entitled "Medicaid Managed Care Organizations Franchise Permit Fee" in Job and Family Services)

555 (CD-414-JFS) Medicaid Managed Care Reimbursement Rate for Noncontracting Providers

R.C. 5111.176

R.C. 5111.176

R.C. 5111.162

R.C. 5111.162

Requires that a Medicaid-participating hospital provide services to Medicaid recipients in an area designated by the Department as a mandatory managed care enrollment service area, even though the hospital does not have a contract with the managed care organization in which the recipients are enrolled.

Same as the Executive.

Replaces the Executive provision with a provision that requires all types of Medicaid providers to provide health care services to Medicaid recipients designated for mandatory enrollment in managed care organizations, even though the providers do not have contracts with the organizations, whenever the Medicaid recipients are referred to the noncontracting providers under the permissible circumstances specified in rules to be adopted by the Department.

Same as the Senate, but applies the provision only to hospitals.

Requires that a Medicaid managed care organization reimburse a noncontracting hospital according to a reimbursement rate that is the same as the rate the Department uses to reimburse the hospital for services provided to other Medicaid recipients (the "fee-for-service" rate) but limits the organization's reimbursement to services that the organization approves.

Same as the Executive.

Same as the Executive, but (1) applies the fee-for-service reimbursement rate to all types of Medicaid providers not contracting with Medicaid managed care organizations and (2) replaces the provision limiting reimbursement to services approved by a managed care organization with a provision requiring services to be provided on referral.

Same as the Senate, but applies the provision only to hospitals.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

Exempts a hospital from the provisions requiring acceptance of patients referred by a Medicaid managed care organization with which the hospital has not contracted, as well as the fee-for-service reimbursement rate to be provided by the organization, if the hospital (1) is located in a county in which Medicaid recipients are required to be enrolled in a health insuring corporation before January 1, 2006, (2) has entered into a contract before January 1, 2006, with at least one Medicaid health insuring corporation, and (3) remains under contract with at least one Medicaid health insuring corporation.

Same as the Senate.

Fiscal effect: This provision does not have direct fiscal impact on the state.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

556 (CD-1029-JFS) \* **Vetoed** \* Care Management Pilot Program for Chronically Ill Children

R.C. 5111.161

R.C. 5111.165

R.C. 5111.163

No provision.

[\*\*\*VETOED: Requires that the Department create a pilot program in at least three counties under which chronically ill children are included in the Medicaid care management system. \*\*\*]

[\*\*\*VETOED: Fiscal effect: The Department is required to implement the program not later than October 1, 2006, or later if the Department has not yet received federal approval. The pilot program will run until October 1, 2008, unless the Department determines that the care management system is not a cost-effective means of

[\*\*\*VETOED: Same as the House, but does not specify that the pilot program is to be operated as a part of the Medicaid care management system. \*\*\*]

Fiscal effect: Same as the House.

Same as the Senate.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

providing Medicaid services to chronically ill children or the combined state and federal cost of the program reaches \$3,000,000. The Department is required to maintain statistics on physician expenditures, hospital expenditures, preventable hospitalizations, and any other matters the Department deems necessary. Relying on these statistics, the Department is required to conduct an evaluation of the pilot program's effectiveness. The Department will incur some costs associated with these activities.  
\*\*\*]

557 (CD-968-JFS) Medicaid Care Management for Aged, Blind, and Disabled

R.C. 5111.16, Section 206.67.21

R.C. 5111.163, 5111.164, Section 206.67.21

R.C. 5111.163, 5111.164, Section 206.67.21

No provision.

Requires, beginning July 1, 2006, that Medicaid recipients who are aged, blind, or disabled be designated for participation in the Medicaid care management system, except for persons who are: (1) under age 21, except when participating in the bill's pilot program for chronically ill children, (2) institutionalized, (3) eligible for Medicaid by spending down income, (4) dually eligible for Medicaid and Medicare, or (5) recipients of Medicaid waiver services.

Replaces the House provision with a provision that requires the Department to implement, by July 1, 2006, two pilot programs for the care management of the aged, blind, and disabled, with one pilot program applicable to noninstitutionalized persons and the other pilot program applicable to persons who require the level of care provided by nursing facilities; requires that the Department evaluate both pilot programs; and authorizes the Department to terminate the pilot programs.

Same as the House, but extends the deadline for implementation to December 31, 2006.

No provision.

Specifies that the aged, blind, and disabled Medicaid recipients designated as participants in the care management system are required to be enrolled in health insuring corporations and that the care management system for these participants must be

No provision.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

implemented in all counties.

Requires that not later than June 30, 2006, the Department, in conjunction with the Office of Budget and Management (OBM), determine the amounts necessary to implement the Aged, Blind, and Disabled (ABD) Managed Care Program. Requires the Director of OBM, on July 1, 2006, or as soon as possible thereafter, to transfer the state share of the amount necessary to implement the ABD Managed Care Program from the Tobacco Master Settlement Agreement Fund (Fund 087) to the ABD Managed Care – State Fund (Fund 5BZ). (The amount being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2007.) Requires that the Director of Budget and Management, not later than July 31, 2007, transfer the unencumbered cash balance in the ABD Managed Care – State Fund (Fund 5BZ) to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87). Requires ODJFS to deposit federal reimbursement received for the ABD Managed Care Program into the ABD Managed Care – Federal Fund (Fund 3AZ).

Fiscal effect: Under this provision, state expenditures would initially increase because both fee-for-service costs (due to a payment lag) and start-up costs for managed care services would have to be paid at the same time. In future years, there would likely be savings for services provided to this population under managed care. These fiscal impacts are likely to be in the millions of dollars.

Same as the House, but adds references to the program as being instead two pilot programs and requires that the cash balance be transferred not later than 90 days after the Department terminates the pilot programs.

Fiscal effect: Under this provision, state expenditures would initially increase because both fee-for-service costs (due to a payment lag) and start-up costs for managed care services would have to be paid at the same time. After the initial start-up period, there would likely be savings for services provided to this population under managed care. The magnitude of the fiscal impact will depend on the number of

Same as the House, except removes the requirement that the Director of Budget and Management, no later than July 31, 2007, transfer the unencumbered cash balance in the ABD Managed Care State Fund to the Tobacco Use Prevention and Cessation Trust Fund.

Fiscal effect: Same as the House, but with the delayed effective date the fiscal impact will be delayed.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(See item entitled, "Aged, Blind, and Disabled Managed Care" in the Tobacco Use Prevention and Control Foundation)

individuals served through the two pilot programs.

(See the item entitled, "Aged, Blind, and Disabled Managed Care" in the Tobacco Use Prevention and Control Foundation)

(See the item entitled, "Aged, Blind, and Disabled Managed Care" in the Tobacco Use Prevention and Control Foundation)

558 (CD-1261-JFS) Financial Incentives for Positive Outcomes in Medicaid Managed Care

R.C. 5111.17

R.C. 5111.17

No provision.

No provision.

Requires that the Department develop and implement a financial incentive program to improve and reward positive health outcomes through the managed care organization contracts used as part of the Medicaid care management system.

Same as the Senate.

No provision.

No provision.

Requires the financial incentive program to be based on recommendations made by the bill's Medicaid Care Management Working Group, including recommendations regarding standards for paying the financial incentives, measures of positive outcomes, and methods of funding the program without requiring an increase in appropriations.

Same as the Senate.

Fiscal effect: The potential impact of a financial incentive program is unknown until the details of the program have been established.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

559 (CD-1363-JFS) \* **Vetoed** \* Medicaid Managed Care Coverage of Respiratory Anti-Viral Drugs

R.C. 5111.172

R.C. 5111.172, Section 206.66.41

No provision.

No provision.

\*\*\*VETOED: Requires Medicaid health insuring corporations to cover prescription drugs that protect against respiratory syncytial virus for Medicaid recipients who, as an infant born prematurely or other pediatric patient, are at risk for respiratory syncytial virus. \*\*\*]

\*\*\*VETOED: Same as the Senate, but limits its application to fiscal years 2006 and 2007. \*\*\*]

\*\*\*VETOED: Fiscal effect: This provision will result in an increase in Medicaid managed care costs to provide prescription drugs that protect against respiratory syncytial virus. \*\*\*]

\*\*\*VETOED: Fiscal effect: Same as the Senate, but only applies to FY 2006 and FY 2007. The Department of Job and Family Services estimates the cost to be \$3.0 million all funds (\$1.2 million state share) in FY 2006 and \$6.0 million all funds (\$2.4 million state share) in FY 2007. \*\*\*]

560 (CD-458-JFS) Medicaid Managed Care Organizations Franchise Permit Fee

R.C. 5111.177

R.C. 5111.177

R.C. 5111.176

R.C. 5111.176

Requires that Medicaid managed care organizations, beginning January 1, 2006, pay a quarterly franchise permit fee to the Department to be used to pay for Medicaid services, administrative costs, and managed care contracts.

Same as the Executive, but (1) limits the fee to the calendar quarters occurring between January 1, 2006, and June 30, 2007, and (2) limits the fee to Medicaid health insuring corporations.

Same as the House.

Same as the House.

Provides for the fee to be 4.5% of the managed care organization's quarterly managed care premiums, unless the Department adopts rules decreasing the

Same as the Executive, but requires, rather than permits, the Department to reduce or terminate the fee if it determines that the reduction or termination is required to

Same as the House.

Same as the House.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

percentage or increasing it to not more than 6%.

comply with federal law and requires the Department to reduce or terminate the fee if it determines that the fee does not qualify as a state Medicaid expenditure eligible for federal financial participation.

Fiscal effect: The Executive estimates that the state could generate revenue through these managed care assessment fees totaling approximately \$4.8 million all funds (\$1.9 million state share) in FY 2006 and \$124.6 million all funds (\$50.0 million state share) in FY 2007. This estimate assumes that health insuring corporations participating in the Medicaid Managed Care Program would restructure their business operations into Medicaid and non-Medicaid. Provides for the fee calculation to be based on a Medicaid managed care organization's Medicaid premiums.

Fiscal effect: Same as the Executive, because these effects were already assumed in the estimate. The sunset provision would limit the cost impact to FY 2006 and FY 2007.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

Provides for the fee calculation to be based on all managed care premiums received by a health insuring corporation for operating in Ohio, rather than solely on the corporation's Medicaid premiums.

Same as the House.

Same as the House.

| As Introduced (Executive)  |   | As Passed by the House                |   | As Passed by the Senate  |   | As Amended by Conference Committee    |   |
|--|---|---------------------------------------|---|--|---|---------------------------------------|---|
| 561  | (CD-470-JFS) Medicaid Payments for Graduate Medical Education Costs |                                       |   |  |   |                                       |   |
| R.C.   | <i>5111.191, 5111.19, Section 206.66.51</i>                         | R.C.                                  | <i>5111.191, 5111.19, Section 206.66.51</i> | R.C.   | <i>5111.191, 5111.19, Section 206.66.51</i> | R.C.                                  | <i>5111.191, 5111.19, Section 206.66.51</i> |
| Prohibits the Department from making a Medicaid payment to a hospital for graduate medical education costs if the hospital refuses without good cause to contract with a managed care organization that provides, or arranges for the provision of, health care services to Medicaid recipients residing in the county, or a mandatory managed care enrollment service area, in which the hospital is located. |   | Same as the Executive.                |   | Permits the Department to deny payments to a hospital for graduate medical education costs if the hospital refuses without good cause to contract with a Medicaid managed care organization and specifies that the denial of payment applies to "direct" graduate medical education costs.   |   | Same as the Senate.                   |   |
| No provision.  |   | No provision.                         |   | Exempts a hospital from the provisions permitting the denial of graduate medical education payments, if the hospital (1) is located in a county in which Medicaid recipients are required to be enrolled in a health insuring corporation before January 1, 2006, (2) has entered into a contract before January 1, 2006, with at least one Medicaid health insuring corporation, and (3) remains under contract with at least one Medicaid health insuring corporation. |   | Same as the Senate.                   |   |
| Fiscal effect: This provision could result in savings to the state if there are hospitals refusing without good cause to contract with a managed care organization.  |   | Fiscal effect: Same as the Executive. |   | Fiscal effect: Same as the Executive.  |   | Fiscal effect: Same as the Executive. |   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

562 (CD-391-JFS) Medicaid's Long-Term Care Reimbursement Formula

R.C. 5111.20, 173.20, 173.21, 3722.16, 5111.02, 5111.21, 5111.22, 5111.231 (5111.24), 5111.25 (5111.27), 5111.26 (5111.23), 5111.263 (5111.25), 5111.28, 5111.29 (5111.30), 5111.31, 5111.33 (5111.26), 5111.99, repeals: 5111.221, 5111.23, 5111.235, 5111.24, 5111.241, 5111.251, 5111.255, 5111.257, 5111.261, 5111.262, 5111.264, 5111.27, 5111.291

R.C. 5111.20, 5111.02, 5111.21, 5111.22, 5111.221, 5111.222, 5111.23, 5111.231 (5111.232), new 5111.231, 5111.234, 5111.235, 5111.24, 5111.241, 5111.242, 5111.25, 5111.251, 5111.254, 5111.255, 5111.256, 5111.257 (5111.258), new 5111.257, 5111.26, 5111.261, 5111.262 (repealed), new 5111.262, 5111.263, 5111.264, 5111.265, 5111.266, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33

R.C. 5111.20, 5111.02, 5111.21, 5111.22, 5111.221, 5111.222, 5111.23, 5111.231 (5111.232), new 5111.231, 5111.235, 5111.24, 5111.241, 5111.242, 5111.243, 5111.244, 5111.25, 5111.251, 5111.254, 5111.255, 5111.257 (5111.258), new 5111.257, 5111.26, 5111.261, 5111.262 (repealed), 5111.263, 5111.264, 5111.265, 5111.266, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33, Section 206.66.25

R.C. 5111.20, 5111.02, 5111.21, 5111.22, 5111.221, 5111.222, 5111.23, 5111.231 (5111.232), new 5111.231, 5111.235, 5111.24, 5111.241- 5111.244, 5111.25, 5111.251, 5111.254, 5111.255, 5111.257 (5111.258), new 5111.257, 5111.26, 5111.261, 5111.262 (repealed), 5111.263, 5111.264, 5111.265, 5111.266, 5111.27, 5111.28, 5111.29, 5111.291, 5111.30, 5111.31, 5111.32, 5111.33, 5111.34, Section 206.66.24

Eliminates state law governing the Medicaid reimbursement methodology and procedures for nursing facilities and intermediate care facilities for the mentally retarded.

Restores the Medicaid reimbursement methodology and procedures for nursing facilities and intermediate care facilities for the mentally retarded to the Revised Code and makes substantive revisions to the methodology and procedures to begin in fiscal year 2008.

Replaces the House provision with a provision that establishes a new statutory reimbursement formula and procedures for nursing facilities for fiscal years 2008 and thereafter. Provides for the new formula to be based on a price model under which a facility's total rate is, with certain modifications, the sum of all of the following:

- (1) The rate for direct care costs determined semi-annually by multiplying the cost per case-mix unit determined for the facility's peer group by the facility's semiannual case-mix score;
- (2) The rate for ancillary and support costs determined for the nursing facility's peer group;
- (3) The median rate for capital costs for the facility's peer group;
- (4) The rate for tax costs;

Same as the Senate, but provides for the new formula to begin to be used, with certain restrictions, in fiscal year 2007. (See the item entitled "Fiscal Year 2007 Medicaid Reimbursement Rate for Nursing Facilities.")

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

(5) The rate for franchise permit fees;  
 (6) The quality incentive payment paid to the facility's tier group.  
 Provides for the total rate to be modified by the following:  
 (1) Laws the General Assembly enacts, including laws establishing factors by which the total rate is to be adjusted or a methodology for transitioning payments from the rates determined for fiscal year 2007 to rates determined for subsequent fiscal years;  
 (2) Provisions of current law governing Medicaid payments to nursing facilities.

Requires that the Department prepare a report that includes a recommendation on the methodology that should be used to transition paying nursing facilities from the fiscal year 2007 rate to the rate determined under the statutory formula for fiscal years 2008 and thereafter.

Rather than requiring that the Department prepare a report that includes a recommendation on the methodology that should be used to transition paying nursing facilities from the fiscal year 2007 rate to the fiscal year 2008 rate, creates the Nursing Facility Rate Transition Advisory Council to develop recommendations on the methodology to be used to phase in the new price model reimbursement formula for nursing facilities. Requires that the Department prepare, not later than October 1st of each year, a report containing recommendations on the methodology that should be used to transition paying providers of nursing facilities from the rate determined for one fiscal year to the rate for the immediately succeeding fiscal year.

Fiscal effect: This provision could have a fiscal impact on the state if the Department changes the reimbursement methodology and procedures. The impact will depend on the design of the future reimbursement methodology.

Fiscal effect: ODJFS estimates that under this provision reimbursement to nursing facilities beginning in FY 2008 would be approximately \$800 million (all funds) above the FY 2007 reimbursement proposed in the As Passed by the House version of the bill.

Fiscal effect: Unknown because it would be up to the General Assembly to determine the rate paid to nursing facilities in FY 2008 and annually thereafter.

Fiscal effect: For fiscal year 2007, see the item entitled "Fiscal Year 2007 Medicaid Reimbursement Rate for Nursing Facilities." For fiscal year 2008, same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

In addition, according to ODJFS, the proposed reimbursement formula would result in costs below that of the reimbursement formula that is currently in the Revised Code.

For the last two biennia the actual reimbursement has been below the statutory reimbursement as a result of the statute being overridden by uncodified law. The As Introduced and the As Passed by the House versions of the bill override the statutory formula as well. It is unknown if the proposed reimbursement formula to begin in FY 2008 would be overridden in a similar manner.

**563 (CD-232-JFS) Assessments on Need for Nursing Facility Services**

R.C. 5111.204

R.C. 5111.204

R.C. 5111.204

R.C. 5111.204

Modifies the procedures that must be followed when conducting assessments of Medicaid applicants or recipients who apply for admission to a nursing facility to determine whether they need the level of care provided by a nursing facility.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Provides for such level-of-care assessments to be conducted for Medicaid applicants who already reside in a nursing facility.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

564 (CD-1239-JFS) Ohio Veteran's Home Agency Nursing Facility Beds

R.C. 5111.21

R.C. 5111.21

No provision.

No provision.

Provides that the Ohio Veteran's Home Agency is not required to qualify in the Medicare program all of the Medicaid-certified beds in a nursing facility the agency maintains and operates.  
Fiscal effect: Unknown.

Same as the Senate.

Fiscal effect: Same as the Senate.

565 (CD-405-JFS) Multiple Provider Agreements for Long-Term Care Providers

R.C. 5111.221

R.C. 5111.222

R.C. 5111.223

R.C. 5111.223

Permits the operator of a nursing facility or intermediate care facility for the mentally retarded to enter into Medicaid provider agreements for more than one facility.

Fiscal effect: This provision does not have a direct fiscal impact to the state.

Same as the Executive (but renumbers the provision Revised Code section 5111.222).

Fiscal effect: Same as the Executive.

Same as the Executive (but renumbers the provision Revised Code section 5111.223).

Fiscal effect: Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

566 (CD-407-JFS) Long-Term Care Facilities' Submission of Assessment Information

R.C. 5111.24

R.C. 5111.232

R.C. 5111.232

Revises the law governing the submission of nursing facility and intermediate care facility for the mentally retarded resident assessment information that is used in determining facilities' Medicaid reimbursement rates.

No provision.

Same as the Executive.

Same as the Executive.

Fiscal effect: Minimal.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

567 (CD-411-JFS) Therapy Costs

R.C. 5111.25

Eliminates law that provides that a nursing facility's reasonable costs for rehabilitative, restorative, or maintenance therapy services rendered to residents by nurses or nurse aides, and the facilities overhead costs to support provision of therapy services, are allowable costs for determining Medicaid reimbursement rates.

No provision.

No provision.

No provision.

Fiscal effect: This provision could result in a cost reduction to the state since the state would not be required to reimburse nursing facility's for the services included in this provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

568 (CD-1372-JFS) Refund of Excess Depreciation

R.C. 5111.25, 5111.251

R.C. 5111.25, 5111.251

Eliminates current law that specifies that the amount of excess depreciation a nursing facility or intermediate care facility for the mentally retarded must refund to the Department after the facility is sold is based on the number of years the facility operated under a Medicaid provider agreement and current law that provides that a facility is not to make the refund if the facility was operated ten or more years under the provider agreement.

No provision.

Same as the Executive.

Same as the Executive.

Fiscal effect: Under this provision, it would be up to ODJFS to determine how much excess depreciation a NF or ICF/MR would have to refund rather than what is in current law. Therefore, the fiscal impact will be affected by how much ODJFS determines must be refunded.

No provision.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

|                           |                        |                         |                                    |
|---------------------------|------------------------|-------------------------|------------------------------------|
| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|

**569 (CD-396-JFS) Amortization of Cost of Acquiring Nursing Facility Bed**

R.C. 5111.251

R.C. 5111.265

R.C. 5111.265

R.C. 5111.265

Provides that, if a Medicaid-certified bed is relocated from one nursing facility to another nursing facility owned by a different person or government entity, amortization of the cost of acquiring operating rights for the transferred bed is not an allowable cost under Medicaid beginning in fiscal year 2008.

Provides that if one or more Medicaid-certified beds are relocated from one nursing facility to another nursing facility owned by a different person or government entity and the application for the certificate of need authorizing the relocation is filed with the Director of Health on or after the effective date of this provision of the bill, amortization of the cost of acquiring the operating rights for the relocated beds is not an allowable cost.

Same as the House.

Same as the House.

Fiscal effect: This provision would reduce state expenditures related to amortization of the cost of acquiring operating rights for transferring Medicaid-certified beds beginning in fiscal year 2008.

Fiscal effect: This provision will reduce future costs related to amortization of the cost of acquiring the operating rights for relocated beds depending on the number of Medicaid-certified beds that are relocated from one nursing facility to another owned by a different person or government entity on or after the effective date of this provision.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

---

**570 (CD-406-JFS) ICF/MR Beds Excluded from Medicaid Provider Agreement**

R.C. 5111.222, 5111.99

R.C. 5111.31, 5111.99

R.C. 5111.31, 5111.99

R.C. 5111.31, 5111.99

Provides that a Medicaid provider agreement for an intermediate care facility for the mentally retarded does not have to include beds that are designated for respite care under a Medicaid waiver program.

Same as the Executive, but does not renumber Revised Code section 5111.31 as 5111.222.

Same as the House.

Same as the House.

| As Introduced (Executive)  | As Passed by the House                                  | As Passed by the Senate                                  | As Amended by Conference Committee                       |
|--|---|--|--|
| Fiscal effect: None.   | Fiscal effect: Same as the Executive.                   | Fiscal effect: Same as the Executive.                    | Fiscal effect: Same as the Executive.                    |
| <b>571 (CD-408-JFS) Nursing Facility Reimbursement Study Council Abolished</b>   |   |  |  |
| R.C. <i>5111.34, (repealed), Section 403.05, 403.06</i>  | R.C. <i>5111.34, (repealed), Section 403.05, 403.06</i> | R.C. <i>5111.34, (repealed), Sections 403.05, 403.06</i> | R.C. <i>5111.34, (repealed), Sections 403.05, 403.06</i> |
| Abolishes the Nursing Facility Reimbursement Study Council.  | Same as the Executive.                                  | Same as the Executive.                                   | Same as the Executive.                                   |
| Fiscal effect: The Council was active in fiscal years 2004 and 2005. However, no specific funding was provided. Therefore, abolishing the Council would have no fiscal effect. | Fiscal effect: Same as the Executive.                   | Fiscal effect: Same as the Executive.                    | Fiscal effect: Same as the Executive.                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

572 (CD-401-JFS) Change of Operator, Closure, and Voluntary Termination and Withdrawal

R.C. 5111.65, 3721.19, 5111.20, 5111.66, 5111.661, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688

R.C. 5111.256, 5111.29

R.C. 5111.65, 3721.19, 5111.20, 5111.21, 5111.25, 5111.251, 5111.26, 5111.28, 5111.29, 5111.651, 5111.66, 5111.661, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688

R.C. 5111.65, 3721.19, 5111.20, 5111.21, 5111.25, 5111.251, 5111.26, 5111.28, 5111.29, 5111.651, 5111.66, 5111.661, 5111.67, 5111.671, 5111.672, 5111.673, 5111.674, 5111.675, 5111.676, 5111.677, 5111.68, 5111.681, 5111.682, 5111.683, 5111.684, 5111.685, 5111.686, 5111.687, 5111.688

Establishes requirements for nursing facilities and intermediate care facilities for the mentally retarded (ICFs/MR) that undergo a change of operator, facility closure, voluntary termination, or voluntary withdrawal of participation in the Medicaid program.

Removes the Executive's provisions regarding when a nursing facility or intermediate care facility for the mentally retarded undergoes a change of operator, closure, or voluntary termination or withdrawal from the Medicaid program and adds new provisions regarding a nursing facility that undergoes a change of provider.

Same as the Executive, but with the following differences:  
 (1) Provides that the requirements do not apply to nursing facilities and ICFs/MR that undergo a facility closure, voluntary termination, voluntary withdrawal of participation, or change of operator on or before September 30, 2005, if the exiting operator provided notice to the Department on or before June 30, 2005.  
 (2) Specifies requirements that an entering operator must meet after becoming the operator or a nursing facility or ICF/MR rather than requirements for the entering operator's provider agreement.  
 (3) Authorizes the Department to choose not to make a withholding from the exiting operator if the entering operator provides the Department a copy of the entering operator's balance sheet rather than a list of the entering operator's assets and liabilities.  
 (4) Does not include third-party liabilities among the debts that the Department must include when determining the exiting

Same as the Senate, but with the following differences:  
 (1) Requires that the Department issue a debt summary report for a nursing facility or ICF/MR that undergoes a change of operator, facility closure, voluntary termination, or voluntary withdrawal of participation from the Medicaid program not later than 90 (rather than 180) days after the date the facility files a cost report or the Department waives the requirement that a cost report be filed.  
 (2) Requires that the Department release an amount withheld from such a nursing facility or ICF/MR 91 (rather than 181) days after the date the facility files the cost report or the Department waives the cost report requirement unless the Department issues the debt summary report not later than 90 (rather than 180) days after the cost report is filed or waived.  
 (3) Requires that the Department release an amount withheld from such a nursing facility or ICF/MR not later than 30 (rather than 60)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: The fiscal effect will depend on the number of facilities that undergo change of operator, closure, termination, or withdrawal.

Fiscal effect: The fiscal effect will depend on the number of facilities that undergo change of operator, closure, termination, or withdrawal.

Fiscal effect: The fiscal effect will depend on the number of facilities that undergo change of operator, closure, termination, or withdrawal.

Fiscal effect: The fiscal effect will depend on the number of facilities that undergo change of operator, closure, termination, or withdrawal.

operator's actual and potential debts to the Medicaid program.  
(5) Calls the report that the Department makes of the amount of debt the exiting operator owes the Medicaid program a "debt summary report."

days after the facility agrees to a final fiscal audit resulting from the debt summary report if the Department issues the report not later than 90 (rather than 180) days after the date the facility files the cost report or the Department waives the cost report requirement.

**573 (CD-453-JFS) General Requirements for Home and Community-Based Services Waivers**

R.C. 5111.851, 5111.852, 5111.853, 5111.854, 5111.855

R.C. 5111.851, 5111.852, 5111.853, 5111.854, 5111.855

R.C. 5111.851, 5111.852, 5111.853, 5111.854, 5111.855

R.C. 5111.851, 5111.852, 5111.853, 5111.854, 5111.855

Establishes requirements for Medicaid-funded home and community-based waiver services that are an alternative to hospital, nursing facility, or intermediate care facility for the mentally retarded services.

Same as the Executive.

Same as the Executive, but provides that an individual assessment performed for individuals determined eligible for the waiver services must assess the services an individual needs to avoid admission to a hospital or long-term care facility, rather than assess the services the individual needs to avoid needing such services.

Same as the Senate.

Requires the Department and other state agencies and political subdivisions administering a home and community-based services waiver to maintain financial records documenting the costs of services provided under the waiver and make the records available to the U. S. Secretary of Health and Human Services and U. S. Comptroller General.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Provides that the Department and other state agencies and political subdivisions are

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

financially accountable for funds expended for services provided under a home and community-based services waiver.

Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately \$8.0 million all funds (\$3.2 million state share) both in FY 2006 and in FY 2007 if the state implements two new wavier programs.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**574 (CD-1080-JFS) Medicaid Waivers for Individuals with Autism or Developmental Delays or Disabilities**

R.C. 5111.87

R.C. 5111.87

R.C. 5111.87

No provision.

Revises current law that permits the Department to seek Medicaid waivers to provide early intervention services for children under age three and therapeutic services for children with autism.

Same as the House.

Same as the House.

No provision.

Permits the Department to seek Medicaid waivers to provide specialized habilitative services for adults with autism.

Same as the House.

Same as the House.

Fiscal effect: Broadens the types of services for individuals with autism or developmental delays or disabilities that may be covered under a Medicaid waiver for which the Department may apply. Applying for the waiver is permissive under law and remains permissive under this provision. Therefore, it has no apparent direct fiscal impact.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

575 (CD-455-JFS) Home and Community-Based Services to Replace ICF/MR Service

R.C. 5111.88, 5111.23, 5111.881, 5111.882, 5111.883, 5111.884, 5111.89

R.C. Section 206.66.30

R.C. 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889

R.C. 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889

Requires that the Department seek federal approval to (1) establish a Medicaid waiver under which individuals receive home and community-based services in lieu of the intermediate care facility for the mentally retarded (ICF/MR) service and (2) terminate the ICF/MR service on the date the Medicaid waiver begins to be implemented statewide.

Creates the Intermediate Care Facility for the Mentally Retarded Waiver Study Council to study issues involving the use of a Medicaid waiver program to replace the ICF/MR service.

Requires that the Department seek federal authorization to (1) establish an ICF/MR deinstitutionalization pilot program under which individuals receive deinstitutionalized services rather than intermediate care facilities for the mentally retarded (ICFs/MR) services and (2) refuse to enter into or amend a Medicaid provider agreement with the operator of an ICF/MR if the provider agreement would authorize the operator to receive Medicaid payments for more ICF/MR beds than the operator receives before the pilot program begins implementation. Requires that the Department notify the Governor and General Assembly when the Department seeks the federal authorization. Creates the ICF/MR Deinstitutionalization Study Council to (1) consult with the Department on the rules implementing the program and (2) evaluate the pilot program and issue a report not later than December 31, 2007.

Same as the Senate, but with the following changes:  
 (1) Renames the ICF/MR Deinstitutionalization Pilot Program the ICF/MR Conversion Pilot Program and provides for it to provide home and community-based services rather than deinstitutionalized services.  
 (2) Requires that the Department submit the waiver application and state Medicaid plan amendment needed for the program by July 1, 2006, or as soon thereafter as practical, but not later than January 1, 2007, rather than 30 days after the effective date of this provision of the bill.  
 (3) Renames the ICF/MR Deinstitutionalization Study Council the ICF/MR Conversion Advisory Council.  
 (4) Adds representatives of the Ohio Legal Rights Service, Ohio Developmental Disabilities Council, and Cerebral Palsy Association of Ohio to the Council.  
 (5) Requires that at least four members of the Council, other than the legislative members, be individuals with mental retardation or a developmental disability or family members of ICF/MR residents.  
 (6) Requires that the Department consult with the Council before submitting the waiver application and state Medicaid plan



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Authorizes the Department to assign the administration of the new Medicaid waiver to the Ohio Department of Mental Retardation and Developmental Disabilities (ODMR/DD).

No provision.

Authorizes the Department to assign the administration of the pilot program to ODMR/DD and transfer funds to pay for the nonfederal share of the pilot program's costs to ODMR/DD.

amendment needed for the program.  
 (7) Authorizes the Department or ODMR/DD, whichever administers the program, to make adjustments to the program, other than adjustments that expand the size or scope of the program, after consulting with the Council.  
 (8) Rather than the Council conducting the evaluation of the program, requires that the ODJFS or ODMR/DD, whichever administers the program, conduct the evaluation in consultation with the Council.  
 (9) Rather than requiring a report of the evaluation by December 31, 2007, provides that an initial report must be finished no sooner than the last day of the program's first year and a final report must be finished no sooner than the last day of the program's second year.  
 (10) Provides that an ICF/MR that converts to providing home and community-based services under the program may reconvert to providing ICF/MR services after the program terminates unless the program is implemented statewide or the ICF/MR no longer meets the requirements for certification as an ICF/MR.  
 Same as the Senate, but (1) provides that ODMR/DD will become responsible for a portion of the nonfederal share of Medicaid expenditures for ICF/MR services provided by an ICF/MR that reconverts to providing ICF/MR services if the program terminates rather than expanding statewide and (2) provides that ODMR/DD's responsibility for the nonfederal share is to go into effect not later than two and one-half years after the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Requires that the Department or ODMR/DD, whichever administers the new Medicaid waiver, phase in implementation of the waiver.

No provision.

Requires that the Department or ODMR/DD, whichever administers the pilot program, permit no more than 200 individuals to participate at one time.

program's termination.  
Same as the Senate.

Provides for the new Medicaid waiver to be implemented statewide when the Department and, if ODMR/DD administers the waiver, ODMR/DD determine that it can be implemented statewide effectively.

No provision.

Terminates the pilot program on July 1, 2007, and leaves to future legislation the issue of implementing the program on a permanent and statewide basis.

Requires that the program be implemented for not less than three years rather than terminate on July 1, 2007, and explicitly states that the program is not to be implemented statewide unless the General Assembly enacts law authorizing statewide implementation.

Fiscal effect: This provision could have a fiscal impact on the state upon the implementation of the new waiver. The fiscal impact will depend on the design of the future waiver plan. The details of the waiver plan, such as the services provided and the eligibility criteria, are to be determined by the Department.

Fiscal effect: The bill does not designate any state agency to provide the Council with administrative support. Although members of the Council will receive no compensation, LSC staff assumes there would be some minimal administrative costs associated with the Council's duties (e.g., issuing a report). However, it is unclear as of this writing what entity will be responsible for any such costs.

Fiscal effect: This provision could have a fiscal impact on the state upon the implementation of the pilot program. The fiscal impact will depend on the design of the pilot program.

Fiscal effect: This provision could have a fiscal impact on the state upon the implementation of the pilot program. The fiscal impact will depend on the design of the pilot program.

In addition, there may be some costs, although likely minimal, associated with the ICF/MR Deinstitutionalization Study Council, evaluation of the pilot program, and issuance of a report. The provision is silent on what entity will provide administrative support for the Council.

In addition, there may be some costs, although likely minimal, associated with the ICF/MR Conversion Advisory Study Council, the Department of Job and Family Services' or the Department of Mental Retardation and Developmental Disabilities' evaluation of the pilot program, and issuance of an interim and final report. The provision is silent on what entity will provide administrative support for the Council.

The bill retains current law by removing the provisions of the bill that would have required ODJFS to seek federal approval to convert the current ICF/MR system to a Medicaid waiver. Since current law is retained, there would be no fiscal effect.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

576 (CD-417-JFS) Assisted Living Medicaid Waiver

R.C. 5111.89, 5111.891, 5111.892, 5111.893, Section 206.66.36

R.C. 5111.89, 3702.68, 5111.891, 5111.892, 5111.893, Section 206.66.36

R.C. 5111.89, 3702.68, 5111.891, 5111.892, 5111.893, Section 206.66.36, 206.66.37

R.C. 5111.89, 3702.68, 5111.891, 5111.892, 5111.893, Section 206.66.36, 206.66.37

Authorizes the Department to seek a federal Medicaid waiver authorizing the Assisted Living Program under which supervision and personal care services are provided to residents of a residential care facility who are eligible for the program.

Same as the Executive, but (1) limits the Assisted Living Program to not more than 1,000 participants, (2) establishes conditions on the residential care facility in which a participant of the program resides, and (3) establishes an exemption from the moratorium on certificate of need applications for a facility that is reconverting its residential care facility beds that participated in the Assisted Living Program back to nursing home beds. Specifies that the conditions on the residential care facility in which a participant must reside are that the facility must either be (1) licensed on the effective date of this provision of the bill and either (a) consist of beds that previously were licensed as nursing home beds and were converted to residential care facility beds for the purpose of the facility participating in the Assisted Living Program or (b) be a part of a system of continuing care that is operated in conjunction with a nursing facility and one or more other facilities that provide a less intensive level of care and provides residents a contractual right of admission to the nursing facility or (2) licensed, but not necessarily on the effective date of this provision of the bill, and owned or operated by a metropolitan housing authority that has a contract with the U.S. Department of Housing and Urban

Same as the Executive, but (1) limits the Assisted Living Program to not more than 1,800 participants, (2) specifically permits any residential care facility to participate in the program, including a residential care facility that is owned or operated by a metropolitan housing authority that has a contract with the United States Department of Housing and Urban Development to receive an operating subsidy or rental assistance, (3) permits county and district homes to participate in the program, and (4) provides that a nursing facility resident is not eligible for the program unless the individual would have to remain in the nursing facility for long-term care if not for the program.

Same as the Senate, but provides that a county or district home participating in the Assisted Living Program must be licensed as a residential care facility.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

If the Assisted Living Medicaid waiver is granted, requires that ODJFS contract with the Department of Aging (ODA) for ODA to administer the program.

Permits ODJFS and ODA to adopt rules regarding the program but provides that ODA's rules must concern issues not addressed by ODJFS's rules.

Fiscal effect: This provision provides that once ODJFS enters into a contract with the ODA to administer the Assisted Living program, ODJFS must submit quarterly reports to the Director of Budget and Management outlining the estimated costs of the program for the upcoming quarter, including the state and federal share of the costs. On receipt of the estimated costs, the Director of Budget and Management must make the necessary transfers out of GRF appropriation item 600-525, Health Care/Medicaid, and increases to ODA's budget. The funds transferred and increased are appropriated. The Executive estimates that ODJFS will need to transfer approximately \$20.8 million all funds (\$8.3 million state share) in FY 2007 to ODA. ODA estimates that the program will cost approximately \$18.0 million in FY 2007.

Development to receive an operating subsidy or rental assistance for the residents.

Same as the Executive.

Same as the Executive.

Fiscal effect: ODA estimates that ODJFS will need to transfer approximately \$14.7 million to \$15.2 million to support 1,000 participants. The amount transferred by ODJFS will depend on whether ODA replaces people upon their disenrollment. If individuals are not replaced, the amount transferred will be the lower estimate as the number of individuals served would eventually fall below 1,000 as individuals disenroll. If individuals are replaced, the cost would be the higher estimate since the monthly caseload would always remain at approximately 1,000.

Same as the Executive.

Same as the Executive, but eliminates the requirement that ODA's rules concern issues not addressed by ODJFS's rules and provides instead that ODA's rules are to be rules that ODJFS's rules authorize ODA to adopt.

Fiscal effect: Same as the Executive.

Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

577 (CD-949-JFS) Medicaid Interagency Agreements for Coverage of Behavioral Health Services

R.C. 5111.911, Section 206.67.18 R.C. 5111.911, Section 206.67.18 R.C. Section 206.67.18

No provision.

Requires interagency agreements between ODJFS and the Ohio Departments of Mental Health (ODMH) and Alcohol and Drug Addiction Services (ODADAS) regarding the alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services to address the following: utilization review, utilization management, care management, and a provider-specific fixed rate reimbursement system.

Requires that the interagency agreements specify (1) how providers will be paid for providing alcohol, drug addiction, and mental health services covered by the Medicaid program under the federal option of covering rehabilitative services, (2) a process for making payments to the providers, and (3) procedures for oversight and quality assurance.

Same as the Senate.

No provision.

Establishes a schedule for implementation of the items to be addressed in the interagency agreements, as follows: (1) utilization review as soon as possible after the bill's effective date, (2) utilization management and care management by July 1, 2006, and (3) provider-specific fixed rate reimbursement by July 1, 2007.

No provision.

No provision.

No provision.

Requires the implementation to be as consistent as possible with the "State of Ohio Community Behavioral Health Medicaid Business Plan" that was finalized in August 2004 by ODJFS, ODMH, ODADAS, and the Ohio Association of Behavioral Health Authorities.

Requires that the new requirements of the interagency agreements be implemented in a manner that is consistent with the "State of Ohio Community Behavioral Health Medicaid Plan."

Same as the Senate.

No provision.

No provision.

Requires ODJFS, ODMH, ODADAS, and behavioral health providers to specify procedures for the implementation of the "State of Ohio Community Behavioral Health Medicaid Plan."

Same as the Senate, but adds boards of alcohol, drug addiction, and mental health services to the entities required to specify procedures for the implementation of the "State of Ohio Community Behavioral Health

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: The Departments of Job and Family Services, Mental Health, and Alcohol and Drug Addiction Services may experience a minimal increase in administrative costs related to developing such interagency agreements.

Fiscal Effect: ODJFS, ODMH, and ODADAS would incur minimal costs associated with producing and distributing the required report.

See "Medicaid Interagency Agreements for Coverage of Behavioral Health Services" in DMH.

Medicaid Plan" and requires the report on the implementation of the Plan to be submitted to the Minority Leaders of the House of Representatives and the Senate, in addition to the Speaker of the House and the President of the Senate.

Fiscal effect: Same as the Senate, but also impacts boards of alcohol, drug addiction, and mental health services with the departments.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

578 (CD-921-JFS) Medicaid Enterprise Data Warehouse

R.C. 5111.915

R.C. 5111.915, Section 206.66.10

R.C. 5111.915, Section 206.66.10

No provision.

Requires the Department of Administrative Services to acquire a computer system to be known as the Medicaid Enterprise Data Warehouse to monitor Medicaid services administered by various state agencies.

Same as the House, but removes the name "Enterprise Data Warehouse" and requires the Department of Job and Family Services to seek federal funding for 90% of the project.

Same as the Senate, but (1) requires ODJFS to enter into an agreement with the Department of Administrative Services (DAS) for DAS to contract through competitive selection with a vendor to assess the Medicaid data warehouse system, (2) requires DAS to contract with the vendor to conduct the assessment not later than 30 days after the bill's effective date, (3) requires that vendor must complete the assessment not later than 90 days after the bill's effective date, (4) requires DAS, based on the assessment, to contract with a qualified vendor through competitive selection to enhance or develop a data collection and data warehouse system for ODJFS and all agencies serving Medicaid recipients, and (5) clarifies that DAS may not award a contract for development or enhancement of the data system until ODJFS obtains approval from the federal government for the 90% federal match.

No provision.

No provision.

Allocates \$6 million in state and federal funds in fiscal year 2006 and \$4 million in state and federal funds in fiscal year 2007 to fund the data system upon receipt of approval of federal reimbursement.

Eliminates the earmark of up to \$6.0 million in fiscal year 2006 and up to \$4.0 million in fiscal year 2007 for the Medicaid data system and instead specifies that the Department of Job and Family Services must fund the cost of the required assessment of the data collection and data warehouse function of the Medicaid data warehouse system and, upon receipt of



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(See item entitled "Medicaid Enterprise Data Warehouse" in Administrative Services.)

(See item entitled "Medicaid Enterprise Data Warehouse" in Administrative Services.)

federal approval and assured 90% reimbursement for the project, fund the development or enhancement of a data collection or data warehouse system.

(See item entitled "Medicaid Enterprise Data Warehouse" in Administrative Services.)

579 (CD-416-JFS) Department-Administered Home and Community-Based Waivers

R.C. 5111.97, (renumbered 5111.86)

R.C. 5111.97, (renumbered 5111.86)

R.C. 5111.97, (renumbered 5111.86), 5111.856

R.C. 5111.97, (renumbered 5111.86), 5111.856

Authorizes the Department to seek two or more Medicaid waivers under which home and community-based services are provided to individuals who need the level of care provided by a nursing facility or hospital and requires that the Department administer the waivers.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Authorizes the Department to transfer an individual enrolled in an existing Medicaid waiver the Department administers to a new waiver this provision of the bill authorizes the Department to administer.

Same as the Executive.

Authorizes the Department to transfer an individual enrolled in any Medicaid waiver the Department administers, not just a currently existing waiver, to any waiver the Department administers, not just a new waiver the Department is authorized by R.C. 5111.86 to administer.

Same as the Senate.

Authorizes the Department, after the first of any of the new Medicaid waivers begin to enroll eligible individuals, to seek federal approval to cease new enrollment in the Ohio Home Care Program.

Same as the Executive.

Provides that the Department may seek federal approval to cease enrolling additional individuals in a Medicaid waiver program of the Ohio Home Care Program, rather than the Ohio Home Care Program, after the first of new Medicaid waiver programs this provision of the bill authorizes begins to enroll individuals.

Same as the Senate.



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately \$8.0 million all funds (\$3.2 million state share) both in FY 2006 and in FY 2007 if the state implements two new wavier programs.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**580 (CD-357-JFS) Ohio Access Success Project**

R.C. 5111.97

R.C. 5111.97

R.C. 5111.97

R.C. 5111.97

Reduces to 12 (from 18) the number of months a Medicaid recipient must have continuously resided in a nursing facility before applying to participate in the Ohio Access Success Project.

Same as the Executive.

Reduces to six months (from the current 18 months and the Executive's 12 months) the number of months a Medicaid recipient must have continuously resided in a nursing facility before applying to participate in the Project.

Eliminates provisions of existing law and the bill requiring a Medicaid recipient to have continuously resided in a nursing facility for a minimum number of months before applying to participate in the Project, and instead, specifies that any recipient of Medicaid-funded nursing facility services may apply for participation. Requires, if a Project applicant has not yet received six months of Medicaid-funded nursing facility services, that a Project assessment and eligibility determination be completed before the services have been received for six months.

Fiscal effect: This provision allows ODJFS to provide help to Medicaid recipients making the transition from a nursing facility to a community setting sooner than under current law by providing assistance with such things as moving expenses and rental deposits. The Executive's plan is to move 50 individuals in FY 2006 and 100 in FY 2007 out of nursing homes. The Executive estimates that the state could avoid costs totaling approximately \$245,000 all funds

Fiscal effect: Same as the Executive.

Fiscal effect: Many individuals' homes are sold six months after entering a NF. This provision allows ODJFS to provide help to Medicaid recipients making the transition from a NF to a community setting sooner than under current law by providing assistance with such things as moving expenses and rental deposits. If an individual can become eligible before their home is sold, moving back home may be possible. Medicaid expenditures would be

Fiscal effect: Same as the Senate.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

(\$98,294 state share) in FY 2006 and in \$491,000 all funds (\$196,989 state share) FY 2007 as a result of this initiative.

reduced if more individuals are able to be moved to a less expensive setting under the Ohio Access Success Project.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

581 (CD-1256-JFS) Medicaid Voucher Pilot Program

R.C. 5111.971, 206.66.38

R.C. 5111.971, 206.66.38

No provision.

No provision.

Requires the Director of Job and Family Services to apply for a federal waiver to implement a pilot program for providing up to 200 Medicaid recipients with vouchers to purchase health care services outside of a nursing facility in lieu of admission to a nursing facility and provides that the application for the waiver must specify that an individual will not be eligible for the voucher pilot program unless the individual meets the same eligibility requirements for the Assisted Living Program established by the bill, with certain exceptions (See item "Assisted Living Medicaid Waiver")

Same as the Senate, but with the following differences:  
 (1) Provides for an individual participating in the pilot program to receive a "spending authorization," rather than a voucher and for the amount of the spending authorization not to exceed 70% of the average cost under the Medicaid program for providing nursing facility services to an individual rather than 75% of the cost that the Medicaid program would incur for care provided to the individual in a nursing facility.  
 (2) Provides that the spending authorization is good for services covered by the pilot program.  
 (3) Eliminates the restriction that the care that an individual participating in the pilot program receives be outside a nursing facility.  
 (4) Provides that fiscal intermediary and other case management services are examples, rather than the only support services to be available to an individual participating in the pilot program.  
 (5) Permits the rules governing the pilot program to establish a list of Medicaid-covered services not covered by the pilot program that an individual participating in the pilot program may not receive if the individual also receives Medicaid-covered services outside of the pilot program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: Assuming: (1) participants using the voucher would do so to avoid placement in a NF; (2) participants will be given a voucher with a value of 75% of the NF costs; and (3) the per resident per month cost in NFs is approximately \$3,700, approximately \$2.2 million all funds (\$880,000 state share) in Medicaid costs could be avoided per year. In addition, unknown fiscal intermediary and other case management service costs could also be incurred.

Fiscal effect: Assuming: (1) although not required, participants using the spending authorization would do so to avoid placement in a NF; (2) participants will be given spending authorization with a value of 70% of the NF costs; and (3) the per resident per month cost in NFs is approximately \$3,700, approximately \$2.7 million all funds (\$1.1 million state share) in Medicaid costs could be avoided per year. In addition, unknown support service costs, for example, for fiscal intermediary and other case management service, could also be incurred.

Each quarter, the Department of Aging must submit a report to the Director of Budget and Management outlining the estimated costs of the program. On receipt of the estimated costs, the Director of Budget and Management must make the necessary transfers from GRF appropriation item 600-525, Health Care/Medicaid, to the Department of Aging's budget. The Director of Budget and Management must also make other necessary adjustments to the Department of Job and Family Services' and the Department of Aging's budgets. The funds transferred are appropriated.

Each quarter, the Department of Aging must submit a report to the Director of Budget and Management outlining the estimated costs of the program. On receipt of the estimated costs, the Director of Budget and Management must make the necessary transfers from GRF appropriation item 600-525, Health Care/Medicaid, to the Department of Aging's budget. The Director of Budget and Management must also make other necessary adjustments to the Department of Job and Family Services' and the Department of Aging's budgets. The funds transferred are appropriated.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

582 (CD-456-JFS) Department's Duties under Medicare Prescription Drug Benefit Law

R.C. 5111.98, 329.04

R.C. 5111.98, 329.04

R.C. 5111.98, 329.04

R.C. 5111.98, 329.04

Authorizes the Department to take certain actions necessary to fulfill the Department's duties under the Medicare Prescription Drug, Improvement and Modernization Act of 2003.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Executive estimates that the state would have had to spend \$355.9 million all funds (\$142.8 million state share) in FY 2006 on drugs for dual eligibles had Medicare Part D not been enacted. The Executive estimates that the state will spend \$82.9 million all funds (\$126.3 million state share) in FY 2006 on Medicaid because of Medicare Part D. The \$82.9 million accounts for the \$155.3 million of the clawback payment (state share only), receipt of accrued rebates, woodwork effect, and claims run out (i.e., the payments for prescriptions filled prior to the start of Part D). There is no federal reimbursement for the clawback payment. Thus, the net impact to the state in FY 2006 as a result of the Medicare Part D is a savings of \$273.0 million all funds (\$16.5 million state share).

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

| As Introduced (Executive)  |  | As Passed by the House                |                            | As Passed by the Senate               |                            | As Amended by Conference Committee    |                            |
|--|--|---------------------------------------|----------------------------|---------------------------------------|----------------------------|---------------------------------------|----------------------------|
| 583  | (CD-399-JFS) ICF/MR Franchise Permit Fee |                                       |                            |                                       |                            |                                       |                            |
| R.C.   | 5112.30, 5112.31, 5112.341               | R.C.                                  | 5112.30, 5112.31, 5112.341 | R.C.                                  | 5112.30, 5112.31, 5112.341 | R.C.                                  | 5112.30, 5112.31, 5112.341 |
| Provides that the amount of the intermediate care facility for the mentally retarded (ICF/MR) franchise permit fee for fiscal years 2006 and 2007 is the same as in fiscal year 2005 (\$9.63 per bed per day).   |  | Same as the Executive.                |                            | Same as the Executive.                |                            | Same as the Executive.                |                            |
| Permits the Department to withhold a Medicaid payment or terminate a Medicaid provider agreement if an ICF/MR fails to pay the franchise permit fee when due.  |  | Same as the Executive.                |                            | Same as the Executive.                |                            | Same as the Executive.                |                            |
| Fiscal effect: The ICF/MR franchise permit fee revenue is deposited into the Fund 4K1, in the state special revenue fund group.  |  | Fiscal effect: Same as the Executive. |                            | Fiscal effect: Same as the Executive. |                            | Fiscal effect: Same as the Executive. |                            |
| Appropriation item 600-621, ICF/MR Bed Assessments, provides funding to pay the state share of reimbursements to the ICFs/MR for their cost of the franchise fee. The appropriation for 600-621 is approximately \$20.0 million for each fiscal years 2006 and 2007. The federal share is paid through appropriation item 600-623, Health Care Federal (Fund 3F0) in the Federal special revenue fund group. |  |                                       |                            |                                       |                            |                                       |                            |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

584 (CD-380-JFS) \* **Partially Vetoed** \* Disability Medical Assistance Program Abolished

R.C. 5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.05, 3111.04, 3119.54, 3317.029, 3317.10, 3702.74, 4123.27, 4731.65, 4731.71, 5101.181, 5101.26, 5101.31, 5101.36, 5110.01, 5110.05, 5112.03, 5112.08, 5112.17, 5115.11 (repealed), 5115.12 (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Sections 206.66.18, 206.66.42

R.C. 5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.05, 3111.04, 3119.54, 3317.029, 3317.10, 3702.74, 4123.27, 4731.65, 4731.71, 5101.181, 5101.26, 5101.31, 5101.36, 5110.01, 5110.05, 5112.03, 5112.08, 5112.17, 5115.11 (repealed), 5115.12 (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Sections 206.66.18, 206.66.42

R.C. 5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.05, 3111.04, 3119.54, 3317.029, 3317.10, 3702.74, 4123.27, 4731.65, 4731.71, 5101.181, 5101.26, 5101.31, 5101.36, 5110.01, 5110.05, 5112.03, 5112.08, 5112.17, 5115.11 (repealed), 5115.12 (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Section 206.66.42

R.C. 5115.10, (repealed), 9.24, 127.16, 131.23, 323.01, 329.04, 329.051, 2305.234, 2744.05, 3111.04, 3119.54, 3317.029, 3317.10, 3702.74, 4123.27, 4731.65, 4731.71, 5101.181, 5101.26, 5101.31, 5101.36, 5110.01, 5110.05, 5112.03, 5112.08, 5112.17, 5115.11 (repealed), 5115.12 (repealed), 5115.13 (repealed), 5115.14 (repealed), 5115.20, 5115.22, 5115.23, Sections 206.66.42, 206.66.43

[\*\*\*VETOED: Abolishes the Disability Medical Assistance (DMA) Program on October 1, 2005. \*\*\*]

Same as the Executive.

Same as the Executive.

Same as the Executive, but:  
 (1) Establishes the Disability Medical Assistance Council, composed of the directors (or a director's designee) of ODJFS, ODADAS, the Rehabilitative Services Commission, Rehabilitation and Correction, and Mental Health, three members of the ODJFS Medicaid Care Advisory Committee and the following individuals, appointed by the Director of ODJFS: two representatives of health care and behavioral health care trade associations; three representatives of low-income disabled individuals; a representative of county board of job and family services; a representative of hospitals; and two representatives of the pharmaceutical industry.  
 (2) Requires the Council to submit a written report to the Governor, Speaker, and Senate

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

[\*\*\*VETOED: Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately \$56.6 million (state share only) in FY 2006 and \$83.1 million (state share only) in FY 2007 by eliminating the DMA program. \*\*\*]

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

President not later than September 1, 2005, to propose a program to replace the Disability Medical Assistance Program. (3) Requires the program proposed by the Council to be implemented not later than October 1, 2005.

Fiscal effect: Increases the appropriation in the Department of Alcohol and Drug Addiction Services' GRF appropriation item 038-401, Treatment Services, by \$2,166,950 in fiscal year 2006 and \$2,833,050 in fiscal year 2007 to provide services to persons who meet criteria that is consistent with the criteria for the Disability Medical Assistance Program.

Provides funding of \$19,500,000 in fiscal year 2006 and \$25,500,000 in fiscal year 2007 for a new Disability Medical Assistance Program in the Department of Job and Family Services' GRF appropriation item 600-513, Disability Medical Assistance.

Increases the appropriation in the Department of Mental Health's GRF appropriation item 335-419, Community Medication, by \$4,333,050 in fiscal year 2006 and \$5,666,950 in fiscal year 2007 to provide services to persons who meet criteria that are consistent with the criteria for the Disability Medical Assistance Program.

Eliminates a requirement that services provided to a Disability Medical Assistance recipient be counted when the amount of indigent care a hospital or group of hospitals provides is determined for the purpose of

Same as the Executive.

[\*\*\*VETOED: Provides that when the amount of indigent care a hospital or group of hospitals provides is determined for the purpose of the Hospital Care Assurance Program, services provided to Disability

Same as the Senate.



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

the Hospital Care Assurance Program.

Medical Assistance recipients, while that program is still in existence, are to be counted. \*\*\*]

Provides that a county's share for public assistance expenditures for calendar year (CY) 2007 is to be an amount equal to the county's share of public assistance expenditures for calendar year 2006, which means counties will be responsible for twelve, rather than nine, months of Disability Medical Assistance Program costs for Calendar Year 2007.

No provision.

No provision.

No provision.

Fiscal effect: Increases the amount for which counties will be responsible in CY 2007.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

585 (CD-553-JFS) \* **Partially Vetoed** \* Head Start and Early Learning Initiative

Sections: 206.09.54, 206.09.18, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38

Sections: 206.09.54, 206.09.18, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38

Sections: 206.09.54, 206.09.18, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.02, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38

Sections: 206.09.54, 206.09.18, 206.67.12, R.C. 121.37, 3301.311, 3301.32, 4511.75, 5104.01, 5104.02, 5104.32, Repealed: 3301.31, 3301.33 through 3301.38

Eliminates state-funded Head Start and Head Start Plus programs and requires that GRF funds provided in FY 2004 and FY 2005 as start-up grants to Title IV-A Head Start and Title IV-A Head Start Plus agencies be reimbursed to the GRF when the programs cease to exist in FY 2006. If payment is not made 100 days after the effective date of the bill, the Department of Education (ODE) must refer any amounts remaining due and payable to the Attorney General for collection.

Same as the Executive.

Same as the Executive, but allows agencies to keep the start-up grants to the extent that they provide early learning services under the new early learning initiative program. Requires ODE and the agencies to determine the amount of the grants to be repaid and the repayment schedule. ODE must refer any amounts remaining due and payable after June 30, 2007 to the Attorney General for collection.

Same as the Senate.

No provision.

No provision.

Requires each entity operating as a federally-funded head start program to meet the criteria for, and be licensed as, a child day-care center.

Same as the Senate.

Establishes the Early Learning Initiative (ELI), paid for with TANF funds and jointly administered by ODE and ODJFS, to provide early learning programs and child care to TANF-eligible children.

Same as the Executive, but specifies that in addition to being TANF-eligible, the children served must also come from families whose incomes do not exceed 185% of the federal poverty line. Once children begin receiving services they remain eligible until their families' incomes exceed 195% of the federal poverty line.

Same as the House, but also specifies that eligible children must be at least three years old but not of compulsory school age or enrolled in kindergarten. Also clarifies that the programs may offer full-day, part-day, or both services.

Same as the Senate.

Specifies that the contract between ODE, ODJFS, and the early learning agency include: (1) the duties of each party to the

Same as the Executive, but specifies that the contract also include a requirement that a child enrolled in Head Start Plus in FY

Same as the House, but specifies that included in the reporting requirements is a requirement to inform ODE when the

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

contract; (2) requirements for use of Title IV-A funds; (3) requirement that administrative costs not exceed 15% of the total costs; (4) reporting requirements; (5) reimbursement methodology; (6) audit requirements; (7) provisions for suspending, modifying, or terminating the contract.

Requires that ODJFS, jointly with ODE, adopt rules to implement ELI. Specifies that these rules include provisions regarding the establishment of co-payments for families and a definition of "weekly attendance rate" for the purposes of reimbursing early learning agencies.

2005 be given priority to enroll in ELI.

Same as the Executive, but requires that the rules be adopted by ODJFS in consultation with ODE and exempts from co-payment requirements families whose income is equal to or less than 165% of the federal poverty line.

provider learns that a kindergarten-eligible child will not be enrolled in kindergarten.

Same as the House, but specifies that the rules also include provisions establishing

\*\*\*VETOED: the following \*\*\*]

reimbursement rates:

\*\*\*VETOED: (1) For a child who attends 25 hours or more a week, the weekly reimbursement rate must be at least \$200.73;

(2) For a child who attends 15 hours or more but less than 25 hours a week, the weekly reimbursement rate must be at least \$160.58;

(3) For a child who attends less than 15 hours a week, the hourly reimbursement rate must be at least \$8.03. \*\*\*]

Same as the Executive, but requires that early learning agencies determine eligibility for Title IV-A services and that ODJFS reimburse agencies for up to 25 days per year an eligible child is absent from the program.

Same as the Senate.

Requires that county departments of job and family services determine eligibility for Title IV-A services and establish co-payment requirements. Also, requires that ODJFS shall ensure that all reimbursements are for Title IV-A services provided to eligible children.

No provision.

Same as the Executive.

Requires ODJFS, in consultation with ODE, to establish a caretaker employment eligibility requirement for participation in ELI.

Same as the House, but permits a child to remain eligible for 30 days if the county department of job and family services

Same as the Senate, but requires the county departments of job and family services to determine eligibility for Title IV-A services and requires the determination be made within 15 days after receipt of a completed application.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

determines that the caretaker is expected to begin engaging in an approved activity within that 30-day period. These approved activities are to be designated by ODJFS by rule.

Makes the following requirements for participating early learning programs: (a) teacher qualification requirements prescribed by law must be met, including a requirement that teachers attend a minimum of twenty hours per year of professional development regarding implementation of content standards and assessments unless they are working toward an associate's or bachelor's degree, (b) curriculum must be aligned to the early learning program guidelines for school readiness, (c) assessment requirements prescribed by law must be met, (d) child progress in meeting the early learning program guidelines for school readiness must be documented and reported, (e) early learning program guidelines for school success must be met and compliance reported.

Same as the Senate, but modifies (b) by requiring the curriculum be aligned with the early learning content standards instead of the early learning guidelines for school readiness, and makes (d) more general by removing reference to "in meeting the early learning program guidelines for school readiness."

No provision.

No provision.

Authorizes individuals whose eligible child participates in an early learning program to obtain certificates for payment for child care for periods in which the child is not in an early learning program. Authorizes an individual who is required to meet certain employment and training requirements for the certificate of payment to meet the requirements while the child is participating in an early learning program.

Same as the Senate, but removes the specification that the certificates be used when the child is not in an early learning program and the express authorization concerning meeting the employment and training requirements while the child is participating in an early learning program.

Specifies that, beginning in FY 2006, a preschool, school child (latchkey), or early learning program is prohibited from receiving

Same as the Executive.

Same as the Executive, but includes early childhood education programs in and eliminates school child (latchkey) programs

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

state funds unless at least 50% of the program's teachers are working toward an associate degree and, beginning in FY 2008, is prohibited from receiving state funds unless 100% of the program's teachers have attained an approved associate degree.

Permits the Director of Budget and Management to transfer appropriation, as needed, from ODE appropriation item 200-663, Early Learning Initiative, (Fund 5W2) in the state special revenue fund group, to ODJFS appropriation item 600-689, TANF Block Grant, (Fund 3V6) in the federal special revenue fund group to support ELI. This provision also specifies that this transfer of appropriation is not to take place until at least 15 days after ODE has determined the number of children to be served by each approved agency. Specifies that ODJFS is to provide up to 10,000 slots in FY 2006 and up to 12,000 slots in FY 2007 of services in ELI.

Transfers up to \$2.2 million in FYs 2006 and 2007 from Fund 3V6 (TANF Federal) to Fund 5W2 (Early Learning Initiative) and earmarks \$2.2 million of appropriation item 200-663, Early Learning Initiative, in each fiscal year for administrative functions related to ELI.

Earmarks up to \$94,380,000 in FY 2006 and \$113,256,000 in FY 2007 from appropriation item 600-689, TANF Block Grant, for ELI. The funds are to be used for the reimbursement of early learning agencies. This provision also allows for any excess funds to be used to provide publicly funded

Same as the Executive, but specifies that each county in the state be allocated at least 17 slots in each fiscal year.

Same as the Executive, but clarifies that the \$2.2 million earmark is for use by ODE.

Same as the Executive.

from the prohibition. Also, prohibits these programs from receiving state funds after July 1, 2010 unless 50% of the teachers employed by the programs have attained a bachelor's degree.

Same as the House, but requires that ODE and ODJFS extend the deadline for submission of applications to be an early learning agency if no agencies have been approved for a given county by the effective date of the bill.

Same as the House.

Same as the Executive, but increases the earmark by \$10.0 million (for a total of \$104,380,000) in FY 2006 and by \$12.0 million (for a total of \$125,256,000) in FY 2007.

Same as the Senate.

Same as the House.

Same as the Senate.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

child care.

Earmarks up to \$800,000 in FYs 2006 and 2007 from appropriation item 600-689, TANF Block Grant, for the administration of ELI.

(See the item entitled "Head Start and Early Learning Initiative" in Education).

Same as the Executive, but clarifies that the \$800,000 earmark is for use by ODJFS.

(See the item entitled "Head Start and Early Learning Initiative" in Education).

Same as the House.

(See the item entitled "Head Start and Early Learning Initiative" in Education).

Same as the House.

(See the item entitled "Head Start and Early Learning Initiative" in Education).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

586 (CD-827-JFS) Appropriation Item Restructuring

Section: 206.66.03

Section: 206.66.03

Section: 206.66.03

Section: 206.66.03

Specifies that if the directors of Job and Family Services and Budget and Management agree, the Director of Budget and Management may, in FYs 2006 and 2007, reduce appropriations in GRF appropriation items 600-321, Support Services, and 600-416, Computer Projects, by amounts equal to the federal share in each appropriation item. The total amount by which these appropriation items are reduced is appropriated to appropriation item 600-651, Federal General Operating (Fund 3AX), in the federal special revenue fund group

Same as the Executive.

Same as the Executive.

Same as the Executive.

Specifies that ODJFS may submit to the Office of Budget and Management (OBM) a plan to realign GRF appropriation items 600-321, Support Services, and 600-416, Computer Projects. The plan may include a request for the Director of Budget and Management to transfer appropriations from those appropriation items to any other ODJFS GRF appropriation items. If the plan is approved by OBM, the Director of Budget and Management is to transfer appropriations as requested in the plan. Dollars spent pursuant to appropriations transferred must be used for the same purposes for which the original appropriations were made.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Requires that in FY 2007, ODJFS, with the approval of OBM, use a method for determining the payments from applicable appropriation items into the Support Services State Operating Fund (Fund 230). The method is to contain the characteristics of ease and uniform application. Payments to the Support Services State Operating Fund are to be made by intrastate transfer voucher. The bill specifies that the amounts transferred are appropriated to appropriation item 600-661, Support Services State Operating (Fund 230), in the general services fund group.

Fiscal effect: Beginning in FY 2003, ODJFS restructured its GRF appropriation items by implementing a modified program budgeting structure. Under that structure, each program area has its own line item from which GRF-funded administrative expenses for that program are paid. According to ODJFS, this provision will allow the Department to move to a full program budgeting structure by allocating the GRF appropriation items that pay for support services (600-321) and computer projects (600-416) to specific program areas. The Department has not fully developed the plan for restructuring its appropriation items. If ODJFS decides to develop and go forward with a restructuring plan, the Department plans to begin operating under the new structure at the start of FY 2007.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.



|            | As Introduced (Executive)   | As Passed by the House                | As Passed by the Senate               | As Amended by Conference Committee    |
|------------|---|---------------------------------------|---------------------------------------|---------------------------------------|
| <b>587</b> | <b>(CD-828-JFS) Governor's Office of Faith-Based and Community Initiatives</b>  |                                       |                                       |                                       |
|            | Section: 206.66.06  | Section: 206.66.06                    | Section: 206.66.06                    | Section: 206.66.06                    |
|            | Specifies that in each fiscal year of the biennium, \$312,500 of GRF appropriation item 600-321, Support Services, may be used to support activities of the Governor's Office of Faith-Based and Community Initiatives. | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |
|            | Fiscal effect: Provides the GRF funding for the Governor's Office of Faith-Based and Community Initiatives.   | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |

|            |  |                                       |                                       |                                       |
|------------|--|---------------------------------------|---------------------------------------|---------------------------------------|
| <b>588</b> | <b>(CD-337-JFS) TANF Ohio Works First Cash Assistance Payments</b>   |                                       |                                       |                                       |
|            | Section: 206.66.09   | Section: 206.66.09                    | Section: 206.66.09                    | Section: 206.66.09                    |
|            | Increases the cash assistance provided to recipients of benefits under the TANF Ohio Works First program by up to 10% as compared to the cash assistance provided prior to July 1, 2005. The increased TANF cash assistance benefit shall be effective October 1, 2005.  | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |
|            | Fiscal effect: Increases the funds provided to OWF recipients through appropriation items 600-410, TANF State; 600-658, Child Support Collections; and 600-689, TANF Block Grant. The average cash benefit per OWF combined assistance group in FY 2005 has been approximately \$302. According to the ODJFS TANF spending | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

plan for the FY 2006-2007 biennium, the 10% increase in cash assistance will require an additional \$24.4 million in fiscal year 2006 and \$32.5 million in fiscal year 2007. An increase in the funds dedicated to cash assistance reduces funds available for non-cash assistance, such as services provided under the Prevention, Retention, and Contingency program.

**589 (CD-1297-JFS) Ohio's Best Rx Operational Costs**

Section: 206.66.12

Section: 206.66.12

Section: 206.66.12

Section: 206.66.12

An amount equal to the remaining balance in appropriation item 600-440, Ohio's Best Rx Start-up Costs, from FY 2005 is hereby appropriated for fiscal year 2006 into appropriation item 600-440, Ohio's Best Rx Start-up Costs.

Same as the Executive.

Clarifies that the funding amount to be appropriated in FY 2006 is the amount equal to the remaining unencumbered balance in the 600-440, Ohio's Best Rx Start-up Costs, from FY 2005.

Same as the Senate.

**590 (CD-502-JFS) TANF Transfers**

Section: 206.66.21

Section: 206.66.21

Section: 206.66.21

Section: 206.66.21

Permits the transfer of up to \$96 million from the GRF to Fund 5AX by the Director of Budget and Management, if the Director determines that the balance in the GRF is greater than the amounts assumed in H.B. 66. Reduces the availability of GRF funds for other purposes.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

591 (CD-392-JFS) \* **Partially Vetoed** \* Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities

Section: 206.66.27

Section: 206.66.27

Section: 206.66.23

Section: 206.66.22

Provides for the fiscal year 2006 Medicaid reimbursement rate for nursing facilities (NFs) with a 2003 Medicaid cost report to be based on that cost report and calculated, with certain modifications, in accordance with the method used to calculate nursing facilities' fiscal year 2005 Medicaid reimbursement rate. Provides that the modifications include a three tier system under which (1) a NF placed in the top tier group receives a two per cent increase over the rate otherwise determined for the NF, (2) a NF placed in the middle tier group receives a four per cent decrease under the rate otherwise determined for the NF, and (3) a NF placed in the bottom tier group receives a six per cent decrease under the rate otherwise determined for the NF.

Freezes the fiscal year 2006 Medicaid reimbursement rate for NFs at the fiscal year 2005 rate amount less any amount of the 2005 rate that reflects reimbursement to NFs for the franchise permit fee.

Same as the Executive, but:  
 (1) Provides that a NF in the top tier group receives a two and one-half per cent increase over the rate otherwise determined for the NF, a NF in the middle tier group receives no increase over or decrease under the rate otherwise determined for the NF, and a NF in the bottom tier group receives a two and one-half per cent decrease under the rate otherwise determined for the NF;  
 (2) Provides for a NF's rate to be adjusted by an amount equal to certain adjustments implemented during fiscal year 2005;  
 (3) Uses a NF's case-mix score that is based on data submitted for the quarter ending December 31, 2004, rather than March 31, 2004;  
 (4) Uses the annual average case-mix score that was used to calculate a NF's rate for June 30, 2005, rather than July 1, 2004;  
 (5) For NFs that pay the nursing home franchise permit fee, increases the Medicaid reimbursement rate by the amount of the bill's increase in the fee;  
 (6) Requires that the Department reduce NFs' fiscal year 2006 reimbursement rate if the federal government requires that the nursing home franchise permit fee be reduced or eliminated.

Provides that a NF's Medicaid reimbursement rate for fiscal year 2006 is the NF's June 30, 2005, rate plus, if the NF pays the franchise permit fee, the amount by which the bill increases the franchise permit fee (\$1.95).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Provides that if a nursing facility has a valid Medicaid provider agreement on June 30, 2005, and is not required to file a cost report covering calendar year 2003, the facility's rate is to be 97% of the rate it was paid for nursing facility services provided on June 30, 2005.

No provision.

Same as the Executive, but for NFs that pay the nursing home franchise permit fee, increases the Medicaid reimbursement rate by the amount of the bill's increase in the fee.

No provision.

Includes special reimbursement provisions for nursing facilities that undergo a change of operator, begin participation in the Medicaid program, or add beds in fiscal year 2006.

Same as the Executive, but revises the wording to reflect that the Executive's provisions regarding a change of operator have been replaced with provisions regarding change of providers.

Same as the House.

Same as the Executive.

Provides that a NF's rate established for fiscal year 2006 is not to be subject to any adjustments for any reason except for an adjustment made pursuant to an audit of the NF's 2003 cost report.

Provides that an adjustment necessitated by an audit of a NF's 2003 cost report may be applied to the fiscal year 2006 rate established for the NF.

Provides that a NF's rate established for fiscal year 2006 is not to be adjusted except as follows:

Same as the Senate, but provides that a NF's fiscal year 2006 rate may be adjusted for capital activities that do not require a certificate of need as well as capital activities that require a certificate of need,

- (1) An adjustment resulting from an audit of the NF's 2003 cost report may be applied to the rate not later than July 1, 2008.
- (2) The rate may be adjusted to reflect a change in the NF's capital costs due to a change of provider agreement that goes into effect before July 1, 2005, and for which a rate adjustment is not implemented before June 30, 2005, or a reviewable activity for which a certificate of need application is filed before July 1, 2005, costs are incurred before June 30, 2005, and a rate adjustment is not implemented before June 30, 2005.

[\*\*\*VETOED: but provides that such adjustments may be made only if, after all other Medicaid obligations have been met, there are appropriations in line item 600-525, Health Care/Medicaid, that would otherwise lapse to the General Revenue Fund. \*\*\*]

Fiscal effect: This provision allows the Department to reduce the total amount paid to NFs by 3% in FY 2006. Approximately one-third of the NFs will get a 2% increase, one-third will get a 4% decrease, and the remaining one-third will get a 6% decrease. These categories are created based on efficiency rankings. The Executive estimates that the state could avoid costs

Fiscal effect: This provision increases NF reimbursement by \$89.4 million all funds (\$35.9 million state share) in FY 2006.

Fiscal effect: Applies a three-tiered reimbursement system, provides for the rate to be adjusted, uses a NF case-mix score and annual average case-mix score based on different dates, all assuming the As Passed by the House funding level.

This provision eliminates the House provision that requires the Department to

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

totaling approximately \$523.8 million all funds (\$210.2 million state share) in FY 2006 as a result of this provision.

use money in the Nursing Facility Stabilization Fund to make quarterly payments to NFs regarding the nursing home franchise permit fee. This provision also increases the reimbursement rate to NFs by the increase in the nursing home franchise permit fee. The net effect to the state is zero.

**592 (CD-394-JFS) Fiscal Year 2007 Medicaid Reimbursement Rate for Nursing Facilities**

**Section: 206.66.30**

**Section: 206.66.27**

**Section: 206.66.24**

**Section: 206.66.23**

Freezes the fiscal year 2007 Medicaid reimbursement rate for nursing facilities (NF) at the fiscal year 2006 rate amount.

Freezes the fiscal year 2007 Medicaid reimbursement rate for NFs at the fiscal year 2005 rate amount, less any amount of the 2005 rate that reflects reimbursement to NFs for the franchise permit fee.

Same as the Executive, but requires that the Department reduce the Medicaid reimbursement rate for a NF for fiscal year 2007 if the federal government requires that the nursing home franchise permit fee be reduced or eliminated.

Provides that a NF's Medicaid reimbursement rate for fiscal year 2007 is the rate determined under the bill's new statutory price model formula unless (1) that rate is more than 102% of the facility's 2006 rate (in which case the facility's 2007 rate cannot be more than 102% of its 2006 rate) or (2) that rate is less than 98% of the facility's 2006 rate (in which case the facility's 2007 cannot be less than 98% of its 2006 rate). (See the item entitled "Medicaid's Long-Term Care Reimbursement Formula.")

Includes special reimbursement provisions for nursing facilities that undergo a change of operator, begin participation in the Medicaid program, or add beds in fiscal year 2007.

Same as the Executive, but revises the wording to reflect that the Executive's provisions regarding a change of operator have been replaced with provisions regarding change of providers.

Same as the House.

Provides for the rate for new NFs and NF beds to be determined pursuant to the bill's new statutory price model formula.

Provides that a NF's rate established for fiscal year 2007 is not to be subject to any adjustments for any reason except for an adjustment made pursuant to an audit of the

Provides that an adjustment necessitated by an audit of a NF's 2003 cost report may be applied to the fiscal year 2007 rate established for the NF.

Provides that a NF's rate established for fiscal year 2006 is not to be adjusted except as follows:  
(1) An adjustment resulting from an audit of

Provides for adjustments to be made pursuant to the bill's new statutory price model formula.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

NF's 2003 cost report.

the NF's 2003 cost report may be applied to the rate not later than July 1, 2009.  
 (2) The rate may be adjusted to reflect a change in the NF's capital costs due to a change of provider agreement that goes into effect before July 1, 2005, and for which a rate adjustment is not implemented before June 30, 2006, or a reviewable activity for which a certificate of need application is filed before July 1, 2005, costs are incurred before June 30, 2005, and a rate adjustment is not implemented before June 30, 2006.

Fiscal effect: This provision allows the Department to maintain FY 2007 NF payments at the FY 2006 levels. The Executive estimates that the state could avoid costs totaling approximately \$720.3 million all funds (\$289.0 million state share) in FY 2007 as a result of this provision.

Fiscal effect: This provision increases NF reimbursement by \$98.7 million all funds (\$39.6 million state share) in FY 2007.

Fiscal effect: The FY 2007 rates will be the same as the FY 2006 rates. FY 2006 rates are three-tiered using the As Passed by the House funding levels.

**593 (CD-395-JFS) Fiscal Years 2006 and 2007 Reimbursement Rate for ICFs/MR**

**Section: 206.66.33**

**Section: 206.66.28**

**Section: 206.66.22**

**Section: 206.66.25**

Freezes the fiscal year 2006 and 2007 Medicaid reimbursement rate for intermediate care facilities for the mentally retarded (ICFs/MR) at the fiscal year 2005 rate amount.

Same as the Executive.

Same as the Executive, but specifies that the Medicaid reimbursement rate is a per diem rate.

Same as the Executive.

Includes special reimbursement provisions for ICFs/MR that undergo a change of operator, begin participation in the Medicaid program, or add beds in fiscal year 2006 or 2007.

Same as the Executive, but revises the wording to reflect that the Executive's provisions regarding a change of operator have been removed.

Same as the House, but provides that an ICF/MR that begins participation in the Medicaid program during fiscal year 2006 or 2007 is to be paid a rate that is the median of all rates paid to ICFs/MR on July 1, 2005, rather than July 1, 2006.

Same as the Executive, but provides that an ICF/MR that begins participation in the Medicaid program during fiscal year 2006 or 2007 is to be paid a rate that is the median of all rates paid to ICFs/MR on July 1, 2005, rather than July 1, 2006.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately \$32.5 million all funds (\$13.0 million state share) in FY 2006 and approximately \$51.2 million all funds (\$20.5 million state share) in FY 2007 as a result of this provision.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**594 (CD-1242-JFS) Increased Payment to ICFs/MR for CAFS Expenses**

**Section: 206.66.27**

**Section: 206.66.27**

No provision.

No provision.

Permits the Department to increase the Medicaid rate paid to intermediate care facilities for the mentally retarded for fiscal years 2006 and 2007 to reimburse the facilities for active treatment day programming because of the termination of the Community Alternative Funding System (CAFS).

Same as the Senate, but corrects a cross reference to another uncodified section.

Fiscal effect: The bill terminates the Community Alternative Funding System (CAFS), which currently funds active treatment services provided to individuals residing in ICFs/MR. For the most part, individuals receive active treatment off-grounds, usually provided by a county board of MR/DD. Under CAFS, county boards pay the active treatment matching funds and receive the federal reimbursement. However, without CAFS, private ICFs/MR will be required to provide active treatment to its residents. The bill allows ODJFS to promulgate rules which would increase the Medicaid per diem for ICFs/MR to reimburse the facilities for active treatment costs. In

Fiscal effect: Same as the Senate.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

FY 2004, the nonfederal share of CAFS active treatment services totaled \$23.3 million. Thus, there may be an increase in Medicaid expenditures in ODJFS line item 600-525, Health Care/Medicaid, of approximately \$23.3 million per year. There would also be an increase in the Department's administrative costs associated with rules promulgation.

595 (CD-379-JFS) Medicaid Coverage of Dental and Vision Services

Section: 206.66.45

Sections: 206.66.44, 206.66.45

Sections: 206.66.44, 206.66.45

Sections: 206.66.44, 206.66.45

Requires that the Department amend the state Medicaid plan to eliminate coverage of vision care services for individuals age 21 or older for whom those services are not required by federal law.

Requires that the Medicaid program cover vision services for fiscal years 2006 and 2007 in at least the amount, duration, and scope currently in effect.

Requires that the Medicaid program, for fiscal years 2006 and 2007, cover vision services, but provides that this provision of the bill does not affect the Department's ability to adopt, amend, or rescind rules applicable to vision services, including rules that limit or reduce covered services, reduce reimbursement levels, or subject covered services to copayments.

Same as the Senate.

Requires that the Department amend the state Medicaid plan to eliminate coverage of dental services for individuals age 21 or older for whom those services are not required by federal law.

Requires that the Medicaid program cover dental services for fiscal years 2006 and 2007 as follows: (1) for Medicaid recipients under age 21, in at least the amount, duration, and scope currently in effect and (2) for Medicaid recipients age 21 or older, in an amount, duration, and scope specified in rules the Department must adopt.

Requires that the Medicaid program cover dental services for individuals under 21 years of age but states that this provision does not limit the Department's ability to adopt, amend, or rescind rules that limit or reduce coverage of dental services and requires that the Medicaid program cover dental services for individuals over 21 years of age in a manner that is less in amount, scope, and duration than the program covers dental services immediately before the effective date of this provision of the bill.

Same as the Senate.



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: The Executive estimates that the state could avoid costs totaling approximately (1) \$49.8 million all funds (\$20.0 million state share) in FY 2006 and \$114.8 million all funds (\$46.0 million state share) in FY 2007 by eliminating dental care; and (2) \$6.5 million all funds (\$2.6 million state share) in FY 2006 and \$15.5 million all funds (\$6.2 million state share) in FY 2007 by eliminating vision care.

Fiscal effect: This provision costs \$6.5 million all funds (\$2.6 million state share) in FY 2006 and \$15.5 million all funds (\$6.2 million state share) in FY 2007 for vision care. In addition, the provision costs \$24.9 million all funds (\$10.0 million state share) in FY 2006 and \$57.4 million all funds (\$23.0 million state share) in FY 2007 for dental care.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

**596 (CD-1000-JFS) Disability Determination Consolidation Study**

**Section: 206.66.46**

**Section: 206.66.46**

**Section: 206.66.46**

No provision.

Requires the Department of Job and Family Services to assess the feasibility of an interagency agreement with the Rehabilitation Services Commission whereby the Commission would perform disability determinations for certain programs and services offered by the Department or a county department of job and family services.

Replaces the House provision with a provision that requires state and local government entities actively engaged in providing programs or services for which disability is an eligibility requirement to conduct a study to consider the feasibility of an interagency agreement under which a government entity would perform disability determinations for all programs and services for which disability is an eligibility requirement offered in this state.

Same as the Senate, but requires the report of the study results to be submitted to the Minority Leaders of the House of Representatives and the Senate, in addition to the Speaker of the House of Representatives and the President of the Senate.

Fiscal effect: This provision will result in increased costs for ODJFS related to conducting the assessment.

Requires a written report of the study results to be prepared and submitted to the Speaker of the House and Senate President not later than six months after the bill's effective date.

Fiscal effect: To the extent that ODJFS, the Rehabilitation Services Commission, and county departments of job and family services are involved in the study, they will

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

experience an increase in administrative costs associated with this producing and distributing the report.

(See the item entitled "Disability Determination Consolidation Study" in the Rehabilitation Services Commission.)

(See the item entitled "Disability Determination Consolidation Study" in the Rehabilitation Services Commission.)

(See the item entitled "Disability Determination Consolidation Study" in the Rehabilitation Services Commission.)

597 (CD-830-JFS) Health Care/ Medicaid

Section: 206.66.24

Section: 206.66.47

Section: 206.66.47

Specifies that GRF appropriation item 600-525, Health Care/Medicaid, is not to be limited by the provision of law governing expending of appropriations (R.C. 131.33).  
No provision.

No provision.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

Permits the Director of Budget and Management, at the request of the Director of Job and Family Services, to increase appropriation item 600-525, Health Care/Medicaid, in fiscal year 2007 by up to \$107,272,266 state share, and the appropriate corresponding federal share, to pay for Medicaid services.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

598 (CD-1022-JFS) Medicaid Transition Council

Section: 206.66.52

Section: 206.66.52

Sections: 206.66.52, 206.66.53

No provision.

Creates the Medicaid Transition Council to oversee the future transfer of the Medicaid program from the Department to a new department and requires the Council to submit a written report of its findings to the Governor by not later than December 31, 2006.

(See the item entitled "Medicaid Transition Council" in Ohio Medicaid.)

Renames the Medicaid Transition Council the Medicaid Administrative Study Council, adds an individual to represent the Governor, and requires the Governor to appoint a Council Chair-person from among its members.

Requires the Council to make recommendations regarding (1) the optimal administrative structure for the administration of the Medicaid program, (2) a centralized financing function to coordinate the activities of all executive agencies that deliver Medicaid services, and (3) an organizational structure for a separate Department of Medicaid if the Council recommends creating the Department.

Permits the Council to study the feasibility of developing a plan for a unified state long-term care budget across all state and local agencies and service settings.

Requires the Medicaid Transition Council to study the feasibility of restructuring the Medicaid program (rather than overseeing a future transfer to a new department), including the feasibility of a single long-term care budget for ODJFS and the Department of Aging. Requires the Council to submit a written report of its findings by not later than

Same as the Senate, but with the following differences:

- (1) Changes the Council's membership.
- (2) Changes the Council's study duties.
- (3) Requires that the Council examine the creation of a unified budget for Medicaid-funded long-term care services, rather than permitting the Council to study the feasibility of developing a plan to create a unified long-term care budget managed across all state and local agencies and service settings.
- (4) Rather than requiring that the Council submit a report of its recommendations to the Governor not later than July 1, 2006, requires that the Council, beginning 90 days after the effective date of this provision of the bill, submit quarterly reports of its progress to the Governor, President of the Senate, and Speaker of the House of Representatives and, not later than December 31, 2006, submit a final report of its study to those officials.
- (5) Specifies that it is the intent of the General Assembly that a new cabinet level department to administer the Medicaid program is to be established by July 1, 2007.

(See the item entitled "Medicaid Transition Council" in Ohio Medicaid.)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

July 1, 2006.

(See the item entitled "Medicaid Transition Council" in Ohio Medicaid.)

Fiscal effect: The state agencies that are members of the Council will incur a negligible increase in costs associated with deliberating and writing a report of the Council's findings.

Fiscal effect: The provision permits the Department to provide staff support and up to \$500,000 for contractual services and other resources necessary for the Council to develop its recommendations.

Fiscal effect: Rather than permitting the Department to provide staff support and up to \$500,000 for contractual services and other resources necessary for the Council to develop its recommendations, increases appropriation item 600-321, Support Services (state share only), by \$1,000,000 in fiscal year 2006 and \$500,000 in fiscal year 2007, earmarks those dollars for the Council, and permits the Council to hire staff, enter into contracts, and take other actions the Council deems necessary to fulfill its duties.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

599 (CD-1037-JFS) Medicare Part D

Section: 206.66.54

Section: 206.66.54

Section: 206.66.54

Allows appropriation item 600-526, Medicare Part D, to be used by ODJFS for the implementation and operation of the Medicare Part D requirements. Upon the request of ODJFS, the Director of Budget and Management may increase the state share of appropriations in either appropriation item 600-525, Health Care/Medicaid, or appropriation item 600-526, Medicare Part D, with a corresponding decrease in the state share of the other appropriation item to allow the Department to implement and operate the new Medicare Part D requirements. If the state share of appropriation item 600-525, Health Care/Medicaid, is adjusted, the Director of Budget and Management must adjust the federal share accordingly.

No provision.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House                       | As Passed by the Senate                      | As Amended by Conference Committee           |
|---|--|--|--|
| <p>600 (CD-460-JFS) ODJFS Funds</p>   |  |  |  |
| <p>Section: 206.66.57</p>   | <p>Section: 206.66.57</p>                    | <p>Section: 206.66.57</p>                    | <p>Section: 206.66.57</p>                    |
| <p>Specifies that the Agency Fund Group and Holding Account Redistribution Fund Group be used to hold revenues until the appropriate fund is determined or until the revenues are directed to the appropriate governmental agency other than ODJFS. If it is determined that additional appropriation authority is necessary, such amounts are hereby appropriated.</p> | <p>Same as the Executive.</p>                | <p>Same as the Executive.</p>                | <p>Same as the Executive.</p>                |
| <p>Fiscal effect: The provision is standard language that automatically increases the appropriations for these accounts should the agency experience more activity in these funds than the appropriation will allow.</p>  | <p>Fiscal effect: Same as the Executive.</p> | <p>Fiscal effect: Same as the Executive.</p> | <p>Fiscal effect: Same as the Executive.</p> |
| <p>601 (CD-832-JFS) Employer Surcharge</p>  |  |  |  |
| <p>Section: 206.66.60</p>   | <p>Section: 206.66.60</p>                    | <p>Section: 206.66.60</p>                    | <p>Section: 206.66.60</p>                    |
| <p>Reinstates the ability of the Department to collect an employer surcharge assessed between calendar years 1988 and 1990. Prior law required contributing employers to pay a surcharge in order to generate revenues to meet the costs of automating the Bureau. Approximately \$700,000 in revenues due from delinquent employers remains outstanding.</p>           | <p>Same as the Executive.</p>                | <p>Same as the Executive.</p>                | <p>Same as the Executive.</p>                |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: Of the \$700,000 outstanding, the Department is unable to estimate how much of that revenue will be collected from delinquent employers in the next biennium. Any revenues collected will be deposited in the Unemployment Compensation Administrative Fund (Fund 4A9). Prior to 2001, revenues were deposited in the Benefit Automation Fund (Fund 5A5).

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**602 (CD-831-JFS) Transfer of Funds to the Department of Aging**

**Section: 206.66.72**

**Section: 206.66.72**

**Section: 206.66.63**

**Section: 206.66.63**

Requires ODJFS to transfer, through intrastate transfer vouchers, cash from Fund 4J5, Home and Community-Based Services for the Aged, in the state special revenue fund group, to Fund 4J4, PASSPORT, in the state special revenue fund group, in the Department of Aging. The sum of the transfers is to be \$33,268,052 in fiscal year 2006 and \$33,263,984 in fiscal year 2007. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

603 (CD-833-JFS) Funding for Institutional Facility Audits and the Ohio Access Success Project

Section: 206.66.66

Section: 206.66.66

Section: 206.66.66

Section: 206.66.66

Authorizes, in each fiscal year, the use of cash from Fund 4J5, Home and Community-Based Services for the Aged, in the state special revenue fund group, in excess of the amounts needed for transfers by ODJFS for the following purposes: (A) up to \$1.0 million in each fiscal year to fund the state share of audits of Medicaid cost reports filed with ODJFS by nursing facilities and intermediate care facilities for the mentally retarded; and (B) up to \$350,000 in fiscal year 2006 and up to \$350,000 in fiscal year 2007 to provide one-time transitional benefits under the Ohio Access Success Project that the Director of ODJFS may establish under section 5111.88 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

604 (CD-1402-JFS) PASSPORT Evaluation Panel

No provision.

Creates the 8-member PASSPORT Evaluation Panel and requires the Panel to select, with ODJFS, an independent contractor to conduct an evaluation of the PASSPORT Program. Requires the Panel to approve a final report by not later than June 30, 2007.

(See the item entitled "PASSPORT" in Department of Aging for earmark.)

No provision.

(See the item entitled "PASSPORT" in Department of Aging.)

No provision.

(See item entitled "PASSPORT" in Department of Aging.)

605 (CD-335-JFS) Ohio Association of Second Harvest Food Banks

Section: 206.66.69

Section: 206.66.69

Section: 206.66.69

Section: 206.66.69

Earmarks in appropriation item 600-620, Social Services Block Grant (Fund 396), \$5,500,000 in each fiscal year for use in funding a grant agreement with the Ohio Association of Second Harvest Food Banks to reimburse it for the costs incurred in the purchase of food products and the distribution of those products to agencies participating in the emergency food distribution program. The Ohio Association of Second Harvest Food Banks may use 5% of those funds for administrative costs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**606 (CD-834-JFS) Transfer of Funds to the Department of Mental Retardation and Developmental Disabilities**

Section: 206.66.72

Section: 206.66.72

Section: 206.66.72

Section: 206.66.72

Requires ODJFS to transfer, through intrastate transfer vouchers, cash from Fund 4K1, ICF/MR Bed Assessments, in the state special revenue fund group, to Fund 4K8, Home and Community-Based Services, in the state special revenue fund group, in the Department of Mental Retardation and Developmental Disabilities. The amount transferred shall equal \$12,000,000 in fiscal year 2006 and \$12,000,000 in fiscal year 2007. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**607 (CD-835-JFS) Funding for Habilitative Services**

Section: 206.66.75

Section: 206.66.75

Section: 206.66.75

Section: 206.66.75

Authorizes, in each fiscal year, the use of cash from Fund 4K1, ICF/MR Bed Assessments, in the state special revenue fund group, in excess of the amounts needed for transfers to Fund 4K8, Home and Community-Based Services, in the state special revenue fund group, in the Department of Mental Retardation and Developmental Disabilities, by ODJFS to cover costs of care provided to participants in a waiver with an ICF/MR level of care requirement administered by ODJFS.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

608 (CD-524-JFS) Children's Trust Fund

Section: 206.66.84

Section: 206.66.84

Section: 206.66.84

Section: 206.66.84

Requires that in FY 2006, the Director of Budget and Management transfer \$1.5 million from the Children's Trust Fund (Fund 198) to the Partnerships for Success Fund (Fund 5BH) in the Department of Youth Services (DYS). On or before January 1, 2007, the Director of Budget and Management is to transfer back to the Children's Trust Fund any amount of cash that remains unspent in the Partnerships for Success Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Children's Trust Fund will be providing funding for the Partnerships for Success program in the DHS. This initiative provides seed capital to local family and children first councils to plan, develop, implement, and enhance programs, processes, and services to divert youth from the juvenile justice system. The program currently operates in 33 counties and is not likely to expand to other counties during the FY 2006–2007 biennium.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

609 (CD-836-JFS) Hospital Care Assurance Match Fund

Section: 206.66.84

Section: 206.66.84

Section: 206.66.85

Section: 206.66.85

Requires that appropriation item 600-650, Hospital Care Assurance Match (Fund 3F0), in the federal special revenue fund, be used by ODJFS in accordance with the law governing distributing federal funds received as a result of the department distributing funds from the Hospital Care Assurance Program Fund to hospitals (R.C. 5112.18(B)).

Same as the Executive.

Same as the Executive.

Same as the Executive.

610 (CD-837-JFS) Health Care Services Administration

Section: 206.66.87

Section: 206.66.87

Section: 206.66.87

Section: 206.66.87

Requires that appropriation item 600-654, Health Care Services Administration (Fund 5U3), in the state special revenue fund group be used by ODJFS for costs associated with the administration of the Medicaid program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

611 (CD-838-JFS) Health Care Services Administration Fund

Section: 206.66.90

Section: 206.66.90

Section: 206.66.90

Section: 206.66.90

Requires that, of the amount received by ODJFS during fiscal year 2006 and fiscal year 2007 from the first installment of assessments paid under section 5112.06 of the Revised Code and intergovernmental transfers made under section 5112.07 of the Revised Code, the Director of ODJFS must deposit \$350,000 in each fiscal year into the state treasury to the credit of the Health Care Services Administration Fund (Fund 5U3), in the state special revenue fund group.

Same as the Executive.

Same as the Executive.

Same as the Executive.

612 (CD-511-JFS) Child Support Collections

Section: 206.66.93

Section: 206.66.93

Section: 206.66.93

Section: 206.66.93

Requires that appropriation item 600-658, Child Support Collections, be used by ODJFS to meet the TANF maintenance of effort (MOE) requirements of Pub. L. No. 104-193. Once the state is assured that it will meet the MOE requirements, ODJFS may use the funds from appropriation item 600-658, Child Support Collections, to support public assistance activities.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: An obligee who is receiving cash assistance is required to assign to ODJFS any child support payments the

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

person receives to cover part of their cash award. This provision requires ODJFS to use those funds received in child support collections toward the TANF MOE and once the MOE is met, this provision allows ODJFS to use the remaining funds for other public assistance activities.

**613 (CD-846-JFS) Medicaid Program Support Fund - State**

**Section: 206.66.96**

**Section: 206.66.96**

**Section: 206.66.96**

**Section: 206.66.96**

Requires that appropriation item 600-671, Medicaid Program Support (Fund 5C9), in the general services fund group, be used by ODJFS to pay for Medicaid services and contracts. The Department may also deposit to Fund 5C9 revenues received from other state agencies for Medicaid services under the terms of interagency agreements between the Department and other state agencies, and all funds the Department recovers because the benefits a person received under the disability medical assistance program established in section 5115.10 of the Revised Code were determined to be covered by the medical assistance program established under Chapter 5111. of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

614 (CD-847-JFS) Transfers of IMD/DSH Cash to the Department of Mental Health

Section: 206.66.99

Section: 206.66.99

Section: 206.66.99

Section: 206.66.99

Requires ODJFS to transfer, through intrastate transfer voucher, cash from Fund 5C9, Medicaid Program Support, in the general services fund group, to the Department of Mental Health's Fund 4X5, OhioCare, in the state special revenue fund group, in accordance with an interagency agreement that delegates authority from ODJFS to the Department of Mental Health to administer specified Medicaid services.

Same as the Executive.

Same as the Executive.

Same as the Executive.

615 (CD-503-JFS) Federal Unemployment Programs

Section: 206.67.03

Section: 206.67.03

Section: 206.67.03

Section: 206.67.03

Transfers appropriation of any unspent funds from FY 2005 in appropriation item 600-678, Federal Unemployment Programs, to ODJFS for administrative activities for the UI program, employment services, or any other allowable expenditures under section 903(d) of the Social Security Act. In the same manner, unspent funds from FY 2006 may be reappropriated to FY 2007. Limits the reappropriation to the balance of federal funds remaining after benefits are paid and obligated administrative expenditures are taken into account.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee   |
|---|---|---|--|
| <p>616 (CD-504-JFS) Workforce Development Grant Agreement</p>   |   |   |  |
| <p>Section: 206.67.06</p>   | <p>Section: 206.67.06</p>   | <p>Section: 206.67.06</p>   | <p>Section: 206.67.06</p>  |
| <p>Permits the Director of ODJFS to use funds from appropriation item 600-688, Workforce Investment Act, to support workforce development activities included in grant agreements with local workforce development areas.</p> | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>  |
| <p>Fiscal effect: The Revised Code permits the Director to enter into these grant agreements; this provision specifies the appropriation item to support those agreements.</p>  | <p>Fiscal effect: Same as the Executive.</p>  | <p>Fiscal effect: Same as the Executive.</p>  | <p>Fiscal effect: Same as the Executive.</p>   |
| <p>617 (CD-950-JFS) TANF Earmarks</p>   |   |   |  |
|   | <p>Sections: 206.67.07, 206.67.08, 206.67.09, 206.67.A</p>  | <p>Sections: 206.67.07, 206.67.08, 206.67.09</p>  | <p>Sections: 206.67.07, 206.67.08, 206.67.09</p>   |
| <p>No provision.</p>  | <p>Earmarks \$10 million of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for the Kinship Caregiver Subsidy Program.</p>   | <p>Same as the House, but renames the program the Kinship Permanency Incentive Program.<br/><br/>(See item entitled "Kinship Caregiver" in Job and Family Services)</p> | <p>Same as the Senate, but specifies that funds are to be provided to the Kinship Permanency Incentive Program on a reimbursement basis rather than as an upfront grant.</p> |
| <p>No provision.</p>  | <p>Earmarks \$1 million in each fiscal year from the TANF Block Grant, appropriation item 600-689 (Fund 3V6), for the Accountability and Credibility Together (ACT) program to provide welfare diversion services to TANF eligible individuals.</p> | <p>Same as the House.</p>   | <p>Same as the House, but specifies that funds are to be provided to ACT on a reimbursement basis rather than as an upfront grant.</p>                                       |



| As Introduced (Executive) | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|---------------------------|--|--|--|
| No provision.             | Earmarks \$600,000 in each fiscal year from the TANF Block Grant, appropriation item 600-689 (Fund 3V6), to support expenditures of the Ohio Alliance of Boys and Girls Clubs. The Alliance must provide meals, snacks, educational, youth development, and career development services to TANF eligible children. | Same as the House.   | Same as the House, but specifies that funds are to be provided to the Ohio Alliance of Boys and Girls Clubs on a reimbursement basis rather than as an upfront grant. Eliminates related language regarding a reconciliation process and return of unspent money no longer necessary if funds are provided on a reimbursement basis.   |
| No provision.             | Earmarks \$200,000 in each fiscal year from the TANF Block Grant, appropriation item 600-689 (Fund 3V6), to fund a multi-disciplinary child welfare training initiative. The funds are to be provided to the National Center for Adoption Law and Policy.  | Same as the House.   | Eliminates the earmark of \$200,000 per fiscal year for the child welfare training initiative from the TANF Block Grant, appropriation item 600-689 (Fund 3V6) and substitutes earmarks of \$50,000 in each fiscal year from GRF appropriation item 600-528, Adoption Services, and \$150,000 in each fiscal year from appropriation item 600-606, Child Welfare (Fund 327). |
| No provision.             | No provision.  | Earmarks \$500,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for the Children's Hunger Alliance for Child Nutrition Program outreach efforts.  | Same as the Senate, but specifies that funds are to be provided to the Children's Hunger Alliance on a reimbursement basis rather than as an upfront grant.  |
| No provision.             | No provision.  | Earmarks \$75,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for the Talbert House to provide TANF eligible substance and alcohol abuse services.   | Same as the Senate, but specifies that funds are to be provided to the Talbert House on a reimbursement basis rather than as an upfront grant.   |
| No provision.             | No provision.  | Earmarks \$50,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for People Working Cooperatively in Cincinnati. Funding for this item was previously provided through a capital appropriation earmark within the University of Cincinnati. (See item entitled "People Working Cooperatively" in Board of Regents.) | No provision.<br><br>(People Working Cooperatively receives an earmark of \$100,000 in fiscal year 2006 from GRF appropriation item 440-416, Child and Family Health Services, in the Department of Health.)   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

Earmarks \$185,000 of the TANF Block Grant, appropriation item 600-689 (Fund 3V6), in each fiscal year for Project GRAD.

Same as the Senate, but specifies that funds are to be provided to Project GRAD on a reimbursement basis rather than as an upfront grant.

618 (CD-382-JFS) \* **Partially Vetoed** \* Employment Retention Incentive Program

Section: 206.67.09

Section: 206.67.10

Sections: 206.67.10, 206.67.11

Sections: 206.67.10, 206.67.11

Authorizes the Department to establish and administer the Employment Retention Incentive Program in fiscal year 2007 using funds available under the Temporary Assistance for Needy Families block grant.

Same as the Executive, but eliminates a requirement that assistance groups apply to a county department of job and family services and provides instead that assistance groups are to apply in accordance with rules the Department adopts

Same as the House.

Same as the House.

[\*\*VETOED: and provides that the rules may not require that assistance groups apply to a county department. \*\*]

Fiscal effect: The Department's TANF spending plan indicates that ODJFS plans to spend approximately \$8.6 million in FY 2007 on the new program. Details of the program's administration, such as the amounts and duration of the cash payments, the eligibility criteria, and the county departments' administrative responsibilities are to be determined by the Department.

Fiscal effect: Shifts costs for the program from the county to the state level, if ODJFS determines that administrative actions such as eligibility determination or program enrollment is managed at the state level, rather than by county departments of job and family services.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

619 (CD-1299-JFS) Publicly Funded Child Care Market Rate Survey

Section: 206.67.13

Section: 206.67.13

No provision.

No provision.

Requires ODJFS to conduct a study of the market rates for the provision of child care and requires new rates for the funding of publicly funded child care be established by July 1, 2006.

Same as the Senate.

No provision.

No provision.

Requires child care providers to cooperate in the study and states that a provider that fails to cooperate with the Department is not to receive publicly funded child care funds in fiscal year 2006.

No provision.

Fiscal effect: To comply with federal law, ODJFS conducts a market rate survey every two years. The most recent survey was completed in fiscal year 2004. The next scheduled survey is likely to be conducted sometime in calendar year 2006. For the most recent survey, ODJFS contracted with the Ohio State University (OSU) for a total of \$257,000 to conduct the survey and perform analysis of the data. This provision may require the Department to incur costs associated with conducting the market rate survey sooner than the Department had planned. In addition, ODJFS does not necessarily establish new rates with each survey. This provision may increase the Department's costs associated with establishing and paying the new rates for the publicly funded child care program as required by this provision.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**620 (CD-848-JFS) Prescription Drug Rebate Fund**

Section: 206.67.15

Section: 206.67.15

Section: 206.67.15

Section: 206.67.15

Requires that appropriation item 600-692, Health Care Services (Fund 5P5), in the state special revenue fund, be used by ODJFS in accordance with state law that created the fund (R.C. 5111.081). Moneys recovered by the Department for either hospital settlements or pursuant to the Department's rights of recovery under section 5101.58 of the Revised Code, that are not directed to the Health Care Services Administration Fund (Fund 5U3) under section 5111.94 of the Revised Code, must also be deposited into Fund 5P5.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**621 (CD-1081-JFS) Waiver of Food Stamp Work Requirements**

Section: 206.67.24

Section: 206.67.24

Section: 206.67.24

No provision.

Requires that the Department seek federal approval to waive federal work requirements during state fiscal years 2006 and 2007 for Food Stamp benefit recipients who reside in a county that the Department determines has an unemployment rate of over 10% or does not have a sufficient number of jobs to provide employment for the recipients.  
Fiscal effect: May protect the state from failing to meet federal work participation goals for food stamp recipients.

Same as the House.

Fiscal effect: Same as the House.

Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

622 (CD-1322-JFS) Inpatient Supplemental Payment Program for Children's Hospitals

Sections: 209.66.79, 206.66, 312.24

Sections: 209.66.79, 206.66, 312.24

No provision.

No provision.

Requires the Department to implement, if federally approved, an Inpatient Supplemental Payment Program for children's hospitals under which supplemental Medicaid payments are made based on federal upper payment limits and specifies that funding for the program must not exceed \$6.0 million (state share) plus the corresponding federal match, if available, for qualifying discharges in fiscal years 2006 and 2007.

Same as the Senate.

No provision.

No provision.

Earmarks \$6.0 million that is being transferred each fiscal year from the Tobacco Master Settlement Agreement Fund (Fund 087) to the newly created Children's Hospitals Fund (Fund 5CR) in the State Special Revenue Fund Group and the \$9.0 million in corresponding federal reimbursement for a reimbursement rate increase to children's hospitals.

Same as the Senate.

(See the item entitled "Transfer of Tobacco Master Settlement Agreement Dollars to ODJFS" in Tobacco Use Prevention and Control Foundation.)

|            | As Introduced (Executive)  | As Passed by the House                | As Passed by the Senate   | As Amended by Conference Committee   |
|------------|--|---------------------------------------|---|--|
| <b>623</b> | <b>(CD-400-JFS) Public Assistance Reconciliation</b>   |                                       |   |  |
|            | Section: 206.66.15   | Section: 206.66.15                    | Section: 312.01   | Section: 312.01  |
|            | Permits the Director of Job and Family Services to transfer up to \$30 million in each fiscal year from GRF appropriation item 600-442, Public Assistance Reconciliation, to Fund 5AX, Public Assistance Reconciliation Fund, to be used by ODJFS to reimburse Ohio's federal TANF Block Grant according to the process agreed to by ODJFS and the federal government. | Same as the Executive.                | No provision.   | No provision.  |
|            | No provision.  | No provision.                         | Transfers the first \$60 million of GRF revenue surplus at the end of FY 2005 to Fund 5AX, Public Assistance Reconciliation Fund, to reimburse Ohio's federal TANF Block Grant. | Same as the Senate, but increases appropriation item 600-697, Public Assistance Reconciliation (Fund 5AX), by \$60 million to accommodate the transfer of surplus fiscal year 2005 GRF revenues. |
| <b>624</b> | <b>(CD-482-JFS) Delay of Termination of Hospital Care Assurance Program</b>  |                                       |   |  |
|            | Sections: 403.17, 403.18   | Sections: 403.17, 403.18              | Sections: 403.17, 403.18  | Sections: 403.17, 403.18   |
|            | Delays the termination of the Hospital Care Assurance Program until October 16, 2007.  | Same as the Executive.                | Same as the Executive.  | Same as the Executive.   |
|            | Fiscal effect: The total appropriation for the Hospital Care Assurance Program is \$575.1 million in both FY 2006 and FY 2007.   | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive.   | Fiscal effect: Same as the Executive.  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

625 (CD-1400-JFS) Temporary Civil Service Authority of the Director of Job and Family Services

Section: 569.06

Section: 569.06

No provision.

No provision.

Grants the Director of Job and Family Services, for FY 2006 and FY 2007, subject to certain requirements, the authority to establish, change, and abolish positions of employment in the Department that are in the classified civil service and assign, reassign, classify, reclassify, transfer, reduce, promote, and demote ODJFS exempt employees who are in the classified civil service.

Same as the Senate.

Fiscal effect: If the Director exercises the authority granted under this provision, the Department is likely to incur administrative costs associated with reviewing positions and taking whatever action the Director deems necessary. In addition, the Department may experience an increase or decrease in personnel costs depending on actions taken by the Director.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

626 (CD-957-JFS) Medicaid Care Management Working Group

Section: 206.66.43

Section: 5111.161

Section: 5111.161

No provision.

Requires the Department to establish the Medicaid Care Management Working Group to develop guidelines to govern managed care contracts under the Medicaid Program.

Establishes the Medicaid Care Management Working Group as a permanent body, with members to be appointed by the President of the Senate, the Speaker of the House of Representatives, and the Governor, rather than the Department.

Modifies the required membership of the Working Group by including the Director of Aging or the Director's designee, specifying that the four Medicaid care management representatives must include three representatives of Medicaid-contracting health insuring corporations and one representative of enhanced care management programs, increasing the representatives of health care and behavioral health professional and trade associations to five (from four), and adding three representatives of the business community.

Requires the Working Group to consult regularly with the Departments of Insurance, Aging, Mental Health, Mental Retardation and Developmental Disabilities, and Alcohol and Drug Addiction Services, and the Rehabilitation Services Commission, rather than having the agency directors serve as members.

Same as the Senate, but replaces the provisions requiring the Department to follow the Medicaid Care Management Working Group's guidelines for managed care contracts and to create a financial incentive program based on the Working Group's recommendation with provisions permitting the Department to follow the guidelines for managed care contracts and to create the incentive program.

Makes a technical correction removing a requirement that the Working Group consult with the Department of Aging to correspond with a Senate-adopted amendment adding the Director of Aging to the Working Group.



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Fiscal effect: The provision is silent on providing reimbursement for any necessary expenses for non-governmental members of the Work Group and any administrative support. The Department would likely be responsible for such costs. However, it is likely that such costs, if any, would be minimal.

Fiscal effect: The provision is silent on providing reimbursement for any necessary expenses for non-governmental members of the Work Group and any administrative support. It is likely that such costs, if any, would be minimal.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

627 (CD-354-JCO) State Council of Uniform State Laws

Section: 206.72

Section: 206.72

Section: 206.72

Section: 206.72

Earmarks up to \$66,000 in FY 2006 and up to \$68,000 in FY 2007 of the amounts appropriated to GRF appropriation item 018-321, Operating Expenses, to pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws.

Same as the Executive.

Same as the Executive.

Same as the Executive.

628 (CD-360-JCO) Ohio Jury Instructions Fund

Section: 206.72

Section: 206.72

Section: 206.72

Section: 206.72

Specifies that:

(1) The moneys deposited to the credit of the Ohio Jury Instructions Fund (Fund 403) consist of grants, royalties, dues, conference fees, bequests, devises, and other gifts received for the purpose of supporting costs incurred by the Conference in dispensing education and informational data to the state's judicial system;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Those moneys be used by the Conference to pay expenses incurred in dispensing educational and informational data to the state's judicial system;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

**As Introduced (Executive)****As Passed by the House****As Passed by the Senate****As Amended by Conference Committee**

(3) If the moneys accruing to the fund in either of FYs 2006 or 2007 exceed the fund's appropriation authority in either of those fiscal years, \$225,000 in each of FYs 2006 and 2007 under the executive budget, the fund's appropriation authority automatically increases to reflect that additional revenue; and

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 403 to any other fund.

(3) Same as the Executive.

(4) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

629 (CD-530-JSC) Vehicle Allowance for Supreme Court Justices

R.C. 141.04

R.C. 141.04

R.C. 141.04

R.C. 141.04

Provides a \$500 vehicle allowance per month for the chief justice and the justices of the Supreme Court.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: According to the Court, for over 30 years the justices of the Supreme Court have been assigned Court-owned vehicles for travel purposes. By transitioning to a vehicle allowance method, the Court anticipates a cost savings of approximately \$20,000 to \$25,000 per year based on eliminating the costs of buying, maintaining, and fueling vehicles, as well as staff time in performing those tasks.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

630 (CD-533-JSC) Law-Related Education

Section: 206.75

Section: 206.75

Section: 206.75

Section: 206.75

Earmarks all of the moneys appropriated to GRF appropriation item 005-406, Law-Related Education, for distribution to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

631 (CD-562-JSC) Commission for Legal Education Opportunity

Section: 206.75

Section: 206.75

Section: 206.75

Section: 206.75

Requires GRF appropriation item 005-502, Commission for Legal Education Opportunity, be used to fund the activities of the Commission for Legal Education Opportunity created by the Chief Justice of the Supreme Court of Ohio for the purpose of assisting minority, low-income, and educationally disadvantaged college graduates in the transition to legal education, and also permits those appropriated moneys to be used to establish and provide an intensive course study for certain eligible college graduates, to provide annual stipends for certain students, and to pay the program's administrative costs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

632 (CD-542-JSC) Continuing Judicial Education

Section: 206.75

Section: 206.75

Section: 206.75

Section: 206.75

Specifies that:

(1) The moneys deposited to the credit of the Continuing Judicial Education Fund (Fund 672) consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

(2) The moneys appropriated to its related non-GRF appropriation item 005-601, Continuing Judicial Education, be used to pay expenses for continuing education courses for judges and court personnel;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 672 to any other fund; and

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Any interest earned on the fund's moneys are credited to the fund.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

**633 (CD-544-JSC) Federal Grants**

**Section: 206.75**

**Section: 206.75**

**Section: 206.75**

**Section: 206.75**

Specifies that:

(1) The moneys deposited to the credit of the Federal Grants Fund (Fund 3J0) consist of grants and other moneys awarded to the Court by the federal government or other entities that receive moneys directly from the federal government;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Any moneys appropriated to its related non-GRF appropriation item 005-603, Federal Grants, be used in a manner consistent with the purpose of the grant or award;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 3J0 to any other fund; and

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Any interest earned on the fund's moneys are to be transferred or credited to the state's GRF.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

**634 (CD-545-JSC) Attorney Registration**

Section: 206.75

Section: 206.75

Section: 206.75

Section: 206.75

Specifies that:

(1) The Court may use the moneys appropriated to non-GRF appropriation item 005-605, Attorney Registration, to compensate employees and fund the appropriate activities of certain offices established by the Court pursuant to the Rules for the Government of the Bar of Ohio, as well as to fund other activities considered appropriate by the Court;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from the Attorney

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.



**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Registration Fund (Fund 4C8) to any other fund; and

(4) Any interest earned on the fund's moneys are credited to the fund.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

**635 (CD-547-JSC) Grants and Awards**

**Section: 206.75**

**Section: 206.75**

**Section: 206.75**

**Section: 206.75**

Specifies that:

(1) The moneys deposited to the credit of the Grants and Awards Fund (Fund 5T8) consist of grants and other moneys awarded to the Court by the State Justice Institute, the Division of Criminal Justice Services, or other entities;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Any moneys appropriated to its related non-GRF appropriation item 005-609, Grants and Awards, be used in a manner consistent with the purpose of the grant or award;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from Fund 5T8 to any other fund; and

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Any interest earned on the fund's moneys are to be transferred or credited to the state's GRF.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|--|---|---|---|
| 636 (CD-549-JSC) Supreme Court Admissions  |   |   |   |
| Section: 206.75  | Section: 206.75   | Section: 206.75   | Section: 206.75   |
| <p>Specifies that:</p> <p>(1) The moneys appropriated to non-GRF appropriation item 005-606, Supreme Court Admissions, be used to compensate Court employees who are primarily responsible for administering the Attorney Admissions Program;</p> <p>(2) Those moneys may be used to fund any other activities considered appropriate by the Court;</p> <p>(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;</p> <p>(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from the Supreme Court Admissions Fund (Fund 6A8) to any other fund; and</p> <p>(5) Any interest earned on the fund's moneys are credited to the fund.</p> | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> |

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|--|---|---|---|
| 637 (CD-550-JSC) Continuing Legal Education  |   |   |   |
| Section: 206.75  | Section: 206.75   | Section: 206.75   | Section: 206.75   |
| <p>Specifies that:</p> <p>(1) The moneys appropriated to non-GRF appropriation item 005-607, Commission on Continuing Legal Education, be used to compensate employees of the Commission on Continuing Legal Education;</p> <p>(2) Those moneys may be used to fund other activities of the Commission considered appropriate by the Court;</p> <p>(3) The Administrative Director of the Court may increase the appropriation item's appropriation authority if the Administrative Director deems it necessary;</p> <p>(4) The Director of Budget and Management and the Controlling Board are prohibited from transferring moneys from the Continuing Legal Education Fund (Fund 643) to any other fund; and</p> <p>(5) Any interest earned on the fund's moneys are credited to the fund.</p> | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

638 (CD-257-LEC) Cash Transfer

Section: 206.78

Section: 206.78

Section: 206.78

Section: 206.78

Permits excess funds in the Lake Erie Resources Fund (Fund 5D8) to be transferred to the Lake Erie Protection Fund (Fund 4C0).

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Potential increase in the Lake Erie Protection Fund (Fund 4C0), intended to bolster funds available for research and program grants.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

639 (CD-1087-JLE) Committee's Jurisdiction to Include Employees of the Capitol Square Review and Advisory Board

R.C. 102.01

No provision.

Designates the Joint Legislative Ethics Committee as the appropriate ethics commission for matters relating to the employees of the Capitol Square Review and Advisory Board (CSR).

Fiscal effect: As of this writing, the magnitude of the annual fiscal effect, if any, of what appears to be a broadening of the Committee's jurisdiction is uncertain.

(See the item entitled "Jurisdiction of the Joint Legislative Ethics Committee" in the Capitol Square Review and Advisory Board)

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

640 (CD-1186-LSC) Revenue and Spending Data for School Districts

R.C. 103.132

R.C. 103.132

No provision.

No provision.

Requires the Legislative Service Commission (LSC), in conjunction with the Legislative Information Systems Office, to establish an easy to use, readily accessible Internet database that contains current and historical revenue and expenditure data for all school districts in Ohio.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

641 (CD-943-LSC) Legislative Office of Education Oversight / Legislative Budget Office

Section: 206.87

Section: 206.87

No provision.

Requires the Legislative Office of Education Oversight (LOEO) to complete statutorily required studies by December 31, 2005.

Eliminates funding for the LOEO on January 1, 2006 and requires the Director of Budget and Management to transfer the unencumbered cash balance from GRF appropriation item 035-404, Legislative Office of Education Oversight, to GRF appropriation item 035-403, Legislative Budget Office.

No provision.

Same as the House.

No provision.

No provision.

No provision.

Specifies that it is the intent of the General Assembly to reconstitute the Legislative Budget Office within the LSC to focus on revenue forecasting. Requires the LSC to employ a Legislative Budget Officer and also employ a person to focus on Medicaid, TANF, and other federally funded, caseload-driven programs. Specifies that it is the intent of the General Assembly to retain current fiscal staff within the LSC.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

642 (CD-1362-LSC) Joint Legislative Committee on Medicaid Technology and Reform

Section: 206.87

Section: 206.87

No provision.

No provision.

Earmarks \$100,000 in each fiscal year of GRF appropriation item 035-321, Operating Expenses, for costs associated with employing an executive director for the Joint Legislative Committee on Medicaid Technology and Reform.

Same as the Senate.



| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|---|------------------------|---|------------------------------------|
| 643 (CD-281-LIB) Ohio Public Library Information Network  |                        |   |                                    |
| Section: 206.90   | Section: 206.90        | Section: 206.90   | Section: 206.90                    |
| Earmarks General Revenue Fund (GRF) appropriation item 350-400, Ohio Public Library Information Network, and 350-604, OPLIN Technology, (Fund 4S4) in the general services fund group to support OPLIN; specifies the authority and responsibilities of the OPLIN Board; requires the adoption of policies to limit access to obscene and illegal materials at OPLIN terminals; and requires OPLIN, INFOhio, and OhioLINK to coordinate and equally contribute to purchases of electronic databases to the extent feasible. | Same as the Executive. | Authorizes local libraries with OPLIN computer terminals to adopt and implement policies specifically to limit access to obscene and illegal materials; mandates that such policies include the use of technological systems to select or block certain internet access and that the OPLIN Board adopt and communicate recommendations related to computer filtering to local libraries; and earmarks up to \$100,000 in each fiscal year from GRF appropriation item 350-400, Ohio Public Library Information Network, to help local libraries purchase or maintain filters to screen out obscene and illegal internet materials, with the requirement that at least 50% of this amount in each fiscal year be used for the purchase of filters.<br><br>Fiscal effect: Potential expenditures of up to \$100,000 each fiscal year from GRF appropriation item 350-400, Ohio Public Library Information Network, to help local libraries purchase or maintain internet filters that would otherwise be used to cover OPLIN's existing expenses. | Same as the Senate.                |

|            | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|------------|--|------------------------|-------------------------|------------------------------------|
| <b>644</b> | <b>(CD-265-LIB) Ohioana Rental Payments</b>  |                        |                         |                                    |
|            | Section: 206.90  | Section: 206.90        | Section: 206.90         | Section: 206.90                    |
|            | Earmarks the entire appropriation of \$124,816 in each fiscal year in GRF appropriation item 350-401, Ohioana Rental Payments, to pay the rental expenses of the Martha Kinney Cooper Ohioana Library Association. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <b>645</b> | <b>(CD-270-LIB) Regional Library Systems</b>   |                        |                         |                                    |
|            | Section: 206.90  | Section: 206.90        | Section: 206.90         | Section: 206.90                    |
|            | Earmarks the entire appropriation of \$1,010,441 in each fiscal year in GRF appropriation item 350-502, Regional Library Systems, to support the seven regional library systems eligible for funding.              | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

|            | As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|------------|--|--|---|---|
| <b>646</b> | <b>(CD-268-LIB) Libraries for the Blind</b>  |  |   |   |
|            | Section: <i>206.90</i>   | Section: <i>206.90</i>   | Section: <i>206.90</i>  | Section: <i>206.90</i>  |
|            | Earmarks the entire appropriation of GRF appropriation items 350-501, Library for the Blind - Cincinnati, and 350-503, Library for the Blind - Cleveland, to be used to support the Regional Library for the Blind - Cincinnati and Regional Library for the Blind - Cleveland, respectively, to assist the blind and disabled through the Talking Book program. | Same as the Executive.   | Same as the Executive.  | Same as the Executive.  |
| <b>647</b> | <b>(CD-898-LIB) Ohioana Library Association Operating Funds</b>  |  |   |   |
|            |  | Sections: <i>206.90, 209.27</i>  | Sections: <i>206.90, 209.27</i>   | Sections: <i>206.90, 209.27</i>   |
|            | No provision.  | Increases GRF appropriation item 350-321, Operating Expenses, by \$100,000 in each fiscal year and earmarks that amount for the operating expenses of the Ohioana Library Association.<br>(See the item entitled "Ohioana Library Consolidation with the State Library" in the Ohioana Library Association's entry for the fiscal effect on that agency)<br><br>Fiscal effect: An additional \$100,000 in GRF appropriation item 350-321, Operating Expenses, which will be offset by expenditures to support the Ohioana Library Association. | Restores Ohioana as a separately-appropriated entity, but provides only \$100,000 in GRF to subsidize Ohioana's operating expenses.<br><br>Fiscal effect: No net effect on the operations of the State Library Board. (See the item entitled "Ohioana Library Consolidation with the State Library" in the Ohioana Library Association's entry for the fiscal effect on that agency.) | Same as the Senate.<br><br>Fiscal effect: Same as the Senate. (See the item entitled "Ohioana Library Consolidation with the State Library" in the Ohioana Library Association's entry for the fiscal effect on that agency.) |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

648 (CD-1354-LOC) Financial Accountability of Recipients of Money from Governmental Entities

R.C. 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, and 9.241, Section 559.03

R.C. 9.23, 9.231, 9.232, 9.233, 9.234, 9.235, 9.236, 9.237, 9.238, 9.239, and 9.241, Section 559.03

No provision.

No provision.

Imposes contract, record-keeping, auditing, and other requirements on persons that receive money from governmental entities for the provision of services benefiting individuals or the public, provides civil remedies for the recovery of money due to a governmental entity under any contract the governmental entity enters into with a person for the provision of goods, services, or construction, requires the Attorney General and the Auditor of State to adopt certain rules, and creates the Government Contracting Advisory Council.

Same as the Senate, but extends the exemption for certain Medicaid-funded services from the bill's contract, record-keeping, and audit requirements to all Medicaid-funded services, including administrative and management services, that are provided pursuant to a contract or provider agreement that meets the requirements of the Medicaid Program established under Chapter 5111. of the Revised Code, modifies the audit and financial review requirements of the bill with respect to their application, and makes a technical correction.

Fiscal effect: For those governmental entities that will be required to conform to these contracting requirement provisions, there may be some annual compliance costs. At this time, however, it appears such annual compliance costs will be no more than minimal. From this perspective of compliance costs, these requirements are more likely to financially impact persons who are recipients of public moneys rather than governmental entities that distribute those public moneys. A governmental entity is permitted to bring a civil action for the recovery of money due to the governmental entity from a recipient, which means that affected governmental entities could collect

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

one-time revenues that might not otherwise have been collected under current law and practice. At this time, however, LSC fiscal staff is unable to determine the magnitude of these potential recoveries or which governmental entities could be affected.

(See the items entitled "Financial Accountability of Recipients of Money from Governmental Entities" in the Attorney General and the Auditor of State)

**649 (CD-1051-LOC) Participation of Local Agencies in Self-Insurance Plans**

R.C. 9.833

R.C. 9.833, 2744.08, 2744.082

R.C. 9.833, 2744.08, 2744.082

No provision.

Permits agencies and instrumentalities of political subdivisions to establish and participate in individual and joint self-insurance programs to provide health care benefits to officers and employees of the agency or instrumentality.

Fiscal effect: Uncertain. Insurance rates may decline, but these could be offset by increased administrative costs for such self-insured plans. Overall impact would depend on the level of coverage included and administrative overhead.

Same as House, but also permits political subdivisions to require payment of deductibles under their liability insurance or self-insurance programs from accounts or funds in its treasury from which a loss was directly attributable. Also provides a procedure for the transfer of the deductible amount, plus the cost of the liability insurance or self-insurance program from the appropriate funds or accounts to the general revenue fund of the political subdivision.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

650 (CD-1175-LOC) Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories

R.C. 109.60

No provision.

No provision.

Requires each law enforcement agency that, in any calendar year, arrests any person for an offense under the Revised Code prohibiting the manufacture of, or the assembly of chemicals sufficient to produce, methamphetamine or a methamphetamine product to prepare, and send to BCII, an annual statistical report covering the calendar year that specifies the total number of such arrests made by the agency in that calendar year and the total number of illegal methamphetamine manufacturing laboratories at which any of those arrests occurred or that were discovered in that calendar year within the territory served by the agency but at which none of those arrests occurred, specifies that the reports cannot identify, or enable the identification of, any person who was arrested and whose arrest is included in the information contained in the report, and specifies that the reports in the possession of BCII are public records.

No provision.

Fiscal effect: Although LSC fiscal staff has not had ample opportunity to research this provision's fiscal effects, it would appear that this reporting duty will create, at most, a minimal ongoing administrative burden for affected state and local law enforcement agencies.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(See the item entitled "Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories" in the Attorney General)

---

**651 (CD-864-LOC) County, Township, Municipal and Department of Transportation Force Account Limits**

R.C. 117.162, 117.16

No provision.

Requires the Auditor of State, by no later than January 31 of each year, to adjust county, township, municipal and Department of Transportation force account limits by the percentage increase of the consumer price index (CPI) over the twelve month period ended on the last day of December of the immediately preceding year, and requires the Auditor to post these new limits on the web no later than January 31 each year. Specifies that limits shall be effective for the following twelve month period beginning on the first day of February. (See "County, Township, Municipal and Department of Transportation Force Account Limits" in Auditor of State and Department of Transportation for further description.)

Fiscal effect: No direct fiscal effect, but allows for force account limits to escalate at the rate of the CPI.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

652 (CD-691-LOC) Changes to Procedures of Family and Children First County Councils

R.C. 121.37, 121.38, 121.381, 121.382

R.C. 121.37, 121.38, 121.381, 121.382

R.C. 121.37, 121.38, 121.381, 121.382

R.C. 121.37, 121.38, 121.381, 121.382

Provides a new procedure for the county mechanisms, county comprehensive family service coordination plans, and dispute resolution processes of family and children first county councils.

Same as the Executive.

Same as the Executive, but clarifies that a family representative member of a family and children first county council may not be employed by an agency represented on the county council.

Same as the Senate.

Provides that the county service coordination mechanism for children receiving county council services and Help Me Grow services, which are provided by the Department of Health, must comply with the requirements of rules adopted by the Department of Health for the Help Me Grow Program.

Requires the family service coordination plan to outline how county council members will jointly pay for council services, where applicable.

Clarifies a provision regarding the county council dispute resolution process by doing the following:  
 (1) Stating that the dispute resolution process is available for disputes between parents or custodians and the county council regarding service coordination;  
 (2) Requiring the county council to inform parents and custodians of their right to use the dispute resolution process;  
 (3) Stating that parents or custodians must



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: The county councils will likely experience an increase in costs to make changes to current county service coordination mechanisms, contract with mental health professionals to conduct assessments and individuals to act as the decision maker in the dispute resolution process, and determine child support. The magnitude of the fiscal impact of the changes required by this provision may vary by county depending on the level at which the county council currently functions, the number of children with mental illness who enter the system via the county council, and the number of disputes that arise. Any additional costs will be borne by the local government entities represented on the council.

Fiscal effect: Same as the Executive.

use existing local agency grievance procedures to address disputes unrelated to service coordination;  
 (4) Stating that the county council dispute resolution process does not replace other rights or procedures possessed by parents or custodians under Ohio law.  
 Fiscal effect: The clarifying language may result in some increased costs associated with program dispute resolution implementation. It may also, however, result in some decreased costs by streamlining the process. At this time, LSC cannot adequately estimate the direction and the magnitude of such change.

Fiscal effect: Same as the Senate.

653 (CD-1071-LOC) Family and Children First County Council Membership

R.C. 121.37

R.C. 121.37

R.C. 121.37

No provision.

Permits certain members of a county family and children first council to appoint a designee to serve in the member's place.  
 Fiscal effect: None.

Same as the House.

Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 654 (CD-1360-LOC) Agreements to Assist Municipal Corporations in Retaining Military Facility Jobs

R.C. 122.18, Sections 203.99,  
203.99.45

R.C. 122.18, Sections 203.99,  
203.99.45

No provision.

No provision.

Authorizes municipal corporations and counties (i.e. landlords) to enter into agreements with the United States or any department, agency, or instrumentality of the United States (i.e. tenants), for the purpose of retaining jobs at existing facilities recommended for closure under the U.S. Department of Defense's Base Realignment and Closure (BRAC) program. Under these agreements, tenants who propose a project to retain jobs within a municipal corporation at existing facilities recommended for closure under the BRAC program may receive annual payments from the Department of Development equal to the income tax revenue the tenants generate from the retention of employees.

Also establishes the Defense Conversion Assistance Fund (Fund 5CV) to provide grants to local communities for costs associated with the preparation and redevelopment of military installations slated for closure under the BRAC program. \$1 million is transferred to Fund 5CV from unclaimed funds during fiscal year 2006 (along with continuing appropriation authority of unspent funds in fiscal year 2007).

Fiscal effect: Potential revenue loss in

Same as the Senate, but also makes eligible for annual payments, tenants who propose a project to retain jobs at existing facilities recommended for realignment under the BRAC program (not just closure). Also eliminates the requirement that jobs retained be "within a municipal corporation" and revises the definition of "facility" to include property and interests in property owned by the United States or any department, agency, or instrumentality of the United States. Formerly, the definition of facility only included property and interests in property owned by a county or a municipal corporation.

Fiscal effect: Expanding eligibility requirements for the receipt of annual payments is likely to result in greater revenue loss from revenue that is not raised by taxation (this is likely to include revenue generated from liquor sales).

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

amounts equal to annual payments made to tenants. Annual payments are paid from revenue that is not raised by taxation (this is likely to include revenue generated from liquor sales). Annual payments are equal to revenue deposited to the GRF from retained employees' income tax.

(See also the item entitled "Grants to Communities Affected by the BRAC Program" in the Department of Development)

655 (CD-1006-LOC) Responsibilities of DAS Under the Civil Service Law

R.C. 124.01, 124.02, 124.04, 124.07, 124.09, 124.11, 124.133, 124.14, 124.15, 124.20, 124.23, 124.231, 124.241, 124.25, 124.26, 124.27, 124.29, 124.30, 124.31, 124.311, 124.32, 124.321, 124.322, 124.323, 124.324, 124.325, 124.33, and 124.34; Section 618.06.

R.C. 124.07

Eliminates the duty of the Director of DAS to perform various functions with regard to officers and employees of, and to provide various services to, counties, state-supported colleges and universities, and general health districts under the Civil Service Law; instead, confers these duties and functions upon the entities mentioned above.

No provision

Eliminates the duty of the Director of DAS to perform various functions with regard to officers and employees of, and to provide various services to, counties, state-supported colleges and universities, and general health districts under the Civil Service Law; instead, confers these duties and functions upon the entities mentioned above.

No provision.

Defines for appointing authorities two of continuing law's bases for determining a lack of continued need that may result in the layoff of an employee: (1) A "reorganization

No provision.

Clarifies the responsibility of county appointing authorities and county personnel departments for administration of county civil service. Also requires that county

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

for the efficient operation of an appointing authority" is to be based on the appointing authority's decision to restructure delivery of services, change organizational emphasis or organizational goals, or maintain productivity or effective services with diminished resources; and (2) "reasons of economy" generally must be based on the appointing authority's estimated amount of savings with respect to salary, benefits, and other matters associated with the abolishment of a position or positions (See item entitled "Responsibilities of DAS under the Civil Service Law" in the Department of Administrative Services).

Fiscal effect: Potential increases in costs for those political subdivisions not currently performing these functions.

(See also "Responsibilities of DAS Under the Civil Service Law" in the Local Government Provisions section.)

employees designated to be in positions of unclassified civil service receive notice of their designation.

Fiscal effect: Decrease in expenditures for DAS. Possible but unknown increase in local costs for performing these functions.

(See also "Responsibilities of DAS Under the Civil Service Law" in the DAS section.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

656 (CD-997-LOC) Certification of Public Authorities' Professional Design Contracts and County Building and Bridge Construction Contracts

R.C. 153.44, 153.692

No provision.

Requires a county contract for building or bridge construction that exceeds \$1,000 to be certified by the prosecuting attorney as being in accordance with the Public Improvements Contract Law before it may have full force and effect.

Requires a public authority's contract for design services must be certified by the public authority's legal counsel as being in accordance with the professional design services contract law before that contract may have full force and effect.

Fiscal effect: No direct fiscal effect, but the provision may eliminate any contract disputes for such services which might otherwise arise.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 657 (CD-720-LOC) Allowing Specified Public Authorities to Award Single-Prime Contracts

R.C. 153.50, 153.51, 153.52

Allows specified public authorities (counties, municipal corporations, school districts, or any public institution belonging thereto) to choose between awarding separate and distinct contracts or single, aggregate contracts for improvements under the Public Improvements Law.

No provision

No provision

No Provision.

Fiscal effect: Allowing single prime contracts to be awarded could potentially lead to decreased costs for these public entities. The awarding of a single contract may result in a lower bid than the awarding of separate contracts. Also, there is a potential decrease in administrative costs for awarding one single contract versus undergoing a competitive bidding process for each individual contract. Public entities will then be able to determine and choose which method proves to be more cost effective. (See "Allowing Specified Public Authorities to Award Single-Prime Contracts" in Department of Education and Board of Regents for further fiscal effects.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

658 (CD-1449-LOC) Criminal Justice Regional Information Service

R.C. 305.28, 2949.092, 2949.093

No provision.

No provision.

No provision.

Authorizes a county containing 55 or more law enforcement agencies to participate in a criminal justice regional information system, and provides funding for a county's participation in the system through the imposition of an additional court cost not exceeding \$5 on all motor vehicle moving violation cases that occur in that county.

Fiscal effect: As of this writing, the magnitude of this provision's potential fiscal effects on an eligible county, including other political subdivisions located within the geographical boundaries of that county, is uncertain.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

659 (CD-1298-LOC) Boards of Trustees for Certain Regional Transit Authorities

No provision.

No provision.

R.C. 306.331, Section 503.15

R.C. 306.331, Section 503.15

Establishes a distinct method to appoint the board of trustees of a regional transit authority created by one county and two municipal corporations, in a county with a population exceeding 500,000. Clarifies that the boards may hold executive sessions, but that all other meetings are open to the public. Specifies that the second most populous city that is located within the county where the RTA is located may appoint one RTA board member, regardless of whether the city is a member of the RTA.

Same as the Senate.

Fiscal effect: None.

660 (CD-1300-LOC) Local Funding Options for Convention Centers and Art Facilities

No provision.

No provision.

R.C. 307.695, 3381.02, 3381.04, 3381.05, 3381.06, 3381.07, 3381.15

R.C. 307.695, 3381.02, 3381.04, 3381.05, 3381.06, 3381.07, 3381.15

Authorizes a board of county commissioners in a county with a population of 600,000 or more to establish local funding options for constructing and equipping a convention center.

Same as the Senate, except the county population must be 1.2 million or more instead of 600,000 or more as in the Senate version.

No provision.

No provision.

Authorizes a board of county commissioners in a county with a population of 500,000 or more to provide local funding options for the support of arts and cultural organizations operating in the regional arts and cultural

Same as the Senate, except the county population must be 1.2 million or more instead of 600,000 or more as in the Senate version.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

No provision.

district in which the county is included.

Requires that regional arts and cultural districts created by a board of county commissioners have an appointed 3 member governing board of trustees for the district.

Fiscal effect: No direct fiscal effect. If a county would elect to implement either of the above measures, there would be an immediate increase in costs. However, the use of such convention centers or art facilities for various purposes could generate future revenues.

Same as the Senate.

## 661 (CD-1293-LOC) County Support of Science Facilities

R.C. 307.76, 5705.19

No provision.

No provision.

Permits a county to maintain and operate, and to levy a property tax for, a facility that encourages the study of, and promotes the sciences (See "Permits a County to Operate or Support a Facility that Encourages Study of Science" in Tax Provisions for further description).

Fiscal effect: No direct fiscal effect; however, a county would incur new costs if it chooses to take on additional debt to finance such facilities as well as raise revenues through a property tax.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

662 (CD-695-LOC) Bid Bond Requirements

R.C. 307.88

R.C. 307.88

R.C. 307.88

R.C. 307.88

Raises the bid amount under Competitive Bidding on County Purchases Law for which a bond or other specified form of bid guaranty is required from in excess of \$10,000 to in excess of \$25,000.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 663 (CD-737-LOC) Increase in Real Property Transfer Fee

R.C. 319.54

R.C. 319.54

Increases the fee that county auditors charge for transferring real property or used manufactured or mobile homes. Currently, the fee is \$1, or \$.10 for each \$100 or fraction of \$100, whichever is greater, of the value of the property being transferred. This provision increases the fee to the greater of \$1, or \$.20 for each \$100 or fraction of \$100 of the value. The bill also requires that the county auditor deposit the greater of \$1 or one-half of the fee in the county treasury to the credit of the county general fund, and deposit the balance in the State Treasury to the credit of the General Revenue Fund (GRF). This deposit must be made by the fifteenth day of the month following the date the fee was received by the county auditor. If the auditor fails to make the deposit by that time, the Tax Commissioner may withhold Local Government Fund money allocated to the county until the deposit is made.

Fiscal effect: The increase in fees will increase the revenue to the counties' general funds as well as increase the contribution to the state GRF.

Same as the Executive, but requires that the county treasurer be responsible for these duties instead of the county auditor. Also requires the county treasurer to submit a report in addition to forwarding the balance owed to the Tax Commissioner. This report must be date stamped before being sent. The Treasurer of State may also require that any balances and reports due under this section be electronically transferred.

Fiscal effect: Same as the executive.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

664 (CD-1116-LOC) Authorization for County Auditors to Use Real Estate Assessment Funds for Estate Tax Enforcement

R.C. 325.31, 5731.41

R.C. 325.31, 5731.41

R.C. 325.31, 5731.41

No provision.

Authorizes county auditors to expend moneys in real estate assessment funds to defray costs incurred in enforcing estate taxes.

Same as the House.

Same as the House.

Fiscal effect: None. Any savings in the county treasury would be offset by the increased costs occurring in the real estate assessment fund.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

665 (CD-727-LOC) Payment for Necessary Medical Care of Jail Inmates at Medicaid Reimbursement Rate

R.C. 341.192

R.C. 341.192

R.C. 341.192

R.C. 341.192

Requires that necessary, nonelective medical care for a person confined in a county jail or in the custody of a law enforcement officer prior to confinement that cannot be provided by the jail's regular physician be provided by a Medicaid provider and be paid for at or below Medicaid reimbursement rates.

Same as the Executive.

Same as the Executive, but deletes the requirement that necessary, nonelective medical care for a person confined in a county jail or in the custody of a law enforcement officer prior to confinement that cannot be provided by the jail's regular physician be provided by a Medicaid provider.

Same as the Senate.

Fiscal effect: Currently, county jails are paying the going market rate for the provision of medical care to jail inmates. Medicaid reimbursement rates are generally lower than the going market rate for such medical care. According to the Buckeye State Sheriffs' Association, this provision has the potential to significantly reduce annual county jail inmate medical care expenditures.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

666 (CD-984-LOC) Prohibition Against Regulation of Fertilizer and Seed by Political Subdivisions

R.C. 905.501, 907.111

R.C. 905.501, 907.111

R.C. 905.501, 907.111

No provision.

Prohibits political subdivisions from regulating or enacting legislation relating to the registration, packaging, labeling, sale, storage, distribution, use or application of fertilizer and from regulating or enacting legislation related to the registration, labeling, sale, storage, transportation, distribution, notification of use, use, or planting of seed. (See the item entitled "Prohibition Against Regulation of Fertilizer and Seed by Political Subdivisions" in Department of Agriculture).

Fiscal effect: None.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

667 (CD-986-LOC) Election and Compensation of the Medina Municipal Court Clerk

R.C. 1901.31

R.C. 1901.31

R.C. 1901.31

No provision.

Requires that the clerk of the Medina Municipal Court be elected, not appointed, and be compensated in the same manner as other elected clerks of municipal courts having a territory population of 100,000 or more.

Same as the House.

Same as the House.

Fiscal effect: As of this writing, it appears that the current annual salary and benefits of the appointed clerk total around \$76,000. By converting the position to an elected office, the annual salary and benefits associated with the position of the clerk of the municipal court will rise to approximately \$106,000. Pursuant to existing law, the county pays 40% these costs, with the remainder, or 60%, presumably apportioned among all of the municipalities and townships that are within the territory of the court. The Medina Municipal Court is a non-county operated municipal court with less than countywide jurisdiction. The Court's geographic jurisdiction includes the cities of Brunswick and Medina; the townships of Brunswick Hills, Chatham, Granger, Hinckley, Lafayette, Litchfield, Liverpool, Medina, Montville, Spencer, and York; and the villages of Chippewa Lake and Spencer.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

668 (CD-1130-LOC) Methamphetamine, Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control

R.C. 2151.031, 2919.22, 2925.01, 2925.04, 2925.041, 2925.15, 3719.47, 3719.48

(1) No provision.

(1) Imposes restrictions on the sale, storage, and acquisition of ephedrine, pseudoephedrine, and phenylpropanolamine products.

(1) No provision.

(1) No provision.

(2) No provision.

(2) Provides that a child exposed to methamphetamine, to an ephedrine, pseudoephedrine, or phenylpropanolamine product in a specified amount, to the "manufacture of drugs" involving methamphetamine, or to "illegal assembly or possession of chemicals for the manufacture of drugs" involving such a product is an abused child.

(2) No provision.

(2) No provision.

(3) No provision.

(3) Expands the offense of "endangering children" to also include exposure of a child to a person's possession or use of methamphetamine or to a person's possession of an ephedrine, pseudoephedrine, or phenylpropanolamine product in a specified amount.

(3) No provision.

(3) No provision.

(4) No provision.

(4) Includes specifically in the offense of "illegal assembly or possession of chemicals for the manufacture of drugs" the assembly or possession of any such product to manufacture methamphetamine or any other schedule I or II controlled substance, and provides what constitutes prima-facie evidence of intent to use the product to commit that offense.

(4) No provision.

(4) No provision.



## As Introduced (Executive)

(5) No provision.

## As Passed by the House

(5) Requires retailers, terminal distributors of dangerous drugs, pharmacies, prescribers, and wholesalers to report to the State Board of Pharmacy the theft or significant loss of more than six grams of any ephedrine, pseudoephedrine, or phenylpropanolamine products and requires the Board to notify local law enforcement agencies.

Fiscal effect: As a result of this provision, additional offenders will in all likelihood be sentenced to prison and offenders who would have been sentenced to prison under current law will, in the future under similar circumstances, be sentenced to longer prison terms. Either outcome would increase the Department of Rehabilitation and Correction's annual GRF-funded incarceration costs, the magnitude of which is uncertain at this time.

From a local perspective, some of the prohibited conduct appears to be largely illegal under the state's existing criminal law. Thus, the penalty enhancements and prohibitions will not likely create many new cases for county and municipal criminal justice systems to process, and can largely be seen as enhancing the level of sanctions that an offender would face under certain circumstances in the future. The magnitude of the fiscal effects on local criminal justice system expenditures (adjudication, prosecution, defense (if the offender is indigent), and sanction costs) is uncertain at this time.

## As Passed by the Senate

(5) No provision.

## As Amended by Conference Committee

(5) No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(See the item entitled "Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control" in the State Board of Pharmacy)

669 (CD-1216-LOC) Ohio CASA/GAL Study Committee

R.C. 2151.282

R.C. 2151.282

No provision.

No provision.

Creates the Ohio CASA/GAL Study Committee to study the Ohio CASA/GAL (Court Appointed Special Advocate/Guardian Ad Litem) Association program to compare the costs and benefits associated with utilizing an Ohio CASA/GAL Association program to advocate on behalf of children who have been found to be abused, neglected, or dependent children with the costs and benefits associated with utilizing county public defenders, joint county public defenders, or court-appointed counsel to advocate on behalf of abused, neglected, or dependent children, requires the study committee to submit a copy of the report to certain parties on or before July 1, 2007, and requires the Ohio CASA/GAL Association to provide staff for and pay the expenses incurred by the study committee.  
Fiscal effect: At the time of this writing, it is unclear as to whether the state or certain local governmental entities will incur any one-time expenses associated with assisting the study committee.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

670 (CD-1343-LOC) Juvenile Facilities Districts Created by Joint Boards of County Commissioners

R.C. 2151.652, 2152.44

No provision.

No provision.

Gives to a joint board of county commissioners that has created a district for the operation of a juvenile detention facility or certain other facilities the authority to approve all district contracts and the district's annual budget and the exclusive authority to retain legal counsel for the district.

No provision.

Fiscal effect: The fiscal effect of this approval authority, if any, on certain local districts is uncertain.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

671 (CD-1107-LOC) Payment of Maintenance and Other Expenses of District Detention Facility

R.C. 2152.43

R.C. 2152.43

R.C. 2152.43

No provision.

Modifies how the joint board of county commissioners decides to pay for the maintenance and other expenses of district detention facilities, including other methods agreed upon by a unanimous vote that are not listed in the Revised Code (See "Payment of Maintenance and Other Expenses of District Detention Facilities" in Department of Youth Services for further description).

Same as the House.

Same as the House.

Fiscal effect: This provision would allow a joint board of county commissioners to develop alternative methods of paying for detention facilities. Such methods may deter the need to propose a tax levy, or use county treasury funds to pay for such facilities.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

672 (CD-1206-LOC) Medicaid Eligibility Fraud

R.C. 2307.65, 2913.401

R.C. 2307.65, 2913.401

No provision.

No provision.

Prohibits and provides criminal and civil remedies for knowingly doing any of the following in an application for Medicaid benefits or in a document that requires a disclosure of assets for the purpose of determining eligibility to receive Medicaid benefits: making or causing to be made a false statement or false representation of a material fact; concealing an interest in property; or failing to disclose a transfer of property that occurred during the 36- or 60-month period, depending on the type of transfer, before submission of the application or document.

Fiscal effect: As of this writing, the annual fiscal effects of these criminal and civil remedies on local civil and criminal justice systems is uncertain; the fiscal effects on the state, in particular moneys that may be recovered for deposit in the state treasury, are also uncertain.

(See the items entitled "Medicaid Eligibility Fraud" in the Attorney General and the Department of Job and Family Services)

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 673 (CD-736-LOC) Law Library Associations and Associated County Financial Obligations

R.C. 3375.48, 3375.49, 3375.54,  
3375.55

R.C. 3375.48, 3375.49, 3375.54,  
3375.55, 501.03

R.C. 3375.48, 3375.49, and Section  
503.06, 3375.54, 3375.55

R.C. 3375.48, 3375.49, and Section  
503.06, 3375.54, 3375.55

Transfers the power to fix the compensation of a librarian and assistant librarian for a law library association from the judges of the court of common pleas to the association's board of trustees. Apportionments for the payment of these employees, as well as costs for any furniture or fixtures, will be on a graduated scale from FY 2006-2009. Beginning in FY 2010, the association's board of trustees must assume all costs from the board of county commissioners.

No provision.

Fiscal effect: Currently, all costs for such libraries are paid from the county treasury. This provision will gradually decrease costs for counties until the association's board of trustees assumes full financial responsibility in FY 2010. However, counties will continue to provide office space and utilities.

Same as the Executive, but reapportions the graduated responsibility of payment from beginning in FY 2006 to beginning in calendar year 2007.

Creates the Task Force on Law Library Associations, which must study the structure, funding, and administration of the associations' law libraries and by June 30, 2006 report its findings and recommendations to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Chief Justice of the Supreme Court. After submitting this report, the task force will cease to exist.

Fiscal effect: Delays impact of savings six months until the graduated rate of responsibility begins in calendar year 2007. Recommendations of the task force that are adopted could reduce costs for counties as they continue to pay on a graduated scale.

Same as the House.

Same as the House, but does not require that one of the appointees represents the public, and changes report due date to October 31, 2006.

Fiscal Effect: Recommendations of the task force that are adopted could reduce costs for counties as they continue to pay on a graduated scale.

Same as the House.

Same as the Senate.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

674 (CD-1049-LOC) Services from Free Public Libraries

R.C. 3375.40

R.C. 3375.40

No provision.

Permits the boards of trustees of school district public libraries, county free public libraries, township free public libraries, municipal free public libraries, county library districts, and regional library districts to assess fees for services other than the circulation of printed materials.

No provision.

Same as the House.

Fiscal effect: Increases revenue for these entities. The revenue increase will be dependent upon the amount and type of fees imposed.

675 (CD-1012-LOC) County Boards of Elections: Spending Authority and Health Benefits

R.C. 3501.141, 3501.17

R.C. 3501.141, 3501.17, 305.171

R.C. 3501.141, 3501.17, 305.171

No provision.

Limits the authority of county boards of elections to contract, purchase, or procure and pay all or any part of group insurance policies to circumstances in which the board of county commissioners, by resolution, denies coverage to full time employees of the board of elections and subjects that authority to the approval of the board of county commissioners.

Eliminates the independent authority of boards of elections to buy health care coverage for their members and employees, and provides that such coverage will be the same as that offered to other county officers and employees.

Same as the House.

No provision.

Forbids boards of elections from applying to the court of common pleas within the county for the needed appropriation.

Instead of eliminating such authority altogether, limits boards of elections' authority to apply to common pleas courts to

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

Specifies that boards of county elections may only transfer funds as provided in sections 5705.14 to 5705.16 of the Revised Code.

only appropriations that are necessary to conduct elections.

Allows boards of elections to make transfers out of accounts that contain funds designated for the purpose of conducting elections only as provided in Tax Levy Law.

Requires a board of county commissioners, at the request of the county board of elections, to transfer funds from one appropriation line item of the board of elections to another, unless the board of county commissioners determines that the requested transfer is sought to provide employee bonuses or salary increases other than reimbursement for overtime worked.

No provision.

Fiscal effect: Boards of county elections may experience increased costs if a board of county commissioners denies medical coverage to full-time board of elections employees. By prohibiting the county boards of elections from seeking funds elsewhere, this will presumably force them to reduce operating costs in other areas if they wish to provide health care benefits to their full-time staff.

Fiscal effect: There could be a potential increase in costs to counties if these courts allow for such additional appropriations.

Fiscal effect: Boards of county elections may experience increased costs if a board of county commissioners denies medical coverage to full-time board of elections employees. There could be a potential increase in costs to counties if common pleas courts allow for additional appropriations to county boards of elections for the purposes of conducting elections.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

676 (CD-694-LOC) Fee Increases for Birth Certificates, Death Certificates, and Divorce or Dissolution of Marriage Decrees

R.C. 3705.242, 3705.24

R.C. 3705.242, 3705.24

R.C. 3705.242, 3705.24

R.C. 3705.242, 3705.24

Increases the fees charged for birth and death certificates by \$1.50 and the fees for divorce and dissolution of marriage filings by \$5.50. For birth and death certificates, local health districts may retain up to 3% of the fee increase. For divorce and dissolution filings, the county clerk of courts may retain up to 3% of the new fee. All additional revenue from the fees is to be credited to the Family Violence Prevention Fund created by the bill and used by the Director of Public Safety for grants to family violence shelters.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increase in fee revenue for birth certificates, death certificates, divorce, and dissolution of marriage decrees. These fees are collected on the local level, with a portion retained, and then forwarded to the treasurer of state to the credit of the Family Violence and Prevention Fund. (See Family Violence Prevention Fund in Department of Public Safety for further fiscal effects.)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 677 (CD-692-LOC) General Health District Office Space and Utilities

R.C. 3709.34, 3709.29

R.C. 3709.34, 3709.29

R.C. 3709.34, 3709.29

Requires counties to provide office space and utilities to their general health district's board of health through fiscal year 2005. Requires counties to pay in FYs 2006-2009 specified decreasing proportions of the cost of office space and utilities, and specifies that counties have no obligation to provide or pay for the office space after FY 2009.

Fiscal effect: This will result in a cost savings in future years for counties. General health districts will experience increases in costs, but these costs can be offset as this section provides that a general health district levy can be used to cover the costs of office space and utilities. (See entry entitled "General Health District Office Space and Utilities" in the Department of Health Section for further description.)

Same as the Executive.

Changes the time period within which counties must continue to provide and fully pay for office space and utilities for general health districts from FY 2005 to FY 2006. (See entry entitled "General Health District Office Space and Utilities" in the Department of Health Section for further description.)

Fiscal effect: Delays the fiscal effects of the provision by one fiscal year.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

678 (CD-1289-LOC) Metropolitan Housing Authority Members

R.C. 3735.27

R.C. 3735.27

No provision.

No provision.

Requires one resident member be appointed to a metropolitan housing authority when required by federal law, which replaces a current requirement for two additional members when a district has 300 or more units and no resident member on the authority.

Same as the Senate.

Requires the same appointing authority that appointed a resident as required by federal law to appoint another resident member when the original appointee no longer qualifies as a resident.

Fiscal effect: None.

(See also the item entitled "Metropolitan Housing Authority Members" in Development.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

679 (CD-1326-LOC) Purchase of Electronic CIndigent Drivers Alcohol Treatment Fund Money

R.C. 4511.191

R.C. 4511.191

No provision.

No provision.

Permits a county, juvenile, or municipal court judge to use money in that court's indigent drivers alcohol treatment fund to pay the cost of electronic continuous alcohol monitoring devices or the cost of the continued use of such devices.

Fiscal effect: This provision gives a county, juvenile, or municipal court judge greater flexibility in the use of available indigent drivers alcohol treatment fund money. The practical fiscal effect of this provision in any given local jurisdiction is uncertain as of this writing.

Same as the Senate, but clarifies that surplus money in indigent drivers alcohol treatment funds may be used to pay for the costs of the continued use of an electronic continuous alcohol monitoring device by an offender only in conjunction with a treatment program that is approved by the Department of Alcohol and Drug Addiction Services and the court's determination that the offender is unable to pay such cost.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

680 (CD-941-LOC) Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments

R.C. 4775.04

No provision.

Requires the Motor Vehicle Collision Repair Registration Board to work with local fire and building departments to locate places of business being operated by persons who do not possess a registration certificate as a motor vehicle collision repair operator (See the item entitled "Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments" in the Motor Vehicle Collision Repair Registration Board).

Fiscal effect: Uncertain, as the Motor Vehicle Collision Repair Registration Board will develop by rule how it will work with local fire and building departments to locate unregistered motor vehicle collision repair operators.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 681 (CD-1038-LOC) Jurisdiction over Medicaid Payments

R.C. 5111.026

No provision.

Provides generally the Franklin County Court of Common Pleas with exclusive, original jurisdiction over any action or proceeding for declaratory or injunctive relief regarding payments under the Medicaid program.

Fiscal effect: Presumably, certain civil actions or proceedings will be filed and adjudicated in the Franklin County Court of Common Pleas rather than in one of the state's 87 other courts of common pleas as might have occurred under current law and practice. As a result, the Franklin County Court of Common Pleas Court will likely experience an increase in its civil docket and certain other courts of common pleas will likely realize some reduction in their respective civil dockets. It would seem likely that the annual operating budget of the Franklin County Court of Common Pleas would increase, and the annual operating budgets of the other affected courts of common pleas might decrease. As of this writing, the magnitude of these potential expenditure effects is uncertain.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

682 (CD-1310-LOC) Transportation Improvement District Joint Projects

R.C. 5540.032

R.C. 5540.032

No provision.

No provision.

Requires that when a transportation improvement district purchases securities from a governmental agency to finance a joint project undertaken pursuant to an agreement between the governmental agency and transportation improvement district, at least half of the project must be located within the territory of the transportation improvement district.

Same as the Senate.

Fiscal effect: None on ODOT or counties.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

683 (CD-1052-LOC) Annual Local Government Inventory and Road Report

R.C. 5549.01, 5573.13

R.C. 5549.01, 5573.13, 5571.13

No provision.

Eliminates the specific requirement for a county engineer to file an annual inventory of tools, machinery, other equipment and conveyances with the board of county commissioners. General law already requires such a report be filed by each county officer. This provision also eliminates a requirement that a township file an annual report to the county engineer, on blanks prepared by the county engineer, concerning township highways, bridges, and culverts detailing such information and in such form as prescribed by the county engineer.

Fiscal effect: Decrease in administrative costs in preparing and disseminating such reports to the required offices.

No provision.

Same as the House.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 684 (CD-546-LOC) County Commissioners' Authority to Adopt a Quarterly Spending Plan

R.C. 5705.392

R.C. 5705.392

Expands the authority of county commissioners to adopt a quarterly spending plan for any appropriations from any county fund. The board of county commissioners is also required to give each office, department, or division for which it intends to provide a spending plan, or amended spending plan, written notice at least thirty days before the adoption of appropriation resolution or amended appropriation resolution. The office, department, or division may meet with the board during any regular session to discuss the plan or amended plan.

Same as the Executive.

No provision.

No provision.

Fiscal effect: None, although, the ability to set forth a quarterly spending plan, or amended spending plan for all county funds will better enable county commissioners to more closely control spending outside of the general fund.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 685 (CD-1115-LOC) Sunset of Tax Increment Financing Agreements

R.C. 5709.40, 5709.73, 5709.78

R.C. 5709.40, 5709.73, 5709.78

No provision.

Changes the sunset date for the current law that allows the legislative authority of a municipal corporation, board of township trustees, or board of county commissioners to create incentive districts and declare improvements to real property within a district to be a public purpose and exempt from taxation. Current law allows such exemptions to be made through June 30, 2007. This provision changes that date to December 31, 2007, for municipal corporations, but leaves the date unchanged for townships and counties.

Fiscal effect: Sunsetting tax increment financing agreements may generate additional revenue for political subdivisions for any such public improvements that would be made after the beginning of FY 2006 that would otherwise have been given a tax exemption.

(See also the item in Tax Provisions.)

No provision.

Removes the sunset provisions that apply to incentive districts.

(See also item entitled "Transportation Improvement Districts, Tax Increment Financing, and Areawide TIFs" in Tax Provisions section for more complete description.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

686 (CD-1010-LOC) Phase Out Taxation of Fixtures and Furniture

R.C. 5711.22, 5751.20, 5751.21, 5751.22

R.C. 5711.22, 5751.20, 5751.21, 5751.22

R.C. 5711.22, 5751.20, 5751.21, 5751.22

No provision.

Phases out the taxation of business tangible personal property that the introduced bill does not already propose a phase-out for, such as business fixtures and furniture, over five years, beginning in 2006. Accordingly, all forms of tangible personal property would become exempted under the bill except public utility property and business property used incidentally to supply electricity to others (See the item entitled "Phase-out of Tax on Some Tangible Personal Property" in the Department of Education).

Fiscal effect: Compensates school districts and other local taxing units for the phased-out taxes from furniture and fixtures through transfers of \$10,010,000 in FY 2006 and \$70,210,000 in FY 2007 from the GRF to appropriation item 200-900, School District Property Tax Replacement - Business (Fund 047) and \$4,290,000 in FY 2006 and \$30,090,000 in FY 2007 from the GRF to appropriation item 110-900, Local Government Property Tax Replacement - Business (Fund 081)

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

687 (CD-1318-LOC) Levy Lodging Tax to Build and Equip Convention Centers

R.C. 5739.09, 307.695

R.C. 5739.09, 307.695

No provision.

No provision.

Provides that within 180 days of July 1, 2005, a board of county commissioners of a county where a lodging tax is already in effect may adopt a resolution to levy an additional lodging tax up to 3% to make payments on bonds and notes issued by or for the benefit of a convention and visitors' bureau or a community improvement corporation to construct and equip a convention center in the county. (See also entry in Tax Provisions section.)

Fiscal effect: May increase lodging taxes. May increase expenditures on convention centers in some counties.

Same as the Senate, but allows certain convention facilities authorities in Apalachian counties with populations less than 80,000 to levy a lodging tax at any rate up to 3%. Removes the 180-day period within which a resolution levying an additional lodging tax to pay costs associated with a convention center may be adopted. Permits a board of county commissioners in a county with a population of 1,200,00 or more--up from 600,000 or more in the Senate-passed version of the bill--to establish and provide local funding options from constructing and equipping a convention center.

Fiscal effect: May increase lodging taxes. May increase expenditures on convention centers in some counties.

No provision.

No provision.

No provision

A county with a population of one million two hundred thousand or more may levy a tax on food and beverages consumed on the premises where sold, and on lodging by transient guests at a hotel, to pay the cost of constructing, improving, expanding, equipping, financing, or operating a convention center.

Fiscal effect: May increase local government revenues from taxes on food and beverages and on lodging.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 688 (CD-1009-LOC) Local Government Services Collaboration Grant Fund

Sections: 209.78.06, 557.12

Sections: 209.78.06, 557.12

No provision.

Establishes the Local Government Services Collaboration Grant Fund (Fund 088) and requires the Director of Development to use the fund to administer a grant program that will provide local governments (counties, municipal corporations, townships, and fire/ambulance districts) with funding to conduct feasibility studies that address how political subdivisions may combine provisions of local government services. Grants are to be awarded on a competitive basis according to rules and guidelines developed by the Department of Development. Grants will be awarded according to a graduated scale; for a total of three political subdivisions, a grant award shall be equal to 50% of the total cost of the feasibility study; for a total of eight or more political subdivisions, a grant award shall be equal to 100% of the total cost of the feasibility study.  
(See "Local Government Services Collaboration Grant Fund" in Department of Development for further description).

Fiscal effect: Those political subdivisions receiving a grant of 50% of the cost of the study will incur a slight cost increase, which may be offset by any future cost savings that are the result of findings of the study. Those political subdivisions that receive a grant of

No provision.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

100% may incur future cost reductions based upon findings of the study.

689 (CD-859-LOC) Income Tax Distribution To Counties

Section: 303.18

Section: 303.18

Section: 303.18

Section: 303.18

Provides sufficient funds to counties to make any payment required under section 5747.03 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Provides revenues to counties as stated in section 9 of Article XII of the Ohio Constitution.  
(See "Income Tax Distribution to Counties" in Department of Taxation for further fiscal effects).

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 690 (CD-1117-LOC) Local Government and Library Financing and Support Committee

Section: 503.12

Section: 503.12

Section: 503.12

No provision.

Creates the Local Government and Library Financing and Support Committee. The committee consists of eight legislative members to study potential sources of state funding for the Local Government Fund, the Library and Local Government Support Fund, and Local Government Revenue Assistance Fund. The committee must report its recommendations and suggested implementing legislation to the Governor and General Assembly. The first report is due by June 1, 2006. The committee will then cease to exist.

Fiscal effect: Potential revenue gain for local governments dependent upon the findings of the committee and the subsequent adoption of those findings.

Same as the House, but renames the entity the "Local Government and Library Revenue Distribution Task Force."

Increases the number of legislators to 10, and adds one non voting member appointed by each of the following: the Ohio Library Council, the County Commissioners Association, the Ohio Municipal League, the Ohio Township Association, and the Ohio Parks and Recreation Association.

Requires the Task Force to consider changes to local government funding formulae, and for the Task Force to consult with certain local government associations and others. The Task Force must submit its report of findings to the General Assembly by December 1, 2006.

Fiscal effect: Potential revenue gain for local governments dependent upon the findings of the committee and the subsequent adoption of those findings.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

691 (CD-1428-LOC) Direct Recording Electronic Voting Machine Acquisition Requirements

Section: 514.03

No provision.

No provision.

No provision.

Requires a county that is scheduled to acquire direct recording electronic voting machines using funds made available pursuant to the Help America Vote Act of 2002 to acquire a minimum number of those machines, based upon a calculation by the Secretary of State.

Fiscal effect: The cost of purchasing these machines comes from federal money and will not require any county funds to be used for this purchase.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 692 (CD-725-LOC) Temporary Adjustment to Local Government Funds

Section: 557.12

Sections: 557.12, 209.78

Sections: 557.12, 209.78

Sections: 557.12, 557.12.01, 209.78

Suspends the statutory funding methods and distribution formulas to the three local government funds - Local Government Fund (Fund 069), Local Government Revenue Assistance Fund (Fund 064), and Library and Local Government Support Fund (Fund 065) in FY 2006 and FY 2007. The bill "freezes" and reduces the amounts of state revenues that will be deposited and distributed to the funds. The deposits in July through November 2005 and the distributions in August through December 2005 are "frozen" at the same level as the deposits in July to November 2004 and distributions in August to December 2004. Beginning in December 2005 to June 2007 the deposits are reduced by 20%. In January 2006 to July 2007, the distributions to Fund 064 and Fund 069 are reduced by 20% while the distributions to Fund 065 are reduced by 5%. In addition, the bill guarantees that each county receives 90% of its total distributions to townships and villages in CY 2005 from the county undivided local government fund (CULGF) and county undivided local government revenue assistance fund (CULGRAF). Additional revenue from personal income tax will be credited to the funds to compensate for these "guarantee" amounts. Direct distributions from the local government fund

Same as the Executive, except provides that the proposed 20% reduction in Local Government Fund (LGF) and Local Government Revenue Assistance Fund (LGRAF) distributions be specifically targeted at cities and other subdivisions (except townships and villages), and that the 10% reduction be specifically targeted at villages and townships. Under the introduced bill, it would be possible for the reductions to be reallocated among cities, villages, and townships, and other subdivisions in a county through a change in the county allocation formula, so that individual villages and townships could receive more than a 10% reduction, and individual cities and other subdivisions (except townships and villages) could receive less than a 20% reduction. The amendment precludes such a reallocation within a county.

Adjusts the amounts to be credited monthly to the LGF and LGRAF from the public utility excise tax and from the kilowatt-hour tax (generally lowering those amounts).

Changes the percentage cut in local government fund money to a county from 20% to 10% if the county submits a report to the Auditor of State by October 1, 2005,

Revises the crediting and distribution methods for money originating from the LGF and LGRAF.

Applies, with respect to the period of December 2005 through June 2007, various calculations to determine the distributions to each CULGF and CULGRAF and ultimately to the local governments slated to receive distributions as follows: (1) Townships and villages will receive 100% of their calendar year 2005 LGF and LGRAF distributions; (2) Counties will receive 90% of their calendar year 2005 LGF and LGRAF distributions; and (3) Other taxing units (e.g., park districts) will receive 80% of their calendar year 2005 LGF and LGRAF distributions.

Provides that any city receiving over \$1 million in total county undivided local government fund distributions (excluding dealer in intangibles tax distributions) and LGF direct distributions in calendar year 2005 will receive 90% of the first \$1 million it received in 2005 and 80% of any remaining amounts.

Provides, with respect to the LGRAF, that cities will receive 80% of their calendar year 2005 LGRAF distributions.

Generally continues the FY 2005 local government fund distribution "freeze" provisions through FY 2006-2007, providing that subdivision FY 2005 proportionate shares of the county undivided local government fund and county undivided local government revenue assistance fund cannot be reduced. Increases the appropriations for FY 2006 and FY 2007 to local government funds – Local Government Revenue Assistance Fund (Fund 064), Library and Local Government Support Fund (Fund 065), and Local Government Fund (Fund 069) in Revenue Distribution Funds. The additional funding is needed to maintain the local government funds funding at current "freeze" levels (per HB 95 of the 125th General Assembly) in FY 2006 and FY 2007. (Also, see RDF subject item "Additional Appropriations"). Fiscal Effect: Estimated to increase revenue to the GRF (compared to revenue under statutory distribution percentages) and decrease the state revenue that will be credited and distributed to the three local government funds. Funds 064 and 069 provide revenues to counties, townships, municipalities, and park districts while Fund 065 primarily provides revenues to libraries in Ohio.

## As Introduced (Executive)

(Fund 069) are reduced by 20 % to cities and 10% to villages. Prior to FY 2002, state revenues (from personal income tax, sales and use tax, corporation franchise tax, public utility excise tax, and kilowatt-hour tax) that were credited and distributed to these three funds were based on the statutory shares in the Ohio Revised Code. (See RDF subject item "Additional Appropriations").

Fiscal effect: Estimated to increase revenue to the GRF and decrease the state revenue that will be credited and distributed to the three local government funds by approximately \$280 million and \$400 million in FY 2006 and FY 2007, respectively. Funds 064 and 069 provide revenues to counties, townships, municipalities, and park districts while Fund 065 primarily provides revenues to libraries in Ohio.

## As Passed by the House

outlining past savings that have occurred from the consolidation of services or through regional cooperation and details future plans for the consolidation of services or additional/expanded regional cooperation. Also, see subject item "Local Government Services Collaboration Grant Program" in DEV.

Fiscal effect: Increases appropriation item 110-900, Local Government Fund (Fund 069) in the Revenue Distribution Fund, by approximately \$14 million in FY 2006 and \$22 million in FY 2007 to fund the provision that changes the percentage cut in local government fund money to a county from 20% to 10% if the county submits a report to the Auditor of State by October 1, 2005, outlining past savings that have occurred from the consolidation of services or through regional cooperation and details future plans for the consolidation of services or additional/expanded regional cooperation. Cities, townships, villages, and libraries are not eligible by this consolidation of services plan.

## As Passed by the Senate

Removes the provisions changing the percentage cut in local government fund money to a county from 20% to 10% if the county submits a report to the Auditor of State by October 1, 2005, outlining past savings that have occurred from the consolidation of services or through regional cooperation and details future plans for the consolidation of services or additional/expanded regional cooperation.

Eliminates the Small Townships and Village Relief Fund and the Local Government Services Collaboration Grant Fund. Both funds are in the RDF. (See subject item "Local Government Services Collaboration Grant Program" in DEV.) (Also, see RDF subject item "Additional Appropriations").

Revises the local government funds' appropriation items, 110-900, Local Government Revenue Assistance Fund (Fund 064), and 110-900, Local Government Fund (Fund 069), in the Revenue Distribution Fund. Increases the total appropriations by adding \$187,658 in fiscal year 2006 and \$822,332 in fiscal year 2007 to correct the appropriations items. Increases appropriation item 110-900, Local Government Revenue Assistance Fund (Fund 064), by \$3,346,647 and \$5,239,733 in FY 2006 and FY 2007, and decreases appropriation item 110-900, Local Government Fund (Fund 069), in FY 2006 and FY 2007 by \$3,158,989 and \$4,417,401 in FY 2006 and FY 2007. In the sub bill in

## As Amended by Conference Committee

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

No provision.

No provision.

Senate Finance "LSC 126 0134-4" version, the total appropriations of \$16.9 million and \$26.4 million were included only in appropriation item 110-900, Local Government Fund (Fund 069).

Requires cities with populations over 100,000 and counties to submit a report by October 1, 2005 to the Auditor of State describing efforts to reduce costs by consolidating services and engaging in regional cooperation.

Fiscal effect: Minima cost increase for various political subdivisions for the creation of submittal of the required report.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

693 (CD-629-LOT) Creation of the Charitable Gaming Oversight Fund

R.C. 3770.061

R.C. 3770.061

R.C. 3770.061

R.C. 3770.061

Creates in the state treasury the Charitable Gaming Oversight Fund in which the State Lottery Commission must deposit money it receives from the Attorney General under agreement between the two agencies for the Commission to carry out certain duties under the Charitable Gaming Law on the Attorney General's behalf.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Authorizes money in the Fund not necessary for the Commission to perform the charitable gaming oversight, licensing, and monitoring functions to be transferred by the Office of Budget and Management to the Lottery Profits Education Fund.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

694 (CD-1109-MHC) Increased Appropriation Through Controlling Board

Section: 206.99

Section: 206.99

Section: 206.99

No provision.

Allows the Manufactured Homes Commission to seek Controlling Board approval for an increase of \$356,250 in appropriation item 996-609, Operating Expenses (Fund 4K9) in the general services fund group, in FY 2006.

Fiscal effect: Upon Controlling Board approval, increases the amount available for operating expenses in FY 2006.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

695 (CD-427-MHC) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Manufactured Homes Commission, the Commission will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Same as the Senate.

Fiscal effect: Same as the Executive.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

696 (CD-1024-DOM) Medicaid Transition Council

Section: 206.66.52

Section: 206.66.52

Sections: 206.66.52, 206.66.53

No provision.

Creates the Medicaid Transition Council to (1) initiate, guide, and oversee the implementation of measures recommended by the Ohio Commission to Reform Medicaid, (2) devise a centralized financing function to coordinate the activities of all executive agencies that deliver Medicaid services, and (3) oversee the future transfer of the Medicaid program from the Department of Job and Family Services to a new department. (See the item entitled "Medicaid Transition Council" in Job and Family Services.)

Renames the Medicaid Transition Council the Medicaid Administrative Study Council to make recommendations as to the most effective organization of all executive agencies that administer services under the Medicaid program, including recommendations regarding the optimal administrative structure for the program.

Creates the Council to study the feasibility of (1) implementing measures recommended by the Ohio Commission to Reform Medicaid, (2) establishing a centralized financing function, and (3) developing a single long-term care budget for ODJFS and the Department of Aging; requires the Council, if it determines creation of a Medicaid department to be feasible, to make recommendations regarding the organization of the new department; requires the Council to submit a written report of its findings by not later than July 1, 2006. (See the item entitled "Medicaid Transition Council" in Job and Family Services.)

Same as the Senate, but with the following differences:

- (1) Changes the Council's membership.
- (2) Changes the Council's study duties.
- (3) Requires that the Council examine the creation of a unified budget for Medicaid-funded long-term care services, rather than permitting the Council to study the feasibility of developing a plan to create a unified long-term care budget managed across all state and local agencies and service settings.
- (4) Rather than requiring that the Council submit a report of its recommendations to the Governor not later than July 1, 2006, requires that the Council, beginning 90 days after the effective date of this provision of the bill, submit quarterly reports of its progress to the Governor, President of the Senate, and Speaker of the House of Representatives and, not later than December 31, 2006, submit a final report of its study to those officials.
- (5) Specifies that it is the intent of the General Assembly that a new cabinet level department to administer the Medicaid program is to be established by July 1, 2007.

(See the item entitled "Medicaid Transition Council in Job and Family Services.)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Fiscal effect: The state agencies that are members of the Council will incur a negligible increase in costs associated with deliberating and writing a report of the Council's findings.

Fiscal effect: The provision permits the Department to provide staff support and up to \$500,000 for contractual services and other resources necessary for the Council to develop its recommendations.

Fiscal effect: Rather than permitting the Department to provide staff support and up to \$500,000 for contractual services and other resources necessary for the Council to develop its recommendations, increases appropriation item 600-321, Support Services (state share only), by \$1,000,000 in fiscal year 2006 and \$500,000 in fiscal year 2007, earmarks those dollars for the Council, and permits the Council to hire staff, enter into contracts, and take other actions the Council deems necessary to fulfill its duties.

## 697 (CD-1039-DOM) Medicaid Appropriations

## Section: 209.01.03

No provision.

Requires that appropriation items 450-425, Office of Ohio Health Plans, 450-525, Health Care/Medicaid, and 450-526, Medicare Part D, be used by the Department of Job and Family Services for the Ohio Medicaid program.

No provision.

No provision.

## 698 (CD-1040-DOM) Health Care/Medicaid

## Section: 209.01.06

No provision.

Requires that appropriation item 450-525, Health Care/Medicaid, not be limited by section 131.33 of the Revised Code.

No provision.

No provision.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

699 (CD-1041-DOM) Medicare Part D

Section: 209.01.09

No provision.

Allows that appropriation item 450-526, Medicare Part D, be used by ODJFS for the implementation and operation of the Medicare Part D requirements. Upon the request of ODJFS, the Director of Budget and Management may increase the state share of appropriations in either appropriation item 450-525, Health Care/Medicaid, or appropriation item 450-526, Medicare Part D, with a corresponding decrease in the state share of the other appropriation item to allow the Department to implement and operate the new Medicare Part D requirements. If the state share of appropriation item 450-525, Health Care/Medicaid, is adjusted, the Director of Budget and Management shall adjust the federal share accordingly.

No provision.

No provision.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate                  | As Amended by Conference Committee       |
|--|--|--|--|
| 700 (CD-586-MED) Consolidation of Regulatory Boards  |  |  |  |
| Section: 315.03  | Sections: 315.03, 209.03   | Sections: 315.03, 209.03                 | Sections: 315.03, 209.03                 |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Medical Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.</p> | <p>Removes the State Medical Board from the proposal to consolidate certain regulatory boards into the departments of Commerce, Health, and Public Safety.</p> | <p>Same as the House.</p>                | <p>Same as the House.</p>                |
| <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p>   | <p>Fiscal effect: Establishes appropriations for FY 2007 at FY 2006 recommended levels.</p>  | <p>Fiscal effect: Same as the House.</p> | <p>Fiscal effect: Same as the House.</p> |
| <p>(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)</p>  |  |  |  |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 701 (CD-1383-AMB) Ambulette Services for Certain Agencies

R.C. 4766.09, and 4766.14, Section 612.12

R.C. 4766.09, and 4766.14, Section 612.12

(1) No provision.

(1) No provision.

(1) Exempts an ambulette service provider from the Medical Transportation Law if the provider is operating under standards adopted by rule by the Department of Aging so long as the provider is solely serving the department or the department's designee.

(1) Same as the Senate.

(2) No provision.

(2) No provision.

(2) Requires an ambulette service provider when so exempted to: (a) make two-way communication available to its ambulette drivers, (b) install or secure one isolation and biohazard disposal kit in ambulette vehicles, and (c) obtain from an ambulette driver applicant a copy of a signed medical statement containing specified information from a licensed physician, the results of a chemical test for drug and alcohol abuse, certificates of completion of CPR and first aid courses, and the results of a criminal records check.

(2) Same as the Senate.

(3) No provision.

(3) No provision.

(3) Prohibits an exempted ambulette service provider from employing an ambulette driver applicant who has 6 points or more on the applicant's driving record.

(3) Same as the Senate.

(4) No provision.

(4) No provision.

(4) Requires the Department of Aging to administer and enforce the provisions described above.

(4) Same as the Senate.

(5) No provision.

(5) No provision.

(5) Requires the amendment's provisions to go into immediate effect.

(5) Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Fiscal effect: As of this writing, the fiscal effect of these provisions, if any, on the Board is uncertain.

(See the item entitled "Ambulette Services" in the Department of Aging)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 702 (CD-551-AMB) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

(1) Expresses the intent to consolidate the Board into the Department of Public Safety not later than July 1, 2006, (2) creates a transition team to develop a plan to ensure the smooth and timely transition of the Board into the Department, including the submission of a report containing recommendations to certain parties, and (3) expresses the intent to introduce a bill in FY 2006 that will include the necessary statutory changes to effect the consolidation and include revised appropriations for FY 2007.

Fiscal effect: As of this writing, the fiscal effects of this proposed consolidation on the Board and the Department of Public Safety are uncertain.

(See the item entitled "Consolidation of Regulatory Boards" in the Department of Public Safety)

Same as the Executive.

Same as the Executive, except adds three members representing the affected regulatory boards to the transition team.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

703 (CD-1244-DMH) Family and Children First Administration Fund

R.C. 121.373

R.C. 121.373

No provision.

No provision.

Creates the Family and Children First Administration Fund (General Services Fund 232) to fund the administrative costs of the Ohio Family and Children First Cabinet Council and appropriates \$625,000 in each fiscal year.

Same as the Senate.

No provision.

No provision.

Fiscal effect: The provision will most likely be revenue neutral to the General Services Fund as it is a transfer of cash, duties, and staff of the Family and Children First Cabinet Council from MRDD to DMH. That said, it may create some workload increase during the transitional period. At this time, LSC is uncertain of the magnitude of this potential workload increase.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

704 (CD-975-DMH) Behavioral Health Exclusion from Medicaid Care Management

R.C. 5111.16

No provision.

Excludes alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services from being included in any component of the Medicaid care management system, but permits recipients of such services to be included in the system for purposes of receiving other Medicaid services.

(See the item entitled "Behavioral Health Exclusion from Medicaid Care Management" in the Department of Alcohol and Drug Addiction Services and in the Department of Job and Family Services.)

No provision.

Same as the House, but (1) excludes Medicaid-covered alcohol, drug addiction, and mental health services from the care management system only when the nonfederal share of the services' cost is provided by a board of alcohol, drug addiction, and mental health services or a state agency other than the Department of Job and Family Services, (2) does not refer to the excluded behavioral health services as being covered by Medicaid as "rehabilitative services," and (3) specifies that recipients of the excluded services may otherwise be designated for participation in the care management system.

(See item entitled "Behavioral Health Exclusion from Medicaid Care Management" in the Department of Job and Family Services and the Department of Alcohol and Drug Addiction Services.)

No provision.

Fiscal effect: This provision would likely not change how these services are currently provided. However, there is a related item under which the Department could experience a minimal increase in administrative costs related to developing interagency agreements.

Fiscal effect: Same as the Executive.

Fiscal effect: This provision would likely not change how these services are currently provided.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 705 (CD-1315-DMH) Medicaid Interagency Agreements for Coverage of Behavioral Health Services

R.C. 5111.911, 206.67.18

R.C. 5111.911, Section 206.67.18

R.C. Section 206.67.18

No provision.

Requires interagency agreements between ODJFS and the Ohio Departments of Mental Health (ODMH) and Alcohol and Drug Addiction Services (ODADAS) regarding the alcohol, drug addiction, and mental health services covered by Medicaid as rehabilitative services to address the following: utilization review, utilization management, care management, and a provider-specific fixed rate reimbursement system.

Requires that the interagency agreements specify (1) how providers will be paid for providing alcohol, drug addiction, and mental health services covered by the Medicaid program under the federal option of covering rehabilitative services, (2) a process for making payments to the providers, and (3) procedures for oversight and quality assurance.

Same as the Senate.

No provision.

Establishes a schedule for implementation of the items to be addressed in the interagency agreements, as follows: (1) utilization review as soon as possible after the bill's effective date, (2) utilization management and care management by July 1, 2006, and (3) provider-specific fixed rate reimbursement by July 1, 2007.

No provision.

No provision.

No provision.

Requires the implementation to be as consistent as possible with the "State of Ohio Community Behavioral Health Medicaid Business Plan" that was finalized in August 2004 by ODJFS, ODMH, ODADAS, and the Ohio Association of Behavioral Health Authorities.

Requires that the new requirements of the interagency agreements be implemented in manner that is consistent with the "State of Ohio Community Behavioral Health Medicaid Business Plan."

No provision.

(See item entitled "Medicaid Interagency Agreements for Coverage of Behavioral Health Services" in the Department of Job and Family Services.)



| As Introduced (Executive) | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee   |
|---------------------------|---|---|--|
| No provision.             | No provision.   | <p>Requires ODJFS, ODMH, ODADAS and behavioral health providers to specify procedures for the implementation of the "State of Ohio Community Behavioral Health Medicaid Business Plan."</p> <p>Requires a report on the implementation of the Plan to be submitted to the Speaker of the House and the Senate President by not later than March 1 and October 1 of each year until the Plan has been fully implemented.</p> | <p>Same as the Senate, requires the report on the implementation of the Plan to be submitted to the Minority Leaders of the House of Representatives and Senate, in addition to the Speaker of the House of Representatives and the President of the Senate.</p> <p>(See the item entitled "Medicaid Interagency Agreements for Coverage of Behavioral Health Services" in the Department of Job and Family Services and the Department of Alcohol and Drug Addiction Services.)</p> |
| No provision.             | <p>Fiscal effect: The Departments of Job and Family Services, Mental Health, and Alcohol and Drug Addiction Services may experience a minimal increase in administrative costs related to developing such interagency agreements.</p> | <p>Fiscal effect: ODJFS, ODMH, and ODADAS could incur minimal costs associated with producing and distributing the required report.</p>   | <p>Fiscal effect: Same as the Senate, but also impacts boards of alcohol, drug addiction, and mental health services with the departments.</p>   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

706 (CD-285-DMH) Inpatient Billing Methodology

R.C. 5121.30, 3923.27, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.39, 5121.40, 5121.41, 5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5122.03, 5122.31, 5123.701

R.C. 5121.30, 3923.27, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.39, 5121.40, 5121.41, 5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5122.03, 5122.31, 5123.701

R.C. 5121.30, 3923.27, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.39, 5121.40, 5121.41, 5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5122.03, 5122.31, 5123.701

R.C. 5121.30, 5121.01, 5121.02, 5121.03, 5121.04, 5121.05, 5121.06, 5121.061, 5121.07, 5121.08, 5121.09, 5121.10, 5121.11, 5121.12, 5121.21, 5121.31, 5121.32, 5121.33, 5121.34, 5121.35, 5121.36, 5121.37, 5121.38, 5121.39, 5121.40, 5121.41, 5121.42, 5121.43, 5121.44, 5121.45, 5121.46, 5121.47, 5121.49, 5121.50, 5121.51, 5121.52, 5121.53, 5121.54, 5121.55, 5121.56, 5122.03, 5122.31, 5123.701

Revises the method of determining the amount a patient, patient's estate, or liable relative is to be charged for inpatient care or treatment at an institution, hospital, or other place the Department establishes, controls, or supervises.

Same as the Executive.

Same as the Executive.

Same as the Executive, but makes technical changes and provides that the amount a community mental health services client is charged for state-operated community mental health services must be determined pursuant to guidelines established by the Department.

Fiscal effect: Currently patients at ODMH are billed for their hospitalization according to the ORC, which provide the rules for calculating charges and applying a sliding fee scale to patients with low income. Upon review of patient incomes, ODMH found that 99% of the payments received come from patients whose income falls below 150% of the Federal Poverty Guideline (FPG). Patients are reported to the Attorney General for non-payment.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

According to the Department, this change will provide monetary relief to approximately 1,000 low income patients, with no implementation cost to ODMH. Staff time and efforts will decrease in calculating billing charges, responding to patient inquiries, and gathering information and documentation for further Attorney General efforts that often do not result in payment. The proposed changes will allow staff to focus their payment collection efforts on patients and other payers who do have the ability to pay. The methodology used to develop the new sliding fee scale is based on Federal Poverty Guidelines, which are updated on an annual basis. The design of the sliding fee scale will automatically adjust the discount as the FPG changes and eliminates the need for periodic adjustments to the scale.

## 707 (CD-1089-DMH) Tobacco Cessation Programs Providing Tobacco Cessation Counseling to Minors

R.C. 5122.04

No provision.

Permits a person working for or on behalf of a tobacco cessation program to provide tobacco cessation counseling, without the use of medication and without the need for parental or guardian knowledge or consent, to a minor age 14 or older.

Fiscal effect: Permissive. This provision allows a counselor to provide tobacco cessation counseling to a minor. It does not require the services.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

708 (CD-1294-DMH) Billing Practices Pilot Review

Section: 203.51

Section: 203.51

No provision.

No provision.

Increases appropriation item 070-321, Operating Expenses, by \$50,000 in FY 2006, and earmarks this amount for the Auditor to conduct a pilot program of billing practices of certain facilities licensed by the Department of Mental Health and Department of Job and Family Services. The Department is required to provide information, records, and other data to the State Auditor.

Same as the Senate.

(See item entitled "Billing Practices Pilot Review" in the Auditor of State)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

709 (CD-1430-DMH) Disability Medical Assistance Council

Sections: 206.66.43, 203.30, 206.66,  
209.06

No provision.

No provision.

No provision.

Establishes the Disability Medical Assistance Council, composed of the directors (or a director's designee) of ODJFS, ODADAS, the Rehabilitative Services Commission, Rehabilitation and Correction, and Mental Health, three members of the ODJFS Medicaid Care Advisory Committee and the following individuals, appointed by the Director of ODJFS: two representatives of health care and behavioral health care trade associations; three representatives of low-income disabled individuals; a representative of county board of job and family services; a representative of hospitals; and two representatives of the pharmaceutical industry.

Requires the Council to submit a written report to the Governor, Speaker, and Senate President not later than September 1, 2005, to propose a program to replace the Disability Medical Assistance Program.

Requires the program proposed by the Council to be implemented not later than October 1, 2005.

Increases the appropriation in GRF 335-419, Community Medication, by \$4,333,050 in fiscal year 2006 and by \$5,666,950 in fiscal year 2007 to provide services to persons

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

who meet criteria that is consistent with the criteria for the Disability Medical Assistance Program.

(See the item entitled, "Disability Medical Assistance Council in the Department of Job and Family Services and in the Department of Mental Health.")

---

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 710 (CD-439-DMH) Forensic Services  |                        |                         |                                    |
| Section: 209.06   | Section: 209.06        | Section: 209.06         | Section: 209.06                    |
| <p>Restricts how funds in GRF appropriation item 322-401, Forensic Services, are to be used as follows:</p> <p>(1) To provide psychiatric services to courts of common pleas;</p> <p>(2) Funds to be allocated through community mental health boards to certified community agencies in accordance with administrative rule and may also be used for forensic training to community mental health boards and to forensic psychiatric residency programs in state psychiatric hospitals and to provide psychiatric evaluations of patients of forensic status in DMH facilities prior to conditional release to the community;</p> <p>(3) May be used to support projects involving mental health, substance abuse, courts, and law enforcement to identify and develop appropriate alternative services to institutionalization for non-violent mentally ill offenders, and to provide linkages to community services for severely mentally disabled offenders released from Department of Rehabilitation and Correction institutions; and</p> <p>(4) May also be used to provide forensic monitoring and tracking in addition to community programs serving persons of forensic status on conditional release or probation.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 711 (CD-440-DMH) Residency Traineeship Programs   |                        |                         |                                    |
| Section: 209.06   | Section: 209.06        | Section: 209.06         | Section: 209.06                    |
| Requires that GRF appropriation item 333-402, Resident Trainees, be used to fund training agreements entered into by DMH for the development of curricula and the provision of training programs to support public mental health services.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 712 (CD-441-DMH) Pre-Admission Screen Expenses  |                        |                         |                                    |
| Section: 209.06   | Section: 209.06        | Section: 209.06         | Section: 209.06                    |
| Requires that GRF appropriation item 333-403, Pre-Admission Screening Expenses, be used to pay for costs to ensure that uniform statewide methods for pre-admission screening are in place to perform assessments for persons in need of mental health services or for whom institutional placement in a hospital or in another inpatient facility is sought. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|--|--|-------------------------|------------------------------------|
| 713 (CD-442-DMH) Lease-Rental Payments   |  |                         |                                    |
| Section: 209.06  | Section: 209.06  | Section: 209.06         | Section: 209.06                    |
| Sets an aggregate limit of \$49.1 million that ODMH may pay to the Ohio Public Facilities Commission from GRF appropriation item 333-415, Rental Payments OPFC, pursuant to leases and agreements made under section 154.20 of the Revised Code. | Same as the Executive, but reduces the limit on the aggregate amount the Department may expend to \$47,129,800 to match the biennial appropriations total in the bill. | Same as the House.      | Same as the House.                 |
| 714 (CD-445-DMH) Community Mental Health Board Risk Fund   |  |                         |                                    |
| Section: 209.06.03   | Section: 209.06.03   | Section: 209.06.03      | Section: 209.06.03                 |
| Requires that appropriation item 334-636, Community Mental Health Board Risk Fund, (Fund 692) in the state special revenue fund group, be used to make payments pursuant to section 5119.62 of the Revised Code.                                 | Same as the Executive.   | Same as the Executive.  | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 715 (CD-1304-DMH) Housing Trust Fund Transfer to the Residential State Supplement Fund

Sections: 209.06.06, 209.06.09, 203.99.46

Sections: 209.06.06, 209.06.09

No provision.

No provision.

Transfers \$1,500,000 in each fiscal year from the Low- and Moderate-Income Housing Trust Fund (Fund 646) in the Department of Development to ODMH for the Residential State Supplement Program. The amounts transferred are appropriated in the new SSR fund and earmarked for subsidized support for licensed adult care facilities, which serve individuals with mental illnesses.

Same as the Senate.

(See item entitled "Housing Trust Fund Transfer to the Residential State Supplement Fund" in the Department of Development.)

## 716 (CD-450-DMH) Community Medication Subsidy

Section: 209.06.09

Section: 209.06.09

Section: 209.06.09

Section: 209.06.09

Requires that GRF appropriation item 335-419, Community Medication Subsidy, be used to provide subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization because of lack of medication. It also may be used to provide subsidized support for methadone costs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 717 (CD-452-DMH) Local Mental Health Systems of Care

Section: 209.06.09

Section: 209.06.09

Section: 209.06.09

Section: 209.06.09

Requires that GRF appropriation item 335-505, Local Mental Health Systems of Care, be used for mental health services provided by community mental health boards in accordance with a community mental health plan submitted pursuant to section 340.03 of the Revised Code and as approved by the Department. Earmarks an amount of not less than \$34,818,917 in each fiscal year to be distributed by ODMH on a per capita basis to community mental health boards. Earmarks \$100,000 in each fiscal year to fund family and consumer education and support.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 718 (CD-449-DMH) Behavioral Health Medicaid Services

Section: 209.06.09

Section: 209.06.09

Section: 209.06.09

Section: 209.06.09

Requires the Department to administer specified Medicaid services as delegated by the Department of Job and Family Services in an interagency agreement, and permits ODMH to use funds in appropriation item 333-607, Behavioral Health Medicaid Services, (Fund 4X5) in the state special revenue fund group, to make payments for free-standing psychiatric hospital inpatient services.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee   |
|---|------------------------|---|--|
| 719 (CD-463-DMH) Behavioral Health - Children   |                        |   |  |
| Section: 209.06.09  | Section: 209.06.09     | Section: 209.06.09  | Section: 209.06.09   |
| <p>Requires that appropriation item 335-404, Behavioral Health Services - Children, be used to provide behavioral health services for children and their families. Behavioral health services include mental health and alcohol and other drug treatment services and other necessary supports. The provision earmarks up to \$5 million in FY 2006 and \$6 million in FY 2007 to be distributed to local ADAMHS, ADAS, and CMH Boards based upon an approved plan developed and endorsed by the local Family and Children First Council. It requires that plans be clearly connected to the county services coordination mechanism as defined in section 121.37 of the Revised Code and that the plans address all of the following as determined by a team of state and local stakeholders appointed by the Ohio Family and Children First Cabinet Council: providing services to children with behavioral health disorders, particularly those with intensive needs, and their families, across all child-serving systems, including child welfare and juvenile justice and for those youth whose parents would otherwise have to relinquish custody to obtain needed behavioral health services; assuring that families are included in all services planning activities and have access to advocates to assist them if they choose; implementation of home-based</p> | Same as the Executive. | <p>Same as the Executive, but specifies requirements of the Access to Better Care Initiative.</p> <p>Creates a new appropriation in State Special Revenue Fund Group (Fund 5AU) with amounts of \$4,690,000 in each fiscal year for Behavioral Healthcare. Earmarks up to \$500,000 in appropriation item 335-404, in each fiscal year to be used for children who do not have behavioral health disorders but require assistance through the County Family and Children First Council.</p> | <p>Same as the Senate, but decreases the earmark for behavioral health services for children in appropriation item 335-404, by \$500,000 in each fiscal year (from \$5.0 million to \$4.5 million in FY 2006 and from \$6.0 million to \$5.5 million in FY 2007). These moneys are distributed to alcohol, drug addiction, and mental health boards; community mental health boards; and alcohol and drug addiction boards based on a formula.</p> |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

services and other alternatives to out-of-home placement; assuring that all individual service plans for children and their families address the academic achievement of the child; coordinating the most efficient and effective use of federal, state, and local funds to meet the needs of children and their families. It identifies the following services for which the funds may be used: mental health services provided by the Ohio Department of Mental Health certified agencies and alcohol and other drug services provided by the Department of Alcohol and Drug Addiction Services certified agencies; services and supports for children and their families that further the implementation of their individual service plans; treatment services in out-of-home settings, including residential facilities, when other alternatives are not available or feasible; and administrative support for efforts associated with this initiative. It states that these funds are not to be used to supplant existing efforts. This team is also responsible for designing a mechanism to provide technical assistance to local communities, monitoring the plans, and may, as part of the monitoring role, conduct site visits.

The provision also earmarks up to \$1 million in each fiscal year of the biennium to be used to support at least three demonstration projects, as determined by the Ohio Family and Children First cabinet Council, in select areas around the state to focus on improving behavioral health services for children involved in the child welfare and juvenile

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

justice systems. It requires that at least one of these demonstration projects focus on services for adolescent girls that are involved in or at risk of involvement with the juvenile justice system.

720 (CD-1230-DMH) State-Wide Prescription Drug Purchasing

Section: 209.06.15

Section: 209.06.15

No provision.

No provision.

Requires the Department of Mental Health, with BWC, DRC, DYS, and any other state or local government agency other than ODJFS (for purposes of the Medicaid program) that purchases prescription drugs to do the following:  
 (1) Study intrastate consolidated prescription drug purchasing systems currently in effect in other states.  
 (2) Estimate potential cost-savings and other advantages and disadvantages that might result if Ohio were to implement a similar program.  
 (3) Design a consolidated prescription drug purchasing program appropriate to Ohio's needs.

Same as the Senate.

Requires the Department to prepare and submit a written report of its findings, including a cost analysis, to the Governor, Speaker, Senate President, and Minority Leaders of the House and Senate by not later than January 1, 2006.

Fiscal effect: Increase, potentially more than minimal. The Department is responsible for leading the study. This will create a workload

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

increase related to researching, organizing, and designing the study. At this time, LSC is uncertain of the magnitude of this workload increase.

---

**721 (CD-1245-DMH) Transfer of Ohio Family and Children First Cabinet Council Administrative Duties**

Section: 209.09.16

Section: 209.09.16

No provision.

No provision.

Requires that the Department of Mental Retardation and Developmental Disabilities transfer the administrative duties related to the operation of the Ohio Family and Children First Cabinet Council to the Department of Mental Health.

Same as the Senate.

(See item entitled "Transfer of Ohio Family and Children First Cabinet Council Administrative Duties" in the Department of Mental Retardation and Developmental Disabilities.)

Fiscal effect: The provision will most likely be revenue neutral to the General Services Fund as it is a transfer of cash, duties, and staff of the Family and Children First Cabinet Council from MRDD to DMH. That said, it may create some workload increase during the transitional period. At this time, LSC is uncertain of the magnitude of this potential workload increase.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 722 (CD-1313-DMH) Transfer of Tobacco Master Settlement Agreement Dollars

Sections: 312.24, 312.27, 209.06

No provision.

No provision.

Earmarks the \$4 million transferred each fiscal year from the Tobacco Master Settlement Agreement Fund (Fund 087) to the newly created Adult Emergency Assistance Fund (Fund 5CS) in the State Special Revenue Fund Group for pharmaceuticals for adults who are not eligible for Medicaid and whose income is below 75% of the federal poverty guideline.

No provision.

(See item entitled "Transfer of Tobacco Master Settlement Agreement Dollars to the Department of Mental Health" in the Tobacco Use Prevention and Control Foundation.)

## 723 (CD-880-DMH) Community Assistance Projects

Section: 401.05

Section: 401.05

Section: 401.05

No provision.

Moves \$100,000 in funding for the Cleveland Christian Home from capital appropriation item CAP-989, Cleveland Christian Home, to capital appropriation item CAP-479, Community Assistance Projects, and earmarks those funds.

Same as the House.

Same as the House, but increases CAP-479 by \$50,000 and increases the earmark for Berea Children's Home from \$100,000 to \$150,000



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

724 (CD-1184-DMH) Partial-Hospitalization Community Mental Health Service

Sections: 403.07, 403.08

No provision.

No provision.

Extends the deadline for the Department revising an administrative rule regarding the certification standards for the partial-hospitalization community mental health service from June 30, 2005, to June 30, 2006.

No provision.

Fiscal effect: Minimal.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

725 (CD-1417-DMR) Nonfederal Match for Active Treatment Services

R.C. 209.09.06

No provision.

No provision.

No provision.

Allows a county board of MR/DD to pledge funds from its state allocation from GRF appropriation item 322-501, County Boards Subsidies, to cover the cost of providing the nonfederal match for active treatment services a county provides to residents of the Department's developmental centers.

Authorizes the Department to transfer cash from GRF appropriation item 322-501, County Boards Subsidies, to Fund 489, Mental Retardation Operating, to cover the cost of providing the non-federal share of active treatment services provided to individuals residing in developmental centers.

Requires the Department to deposit any funds sent by county boards to cover the non-federal share of active treatment costs into Fund 489, Mental Retardation Operating.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 726 (CD-1292-DMR) Transfer of State Use Program

R.C. 4115.32, Sections 203.12,  
203.12.01, and 209.09.06

R.C. 4115.32, Sections 203.12,  
203.12.01, and 209.09.06

No provision.

No provision.

Transfers the state committee for the purchase of products and services (State Use program) provided by persons with severe disabilities, currently housed within ODMR/DD, to the Department of Administrative Services (DAS).

Same as the Senate.

No provision.

No provision.

Fiscal effect: The provision transfers the funding for the State Use program from ODMR/DD to DAS. There will be some administrative costs associated with the transfer, however, such costs are unlikely to be significant.

Fiscal effect: Same as the Senate.

(See item entitled "Transfer of State Use Program to the Department of Administrative Services" in the Department of Administrative Services.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

727 (CD-308-DMR) Community Alternative Funding System Terminated

R.C. 5111.041 (repealed), 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5705.091, Sections 206.66.78, 209.09.09

R.C. 5111.041 (repealed), 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5705.091, Sections 206.66.78, 209.09.09

R.C. 5111.041 (repealed), 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5705.091, Sections 206.66.78, 209.09.09

R.C. 5111.041 (repealed), 127.16, 140.01, 3323.021, 3702.51, 3721.01, 3722.01, 3722.02, 5111.042, 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.01, 5123.041 (repealed), 5123.046, 5123.047, 5123.048 (repealed), 5123.049, 5123.0412, 5123.34, 5123.71, 5123.76, 5126.01, 5126.035, 5126.042, 5126.054, 5126.055, 5126.056, 5126.057, 5126.12, 5705.091, Sections 206.66.78, 209.09.09

Repeals, effective July 1, 2005, a requirement that the Medicaid program cover habilitation center services. (The system by which the Medicaid program covers habilitation center services is often referred to as the Community Alternative Funding System (CAFS).)

Same as the Executive.

Same as the Executive.

Same as the Executive.

Repeals state law governing the certification of habilitation centers.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The federal government recently found the CAFS program to be out of compliance with federal Medicaid requirements pertaining to comparability of services, free choice of provider, and overall service eligibility. The federal government informed the Ohio Department of Job and Family Services (ODJFS) and the Ohio Department of Mental Retardation and Developmental Disabilities (ODMR/DD) that

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

it would no longer provide federal Medicaid reimbursement for the CAFS program effective July 1, 2005. As a result, approximately \$206 million in federal Medicaid reimbursement is in jeopardy. According to ODMR/DD, making CAFS compliant with federal requirements is not fiscally possible. As a state Medicaid plan option, CAFS services are an entitlement available to any Medicaid-eligible individual needing CAFS services. Thus, the state's potential fiscal liability grows since neither the number of providers or the number of individuals served can be controlled. Currently, local county boards of mental retardation and developmental disabilities (MR/DD) and school districts are statutorily responsible for the nonfederal match. According to ODMR/DD, this runs counter to the Executive's priorities of cost containment within the Medicaid program. The termination of the CAFS program will affect county boards of MR/DD, participating school districts, private providers, ODMR/DD, ODJFS, and the individuals receiving CAFS services.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

728 (CD-331-DMR) Administrative Fee Increase for Medicaid Paid Claims

R.C. 5123.0412

R.C. 5123.0412

R.C. 5123.0412

R.C. 5123.0412

Increases the administrative fee county boards of MR/DD are charged for Medicaid paid claims for case management services and home and community-based services the Department administers to 1.5% (from 1%) of the total value of paid claims.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Clarifies what services are subject to the fee.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Changes how ODMR/DD and ODJFS are to use the fees.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The additional revenue collected from the administration fee will be used to offset some of the lost revenue associated with the 4% fee charged on all CAFS claims. The CAFS fee will no longer be received when the program is terminated at the end of FY 2005. The Department collects approximately \$7.0 million annually from the 4.0% CAFS fee. In FY 2004, the Department paid \$5.1 million in nonfederal matching funds for CAFS services. Thus, the net revenue gain from the 4% CAFS fee was \$1.9 million in FY 2004. In FY 2004, ODMR/DD collected \$3.2 million from the 1.0% fee. With the proposed increase, the Department would generate approximately \$1.6 million in additional revenue. Thus, the net effect of losing the CAFS fee and increasing the administration fee would be a

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

revenue loss of approximately \$300,000. According to the Department, to absorb the revenue loss, central office will undergo a comprehensive reassessment of jobs, which will end with layoffs, early retirements, and job abolishment.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

729 (CD-1241-DMR) Certification of Home and Community-Based Services

R.C. 5123.045, 5111.871, 5123.16, 5123.41, 5126.055, Section 209.09.27

R.C. 5123.045, 5111.871, 5123.16, 5123.41, 5126.055, Section 209.09.27

No provision.

No provision.

Revises the law governing the certification of home and community-based services provided under an ODMR/DD-administered Medicaid waiver.

Same as the Senate, but with the following differences:  
 (1) Eliminates duplicative language that provides that a certified supported living provider may be reimbursed by Medicaid for providing home and community-based services through ODMR/DD if the provider is also certified to provide the home and community-based services.  
 (2) Specifies in uncodified law that a person or government entity that provides home and community-based services may not be reimbursed for providing the services unless the individuals who receive the services reside with not more than three other individuals with mental retardation or a developmental disability (unless the individuals are related by blood or marriage) and, with a certain exception, the person or government entity does not provide to the individuals who receive the services a residence and home and community-based services. (The exception is that a person who provides home and community-based services may be reimbursed for providing the services if the person lives in the residence and provides the services to not more than three individuals who reside in the residence at any one time or the person is an association of family members related to two or more of the individuals who reside in



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

the residence and provides the services to not more than four individuals who reside in the residence at any one time.)

(3) Includes a provision that has the effect of authorizing ODMR/DD to adopt rules for the certification of persons and governments that are already certified to provide ODMR/DD-administered home and community-based services.

Fiscal effect: Same as the Senate.

Fiscal effect: The bill allows the Department to adopt, amend, or rescind rules regarding the certification of providers of home and community-based services. The Department would see an increase in administrative costs related to rules promulgation. However, these costs may be offset by certification fees paid by providers.

The bill gives the Department the authority to terminate, suspend, or revoke a provider's certification when certain conditions are met. The Department is required to follow the procedures outlined in the bill, which include Chapter 119. hearings, filings with a probate court, and notification of the provider within 24 hours. The Department may see an increase in administrative costs associated with this provision. However, the magnitude of the costs would depend on multiple factors (e.g., the number of Chapter 119. hearings) that cannot be estimated at this time.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 730 (CD-1225-DMR) Payment of Nonfederal Share of MR/DD Home and Community-Based Services

R.C. 5123.047, 5123.048, 5126.057

R.C. 5123.047, 5123.048, 5126.057

No provision.

No provision.

Permits the Director of ODMR/DD to enter into an agreement with a county board of MR/DD under which ODMR/DD is to pay the nonfederal share of Medicaid expenditures for ODMR/DD-administered home and community-based services if the agreement is necessary for such services to be available statewide.

Same as the Senate, but provides that the Director's authority to enter into the agreement is not conditioned on the agreement being necessary for the services to be available statewide.

Fiscal effect: Currently, county boards of MR/DD pay the provider for services rendered. However, the bill eliminates the Community Alternative Funding System (CAFS) program. As a result, county boards are concerned that their statutory authority to pay the provider of services may be in question. This provision will allow county boards to enter into an agreement with ODMR/DD in which the Department would pay the provider for services rendered and the county board would transfer the funds to ODMR/DD. Thus, the provision would not effect the amount of money paid to a provider, but would change the entity responsible for payment. The provision may result in an increase in administrative costs. However, any costs are unlikely to be significant.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

731 (CD-944-DMR) Residential Facilities I and II

R.C. 5123.19, 5123.196, 5123.1910, 5123.20

No provision.

Differentiates between residential facilities that are not intermediate care facilities for the mentally retarded (ICFs/MR) and residential facilities that are ICFs/MR for licensure purposes by designating non-ICF/MR residential facilities as residential facilities I and residential facilities that are ICFs/MR as residential facilities II.

No provision.

No provision.

No provision.

Establishes special staffing requirements for residential facilities II.

No provision.

No provision.

No provision.

Revises the limitation on the issuance of residential facility licenses by applying the limitation only to residential facility II licenses and providing that the maximum number of licensed residential facility II beds cannot exceed, with certain exceptions, 7,656.

No provision.

No provision.

Fiscal effect: This provision removes the current cap on the number of licensed beds in all residential facilities and instead puts a cap on the number of residential facility II licensed beds (ICFs/MR). According to the Department, the cap exceeds the number of ICF/MR beds currently licensed by the Department by approximately 500. In FY 2005, the estimated ICF/MR per diem is \$410 per day (\$149,650 annually). Depending on the number of additional beds licensed (up to 500), the provision creates a potential liability to the state in the millions to tens of millions of dollars. Moreover,

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

ODJFS believes this provision violates the "free choice of provider" tenet of Medicaid. This could create an open-ended obligation on the part of the state, as there would no longer be a cap on the number of licensed beds in the system. Under the bill, the Department must transfer specific funds to ODJFS to pay the nonfederal share of the cost under Medicaid for any newly certified ICF/MR beds.

Under current law, all residential facilities receive the same license. However, current law allows the rules for residential facilities that are ICFs/MR to differ from those for other residential facilities. The bill mandates a licensing system that differentiates between residential facilities that are ICFs/MR and residential facilities that are not ICFs/MR. The Department may see an increase in administrative costs associated with developing and implementing the new licenses (e.g., rules promulgation). However, since both entities are currently licensed by the Department, any increase in costs are not expected to be significant.

The bill removes the current moratorium for residential facilities that are not ICFs/MR. This may result in an increase in residential facility license applications, which would increase administrative costs to the Department. However, any such increase is unlikely to be significant.

The bill also requires facilities that receive residential facility II licensure to employ

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

certain medical professionals. This may increase costs to ODJFS and the Department to the extent to which current ICFs/MR do not employ these individuals.

732 (CD-334-DMR) Rules Governing Service Contracts

R.C. 5126.035

R.C. 5126.035

R.C. 5126.035

R.C. 5126.035

Eliminates a requirement that the Department adopt rules governing contracts between county boards of MR/DD and a provider of services to individuals with MR/DD.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None. The federal government has raised concerns about requiring an additional service contract other than a Medicaid provider agreement. Furthermore, a lawsuit, Thompson v. Hayes et. al, was filed in the Franklin County Court of Common Pleas against the Ohio Department of Job and Family Services, ODMR/DD, and some county boards concerning the legality of these contracts. The change is in response to a temporary restraining order issued in the case.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

733 (CD-333-DMR) County Boards' Waiting Lists for Services

R.C. 5126.042

R.C. 5126.042

R.C. 5126.042

R.C. 5126.042

Authorizes a county board of MR/DD, through the next biennium, to give priority for services to no more than 400 individuals under age 22 who have service needs of an unusual scope or intensity due to a mental or physical condition.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Authorizes a county board to continue to use, until December 31, 2007, criteria specified in rules to determine, when two or more individuals qualify for priority on a waiting list for home and community-based services the Department administers, the order in which the individuals will be given priority.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: These provisions simply extend current practices through the next biennium. Thus, there would be no fiscal effect.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

734 (CD-319-DMR) Medicaid Case Management Services

R.C. 5126.055, 5111.042, 5123.047, 5126.057, Section 209.09.10

R.C. 5126.055, 5111.042, 5123.047, 5126.057, Section 209.09.24

R.C. 5126.055, 5111.042, 5123.047, 5126.057, Section 209.09.24

R.C. 5126.055, 5111.042, 5123.047, 5126.057, Section 209.09.24

Eliminates state law giving county boards of MR/DD Medicaid local administrative authority regarding Medicaid case management services.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House                | As Passed by the Senate               | As Amended by Conference Committee    |
|---|---------------------------------------|---------------------------------------|---------------------------------------|
| Eliminates a requirement that the Department pay the nonfederal share of Medicaid case management services if the services are provided by an agency with which the Department has contracted to provide protective services.   | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |
| Provides that a certified habilitation center may provide Medicaid case management services until the earlier of (1) the federal government approving an amendment to the state Medicaid plan that provides that only county boards of MR/DD may provide Medicaid case management services and (2) the habilitation center ceases to meet the certification requirements.   | Same as the Executive.                | Same as the Executive.                | Same as the Executive.                |
| Fiscal effect: Certified habilitation centers not only provide CAFS services, but are also the sole provider of Medicaid targeted case management (TCM) and service coordination. The Department will seek an amendment to the state Medicaid plan that would eliminate service coordination as a separate service. Individuals currently receiving service coordination through CAFS could access these services through county boards of MR/DD. In FY 2004, \$25 million in nonfederal match was paid for case management services. Of that total, county boards of MR/DD paid approximately \$22 million. The Department paid private providers approximately \$2.1 million in service coordination matching funds. If county boards do become the sole provider of TCM services, the boards may be responsible for an additional \$2.1 million per year in match currently paid by ODMR/DD. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. | Fiscal effect: Same as the Executive. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

735 (CD-179-DMR) Lease-Rental Payments

Section: 209.09.03

Section: 209.09.03

Section: 209.09.03

Section: 209.09.03

Requires GRF appropriation item 320-415, Lease-Rental Payments, be used to meet all required payments under to leases and agreements made under section 154.20 of the Revised Code, but limited to the aggregate amount of \$47,129,800.

Same as the Executive.

Same as the Executive.

Same as the Executive.

736 (CD-1246-DMR) Transfer of Ohio Family and Children First Cabinet Council Administrative Duties

Sections: 209.09.06, 209.09.16

Sections: 209.09.06, 209.09.16

No provision.

No provision.

Requires that ODMR/DD transfer the administrative duties related to the operation of the Ohio Family and Children First Cabinet Council to the Department of Mental Health.

Same as the Senate.

Fiscal effect: The bill requires that ODMR/DD transfer all appropriations and any certified cash balances for the Council to ODMH by the dates outlined in the bill. The provision may result in an increase in administrative costs to both ODMR/DD and ODMH during the transfer process. However, since the Council is already in operation, any such costs are unlikely to be significant.

Fiscal effect: Same as the Senate.

(See item entitled "Transfer of Ohio Family and Children First Cabinet Council



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Administrative Duties" in the Department of  
Mental Health.)

737 (CD-180-DMR) Residential and Support Services

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Designates GRF appropriation item 322-413, Residential and Support Services, for supports needed to fulfill the requirements of a consent decree in Sermak v. Manuel and earmarks up to \$1,000,000 in each fiscal year for other Medicaid-reimbursed programs other than home and community-based waiver services that enable individuals with MR/DD to live in the community.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 738 (CD-181-DMR) Waiver State Match

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Designates GRF appropriation item 322-416, Waiver State Match, be used for home and community-based waiver services, services contracted by county boards of MR/DD, and to pay the nonfederal share of the cost of one or more new ICF/MR beds in a county where the county board does not initiate or support the development of such beds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Allows the Department to designate a portion of this appropriation item to support county boards that have a low percentage of residential and support service development when compared to the number of individuals with MR/DD living in the county.

Earmarks \$9,850,000 of this appropriation item in each fiscal year to be distributed to county boards to support existing RFW and IO waivers.

Allows up to \$3,000,000 in each fiscal year in appropriation item 322-416 to be used for program management, up to \$4,200,000 in each fiscal year to implement health and welfare requirements, and not less than \$2,650,000 shall be used to recruit and retain direct care staff.

Mandates that the Department use the

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

method utilized in FY 2005 to determine each Residential Facilities Waiver and Individual Options waiver provider's allocation of funds for FY 2006 and FY 2007.

**739 (CD-182-DMR) Supported Living**

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Designates GRF appropriation item 322-417, Supported Living, for supported living services contracted by county boards and to pay the nonfederal share of the cost of one or more new ICF/MR beds in a county where the county board does not initiate or support the development or certification of such beds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 740 (CD-184-DMR) Other Residential and Support Service Programs

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Allows the Department to use GRF appropriation items 322-413, Residential and Support Services; 322-416, Waiver State Match; or 322-417, Supported Living, to develop residential and support service programs that enable individuals with MR/DD to live in the community.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Allows the Department to waive the support collection requirements of Chapter 5121. and section 5123.122 of the Revised Code for persons enrolled in programs pursuant to this section.

Requires the Department to adopt rules in accordance with Chapter 119. of the Revised Code or use existing rules to implement such programs.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 741 (CD-185-DMR) Family Support Services  |                        |                         |                                    |
| Section: 209.09.06  | Section: 209.09.06     | Section: 209.09.06      | Section: 209.09.06                 |
| Designates GRF appropriation item 322-451, Family Support Services, to assist individuals with MR/DD and their families who are living in the community and to pay the nonfederal share of the cost of one or more new ICF/MR beds in a county where the county board initiates or supports the development of such beds. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 742 (CD-186-DMR) Service and Support Administration

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Requires GRF appropriation item 322-452, Service and Support Administration, be allocated to county boards of MR/DD to provide service and support administration services and to assist in bringing state funding for service and support administrators within the level authorized in division (C) of section 5126.15 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Allows the Department to request Controlling Board approval to transfer any unobligated appropriations from other GRF line items to meet the statutory funding levels.

Requires that subject to funding in GRF appropriation item 322-452, Service and Support Administration, no county may receive less than its FY 1995 allocation.

Replaces case management services, wherever it is referred to in any law, contract, or other document, with service and support administration.

Allows the Department to use GRF appropriation item 322-452, Service and Support Administration, to pay the nonfederal share of the cost of one or more new ICF/MR beds in a county where the county board initiates or supports the

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

development or certification of such beds.

**743 (CD-187-DMR) State Subsidies to MR/DD Boards**

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Requires that GRF appropriation item 322-501, County Boards Subsidies, be distributed to county boards of MR/DD under section 5126.12 of the Revised Code to the limit of the lesser required by that section or, if the appropriation is less than the required subsidy, prorated to all county boards of MR/DD.

Same as the Executive.

Requires the Department in FY 2006 to allocate county board operating subsidies from GRF appropriation item 322-501, County Boards Subsidies, in an amount equal to the respective county board's FY 2005 allocation.

Same as the Senate.

Requires that the Department pay each county board in FY 2007 an amount determined by an allocation formula to be developed by the Department.

Allows the Department to use funds in this line item to pay the nonfederal share of the cost of one or more new ICF/MR beds in a county where the county board initiates or supports the development of such beds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**744 (CD-188-DMR) Waiver-Match**

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Section: 209.09.06

Allows the Department to use appropriation item 322-604, Waiver-Match, (Fund 4K8) in the state special revenue fund group as state matching funds for home and community-based Medicaid waivers.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 745 (CD-190-DMR) County Board Waiver Match  |                        |                         |                                    |
| Section: 209.09.06  | Section: 209.09.06     | Section: 209.09.06      | Section: 209.09.06                 |
| Requires the Department to transfer cash from any allowable GRF appropriation item to Fund 5Z1, appropriation item 322-624, County Board Waiver Match, in the state special revenue fund group reflecting the amounts that county boards pledge from their state GRF allocations to cover the cost of providing the nonfederal match for waiver services. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 746 (CD-191-DMR) Developmental Center Program to Develop a Model Billing for Services Rendered  |                        |                         |                                    |
| Section: 209.06.12  | Section: 209.09.12     | Section: 209.09.12      | Section: 209.09.12                 |
| Allows developmental centers to provide services to individuals with MR/DD living in the community or to providers of services to these persons.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Allows the Department to develop a method for recovery of all costs associated with the provision of these services.  |                        |                         |                                    |



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**747 (CD-192-DMR) Transfer to Funds for Developmental Center Pharmacy Programs**

Section: 209.06.15

Section: 209.09.15

Section: 209.09.15

Section: 209.09.15

Requires the Department to pay the ODJFS the nonfederal share of Medicaid prescription drug claim costs for all developmental centers paid by ODJFS.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**748 (CD-193-DMR) Nonfederal Share of Additional ICF/MR Beds**

Section: 209.06.21

Section: 209.09.21

Section: 209.09.21

Section: 209.09.21

Requires the Department to transfer specific funds to the ODJFS to pay the nonfederal share of the cost under Medicaid for newly certified Intermediate Care Facility for the Mentally Retarded (ICF/MR) beds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Allows the Department to use GRF appropriation items 322-416, Waiver State Match, or 322-417, Supported Living, to pay the nonfederal share of new ICF/MR certified beds if a county board opposes the addition.

Allows the Department to use GRF appropriation items 322-451, Family Support Services; 322-452, Service and Support Administration; or 322-501, County Boards Subsidies, to pay the nonfederal share of new ICF/MR certified beds if a county board of MR/DD initiates or supports the addition.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

749 (CD-1282-DMR) Community Assistance Projects

Section: 401.05

Section: 401.05

No provision.

No provision.

Inserts a notwithstanding clause which will allow the Department to fund certain earmarks contained in H.B. 16, the Capital Appropriations Act.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

750 (CD-568-MIH) Lupus Program

Section: 209.12

Section: 209.12

Section: 209.12

Section: 209.12

Requires that GRF appropriation item 149-502, Lupus Program, be used to provide grants to programs in patient, public, and professional education on the subject of systemic lupus erythemtosus; to encourage and develop local centers on lupus information gathering and screening; and to provide outreach to minority women.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

751 (CD-914-CRB) Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments

R.C. 4775.04

No provision.

Requires the Motor Vehicle Collision Repair Registration Board to work with local fire and building departments to locate places of business being operated by persons who do not possess a registration certificate as a motor vehicle collision repair operator. (See the item entitled "Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments" in the Local Government Provisions section of this document).

Fiscal effect: Potential increase in revenue to the Motor Vehicle Collision Repair Registration Fund (Fund 5H9), as the enhanced enforcement efforts may lead to an increase in registrants.

No provision.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 752 (CD-423-CRB) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Motor Vehicle Collision Repair Registration Board, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Commerce).

Fiscal effect: Same as the Executive.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

753 (CD-212-DNR) Dissemination of Information from Certain Computer Databases Maintained by Division of Water

R.C. 149.43, 1521.151

Establishes the authority of the chief of the Division of Water to establish terms and conditions, including rates to be charged, for the dissemination of information from any computer database that consists of geographic information and that is maintained by the Division of Water, and exempts from certain provisions in the Public Records Law the dissemination of public records that are contained in such a computer database.

No provision.

No provision.

No provision.

Fiscal effect: This provision will allow the Division to charge fees for the information it produces. Over the years, the Department has experienced an increasing number of requests for this detailed information from private firms. With this new revenue source, the Department would expand and enhance its database and information services to meet the public's demand. The Department estimates the new fees may generate approximately \$43,000 annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

754 (CD-209-DNR) State Payment of Estimated Taxes for Acquired Property

R.C. 319.20

R.C. 319.20

R.C. 319.20

R.C. 319.20

Allows the state, when it acquires property, to pay estimated taxes on the property at the time of acquisition rather than subsequent to the acquisition as in current law.

Fiscal effect: This provision will improve payment timing and improve cash management activities.

Revises the Executive recommendation to indicate that the state need not pay estimated tax for that part of the year during which the property would be exempt from tax because of state ownership or possession.

Fiscal effect: No fiscal effect beyond that of the Executive.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

755 (CD-208-DNR) Fees and Charges for Use of State Forests and Services Provided Under Division of Forestry

R.C. 1503.01

Allows the Chief of the Division of Forestry to adopt rules establishing fees and charges for the use of state forests and for any service that is provided under a program administered by the Division.

No provision.

No provision.

No provision.

Fiscal effect: Currently, the Department does not have an estimate of the number, type, or fee rate for fees that may be established. The plan is to establish fees for horse riders and APV riders on state forest trails. The Department is modeling these fees on the fees charged in the Wayne National Forest. The fee revenue will help provide materials and supplies for volunteer crews who perform a large part of trail maintenance.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

756 (CD-1260-DNR) General Increase in Fees for Oil and Gas Well Permits

R.C. 1509.06, 1509.072, 1509.31, and Section 209.18

R.C. 1509.06, 1509.072, 1509.31, and Section 209.18

No provision.

No provision.

Concerning application fees, does all of the following: (1) retains the current fee of \$250, but applies it only to permits to conduct activities in a township with a population of fewer than 5,000 and to the revision or reissuance of an existing permit, (2) increases the fee to \$500 for permits to conduct activities in townships with a population of 5,000 to 9,999, (3) increases the fee to \$750 for permits to conduct activities in townships with a population of 10,000 to 14,999, and (4) increases the fee to \$1,000 for permits to conduct activities in townships with a population of 15,000 or more or in municipal corporations regardless of population. Requires each application for the revision or reissuance of a permit to be accompanied by a \$250 fee. Also, exempts an application for a permit to plug back an existing well from the fee established in existing law and the fees established under the bill that must accompany an application for an oil and gas well permit.

Same as the Senate.

Fiscal effect: The Department estimates the new fees may generate approximately \$100,000 annually. The fee increases will be deposited into Fund 518, Oil and Gas Well Permits.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

757 (CD-222-DNR) State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Corporate Franchise Tax

R.C. 1502.02, 3734.57, 5733.122  
(repealed)

R.C. 1515.14, 3714.073, 3734.57,  
3734.901, 3734.9010, 206.27,  
209.18, 209.18.09

R.C. 1515.14, 3714.073, 3734.57,  
3734.901, 3734.9010, 206.27,  
209.18, 209.18.09

R.C. 1515.14, 3714.073, 3734.57,  
3734.901, 3734.9010, 206.27,  
209.18, 209.18.09

Eliminates the crediting of the corporate franchise tax on litter stream products to the Recycling and Litter Prevention Fund (Fund 532) in the state special revenue fund group, establishes an additional fee of \$1.00 per ton on the disposal of solid wastes, the proceeds of which must be credited to the Recycling and Litter Prevention Fund (Fund 532) in the Division of Recycling and Litter Prevention and makes technical changes in the statute governing solid waste disposal fees.

Replaces the \$1 per-ton solid waste disposal fee with a \$1.00 increase in the state tire sale fee, and requires the proceeds to be credited to the Recycling and Litter Prevention Fund (Fund 532).

No provision.

No provision.

No provision.

Establishes a new \$0.25 per-ton fee on the disposal of construction and demolition debris, and requires the proceeds of the fee to be credited to the newly created Soil and Water Conservation District Assistance Fund (Fund 5BV) to be used to provide matching funding for soil and water conservation district projects.

Same as the House, except increases the per-ton fee on the disposal of construction and demolition debris to \$0.75 and credits the proceeds to the Recycling and Litter Prevention Fund (Fund 532).

Same as the Senate.

(See item entitled "Construction and Demolition Debris Disposal Fees" in the Environmental Protection Agency for information on fee exemptions)

No provision.

Specifies that not more than \$1,500,000 in each fiscal year may be used for the administration of the Recycling and Litter Prevention Program.

No provision.

Same as the House.

Fiscal effect: DNR's share of the \$1.00 solid waste disposal fee will generate between \$12 million to \$14 million annually and will be used to continue the Department's

Fiscal effect: By using the \$1.00 tire fee, generates approximately \$6.9 million for the Recycling and Litter Prevention Fund (Fund 532), a decrease of \$4.6 million in FY 2006

Fiscal effect: By using \$0.75 per ton on the disposal of construction and demolition debris rather than the \$1.00 tire fee, the Recycling and Litter Prevention Fund (Fund

Fiscal effect: Same as the Senate, but limits state administrative costs to \$1.5 million in each fiscal year.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

recycling and litter prevention programs. The fee replaces DNR's share of the corporate franchise tax as the revenue source for this program.

and \$4.7 million in FY 2007 for local government recycling and litter prevention programs. Additional \$0.25 fee for construction and demolition debris, flowing to the newly-created Soil and Water Conservation District Assistance Fund (Fund 5BV), increases state matching funds for local Soil and Water Districts to provide technical and informational services to local landowners by \$1.85 million in both fiscal years.

532) may receive approximately \$5.4 million in fee revenue in FY 2006 and \$5.6 million in fee revenue in FY 2007. This estimate is based on approximately 7.2 million to 7.4 million tons of construction and demolition debris disposed of annually. The fee change may result in an overall decrease of approximately \$6.3 million in FY 2006 and \$6.2 million in FY 2007 of available grant money for local government recycling and litter prevention programs compared to current funding levels.

**758 (CD-200-DNR) Old Woman Creek National Estuarine Research Reserve**

R.C. 1517.02

R.C. 1517.02

R.C. 1517.02

R.C. 1517.02

Eliminates the authorization for the chief of the Division of Natural Areas and Preserves to enter into an agreement with the United States Department of Commerce for the purpose of receiving grants to continue the management, operation, research, and programming at Old Woman Creek National Estuarine Research Reserve because oversight of the Reserve has been transferred to the Division of Wildlife.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The transfer will provide more long term funding stability for the reserve and greater serviceability for the Department's research partners and educational opportunities.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 759 (CD-210-DNR) Exemption for Property in Nature Preserves from Special Assessments

R.C. 1517.052, 1525.11, 1525.12,  
6111.034

Exempts real property that is within a nature preserve from special assessments for sewer, water, or electrical service; establishes recording requirements for county auditors regarding the exemptions; and authorizes a board of county commissioners, legislative authority of a municipal corporation, or other governing board of any other public entity to apply to the Water and Sewer Commission for an advance of money from the Water and Sewer Fund in an amount equal to the portion of the costs of a water or sewer improvement that is to be financed by assessments on real property within a nature preserve whose collection is prohibited under the bill, and requires that money to be repaid to the Commission if the assessments subsequently are collected.

No provision.

No provision.

No provision.

Fiscal effect: This provision exempts nature preserves from paying special assessments and will save the Department money. The actual amount of savings is unknown.

(See item entitled "Exemption for Property in Nature Preserves from Special Assessments, in Department of Taxation)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

760 (CD-213-DNR) Privatization of Inspection of Certain Dams

R.C. 1521.062

R.C. 1521.062

R.C. 1521.062

R.C. 1521.062

Requires the chief of the Division of Water to adopt rules designating classes of dams that are to be inspected periodically by registered professional engineers hired by the dam owners rather than being inspected by the Chief, and requires the rules to establish standards and procedures governing such private inspections.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This provision will allow the dam owner to contract with a private firm to perform inspections on Class II and Class III dams. Currently the Department only has the resources to perform Class I inspections. This will allow all dams to be inspected and ensure the public's safety.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

761 (CD-199-DNR) Division of Wildlife's Sources of Funding for Payments to School Districts

R.C. 1531.27

R.C. 1531.27

R.C. 1531.27

R.C. 1531.27

Changes one of the funding sources that the Division of Wildlife uses to pay school districts in which land owned by the state and administered by the Division is located from federal wildlife restoration funds to fines, penalties, and forfeitures credited to the existing Wildlife Fund (Fund 015) in the Wildlife Fund Group.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Broadens available revenue sources to pay school districts instead of relying on federal funds.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

762 (CD-198-DNR) Youth Hunting Licenses; Fur Taker Permits

R.C. 1533.10, 1533.11, 1533.111

R.C. 1533.10, 1533.11, 1533.111

R.C. 1533.10, 1533.11, 1533.111

R.C. 1533.10, 1533.11, 1533.111

Specifies that persons under the age of 18 qualify for a youth hunting license, special youth deer or wild turkey permit, and youth fur taker permit rather than persons under the age of 16 as in current law; allows nonresident youths to obtain a youth fur taker permit; eliminates the requirement that a person carry the person's fur taker permit affixed to the person's hunting license and instead requires only that the person carry the fur taker permit; and eliminates the requirement that a person's signature be written across the face of a fur taker permit and instead requires that the signature be written on the permit.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Department estimates the change in youth hunting license age requirements will result in a loss of approximately \$351,400 annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

763 (CD-935-DNR) Resident Hunting and Fishing Licenses for Certain Military Personnel

R.C. 1533.10, 1533.11, 1533.111,  
1533.112, 1533.12, 1533.32

R.C. 1533.10, 1533.11, 1533.111,  
1533.112, 1533.12, 1533.32

R.C. 1533.10, 1533.11, 1533.111,  
1533.112, 1533.12, 1533.32

No provision.

Authorizes a person who is on active duty in the Armed Forces of the United States and is stationed in this state and who wishes to hunt, trap, or fish, to obtain a resident license or permit, regardless of whether the person qualifies as a resident of this state, and requires the person to present a card or other identifying evidence that the person is on active duty in the Armed Forces and stationed in this state.

Same as the House.

Same as the House.

Fiscal effect: Potential increase in hunting and fishing license fee revenue.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

764 (CD-201-DNR) Animal Control Permits

R.C. 1533.122, 1533.99

R.C. 1533.122, 1533.99

Prohibits the trapping, capturing, removal, relocation, or control of nuisance native or nonnative wildlife without an annual \$100 nuisance animal control permit issued by the division of wildlife, and requires the adoption of rules establishing procedures for the issuance of the permits and for record-keeping pertaining to the permits.

No provision.

Same as the Executive, except names the permit a wildlife control operators permit and requires the permit for the trapping, capturing, removal, relocation, or control of all native or nonnative wildlife not just nuisance native or nonnative wildlife.

No provision.

Fiscal effect: The Department estimates the new permit will generate approximately \$7,500 annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

765 (CD-205-DNR) Ginseng Permit and Ginseng Dealer Permit

R.C. 1533.881

Eliminates the annual registration permit issued by the chief of the Division of Wildlife for buying or otherwise acquiring or conveying ginseng, and instead requires a person harvesting or otherwise collecting ginseng to obtain an annual ginseng collector permit and a person buying, selling, or otherwise conveying ginseng for resale or export to obtain an annual ginseng dealer permit; specifically adds harvesting ginseng as one of the activities requiring a permit; establishes a resident ginseng collector permit fee of \$24, a nonresident ginseng collector permit fee of \$125, and a ginseng dealer permit fee of \$75; and specifies that a ginseng collector permit is not required if a landowner, or the landowner's spouse or child, is harvesting or otherwise collecting ginseng on land that is owned by the landowner.

No provision.

No provision.

No provision.

Fiscal effect: The Department estimates the new fees will generate approximately \$45,000 annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

766 (CD-224-DNR) State Park Parking Permits; Recreational Immunity

R.C. 1541.03

R.C. 1541.03

R.C. 1541.03

R.C. 1541.03

Specifies that a waiver, discount, or reduction in the fee for a state park parking permit issued pursuant to rules adopted by the Division of Parks and Recreation is not available unless otherwise provided by Division rule, and establishes that a fee to purchase a state park parking permit is not an admission fee or a fee or consideration paid to the owner, lessee, or occupant of the premises for purposes of the Recreational Immunity Statutes.

Replaces the Executive provision with a provision that prohibits the Division of Parks and Recreation from adopting rules establishing a fee for parking a motor vehicle in a state park or for admission to a state park, and eliminates related provisions.

Same as the House.

Same as the House.

Fiscal effect: No net effect, but replaces the \$3 million in foregone park fee revenue with \$3 million in GRF funding. The additional \$3 million in each fiscal year will allow the Department to maintain and update current state park facilities.

Fiscal effect: Currently, the Department has the authority to implement a parking fee. This provision will limit litigation between the Department and park users who pay the parking fee.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

767 (CD-220-DNR) State Parks Discount Program for Park Services and Rentals for Golden Buckeye Card Holders

R.C. 1541.03

R.C. 1541.03

R.C. 1541.03

R.C. 1541.03

Requires the Division of Parks and Recreation to adopt rules establishing a discount program for park services and rentals for all persons who are issued a Golden Buckeye Card, but not for the purchase of merchandise.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This provision will affect revenues based on the number of services and rentals purchased at a discount, possibly reducing income from these sources.

768 (CD-197-DNR) Elimination of Depreciation Reserve Fund

R.C. 1541.221, repealed, Section 209.18.09

R.C. 1541.221, repealed, Section 209.18.09

R.C. 1541.221, repealed, Section 209.18.09

R.C. 1541.221, repealed, Section 209.18.09

Eliminates the Depreciation Reserve Fund (Fund 161) in the general service fund group, which is currently used to maintain revenue-producing facilities of the Division of Parks and Recreation in DNR.

Same as the Executive, but changes the date by which the remaining cash balance in the Depreciation Reserve Fund (Fund 161) shall be transferred to the State Park Fund (Fund 512), from June 30, 2005 to July 31, 2005.

Same as the House, except makes technical changes to temporary language concerning depreciation reserve transfer and instructions on use of funds.

Same as the Senate.

Transfers the remaining cash balance in Fund 161 to the State Parks Operations Fund (Fund 512) in the state special revenue fund group and appropriates it under a new line item, 725-680, Park

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Facilities Maintenance, (Fund 512) in the state special revenue fund group, prior to June 30, 2005.

Fiscal effect: Once the transfer is made, the remaining cash balance will be appropriated under appropriation item 725-680 in the State Park Fund (Fund 512). The new line item will retain the same purpose as the former line item in the former Depreciation Reserve Fund (Fund 161). The revenue source will be the same: 10% of the receipts from revenue producing facilities of the Division of Parks and Recreation. This will give the Department more flexibility in transferring the 10% within Fund 512 rather than across funds, which requires Controlling Board approval.

Fiscal effect: None.

Fiscal effect: None.

Fiscal effect: None.

769 (CD-223-DNR) Watercraft Revolving Loan Fund

R.C. 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, Section 209.18.09

R.C. 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, Section 209.18.09

R.C. 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, Section 209.18.09

R.C. 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, Section 209.18.09

Establishes the Watercraft Revolving Loan Fund (Fund 5AW) in the waterways safety fund group consisting of money appropriated to it, money from the repayment of loans, and money from other specified sources; authorizes DNR to use money in the fund to make loans for marine recreational facilities or projects related to the use of light draft vessels (including refuge harbors); and establishes procedures and requirements pertaining to the program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Requires OBM to transfer an amount not to exceed \$3,000,000 in FY 2006 and not to exceed \$1,000,000 in FY 2007 from the Waterways Safety Fund (Fund 086) in the Waterways Safety Fund Group to the Watercraft Revolving Loan Fund (Fund 5AW) in the Waterways Safety Fund Group. Fiscal effect: These moneys will capitalize the Department's new Watercraft Revolving Loan Fund (Fund 5AW) to make loans for marinas and other boating facilities. The Department anticipates the revolving loan will attract private moneys to improve boating access and boating facilities.

**770 (CD-948-DNR) Exemption for Coal Mining From Section 401 Water Quality Certification Fees.**

R.C. 3745.114

No provision.

Exempts coal mining and reclamation operations from the new section 401 water quality certification fees. (See the item entitled "Surface Water Protection Fee" in the Environmental Protection Agency section for further detail).

No provision.

No provision.

Fiscal effect: None on DNR.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

771 (CD-195-DNR) Nonresident Operation of All-Purpose and Other Special Vehicles

R.C. 4519.02, 4519.09

R.C. 4519.02, 4519.09

R.C. 4519.02, 4519.09

R.C. 4519.02, 4519.09

Requires every nonresident owner or operator of a snowmobile, off-highway motorcycle, or all-purpose vehicle to obtain a \$5 temporary operating permit and eliminates registration reciprocity.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Currently the Department does not have an estimate of how much revenue the permit may generate. Revenues will be used to improve recreational trails.

772 (CD-202-DNR) All-Purpose and Other Special Vehicle Registration Fee

R.C. 4519.04

Increases the three-year registration fee for a snowmobile, off-highway motorcycle, or all-purpose vehicle from \$5 to \$15.

No provision.

No provision.

No provision.

Fiscal effect: The Department estimates the increased registration fee will generate approximately \$140,000 annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**773 (CD-211-DNR) Department of Natural Resources Real Property Tax Exemption**

R.C. 5713.08

R.C. 5713.08

Requires that real property acquired by the Department of Natural Resources (DNR) for which an application for tax exemption has been filed be removed from the county tax list and duplicate and cannot accrue taxes or penalties while the application for tax exemption is being processed.

Same as the Executive.

No provision.

No provision.

Fiscal effect: Unknown savings for the Department as taxes and or penalties will not be accrued while tax exemption application is being processed.

**774 (CD-207-DNR) Exemption from Tax Savings Recoupment Charges of Certain Conversions of Agricultural Property by the Department of Natural Res**

R.C. 5713.34

Creates a new exemption from the tax savings recoupment charges that are levied on land that is converted from an agricultural use to a non-agricultural use. Exempts from the recoupment charges only conversions performed by certain specified divisions of DNR. Applies only to converted land that is used exclusively for a public purpose and that remains principally undeveloped.

No provision.

No provision.

No provision.

Fiscal effect: Potential unknown savings.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

775 (CD-221-DNR) Distribution of Money from Severance Tax on Coal

R.C. 5749.02

R.C. 5749.02

R.C. 5749.02

R.C. 5749.02

Requires the Tax Commissioner, rather than the Treasurer of State as in current law, to credit 14.2% of the money collected from the severance tax on coal to the Coal Mining Administration and Reclamation Reserve Fund (Fund 526) in the State Special Revenue Fund Group rather than the Reclamation Forfeiture Fund (Fund 531) in the State Special Revenue Fund Group when the balance in the Fund 526 drops below \$2 million during a fiscal year.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None. Only changes the crediting authority from the Treasurer of State to the Tax Commissioner. Crediting severance tax revenues to Fund 526 will allow DNR to continue complying with federal surface mining grant guidelines.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 776 (CD-1432-DNR) Capital Appropriations - Local Park Projects

Section: 3.04

No provision.

No provision.

No provision.

Corrects an omission in Am. Sub. S.B. 189, the capital reappropriations bill enacted June 29, 2004, in order to fund an earmark of \$75,000 for the Liberty Township Playground via the Department of Natural Resources' appropriation item CAP-942, Local Parks Projects.

(See item entitled "Capital Reappropriation Correction" in the Department of Administrative Services)

## 777 (CD-1262-DNR) Capital Appropriations - Statewide Trails

Section: 24.01

Section: 24.01

No provision.

No provision.

Adds \$750,000 to capital appropriation item CAP-876, Statewide Trails, for the Little Miami Trail Project running through the Village of Terrace Park. Specifies that the project costs are eligible for reimbursement by the federal government to the Parks and Recreation Improvement Fund (Fund 035).

Same as the Senate.

Fiscal effect: None.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

778 (CD-1264-DNR) Parks and Recreation

Sections: 209.18, 209.18.09

Sections: 209.18, 209.18.09

No provision.

No provision.

Earmarks \$50,000 in each fiscal year from GRF appropriation item 730-321, Division of Parks and Recreation, for the Fairport Harbor Port Authority boat launch in Lake County.

Same as the Senate, except moves the \$50,000 earmark from GRF appropriation item 730-321, Division of Parks and Recreation, to GRF appropriation item 733-321, Division of Water.

779 (CD-753-DNR) \* **Partially Vetoed** \* Central Support Indirect

Section: 209.18.03

Section: 209.18.03

Section: 209.18.03

Section: 209.18.03

Requires DNR, with the approval of the Director of OBM, to utilize a methodology for determining each divisions' payments into the Central Support Indirect Fund (Fund 157) within the general services fund group. The methodology used shall contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements. It may include direct cost charges for specific services provided. Payments to the Central Support Indirect Fund shall be made using an intrastate transfer voucher.

Same as the Executive, except adds GRF appropriation item 725-401, Wildlife-GRF Central Support and appropriates \$250,000 in each fiscal year.

\*\*\*VETOED: Provides an exception whereby the Division of Wildlife's direct and indirect central support charges shall be paid out of the GRF from appropriation item 725-401, Wildlife-GRF Central Support, and does not require the Division of Wildlife to make payments into the Department's Central Support Indirect Fund (Fund 157).

Same as the House, except increases GRF appropriation item 725-401, Wildlife-GRF Central Support by \$750,000 in each fiscal year for a total appropriation of \$1,000,000 in each fiscal year.

Same as the Senate.

Fiscal effect: Establishes a way for the Department to assess its divisions for central support expenses. Direct charges will be developed and tracked by each division's specific usage.

Fiscal effect: Increases the amount of payments other division's will make to Fund 157 to cover the payments the Division of Wildlife would have made. \*\*\*]

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

780 (CD-754-DNR) Fountain Square

Section: 209.18.06

Section: 209.18.06

Section: 209.18.06

Section: 209.18.06

Updates the relevant period of time for rental payments to the Ohio Building Authority from July 1, 2005 to June 30, 2007 and updates the aggregate amount of rental payments to \$2,117,300 in GRF appropriation item 725-404, Fountain Square Rental Payments-OBA. This provision also distinguishes that appropriation item 725-664, Fountain Square Facilities Management (Fund 635) in the general services fund group is used for payments associated with maintenance of the buildings.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Fountain Square is the building complex that houses the administrative offices for the Department and is located in north Columbus. This provision allows for continued payments and increases in rents.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 781 (CD-755-DNR) Lease Rental Payments  |                        |                         |                                    |
| Section: 209.18.06  | Section: 209.18.06     | Section: 209.18.06      | Section: 209.18.06                 |
| Updates the relevant period of time payments shall be made to the Ohio Public Facilities Commission from July 1, 2005 to June 30, 2007 and increases the allowable aggregate amount of payments by \$17,599,100 to a maximum of \$50,375,100 in GRF appropriation item 725-413, OPFC Lease Rental Payments. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Fiscal effect: Allows for continued lease payments and accounts for increased rent costs.   |                        |                         |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**782 (CD-756-DNR) Natural Resources General Obligation Debt Service**

Section: 209.18.06

Section: 209.18.06

Section: 209.18.06

Section: 209.18.06

Updates language that mandates the payment of debt service and financing costs to the Office of the Sinking Fund from GRF appropriation item 725-903, Natural Resources General Obligation Debt Service, during the period July 1, 2005 to June 30, 2007.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Allows for continued debt service payments on capital improvements for land and water recreational facilities, soil and water protection equipment and facilities, and other improvements related to the state's natural resources programs.

**783 (CD-758-DNR) Canal Lands**

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Retains temporary language that requires a transfer from GRF appropriation item 725-456, Canal Lands, to the Canal Lands Fund (Fund 430) in the general service fund group for the State Canal Lands Program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Allows for continued services and cash management flexibility in the State Canal Lands program.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**784 (CD-763-DNR) Clean Ohio Operating Expenses**

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Requires appropriation item 725-405, Clean Ohio Operating (Fund 061) in the Clean Ohio fund group to be used by DNR in administering recreational trail development activities under the Clean Ohio Program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**785 (CD-760-DNR) Fund Consolidation**

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Requires the Director of OBM to transfer an amount certified by the Director of DNR from the Central Support Indirect Fund (Fund 157) in the general services fund group to the Law Enforcement Administration Fund (Fund 223) in the general services fund group and the Information Services Fund (Fund 204) in the general services fund group to implement a direct cost recovery plan.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

786 (CD-762-DNR) Oil and Gas Well Plugging

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Requires that funds from appropriation item 725-677, Oil and Gas Well Plugging (Fund 518) in the state special revenue fund group, shall be used exclusively for plugging wells and to properly restore the land surface of idle and orphan oil and gas wells. No funds shall be used for the following: salaries, maintenance, equipment, or other administrative purposes, except for costs that are directly attributed to the plugging of an idle or orphan well. Appropriation authority from this appropriation item shall not be transferred to any other fund or line item.

Same as the Executive.

Same as the Executive.

Same as the Executive.



| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 787 (CD-766-DNR) Parks Capital Expenses Fund   |                        |                         |                                    |
| Section: 209.18.09   | Section: 209.18.09     | Section: 209.18.09      | Section: 209.18.09                 |
| <p>Creates the Parks Capital Expenses Fund (Fund 227) in the General Services Fund Group to be used to pay for design, engineering and planning costs incurred by the Department for park capital projects. Expenses paid from Fund 227 will be reimbursed by the Parks &amp; Recreation Improvement Fund (Capital Fund 035) by intrastate transfer voucher.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| <p>Fiscal effect: Creates appropriation item 725-406, Parks Projects Personnel (Fund 227) in the general services fund group, and appropriates \$175,000 in FY 2006 and \$110,000 in FY 2007 for park capital projects.</p>  |                        |                         |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

788 (CD-759-DNR) Soil and Water Districts

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Retains temporary language that authorizes annual subsidies of up to \$30,000, from GRF appropriation item 725-502, Soil and Water Districts, to county soil and water conservation districts upon receipt of request and approval from the Ohio Soil and Water Conservation Commission. Moneys received shall be expended for the purposes of the district.

Same as the Executive, but also earmarks \$25,000 each fiscal year for the Conservation Action Project.

Same as the House.

Same as the House.

Fiscal effect: Reduces the amount of state funds available to soil and water conservation districts by \$25,000 in each fiscal year.

Fiscal effect: Potential annual revenue increase up to \$30,000 to an approved soil and water conservation district in addition to a district's annual subsidy from GRF appropriation item 725-502, Soil and Water Districts.

No provision.

Creates the new Soil and Water Conservation District Assistance Fund (Fund 5BV) and earmarks the following from new appropriation item 725-683, Soil and Water Districts:

Same as the House.

Same as the House.

(1) \$200,000 in each fiscal year for the Heidelberg College Water Quality Laboratory

(2) \$100,000 in each fiscal year for the Indian Lake Watershed in Logan County,

(3) \$100,000 in each fiscal year for the Muskingum Watershed Conservancy

|                           |                        |                         |                                    |
|---------------------------|------------------------|-------------------------|------------------------------------|
| As Introduced (Executive) | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---------------------------|------------------------|-------------------------|------------------------------------|

**789 (CD-764-DNR) Watercraft Marine Patrol**

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Requires that no more than \$200,000 in each fiscal year from appropriation item 739-401, Division of Watercraft (Fund 086) in the Waterways Safety Fund Group, be used to purchase equipment for marine patrols that qualify for funding from DNR.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**790 (CD-757-DNR) Wildlife License Reimbursement**

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Section: 209.18.09

Updates temporary language dealing with the reimbursement to the Wildlife Fund (Fund 015) in the Wildlife Fund Group from the GRF for discounts on hunting and fishing licenses permits, and stamp fees provided to senior citizens.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Increases expenditures to GRF appropriation item 725-425, Wildlife License Reimbursement to provide reimbursements to the Wildlife Fund (Fund 015). The reimbursement levels are not likely to be as high as in the past since the last budget bill eliminated free senior licenses. The Department does not have an estimate of the amount of reimbursement for the biennium.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee |
|--|--|---|------------------------------------|
| 791 (CD-933-DNR) Capital Appropriations - The Wilds Carnivore Center | Section: 401.05  | Section: 401.05   | Section: 401.05                    |
| No provision.  | Moves capital appropriation item CAP-085, The Wilds Carnivore Center, from Fund 031 to Fund 035 in Am. Sub. H.B. 16 of the 126th General Assembly. CAP-085 was appropriated \$1,000,000 in Am. Sub. H.B. 16. | Same as the House.  | Same as the House.                 |
| 792 (CD-1325-DNR) Capital Appropriations - Kennedy Stone House       | No provision.  | Section: 401.05   | Section: 401.05                    |
| No provision.  | No provision.  | Eliminates a \$15,000 appropriation to CAP-865, Kennedy Stone House, under the Cultural Facilities Commission that was made under Am. Sub. H.B. 16 of the 126th General Assembly, and reestablishes the appropriation as CAP-068, Kennedy Stone House, under the Department of Natural Resources.<br><br>(See item entitled "Changes in Appropriations to Capital Line Items" in Ohio Cultural Facilities Commission) | Same as the Senate.                |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

793 (CD-939-DNR) Maintenance of State Park Roads by the Department of Transportation

Sections: 401.13, 401.11, 401.12

Sections: 401.13, 401.11, 401.12

Sections: 401.13, 401.11, 401.12

No provision.

Requires the Director of Transportation, after conferring with the Director of Natural Resources, to construct, repair, and maintain all roads and bridges within the state parks during fiscal years 2006 and 2007, but limits the amount that can be expended for the purpose to \$5 million in a fiscal year.

Same as the House.

Same as the House.

Increases an earmark in Am. Sub. H.B. 68, the FY 2006-2007 transportation budget act of the 126th General Assembly, by requiring the Department of Transportation to use \$5,000,000 in FY 2006 and FY 2007 of appropriation item 772-421, Highway Construction - State (Fund 002), in the highway operating fund group, for the construction and maintenance of public access roads to and within state facilities operated by the Department of Natural Resources. The earmark in Am. Sub. H.B. 68 is \$4,517,500 in each fiscal year. (See the item entitled "Maintenance of State Park Roads" in the Department of Transportation for the fiscal effect on that agency).

Fiscal effect: None on DNR.

| As Introduced (Executive)                            | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|--|------------------------|---|------------------------------------|
| 794 (CD-1296-NUR) Nurse Education Assistance Program |                        | R.C. 3333.28  | R.C. 3333.28                       |
| No provision.  | No provision.          | Makes changes to the Nurse Education Program within the Board of Regents by designating what percentage of the funds must be used for which groups of students between July 5, 2005, and January 1, 2012.   | Same as the Senate.                |
| No provision.  | No provision.          | Specifies that to be eligible for a loan from the Nurse Education Assistance Program within the Board of Regents, students in postlicensure nurse education programs must provide a letter of intent to practice as a faculty member after graduation and, in return, the program may forgive a percentage of the principal and interest of the loan the student received through this program.<br><br>(See also entry entitled "Nurse Education Assistance Program" under the Board of Regents.) | Same as the Senate.                |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 795 (CD-487-NUR) Nursing Special Issues  |                        |                         |                                    |
| Section: 209.21  | Section: 209.21        | Section: 209.21         | Section: 209.21                    |
| Requires that appropriation item 884-601, Nursing Special Issues, (Fund 5P8) in the general services fund group, must be used to pay the costs the Board incurs implementing ORC section 4723.062. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate                  | As Amended by Conference Committee       |
|--|---|--|--|
| 796 (CD-587-NUR) Consolidation of Regulatory Boards  |   |  |  |
| Section: 315.03  | Sections: 315.03, 209.21  | Sections: 315.03, 209.21                 | Sections: 315.03, 209.21                 |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Board of Nursing, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team is required to submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.</p> | <p>Removes the State Board of Nursing from the proposal to consolidate certain regulatory boards into the departments of Commerce, Health, and Public Safety.</p> | <p>Same as the House.</p>                | <p>Same as the House.</p>                |
| <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p>   | <p>Fiscal effect: Establishes appropriations for FY 2007 at FY 2006 recommended levels.</p>   | <p>Fiscal effect: Same as the House.</p> | <p>Fiscal effect: Same as the House.</p> |
| <p>(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)</p>  |   |  |  |



| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee   |
|--|---|--|--|
| 797 (CD-235-NUR) Medication Aide Pilot Program   |   |  |  |
| Section: 209.21  | Section: 209.21   | Sections: 4723.61 to 4723.69, 3721.011, 4723.32, 4723.91   | Sections: 4723.61 to 4723.69, 3721.011, 3721.121, 4723.32, 4723.33, 4723.34, 4723.341, 4723.91 |
| Requires that the Board establish and conduct the Medication Aide Pilot Program under which medication aides may administer limited types of medications pursuant to a nurse's delegation to residents of nursing homes and residential care facilities. | Same as the Executive, but eliminates the requirement that a nursing home be free of deficiencies as a condition of participating in the pilot program. | Same as the House but (1) requires that the pilot program be commenced by May 1, 2006 rather than January 1, 2006, and be conducted until July 1, 2007, (2) requires the Board to adopt rules for the pilot program by February 1, 2006, (3) requires the Board to conduct an evaluation of the pilot program and report on the program by March 1, 2007 rather than using an independent evaluator, (4) removes the "substandard care" restriction on nursing home participation in the pilot program, but retains the restriction on participation if the home was found to have deficiencies related to medication administration, (5) requires facilities participating in the pilot program to pay a participation fee, which is not reimbursable under Medicaid, (6) adds to the categories of medications that may be administered by medication aides by including medications administered on an "as-needed" basis if the patient has been assessed by a nurse, (7) prohibits a medication aide from using certain methods for medication administration, including intravenous therapy and injections, (8) increases the training requirements for medication aides to 70 hours (from 60) and specifies that the clinical component included in the training must consist of 20 hours of practice in medication administration, (9) grants | Same as the Senate.  |

| As Introduced (Executive)                          | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee |
|--|---|--|------------------------------------|
|  |   | immunity from civil liability to a nurse who delegates medication administration to a medication aide, (10) prohibits a nurse from withdrawing delegation arbitrarily or for any reason other than patient safety, (11) requires participating facilities using medication aides to ensure that medication aides do not have access to Schedule II controlled substances, and (12) clarifies that the authority to use medication aides is subject to limitations, including requirements for certification, nursing delegation, and restrictions on the types of medication that may be administered. Also, the provisions are moved from temporary law to permanent law. |                                    |
| Creates the Medication Aide Pilot Program Council. | Same as the Executive, but adds a representative of the Department of Job and Family Services to the Council. | Same as the House, but provides for the Council to be created as a permanent body named the Medication Aide Advisory Council to advise the Board regarding medication aides, replaces the Council's member representing the Ohio Pharmacists Association with a member representing the Senior Care Pharmacy Alliance, and requires the Council to provide recommendations to the Board on additional matters.   | Same as the Senate.                |
| No provision.                                      | No provision.   | Continues the use of medication aides after the pilot program ends by permitting any nursing home or residential care facility to use medication aides.  | Same as the Senate.                |
| No provision.                                      | No provision.   | Establishes a system for Board approval of training programs for medication aides, requires applicants for training program approval after the pilot program is over to pay a fee, and requires the training program to include a mechanism for evaluating   | Same as the Senate.                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

whether an individual's reading, writing, and mathematical skills are sufficient to be able to administer prescription medications safely. Establishes a system for issuing certificates to medication aides, requires applicants for certification after the pilot program is over to pay a certification fee, requires a medication aide to have a high school diploma or equivalency degree, provides that applicants for certification may be certified nurse aides or individuals with at least one year of direct care experience in a residential care facility. Establishes a system for Board approval of training programs for medication aides, requires applicants for training program approval after the pilot program is over to pay a fee, and requires the training program to include a mechanism for evaluating whether an individual's reading, writing, and mathematical skills are sufficient to be able to administer prescription medications safely.

Same as the Senate, but (1) modifies the provisions authorizing the Board to take disciplinary actions against medication aides by specifying that the actions may be taken under the same administrative procedures and for reasons similar to the reasons that apply when the Board takes actions against nurses and the other professionals it licenses, (2) requires an applicant for a medication aide certificate to undergo a criminal records check, unless one has been conducted by the applicant's long-term care employer within the preceding five years, (3) requires prosecutors, employers, and professional association to make reports to the Board regarding actions that would be grounds for disciplinary actions against medication aides, (4) provides immunities from civil liability and protections from employer-related retaliatory actions to persons who make reports to the Board, including medication aides and community health workers, and (5) provides immunities from civil liability to the Board and professional associations for referring medication aides or community health workers to treatment providers or peer assistance programs for substance abuse problems.

Fiscal effect: The Board estimates that two full-time employees will be needed to implement this pilot program at a cost of \$134,000 (including salary and fringe benefits). Total costs to implement the pilot

Fiscal effect: There should be no fiscal effect. The Council members do not receive compensation. If Council members receive reimbursement for necessary expenses there could be minimal costs associated with

Fiscal effect: The provision requires that participating facilities pay a fee established by the Board during the pilot program. This could help offset some costs associated with the pilot program. However, it is unknown at

Fiscal effect: Same as the Senate, but the Board is allowed to impose fines which could increase fine revenues depending upon the number and amount of fines imposed. The provision also specifies that the Board is

**As Introduced (Executive)**

program will be \$158,500 per fiscal year. Costs in future years may be offset by medication aide license fee revenues.

**As Passed by the House**

the additional representative. However, as the additional representative is from Job and Family Services, it is unlikely that the representative will be reimbursed for necessary expenses.

**As Passed by the Senate**

this time if the costs for implementing the pilot program will remain the same as the costs estimated by the Board under the "As Introduced" version of the bill. The costs for the Council remain the same as in the "As Passed by the House" version of the bill.

**As Amended by Conference Committee**

authorized to take disciplinary actions against medication aides under the same administrative procedures and for reasons similar to other professionals the Board licenses. This could increase investigative and adjudication expenses for the Board.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 798 (CD-1367-PYT) Occupational Therapy, Physical Therapy, and Athletic Trainers Board

R.C. 4755.03, Section 503.18

R.C. 4755.03, Section 503.18

No provision.

No provision.

Replaces one occupational therapist member of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board with a licensed occupational therapy assistant at the time of the next Board appointment.

Same as the Senate.

No provision.

No provision.

Fiscal effect: The provision does not increase the Board's membership and should have no fiscal effect upon the Board.

Fiscal effect: Same as the Senate.

## 799 (CD-1222-PYT) Practice of Physical Therapy

R.C. 4755.48

R.C. 4755.48

No provision.

No provision.

Allows a physical therapist to perform physical therapy on a patient without a prescription or referral from a physician or advanced practice nurse if the physical therapist completed two years of practice experience as a licensed physical therapist prior to December 31, 2004, instead of December 31, 2003.

Same as the Senate.

Fiscal effect: The provision should have no fiscal effect upon the Board.

Fiscal effect: Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 800 (CD-689-PYT) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Occupational Therapy, Physical Therapy, and Athletic Trainers Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See item under "Health - Consolidation of Regulatory Boards").

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Same as the Senate.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

801 (CD-902-OLA) Ohioana Library Association Consolidation with the State Library

Sections: 209.27, 206.90

Sections: 209.27, 206.90

Sections: 209.27, 206.90

No provision.

Eliminates GRF appropriation item 355-501, Library Subsidy, the Ohioana Library's Association lone appropriation item and merges the Ohioana Library Association into the State Library. Increases the State Library's GRF appropriation item 350-321, Operating Expenses, by \$100,000 in each fiscal year to fund the Ohioana Library Association.

Fiscal effect: Ohioana's lone appropriation item, 355-501, Library Subsidy, was appropriated \$202,134 in each fiscal year in the Executive budget. Thus, this change results in a decrease of approximately \$100,000 in operating funds for Ohioana in each fiscal year.

(See the item entitled "Ohioana Library Association Operating Funds" in the entry for the State Library for the fiscal effect on that agency)

Restores Ohioana as a separately-appropriated entity in the state budget, at House-passed funding of \$100,000 in each fiscal year.

Fiscal effect: Decreases Executive-recommended funding of \$202,134 by about half, resulting in apparent reductions in personnel funding and the need for other cuts.

(See the item entitled "Ohioana Library Association Operating Funds" in the entry for the State Library for the fiscal effect on that agency)

Same as the Senate, but provides \$200,000 in funding each fiscal year.

Fiscal effect: Restores funding for Ohioana at near-Executive levels in each fiscal year.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 802 (CD-589-ODB) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Ohio Optical Dispensers Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 803 (CD-590-OPT) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Board of Optometry, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 804 (CD-591-OPP) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Board of Orthotics, Prosthetics, and Pedorthics, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

805 (CD-338-PBR) Transcript and Other

Section: 209.39

Section: 209.39

Section: 209.39

Section: 209.39

States that appropriation item 124-601, Transcript and Other, may be used to defray the costs of producing an administrative record.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

806 (CD-1085-PRX) Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control

R.C. 3719.47, 3719.48

No provision.

Enacts additional restrictions regarding transactions in any ephedrine, phenylpropanolamine, or pseudoephedrine product, specifies that: (1) prescriptions, orders, and records maintained pursuant to those provisions and stocks of ephedrine products, phenylpropanolamine products, or pseudoephedrine products must be open for inspection to federal, state, county, and municipal officers, and employees of the State Board of Pharmacy whose duty it is to enforce the law relating to controlled substances, (2) such prescriptions, orders, records, and stocks must be open for inspection by the State Medical Board and its employees for purposes of enforcing Chapter 4731. of the Revised Code, (3) no person having knowledge of any such prescription, order, or record may divulge that knowledge, except in connection with a prosecution or proceeding in court or before a licensing board or officer, to which prosecution or proceeding the person to whom the prescriptions, orders, or records relate is a party, and (4) the State Board of Pharmacy may, by rule, exempt from those provisions ephedrine products, phenylpropanolamine products, or pseudoephedrine products that the Board finds are not used in the illegal manufacture of methamphetamine, if it determines that

No provision.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

the particular product was formulated in such a way as to effectively prevent the conversion of the active ingredient into methamphetamine, and requires a retailer, terminal distributor of dangerous drugs, pharmacy, prescriber, or wholesaler that sells, offers, or otherwise provides any ephedrine product, phenylpropanolamine product, or pseudoephedrine product and discovers the theft or significant loss of more than six grams of any of those products or combination of those products to immediately notify the State Board of Pharmacy and requires the Board to immediately notify certain law enforcement officials of the theft or loss.

Fiscal effect: As the provision's prohibitions carry no explicit criminal penalties, it would appear that there would not be any state or local fiscal effects. That said, it is possible that existing state and local criminal justice system authority in the enforcement of Ohio's Controlled Substance Act could be utilized to investigate, regulate, and prosecute conduct in violation of those prohibitions. As of this writing, the potential state or local fiscal effects of that possibility are uncertain.

(See the item entitled "Methamphetamine, Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control" in Local Government Provisions)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 807 (CD-717-PRX) Consolidation of Regulatory Boards

Section: 315.03

(1) Expresses the intent to consolidate the Board into the Department of Health not later than July 1, 2006, (2) creates a transition team to develop a plan to ensure the smooth and timely transition of the Board into the Department, including the submission of a report containing recommendations to certain parties, and (3) expresses the intent to introduce a bill in FY 2006 that will include the necessary statutory changes to effect the consolidation and include revised appropriations for FY 2007.

Fiscal effect: As of this writing, the fiscal effects of this proposed consolidation on the Board are uncertain.

(See the item entitled "Consolidation of Regulatory Boards" in the Department of Health)

No provision.

No provision.

No provision.

| As Introduced (Executive)   |   | As Passed by the House   |        | As Passed by the Senate  |        | As Amended by Conference Committee                                      |        |
|---|---|--|--------|--|--------|---|--------|
| 808   | (CD-739-PSY) Consolidation of Regulatory Boards |  |        |  |        |   |        |
| R.C.  | 315.03  | R.C.   | 315.03 | R.C.   | 315.03 | R.C.  | 315.03 |
| <p>Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the State Psychology Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team is to develop a plan for the smooth and timely consolidation of the boards and also address the details of the consolidation. The team is to submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.</p> <p>Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.</p> |   | <p>Same as the Executive.</p> <p>Fiscal effect: Same as the Executive.</p> |        | <p>Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.</p> <p>(See item entitled "Consolidation of Regulatory Boards" in the Department Health.)</p> <p>Fiscal effect: Same as the Executive.</p> |        | <p>Same as the Senate.</p> <p>Fiscal effect: Same as the Executive.</p> |        |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 809 (CD-1369-PUB) Legal Aid Fund

R.C. 120.52

R.C. RC 120.52

Provides that the Legal Aid Fund (Fund 574) is also required to include funds from interest on trust accounts (IOTAs), requires that an existing 4.5% administrative set aside also be reserved for the actual, reasonable costs of administering certain provisions of law dealing with municipal court costs, county court costs, court of common pleas costs, and IOTA accounts, requires the Ohio Legal Assistance Foundation (OLAF) establish rules governing the administration of the Legal Aid Fund, including the programs regarding interest on IOLTA accounts, and requires the rules governing the administration of the Legal Aid Fund to include certain programs established in the law regarding municipal court costs, county court costs, court of common pleas costs, and IOTA accounts.

Fiscal effect: The fiscal effect of these provisions, if any, on the cash flow activity of the state's Legal Aid Fund (Fund 574) is uncertain.

Same as the Executive.

Same as the Executive, except requires the rules governing the administration of the Legal Aid Fund to be established in accordance with the Administrative Procedure Act and removes the requirement under current law that OLAF establish rules governing the administration of the program regarding interest on IOTA accounts of an attorney, law firm, or legal professional association.

Fiscal effect: Same as the Executive.

Same as the Executive, except requires the rules governing the administration of the Legal Aid Fund to be established in accordance with the Administrative Procedure Act, including the programs regarding interest on IOLTA accounts, and certain programs established in the law regarding municipal court costs, county court costs, and court of common pleas court costs, but does not include interest on trust accounts or IOTAs established by a title insurance agent or title insurance company.

Fiscal effect: Same as the Executive.



| As Introduced (Executive)   |   | As Passed by the House  |                        | As Passed by the Senate   |                        | As Amended by Conference Committee                                  |                        |
|---|---|---|------------------------|---|------------------------|---|------------------------|
| 810   | (CD-816-PUB) County Representation Billing Rate |   |                        |   |                        |   |                        |
| R.C.  | 120.06, 120.13, 120.23                          | R.C.  | 120.06, 120.13, 120.23 | R.C.  | 120.06, 120.13, 120.23 | R.C.  | 120.06, 120.13, 120.23 |
| <p>(1) Requires a county, when the State Public Defender provides legal representation for an indigent person, to pay the state public defender legal fees in an amount equal to 100% of the legal fees less the current state reimbursement rate instead of the required payment of 50% of the actual cost of representation as stipulated in current law; and</p> <p>(2) Requires a county to pay the State Public Defender 100% of expenses and costs of investigation and mitigation services and then seek reimbursement of those amounts from the State Public Defender as provided under existing law.</p> <p>Fiscal effect: This provision will require counties to pay the same percentage share whether they appoint a state public defender to a case or utilize one of the other local mechanisms for providing indigent defense services. If enacted, this provision would generate approximately \$60,000 in additional revenues to the state in each of FYs 2006 and 2007. In addition, the Commission would be allowed to bill counties for 100% of the cost for mitigation, investigation, experts, and expenses, and then allow the counties to seek reimbursement back from the state at the current reimbursement rate.</p> |   | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> |                        | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> |                        | <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> |                        |

| As Introduced (Executive)  |  | As Passed by the House   |        | As Passed by the Senate   |        | As Amended by Conference Committee   |        |
|--|--|--|--------|---|--------|--|--------|
| 811  | (CD-817-PUB) Application Fee for Indigent Defendants |  |        |   |        |  |        |
| R.C.   | 120.36   | R.C.   | 120.36 | R.C.  | 120.36 | R.C.   | 120.36 |
| <p>Requires that, if a person who is a defendant in a criminal case requests or is provided a state public defender, a county or joint county public defender, or any other counsel appointed by the court, the court in which the criminal case is filed must assess, unless the application fee is waived or reduced, a nonrefundable application fee of \$25, requires the clerk of courts to deposit all application fees with the county treasurer, requires the county to retain 80% of the application fees to offset the costs of providing legal representation to indigent persons, and requires the county auditor each month to remit the remaining 20% to the State Public Defender for deposit to the credit of the Client Payment Fund (Fund 408), and requires the clerk of courts of each county to annually report certain information to the State Public Defender and the State Auditor.</p> |  | <p>Same as the Executive, but removes the provision that permits the court to consider a person's willful failure to pay the application fee as an enhancement factor when imposing sentencing, clarifies that the provision applies to all trial courts, and includes definitions for the terms "clerk of court" and "county-operated municipal court."</p> |        | <p>Same as the House, but provides that a party in a case in juvenile court who requests or is provided a public defender or appointed counsel must also be assessed a non-refundable application fee of \$25.00, clarifies that the fee is to be paid to the clerk of the court that assesses the application fee, provides that an appeal cannot be considered a separate case for the purpose of assessing the application fee, allows the court to waive or reduce the application fee if payment of the fee would result in an undue hardship to the indigent defendant, clarifies that the report each clerk of courts must provide to the state public defender and the state auditor is for the previous "calendar" year, modifies the procedure for assessing the \$25 application fee the bill requires indigent defendants to pay when they get appointed counsel to provide that if a case is bound over to the court of common pleas and the person failed to pay the application fee in the municipal court or county court, or if a case involving an alleged delinquent child is transferred to the court of common pleas for adult prosecution, the court of common pleas must assess the application fee.</p> |        | <p>Same as the Senate, but: (1) clarifies that the court of common pleas must assess the application fee for a public defender or appointed counsel against an alleged delinquent child who is transferred to the court of common pleas for prosecution as an adult at the initial appearance of the child in the court of common pleas only if the child failed to pay the application fee in the juvenile court; (2) removes the requirement that the application fee be paid to the clerk of the court that assessed the fee and instead requires the fee to be paid to the clerk of court, which is defined in the section to mean the clerk of the court of common pleas of the county, the clerk of the juvenile court of the county, the clerk of a municipal court in the county, the clerk of a county-operated municipal court, or the clerk of a county court in the county, whichever is applicable; (3) changes the date the clerk of court must first provide a report about the dollar value of application fees collected and related information to the State Public Defender and the State Auditor from on or before March 1, 2006, to on or before March 1, 2007; and (4) changes the effective date of section 120.36 of the Revised Code from an immediate effective date to an effective date of 91 days after the act becomes law and is filed with the Secretary of State.</p> |        |

**As Introduced (Executive)**

Fiscal effect: This application fee will potentially generate a total of around \$2.2 million in additional revenue in each of FYs 2006 and 2007. Assuming that were true, then counties statewide would collect \$1.76 million in each year and the remainder, or \$440,000, would be remitted to the state.

**As Passed by the House**

Fiscal effect: Same as the Executive.

**As Passed by the Senate**

Fiscal effect: Same as the Executive, but the total amount of revenue collected annually may larger than what that total annual amount might otherwise have been under the Executive provision, the potential magnitude of which is uncertain.

**As Amended by Conference Committee**

Fiscal effect: Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 812 (CD-826-PUB) Ohio Legal Assistance Foundation

R.C. 120.53

R.C. 120.53

R.C. 120.53

R.C. 120.53

Includes in the deduction of the costs of administering certain provisions and programs the costs of administering the programs established in the law regarding certain municipal court costs, county court costs, and court of common pleas costs and IOTA accounts, modifies an existing allocation and deduction provision by including IOTA accounts among the list of programs that generated money in the Legal Aid Fund (Fund 574), removes the requirement that any moneys reserved for administrative costs that are not used for actual, reasonable administrative costs be reserved and instead provides that the 5% of the moneys remaining in the Fund be reserved for use in the manner described in the law governing the Legal Assistance Foundation Fund, and includes a requirement that after deduction of the amounts described above, 15% of the moneys remaining in the Fund be placed in the Legal Assistance Foundation Fund for use in the manner described in the law governing the Legal Assistance Foundation Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The fiscal effect of this provision on Fund 574 is uncertain.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 813 (CD-818-PUB) Ohio Legal Aid Filing Fee Surcharge

R.C. 1901.26, 1907.24, 2303.201

R.C. 1901.26, 1907.24, 2303.201

R.C. RC 120.07, 1901.26, 1907.24,  
2303.201R.C. RC 120.07, 1901.26, 1907.24,  
2303.201

Increases the surcharge on civil actions not in a small claims division (from \$15 to \$25) and on civil actions in a small claims division (from \$7 to \$10) that are used for the charitable purpose of providing financial assistance to legal aid societies, and adds a \$25 fee on name change, guardianship, adoption, and decedent estate filings to be used for the same purpose.

Same as the Executive.

Increases the surcharge on civil actions not in a small claims division (from \$15 to \$26) and on civil actions in a small claims division (from \$7 to \$11) that are used for the charitable purpose of providing financial assistance to legal aid societies, adds a \$26 fee on name change, guardianship, adoption, and decedent estate filings to be used for the same purpose, requires 4 percent of the funds collected be deposited in the state treasury to the credit of the Civil Case Filing Fee Fund (which the amendment creates) to be used by the State Public Defender for the purpose of appointing assistant public defenders and for providing other personnel, equipment, and facilities necessary for operation of the State Public Defender, and requires the remainder of the funds collected (96 percent) be deposited in the state treasury to the credit of the existing Legal Aid Fund (Fund 574).

Same as the Senate, but clarifies that the purpose of the additional filing fees in civil actions in the municipal court, county court, and court of common pleas that the bill requires is also to support the State Public Defender's Office.

Fiscal effect: It is anticipated that these filing fee increases will potentially generate up to \$6.3 million in additional revenue in each of FYs 2006 and 2007 for deposit to the credit of the Legal Aid Fund (Fund 574). The Commission passes through the additional revenue generated by the fee changes directly to the Ohio Legal Assistance Foundation for disbursements to legal aid

Fiscal effect: As of this writing, LSC fiscal staff estimates that this existing locally-collected state filing fee revenue stream will potentially go from \$7.7 million to \$14.7 million annually, an increase of \$7.0 million per year. Of the total collected annually, the Legal Aid Fund (Fund 574) would receive \$14.1 million annually, an increase of \$6.4 million per year relative to current law, and

Fiscal effect: Same as the Senate.

## As Introduced (Executive)

societies. Local court systems may also experience a one-time increase in expenditures related to accounting and computer reprogramming necessary to account for the additional revenues they collect. The magnitude of such an increase is uncertain at this time, all or a portion of which may be offset by existing law permitting the courts to retain up to 1 percent of the moneys it collects to cover administrative costs, including the hiring of any additional personnel.

## As Passed by the House

## As Passed by the Senate

the Civil Case Filing Fee Fund would receive around \$588,000 annually. Local court systems may also experience a one-time increase in expenditures related to accounting and computer reprogramming necessary to account for the additional revenues they collect. The magnitude of such an increase is uncertain at this time, all or a portion of which may be offset by existing law permitting the courts to retain up to 1 percent of the moneys it collects to cover administrative costs, including the hiring of any additional personnel.

## As Amended by Conference Committee

## 814 (CD-1008-PUB) Removal of the Right to Counsel for Indigents in Certain Civil Juvenile Proceedings

R.C. 2151.352

No provision.

Removes, for certain civil matters only, an indigent person's statutory right to appointed counsel when the person is a party to a proceeding in juvenile court.

Fiscal effect: As a result of the provision's restriction on the use of appointed counsel in certain juvenile court matters, theoretically at least, (1) counties may realize a decrease in the amount of money spent annually on legal assistance, and (2) the state may realize a decrease in the amount of money that it reimburses counties annually for the provision of indigent defense legal services.

R.C. 2151.352

Same as the House.

R.C. 2151.352

Same as the House.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 815 (CD-819-PUB) Indigent Defense Office  |                        |                         |                                    |
| Section: 209.48   | Section: 209.48        | Section: 209.48         | Section: 209.48                    |
| Requires moneys appropriated to GRF appropriation item 019-404, Trumbull County - State Share, and non-GRF appropriation item 019-610, Trumbull County - County Share, be used to support an indigent defense office for Trumbull County.   | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Fiscal effect: This provision reflects on ongoing program wherein the Commission maintains a branch office in the City of Warren that provides indigent defense services in Trumbull County. Funding for the Trumbull office is drawn solely from these two appropriation items. Trumbull County's contribution to the indigent defense office is deposited in the state treasury to the credit of Fund 4X7 (appropriation item 019-610, Trumbull County - County Share). |                        |                         |                                    |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 816 (CD-820-PUB) Multi-County Office   |                        |                         |                                    |
| Section: 209.48  | Section: 209.48        | Section: 209.48         | Section: 209.48                    |
| Requires moneys appropriated to GRF appropriation item 019-403, Multi-County: State Share, and non-GRF appropriation item 019-601, Multi-County: County Share, (Fund 4C7) be used to support the Commission's Multi-County Branch Office Program.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Fiscal effect: This provision reflects on ongoing program wherein the Commission provides indigent defense services to a ten-county region that covers the south and southeastern part of Ohio, including Adams, Athens, Brown, Fayette, Jackson, Meigs, Pickaway, Pike, Ross, and Washington counties. The program's regional office is located in Athens County, with branch offices situated in Ross and Washington counties. Funding for the Multi-County Branch Office Program is drawn solely from these two appropriation items. The local contribution provided by each of the ten participating counties is deposited in the state treasury to the credit of Fund 4C7 (appropriation item 019-601, Multi-County: County Share). |                        |                         |                                    |



| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 817 (CD-821-PUB) Training Account  |                        |                         |                                    |
| Section: 209.48  | Section: 209.48        | Section: 209.48         | Section: 209.48                    |
| <p>Requires moneys appropriated to GRF appropriation item 019-405, Training Account, be used to provide legal training programs at no cost for private appointed counsel who represent at least one indigent person at no cost (pro bono), and for state and county public defenders and attorneys who contract with the Ohio Public Defender to provide indigent defense services.</p> <p>Fiscal effect: This GRF appropriation item essentially supports the Commission's Pro Bono Training Program that uses contracts with private and non-profit training companies to provide continuing legal education (CLE) certified seminars to attorneys who practice criminal indigent defense law.</p> | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 818 (CD-822-PUB) Federal Representation  |                        |                         |                                    |
| Section: 209.48  | Section: 209.48        | Section: 209.48         | Section: 209.48                    |
| Requires federal appropriation item 019-608, Federal Representation, serve as the depository for reimbursement payments received by the Ohio Public Defender from the federal courts for providing legal representation in federal court cases at the request of the federal courts. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Fiscal effect: This provision continues existing practice with regard to the handling of federal court reimbursement payments.   |                        |                         |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

819 (CD-1192-DHS) Exclusion of State Highway Patrol from State Fleet Management Law

R.C. 125.831

No provision.

No provision.

Excludes the State Highway Patrol from the motor vehicle acquisition and reporting requirements of the State Fleet Management Law.

No provision.

Fiscal effect: According to the Department of Public Safety, this provision would have no fiscal impact.

(See the item entitled "Changes to Fleet Management Law" in the Department of Administrative Services)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 820 (CD-580-DHS) Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, 5139.01, and 5502.01

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, 5139.01, and 5502.01

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, 5139.01, and 5502.01

R.C. 181.52 (5502.62), 108.05, 109.91, 141.011, 181.251 (5502.63), 181.53, 181.51 (5502.61), 181.54 (5502.64), 181.55 (5502.65), 181.56 (5502.66), 2152.74, 2901.07, 2923.25, 3793.09, 4112.12, 5120.09, 5120.51, 5139.01, and 5502.01

Abolishes the Office of Criminal Justice Services and transfers its personnel and functions to, and creates, the Division of Criminal Justice Services in the Department of Public Safety, requires the Director of Public Safety, with the concurrence of the Governor, to appoint an executive director of the Division to serve at the pleasure of the Director, requires the executive director, subject to the control of the Director of Public Safety, to appoint the Division's staff and enter into any agreements necessary to perform the Division's functions, repeals the authority of the Governor to appoint advisory committees to assist the Office of Criminal Justice Services, and makes appropriate changes in the Revised Code to reflect the abolition of the Office and creation of the Division, including the renumbering of sections.

Fiscal effect: According to the Office of Criminal Justice Services, its merger within the Department of Public Safety as the Division of Criminal Justice Services will

Same as the Executive.

Same as the Executive, but removes a reference to the nonexistent "assistant executive director" of the Division of Criminal Justice Services to be created in the Department and replaces an incorrect reference to the "Office" with a reference to the "Division."

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

likely result in a reduction of 14 funded positions. Both the Office of Criminal Justices and the Department of Public Safety have indicated that an effort would be made to reassign Criminal Justice Services staff to other departmental programs. As the potential merger of the Office of Criminal Justice Services within the Department of Public Safety is still a "work in progress," the staffing levels in FYs 2006 and 2007 for what will become the Division of Criminal Justice Services are uncertain.

(See the item entitled "Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services" in the Office of Criminal Justice Services)

---

**821 (CD-1419-DHS) Proceeds from the Criminal Forfeiture of Property Under Federal Law**

R.C. **2923.35, 2923.46, 2925.44, 2933.43, 2933.74, Section 401.11**

(1) No provision.

(1) No provision.

(1) No provision.

(1) Creates the "Highway Patrol Federal Contraband, Forfeiture, and Other Fund" and the Department of Public Safety "Investigative Unit Federal Equitable Share Account Fund" to segregate the proceeds the State Highway Patrol and the Investigative Unit receive for a forfeiture of property pursuant to federal law from the proceeds of property forfeited pursuant to state law.

(2) No provision.

(2) No provision.

(2) No provision.

(2) Specifies that the interest and earnings of the respective new funds be credited to those funds.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

(3) No provision.

(3) No provision.

(3) No provision.

(3) Renames the "State Highway Patrol Contraband, Forfeiture, and Other Fund" as the "Highway Patrol State Contraband, Forfeiture, and Other Fund."

(4) No provision.

(4) No provision.

(4) No provision.

(4) Transfers, in FY 2006, \$1,942,040 in cash from the Highway Patrol State Contraband, Forfeiture, and Other Fund (Fund 83C) to the newly created Highway Patrol Federal Contraband, Forfeiture, and Other Fund (Fund 3BF) and \$642,175 in cash from the Investigative, Contraband, and Forfeiture Fund (Fund 622) to the newly created Investigative Unit Federal Equitable Share Account Fund (Fund 5CM), and establishes appropriation authority in related appropriation items in each of FYs 2006 and 2007.

Fiscal effect: This provision would bring the Department of Public Safety into compliance with federal law, as federal law requires that state and federal funds from criminal forfeiture cases be kept separate.

## 822 (CD-600-DHS) Family Violence Prevention Fund

R.C. 3705.24, 3705.242

R.C. 3705.24, 3705.242

R.C. 3705.24, 3705.242

R.C. 3705.24, 3705.242

(1) Creates new fees for copies of vital records as follows to provide funds for grants for family violence shelters: (a) \$1.50 for each certified copy of a birth certificate, certification of birth, or death certificate, and (b) \$5.50 on the filing for a divorce or dissolution of marriage;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

| As Introduced (Executive)  | As Passed by the House     | As Passed by the Senate    | As Amended by Conference Committee |
|--|----------------------------|----------------------------|------------------------------------|
| (2) Permits a local commissioner of health, a local registrar of vital statistics, or the county clerk of courts to retain an amount of each additional fee collected, not to exceed 3% of the amount of the additional fee, to be used for costs directly related to the collection of the fee and the forwarding of the fee to the Treasurer of State; | (2) Same as the Executive. | (2) Same as the Executive. | (2) Same as the Executive.         |
| (3) Directs the fees collected, but not retained, for deposit in the state treasury to the credit of the Family Violence Prevention Fund, which the bill creates;  | (3) Same as the Executive. | (3) Same as the Executive. | (3) Same as the Executive.         |
| (4) Establishes, in addition to the fees, a penalty equal to 10% of the fees if a person or government entity fails to forward the fees in a timely manner, as determined by the Treasurer of State;   | (4) Same as the Executive. | (4) Same as the Executive. | (4) Same as the Executive.         |
| (5) Requires all earnings from investment of the fund be credited to the fund, except that actual administration costs incurred by the Treasurer of State in administering the fund may be deducted from earnings from investments, not to exceed 3% of the total amount of fees credited to the fund in each year; and                                  | (5) Same as the Executive. | (5) Same as the Executive. | (5) Same as the Executive.         |
| (6) Requires the Director of Public Safety to use money credited to the fund to provide grants to family violence shelters.  | (6) Same as the Executive. | (6) Same as the Executive. | (6) Same as the Executive.         |
| Fiscal effect: According to the Department of Health, the fee increase for birth certificates and death certificates could generate a total of over \$1 million annually statewide, while the amount of revenue that could be generated annually by the fee increase for divorce and dissolution decrees is uncertain.                                   |                            |                            |                                    |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

(See the item entitled "Fees for Vital Records" in the Department of Health)

## 823 (CD-1198-DHS) All-Purpose Vehicle Law Clarifications

R.C. 4501.01, 4517.01, 4519.01,  
4519.06, and 4519.07

R.C. 4501.01, 4517.01, 4519.01,  
4519.06, and 4519.07

No provision.

No provision.

Defines a certain type of all-purpose vehicle as a "utility vehicle" and provides that utility vehicles are not motor vehicles and are not subject to the certificate of title law, provides that sellers of utility vehicles are not subject to the motor vehicle dealer licensing law (unless they sell other vehicles that are motor vehicles, which would make them subject to that law), and clarifies that sellers of all-purpose vehicles are subject to the motor vehicle dealer licensing law.

Same as the Senate.

Fiscal effect: According to the Department of Public Safety, this provision would have no fiscal impact.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

824 (CD-1193-DHS) Creation of the Highway Building Fund

R.C. 4501.07

No provision.

No provision.

Codifies the existing Highway Safety Building Fund (Fund 025) and permits the transfer of cash between it and the existing State Highway Safety Fund (Fund 036) to be used to fund capital projects for which appropriations have been made from Fund 025.

No provision.

Fiscal effect: This provision codifies existing language contained in Am. Sub. H.B. 16 of the 126th G.A., the capital appropriations act covering FYs 2005 and 2006, related to the temporary transfer of cash from Fund 036 to Fund 025.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 825 (CD-1195-DHS) Commercial Driver's Licenses

R.C. 4501.37, 4506.07, 4506.101,  
4506.161

R.C. 4501.37, 4506.07, 4506.101,  
4506.161

No provision.

No provision.

Prohibits a court from ordering the Bureau of Motor Vehicles (BMV) to delete a record of conviction unless the court finds that the deletion is necessary to correct an error, prohibits the BMV from complying with such an order unless the order states that the deletion is to correct an error, permits the BMV to conduct any inquiries necessary to ensure that issuance or renewal of a commercial driver's license (CDL) would not violate state or federal law, prohibits the BMV from issuing or renewing a CDL if issuance or renewal would violate federal law, prohibits any court from granting limited driving privileges for operation of a commercial motor vehicle to any person whose driver's license or CDL has been suspended or who has been disqualified from operating a commercial motor vehicle.

Same as the Senate.

Fiscal effect: The act containing appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2005 and ending June 30, 2007, Am. Sub. H.B. 68 of the 126th G.A., made several changes to Chapter 4506. of the Revised Code to comply with the federal Motor Carrier Safety Improvement Act, which dictates that all states adopt certain rules involving commercial driver's licenses by September 30, 2005. According to the Office of Budget

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

and Management, these provisions added to the Senate version of the main operating appropriations bill are additional, non-substantive changes necessary to meet those federal requirements. Failure to meet those federal requirements could cause Ohio to lose federal highway funds exceeding \$20 million in the first year.

## 826 (CD-1197-DHS) Special License Plates for Recreational Vehicles

R.C. 4503.471, 4503.48, 4503.50, 4503.53, 4503.571, 4503.59, 4503.73, 4503.85, and 4503.91

R.C. 4503.471, 4503.48, 4503.50, 4503.53, 4503.571, 4503.59, 4503.73, 4503.85, and 4503.91

No provision.

No provision.

Allows persons currently eligible to obtain any of various special license plates for use on a "motor home" (for example, "Fish Lake Erie" or International Association of Firefighters license plates) to obtain them for use on "recreational vehicles" generally (a term that existing law defines to include motor homes, travel trailers, truck campers, fifth wheel trailers, and park trailers).

Same as the Senate.

Fiscal effect: The Office of Budget and Management describes this provision as a technical change that replaces references to the outdated term of "motor home" with the more all inclusive term "recreational vehicle." According to the Department of Public Safety, this provision would have no fiscal impact.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

827 (CD-1382-DHS) Commercial Driver's License Exemption for SWAT Vehicles

R.C. 4506.03

R.C. 4506.03

No provision.

No provision.

Establishes that a commercial driver's license (CDL) is not required to operate a police SWAT team vehicle, which is a permissible exclusion under governing federal law.

Same as the Senate, except removes the reference to federal law.

Fiscal effect: According to the Department of Public Safety, this provision should only have a minimal fiscal impact.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

828 (CD-1196-DHS) Federal Criminal Justice Grants

R.C. 5502.62 (181.52)

R.C. 5502.62 (181.52)

No provision.

No provision.

Creates the Federal Justice Programs Fund in the state treasury for the deposit of all money from federal grants that require that the money be deposited into an interest-bearing fund, that are intended to provide funding to local criminal justice programs, and that require that investment earnings be distributed for program purposes, and requires that all investment earnings of the fund be credited to the fund and distributed in accordance with the terms of the grant under which the money is received.

Same as the Senate.

Fiscal effect: This provision is intended to ensure that the money from certain federal grants is managed in a manner that is in compliance with federal requirements.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

829 (CD-938-DHS) \* **Vetoed** \* Homeland Security Funds

R.C. 5502.03

R.C. 5502.03

No provision.

\*\*\*VETOED: Requires the Division of Homeland Security and the Department of Public Safety to distribute any homeland security funds on a county basis and prohibits the distribution of the funds on a regional basis.

Fiscal effect: As of this writing, the magnitude of the fiscal effect of this provision, if any, on local governments from what might otherwise have occurred under current law and practice is uncertain. \*\*\*]

No provision.

\*\*\*VETOED: Same as the House, but prohibits the distribution of the funds on a regional basis unless regional distribution is required by federal law. \*\*\*]

|            | As Introduced (Executive)  | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee |
|------------|--|------------------------|--|------------------------------------|
| <b>830</b> | <b>(CD-577-DHS) Ohio Task Force One - Urban Search and Rescue Unit</b>   |                        |  |                                    |
|            | Section: 209.51  | Section: 209.51        | Section: 209.51  | Section: 209.51                    |
|            | Earmarks \$200,000 in each fiscal year of the amount appropriated to GRF appropriation item 763-403, Operating Expenses - EMA, to fund the Ohio Task Force One - Urban Search and Rescue Unit and other urban search and rescue programs around the state to create a stronger search and rescue capability statewide. | Same as the Executive. | Same as the Executive.   | Same as the Executive.             |
| <b>831</b> | <b>(CD-1191-DHS) Back-Up Power Generation Devices</b>  |                        |  |                                    |
|            |  |                        | Section: 209.51  |                                    |
|            | No provision.  | No provision.          | Earmarks \$50,000 from GRF appropriation item 763-403, Operating Expenses - EMA, in each fiscal year to be used to fund back-up power generation devices to be used for training purposes. | No provision.                      |
| <b>832</b> | <b>(CD-579-DHS) Individual and Households Grants State Match</b>   |                        |  |                                    |
|            | Section: 209.51  | Section: 209.51        | Section: 209.51  | Section: 209.51                    |
|            | Requires that GRF appropriation item 763-507, Individual and Households Program - State, be used to fund the state share of costs to provide grants to individuals and households in cases of disaster.  | Same as the Executive. | Same as the Executive.   | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 833 (CD-618-DHS) Transfer of the Office of Criminal Justice Services to the Department of Public Safety

Section: 209.51

Section: 209.51

Section: 209.51

Section: 209.51

Provides for the transfer of the employees, assets, rules, business, and determinations of the Office of Criminal Justice Services to the Division of Criminal Justice Services.

(See the item entitled "Transfer of the Office of Criminal Justice Services to the Department of Public Safety " in the Office of Criminal Justice Services)

Same as the Executive.

Same as the Executive, but clarifies that employees of the Office, and the vehicles and equipment assigned to them, may be transferred to areas of the Department other than the Division, and clarifies that the employee transfer provisions are subject to the layoff provisions of sections 124.321 to 124.328 of the Revised Code.

Same as the Senate.

## 834 (CD-1194-DHS) Transfer of Family Violence Prevention Center

Section: 209.51

Section: 209.51

No provision.

No provision.

Transfers the Family Violence Prevention Center, and related activities, from the Office of Criminal Justice Services to the Division of Criminal Justice Services in the Department of Public Safety.

Same as the Senate.

(See the item entitled "Transfer of Family Violence Prevention Center" in the Office of Criminal Justice Services)



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 835 (CD-1088-DHS) State Fire Marshal's Fund Cash Transfers for Public Safety Services

Section: 209.51

Section: 209.51

Section: 209.51

No provision.

Transfers cash totaling \$100,000 in FY 2006 and \$200,000 in FY 2007 from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC) and designates those moneys to be awarded in the form of a grant to the City of Warren for the purpose of assisting in the provision of essential public safety services to its citizens.

(See the item entitled "State Fire Marshal's Fund Cash Transfers for Public Safety Services" in the Department of Commerce)

Same as the House, except transfers additional cash totaling \$275,000 in FY 2006 and \$125,000 in FY 2007 from the Department of Commerce's State Fire Marshal's Fund (Fund 546) to the Department of Public Safety's Public Safety Services Fund (Fund 5CC), earmarks \$150,000 of that transferred cash in FY 2006 for the City of Eastlake for the purpose of assisting in the provision of essential public safety services to its citizens, earmarks \$125,000 of that transferred cash in each fiscal year for the Southern Ohio Drug Task Force, and replaces the language instructing the Department to use earmarked moneys to "provide a grant" in each fiscal year to the City of Warren with language instructing the Department to "distribute" the earmarked amounts in each fiscal year to the City of Warren.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 836 (CD-620-DHS) Utility Radiological Safety Board Assessments

Section: 306.03

Section: 306.03

Section: 306.03

Section: 306.03

Caps the maximum amount that may be assessed per fiscal year against nuclear utilities by the Utility Radiological Safety Board for the purpose of enabling the Emergency Management Agency to fulfill its authority and duties under the statutes related to nuclear safety or the Utility Radiological Safety Board, or under agreements with the Nuclear Regulatory Commission, at \$1,260,000 in each of FYs 2006 and FY 2007.

(See the item entitled "Utility Radiological Safety Board Assessments" in the Public Utilities Commission of Ohio)

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 837 (CD-573-DHS) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

(1) Expresses the intent to consolidate the Medical Transportation Board into the Department of Public Safety not later than July 1, 2006, (2) creates a transition team to develop a plan to ensure the smooth and timely transition of the Board into the Department, including the submission of a report containing recommendations to certain parties, and (3) expresses the intent to introduce a bill in FY 2006 that will include the necessary statutory changes to effect the consolidation and include revised appropriations for FY 2007.

Fiscal effect: As of this writing, the fiscal effects of this proposed consolidation on the Board and the Department of Public Safety are uncertain.

(See the item entitled "Consolidation of Regulatory Boards" in the Medical Transportation Board)

Same as the Executive.

Same as the Executive, except adds three members representing the affected regulatory boards to the transition team.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

838 (CD-1270-DHS) Federal Mitigation Program

Section: 401.11

Section: 401.11

No provision.

No provision.

Makes corrections to Am. Sub. H.B. 68 of the 126th G.A., which made appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2005 and ending June 30, 2007, and provided authorization and conditions for the operation of those programs, by amending uncodified law related to the name and purpose of the Department of Public Safety's federal Fund 329 and related appropriation item 763-645.

Same as the Senate, except increases the appropriation in federal appropriation item 763-645, Federal Mitigation Program, by \$8,634,120 in each fiscal year.

| As Introduced (Executive) |   | As Passed by the House |         | As Passed by the Senate |         | As Amended by Conference Committee |         |
|---------------------------|---|------------------------|---------|-------------------------|---------|------------------------------------|---------|
| 839                       | (CD-218-PUC) Payment of Annual Assessment |                        |         |                         |         |                                    |         |
| R.C.                      | 4905.10                                   | R.C.                   | 4905.10 | R.C.                    | 4905.10 | R.C.                               | 4905.10 |

Revises the schedule by which PUCO collects assessments from some railroads and utilities beginning in calendar year 2006. Currently PUCO assesses railroads and utilities on or before October 1 each year and the money is typically received in October. The current system requires the Director of Management and Budget to transfer money from the GRF to Fund 5F6 at the beginning of each fiscal year to cover operating expenses until receipts from the assessment are received, at which time the amounts transferred are returned to the GRF. This provision would require PUCO to assess companies half the amounts they were assessed on October 1 by the following May 15 if the company paid more than \$1,000 in assessments for that fiscal year, with the amount assessed due by June 20. The remainder of the assessment would be payable on the current schedule. This section also increases the minimum annual assessment against a railroad or utility from \$50 to \$100.

Fiscal effect: This provision accelerates payment of a portion of the assessment, which has the effect of increasing the amount of assessment paid in FY 2006 by up to \$15 million due solely to the timing change. The amount of assessment collected in subsequent fiscal years remains

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

essentially unchanged. The acceleration in payment of the assessment would end the need for temporary transfers from the GRF to Fund 5F6. The increase in the minimum assessment increases the share of the total assessment paid by small companies and correspondingly reduces the share of the total assessment paid by large companies.

## 840 (CD-960-PUC) Call Center for Consumer Complaints

R.C. 4905.261

R.C. 4912.01, 4905.261

R.C. 4905.261

No provision.

Requires the PUCO to operate a telephone call center for consumer complaints. (The bill also prohibits the Office of Consumer Counsel from operating a telephone call center for residential consumer complaints which reduces expenditures from Fund 5F5 by \$650,000 per year; CD-1005-OCC) Fiscal effect: Increases expenditures from the Public Utilities Fund (Fund 5F6) by approximately \$650,000 per year.

The PUCO and the Office of Consumers' Counsel (OCC) are required to establish a single call service for consumer complaints regarding utility service. The single telephone number will automatically route all calls regarding residential utility service to the OCC and all other calls to PUCO. The cost of establishing and operating the toll-free call service is to be borne equally by the OCC and PUCO. Both agencies are prohibited from operating any other telephone call center. Fiscal effect: Would likely decrease expenditures from Fund 5F6. Assuming that the majority of calls currently received by PUCO relate to residential service, this provision would decrease the call volume to PUCO significantly.

Same as the House, except that the PUCO is required expeditiously to provide OCC with all information concerning residential consumer complaints received by PUCO through the call center. If technology is reasonably available, PUCO is required to provide OCC with this information in real time. See also item CD-1005-OCC. Fiscal effect: Would increase expenditures from Fund 5F6 to increase call center capacity and to implement processes to provide information to OCC. The appropriation to line item 870-622, Utility & Railroad Regulation, was increased by \$650,000 per fiscal year in the House version in order to accommodate the additional duties imposed by this provision, and the Senate retained the appropriation increase. PUCO officials report that they believe that the appropriation increase will be more than sufficient to allow them to carry out these new duties.

| As Introduced (Executive) |  | As Passed by the House |         | As Passed by the Senate |         | As Amended by Conference Committee |         |
|---------------------------|--|------------------------|---------|-------------------------|---------|------------------------------------|---------|
| 841                       | (CD-217-PUC) Increase in Railroad and Public Utility Forfeitures |                        |         |                         |         |                                    |         |
| R.C.                      | 4905.54  | R.C.                   | 4905.54 | R.C.                    | 4905.54 | R.C.                               | 4905.54 |

Increases the maximum amount the PUCO may assess for violations of statutes or orders by railroads and public utilities from \$1,000 for each violation to \$10,000. Specifies that the forfeitures collected are to be deposited into the GRF.

Fiscal effect: May increase revenue to the GRF, depending on compliance with railroad and utility statutes and orders. During FY 2004 PUCO assessed approximately \$1.1 million in forfeitures on utilities, railroads, and gas pipeline operators. In the past PUCO has seldom assessed the maximum amount that it was authorized to assess under this section. The increase in the maximum could increase revenue to the GRF indirectly, however, by strengthening the negotiating position of PUCO in negotiations with regulated companies over their violations.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 842 (CD-215-PUC) Increase in Maximum Forfeiture for Gas Pipeline Safety Violations

R.C. 4905.95

R.C. 4905.95

R.C. 4905.95

R.C. 4905.95

Increases the amount the PUCO can assess for gas pipeline safety violations from \$10,000 for each day of violation to \$100,000, and increases the cap that can be assessed for a series of violations from \$500,000 to \$1,000,000. Any forfeiture amount collected as a result of these assessments is deposited into the GRF. Fiscal effect: May increase revenue to the GRF, depending on compliance with gas pipeline safety law. In the past PUCO has seldom assessed the maximum amount that it was authorized to assess under this section. The increase in the maximum could increase revenue to the GRF indirectly, however, by strengthening the negotiating position of PUCO in negotiations with regulated companies over their violations.

Same as the Executive.

Retains the Executive's increase in the maximum daily assessment from \$10,000 to \$100,000, but eliminates the increase from \$500,000 to \$1,000,000 in the cap for a series of violations.  
Fiscal effect: Potentially reduces revenue as compared with the Executive Proposal. The amount of any such reduction depends on compliance with gas pipeline safety law.

Same as the Senate.



| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee  |
|---|------------------------|-------------------------|---|
| 843 (CD-229-PUC) Commercial Vehicle Information Systems and Networks Project  |                        |                         |   |
| Section: 209.54   | Section: 209.54        | Section: 209.54         | Section: 209.54   |
| Creates the Commercial Vehicle Information Systems and Networks Fund in the state treasury to receive funding from a federal grant conferred by the U.S. Department of Transportation. These funds are to be used to deploy the Ohio Commercial Vehicle Information Systems and Networks Project. Fiscal effect: Continues in effect a fund that was originally established in temporary law by Am. Sub. H.B. 94 of the 124th General Assembly; no other fiscal effect. | Same as the Executive. | Same as the Executive.  | Same as the Executive.  |
| <hr/> 844 (CD-1435-PUC) Enhanced and Wireless Enhanced 9-1-1  |                        |                         |   |
| No provision.   | No provision.          | No provision.           | Section: 209.54<br><br>Specifies that appropriation item 870-623, Wireless 911 Administration, shall be used to fund the 9-1-1 Service Program established by Am. Sub. H.B. 361 of the 125th General Assembly.<br>Fiscal effect: Specifies the permissible uses of expenditures from this appropriation line. The funding source for the appropriation was established in H.B. 361. |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 845 (CD-693-PUC) Utility Radiological Safety Board Assessments

Section: 306.03

Section: 306.03

Section: 306.03

Section: 306.03

Specifies the maximum amounts that may be assessed against nuclear electric utilities under division (B)(2) of section 4937.05 of the Revised Code by the Utility Radiological Safety Board on behalf of each of four state agencies. The maximum assessment on behalf of the Department of Agriculture is \$73,059 in both FY 2006 and FY 2007. The maximum assessment for the Department of Health is \$850,000 in each fiscal year, the maximum assessment for the Environmental Protection Agency is \$286,114 in each fiscal year, and the maximum assessment for the Emergency Management Agency of the Department of Public Safety is \$1,260,000 in each fiscal year.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 846 (CD-770-PWC) Conservation General Obligation Debt Service

Section: 209.57

Section: 209.57

Section: 209.57

Section: 209.57

Requires that GRF appropriation item 150-904, State Capital Improvements General Obligation Debt Service, be used to pay all debt service and related financing costs of the Clean Ohio Conservation Program (COCP) over the biennium. Also, requires the Office of the Sinking Fund or OBM to make the required debt service payment by intrastate transfer voucher.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Will allow debt service payments to be made on time.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 847 (CD-771-PWC) State Capital Improvements General Obligation Debt Service

Section: 209.57

Section: 209.57

Section: 209.57

Section: 209.57

Requires that GRF appropriation item 150-907, State Capital Improvements General Obligation Debt Service, be used to pay all debt service and related financing costs of the State Capital Improvements Program (SCIP) over the biennium. It also requires the Office of the Sinking Fund or OBM to make the required debt service payment by intrastate transfer voucher.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Will allow debt service payment to be made on time.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**848 (CD-772-PWC) Reimbursement to the General Revenue Fund**

Section: 209.57

Section: 209.57

Section: 209.57

Section: 209.57

Requires that on or before June 1, 2007 the PWC certify to OBM any excess investment earnings credited to the Clean Ohio Conservation Fund (Fund 056) in the Clean Ohio Fund Group and transfer the excess investment earnings to GRF appropriation item 700-409, Farmland Preservation within the Department of Agriculture.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The PWC is currently doing this. In FY 2003, the PWC transferred \$178,600 from Fund 056 to the GRF for the Department of Agriculture's Farmland Preservation Program. FY 2006-2007 transfer amounts would depend on the amount of excess investment earnings certified.

**849 (CD-773-PWC) Clean Ohio Operating Expenses**

Section: 209.57

Section: 209.57

Section: 209.57

Section: 209.57

Requires appropriation item 150-403, Clean Ohio Operating Expenses (Fund 056) within the Clean Ohio Fund Group, be used for Clean Ohio operating expenses.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

850 (CD-931-BOR) Study on the Feasibility of Multiple Life and Medical Plans

R.C. 9.901

R.C. 9.901

No provision.

Requires the BOR to report to the Governor, the Speaker of the House of Representatives, and the President of the Senate within 18 months after the effective date of this bill on the feasibility of designing multiple life and medical plans to cover employees at the various state institutions of higher education.  
Fiscal effect: Potential minimal, one-time increase in expenditures from the staff-time and resources necessary to conduct the study.

No provision.

Same as the House, but requires the DAS to make the report rather than the BOR, and applies the study only to multiple medical plans.

851 (CD-434-BOR) Local Administration Competency Certification Program

R.C. 123.17

R.C. 123.17

R.C. 123.17

R.C. 123.17

Directs the State Architect to establish the Local Administration Competency Certification Program by December 30, 2005. The program is to certify public institutions of higher education to administer their own building projects without oversight by the Department of Administrative Services (DAS). This program was authorized by Am. Sub. H.B. 16 of the 126th General Assembly, the capital budget act. Specifies that certification remains valid as long as the State Architect determines that

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive, but requires the BOR (rather than the State Architect) to

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

the institution (1) employs a sufficient number of personnel who have completed the certification program and (2) conducts biennial audits of its self-administered building projects. Authorizes the State Architect to revoke the certification of an institution if the institution has failed to comply with these requirements.

Subjects the State Architect's authority to set fees for the program to the approval of the Director of Budget and Management. Specifies that the fees are to cover the costs of implementing the program. (See also the item entitled "Local Administration Competency Certification Program for State Universities and Community Colleges" under DAS.)

Fiscal effect: None for the BOR.

Same as the Executive.

Fiscal effect: Same as the Executive.

determine whether or not an institution of higher education has met the criteria to keep its local administration certification valid and to notify the State Architect if the institution has not.

Same as the Executive.

Fiscal effect: Possible minimal effect for the BOR as a result of the requirement that the BOR determine whether the criteria has been met for an institution's local administration certificate to remain valid.

Same as the Executive.

Fiscal effect: Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 852 (CD-1043-BOR) State Fleet Management Law Changes

R.C. 125.832, 125.831

R.C. 125.832, 125.831

R.C. 125.832, 125.831

No provision.

Requires state institutions of higher education to use the DAS's vehicle fleet management software system, DAS's fuel card program to pay for fuel and vehicle maintenance, and DAS's bulk fuel purchases contract to make bulk fuel purchases. (See also the item entitled "Changes to Fleet Management Law " under DAS.)

Fiscal effect: Presumably, this provision could lead to some savings to the colleges and universities in the long-run.

Modifies the House provision as follows:

(1) Requires each state institution of higher education to annually report to the BOR the methods it uses to track motor vehicles, whether or not it uses a fuel card program, and whether or not it makes bulk purchases of fuel.

(2) Requires the state institutions that do not use the same type of fleet management tools and services that are provided by the DAS to include in their reports of an estimated amount it would have saved if it had used the DAS services and to provide a rationale for continuing with its own system.

(3) Requires the BOR to annually certify to the DAS the list of the state institutions that the BOR determines would save money from using the DAS tools and services and requires these institutions to use the fleet management tools and services provided by the DAS until they are removed from the certification list.

Fiscal effect: Presumably, this provision could lead to some savings to certain colleges and universities.

Same as the Senate, but requires the DAS rather than the BOR to (1) receive each state institution of higher education's annual report concerning its acquisition and management of motor vehicles and (2) certify a list of those institutions that would save amounts if they were to use the fleet management tracking, fuel card program, and bulk fuel purchases fleet management tools and services that the DAS provides.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**853 (CD-436-BOR) Allowing Specified Public Authorities to Award Single-prime Contracts**

R.C. 153.50, 153.51, 153.52

Authorizes specified public authorities, including the state and its public institutions, to choose between awarding separate and distinct (multiple-prime) contracts or single, aggregate (single-prime) contracts for capital projects under the Public Improvements Law. (See also the items entitled "Allowing Specified Public Authorities to Award Single-prime Contracts" under Department of Education and Local Government Provisions.)

No provision.

No provision.

No provision.

**854 (CD-104-BOR) Fees for Degree Authorization and Annual Report Reviews**

R.C. 1713.03

R.C. 1713.03

R.C. 1713.03

R.C. 1713.03

Requires the BOR to adopt a rule establishing fees to fund the cost of (1) reviews of applications for certificates of authorization to award degrees at nonpublic institutions and (2) reviews determined necessary upon examining a nonpublic institution's annual report.  
Fiscal effect: Possible increase in revenues.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

855 (CD-105-BOR) Financial Aid Audits

R.C. 3333.047

R.C. 3333.047

R.C. 3333.047

R.C. 3333.047

Requires the BOR to conduct audits to determine the validity of information provided by students regarding eligibility for financial aid and requires the institution of higher education to adjust a student's financial aid award where the BOR determines appropriate.

Fiscal effect: Possible increase in General Revenue Fund expenditures for the audits.

Requires the BOR to conduct audits to ensure that institutions of higher education are complying with the BOR's financial aid rules, and specifies that the institutions are fully liable to reimburse the BOR for the unauthorized use of financial aid funds.

Fiscal effect: Possible increase in General Revenue Fund expenditures for the audits.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

856 (CD-108-BOR) Ohio Instructional Grants

R.C. 3333.12

R.C. 3333.12

R.C. 3333.12

R.C. 3333.12

Phases out the Ohio Instructional Grant program by limiting participation to students who enroll in an undergraduate program before July 1, 2006. Students first enrolling after that date will receive grants from the new Ohio College Opportunity Grant program.

Fiscal effect: The phase-out of the Ohio Instructional Grants program will reduce its appropriation for FY 2007 by approximately \$29.7 million, while the phase-in of the Ohio College Opportunity Grant program will add an appropriation of \$58.1 million. The net effect, including the reduction of \$3.9 million from analogous phase-out of the Part-time Student Instructional Grants program, would be an increase of \$24.5 million.

Same as the Executive.

Same as the Executive, but modifies the eligibility definition for the Ohio Instructional Grant from enrollment before July 1, 2006, to enrollment before the 2006-2007 academic year.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 857 (CD-245-BOR) State Need-based Financial Aid Reconciliation Fund

R.C. 3333.121

R.C. 3333.121

R.C. 3333.121

R.C. 3333.121

Specifies that refunds of payments made under the new Ohio College Opportunity Grant Program be paid into the Instructional Grant Reconciliation Fund (in addition to refunds of Ohio Instructional Grant payments as under current law) and changes the name of the fund to the State Need-based Financial Aid Reconciliation Fund.

Fiscal effect: Possible gain in revenues to the State Need-based Financial Aid Reconciliation Fund (Fund 5Y5); these revenues would otherwise have returned to the General Revenue Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

858 (CD-107-BOR) Ohio College Opportunity Grant

R.C. 3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.38, 3345.32, 5107.58

R.C. 3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.38, 3345.32, 5107.58

R.C. 3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.38, 3345.32, 5107.58

R.C. 3333.122, 3315.37, 3332.092, 3333.04, 3333.044, 3333.12, 3333.27, 3333.28, 3333.38, 3345.32, 5107.58

Creates the Ohio College Opportunity Grant program, a need-based financial aid program that will eventually replace the Ohio Instructional Grants and Part-time Student Instructional Grants programs. The phase-in will begin for students who first enroll in an undergraduate program after July 1, 2006. The grant awards are determined according to the federally determined "Expected Family Contribution" criterion.  
Fiscal effect: The phase-out of the Ohio Instructional Grants and Part-time Student Instructional Grants programs will reduce their appropriations for FY 2007 by approximately \$29.7 million and \$3.9 million, respectively, while the phase-in of the Ohio College Opportunity Grant program will add an appropriation of \$58.1 million; the net effect would be an increase of \$24.5 million.

Same as the Executive.

Same as the Executive, but modifies the eligibility definition from enrollment after July 1, 2006, to enrollment in or after the 2006-2007 academic year.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

859 (CD-1351-BOR) Ohio College Opportunity Grant--Priority for Students who Demonstrate High Academic Performance in Primary and Secondary Scho

R.C. 3333.123

R.C. 3333.123

No provision.

No provision.

Requires the BOR, in adopting the rules for the Ohio College Opportunity Grant Program, to include provisions that give preferential or priority funding to low-income students who meet certain academic performance standards attained when enrolled in primary and secondary schools.

Same as the Senate, but allows the BOR to include the provisions rather than requiring the inclusion of the provisions.

860 (CD-106-BOR) Transfer of Career-Technical Education Coursework to State Institutions of Higher Education

R.C. 3333.162

R.C. 3333.162

R.C. 3333.162

R.C. 3333.162

Expands the scope of the current articulation and transfer system to include career-technical institutions by requiring the BOR to develop policies and procedures by April 15, 2007, to ensure that students may transfer technical courses to state institutions of higher education.  
Fiscal effect: The executive budget provides \$2.9 million in each year to GRF appropriation item 235-406, Articulation and Transfer, to cover the costs of development of the system and other related activities.

Same as the Executive, but adds technical courses taken at public secondary career-technical institutions to the group of technical courses that students are to be able to transfer to a state institution of higher education. Clarifies that technical courses taken at an adult or public secondary career-technical education institution are required to be transferable only to a state institution of higher education that offers such programs.

Modifies the House provisions as follows: (a) appears to require that the transfer of career-technical courses be first "agreed upon" by the schools and institutions involved in order for the transfer to take place; (b) adds "state institution of higher education" to the list of institutions from which the career-technical courses may be transferred; and (c) removes the House requirement that, in order to transfer career-technical courses, the state institution of higher education accepting the transfer must also offer such programs.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

861 (CD-1185-BOR) Nurse Education Assistance Program

R.C. 3333.28

R.C. 3333.28

No provision.

No provision.

Designates the percentage of Nurse Education Assistance Program funds that must be used for certain groups of students between July 1, 2005, and January 1, 2012.

Same as the Senate.

Specifies that, in order to be eligible for program loans, students in postlicensure nurse education programs must provide letters of intent to practice as faculty members after graduation and, in return, the program may forgive a percentage of the principal and interest of the loans the students received through this program.

(See also the item entitled "Nurse Education Assistance Program" under the State Board of Nursing.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

862 (CD-1055-BOR) Kent State University's Columbus Program in Intergovernmental Issues

R.C. 3333.36

R.C. 3333.36

R.C. 3333.36

No provision.

Requires, rather than permits as under current law, the BOR to allocate up to \$70,000 for scholarships for students enrolled in the Columbus Program in Intergovernmental Issues at Kent State University if there are sufficient funds available from GRF appropriations made to the BOR that are unencumbered and unexpended. Also specifies that the BOR may use any GRF funds instead of any funds available for the program.

Same as the House.

Same as the House.

863 (CD-1348-BOR) The Ohio State University Board of Trustees

R.C. 3335.02

R.C. 3335.02

No provision.

No provision.

Adds six additional trustees to the Board of Trustees of The Ohio State University, with the terms of three members beginning in 2005, at a date selected by the Governor, and ending on May 13, 2009, May 13, 2010, and May 13, 2011. The terms of the other three new members begin on May 14, 2006 and end on May 13, 2012, May 13, 2013, and May 13, 2014.

Same as the Senate.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 864 (CD-1136-BOR) Award of Printing Contracts by State Colleges and Universities Pursuant to Buy Ohio

R.C. 3345.10

R.C. 3345.10

R.C. 3345.10

No provision.

Requires state colleges and universities to award printing contracts under the Buy Ohio provisions of section 125.09 of the Revised Code that govern the award of contracts for goods and services by DAS and other state agencies. (See also the item entitled "Award of Printing Contracts by State Colleges and Universities Pursuant to Buy Ohio" under DAS.)

Fiscal effect: Most likely none, though there is the possibility of a potential decrease in expenditures since current law generally requires institutions to award printing contracts to vendors with manufacturing facilities within Ohio.

Same as the House.

Same as the House.

## 865 (CD-1350-BOR) University Enrollment Caps

R.C. 3345.19

R.C. 3345.19

No provision.

No provision.

Applies the current enrollment caps to students enrolled on a "full-time" basis (rather than a "full-time equivalent" basis as in current law). The caps apply only to the main university campuses at Bowling Green State University, Kent State University, Miami University, Ohio University, and The Ohio State University.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

866 (CD-1167-BOR) Sinclair Community College and Warren County

R.C. 3354.25, Section 490.04

R.C. 3354.25

No provision.

No provision.

Replaces two members of the Sinclair Community College Board of Trustees with residents of Warren County, but specifies that even though Sinclair Community College is allowed to provide services in Warren County, Warren County is not part of the Sinclair Community College district.

Replaces the Senate provisions concerning the Sinclair Community College with provisions that:

- (1) Add the territory of Warren County to the territory of the community college district;
- (2) Add two residents of Warren County to the community college board of trustees;
- (3) Change the name of the district to the Warren County Montgomery County Community College District;
- (4) Permit the district to be known as and operate under the name of the Sinclair Community College District;
- (5) Keep separate money raised by Montgomery County taxpayers and money raised by Warren county taxpayers;
- (6) Permit the board of trustees to propose to the Warren County voters (subject to prior approval of the Warren County Board of County Commissioners) a tax levy and a bond issue solely for the benefit of Warren County residents attending the community college (including an adjusted tuition rate if approved by the Board of Trustees); and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

No provision.

No provision.

Repeals Section 89.17 of Am. Sub. H.B. 95 of the 125th General Assembly, which required the BOR to issue a charter after July 1, 2005 for a new community college in Warren County to be operated jointly with the Warren County Career Center.

(7) Restrict the voting rights of the Warren County trustees until the voters of Warren County approve a tax equivalent to the one approved by the voters of Montgomery County.

Same as the Senate.

867 (CD-1172-BOR) Insurance for Treasurer of Shawnee State University

R.C. 3362.02

R.C. 3362.02

No provision.

No provision.

Allows the treasurer of Shawnee State University to be insured, rather than bonded, for the amount of money in the treasurer's sole control, minus a reasonable deductible. Also removes the requirement that the Attorney General approve the bond.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

868 (CD-1125-BOR) Real Property Tax Exemption for Certain Buildings and Lands of a State University

R.C. 5709.07, Section 557.14

R.C. 5709.07, Section 553.02.03

No provision.

Clarifies that the real property tax exemption for buildings and lands of any of 13 state universities, not used for profit, extends to those used for housing-related facilities, or for other purposes related to the university's educational purpose, and lands used for common space, walkways, and green space; that are under control of a charitable organization with which the university has a joint agreement entitling its students, faculty, or employees to use the lands or buildings; and for which the university has agreed to make payments to the organization sufficient to maintain required debt service coverage ratios on bonds related to the lands or buildings. Leasing of housing in such buildings will not be considered a profit-making activity under this division. (See also the item entitled "Real Property Tax Exemption for Certain Buildings and Lands of a State University" under Tax Provisions.)

Fiscal effect: Possible loss in tax revenues to local governments due to the property tax exemption.

No provision.

Same as the House, but requires a qualifying joint use agreement between the state university and the charitable organization, which among the requirements defined, must have been entered into prior to June 30, 2004; and states that the tax exemption first applies to tax year 2005.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

869 (CD-246-BOR) National Guard Scholarship Reserve Fund

R.C. 5919.341, Section 312.18

R.C. 5919.341, Section 312.18

R.C. 5919.341, Section 312.18

R.C. 5919.341, Section 312.18

Creates in the state treasury the National Guard Scholarship Reserve Fund (Fund 5BM) for purposes of paying scholarship obligations in excess of the GRF appropriations made for that purpose, requires the BOR to certify, by September 1 of each fiscal year, to the Director of Budget and Management the prior year's unencumbered balance of GRF appropriations made for purposes of the Ohio National Guard Scholarship Program, and authorizes the Director to transfer to the Reserve Fund an amount not exceeding the certified balance.

Same as the Executive.

Same as the Executive, but changes, from September 1 to July 1, the date on which the BOR must certify to the Director of Budget and Management the unencumbered balance of GRF appropriations from the prior fiscal year for the Ohio National Guard Scholarship Program.

Same as the Senate.

Fiscal effect: Possible gain in revenues to the National Guard Scholarship Reserve Fund; these revenues would otherwise have returned to the General Revenue Fund.

Requires the Director of Budget and Management to transfer an amount equal to the unencumbered balance as of June 30, 2004, in GRF appropriation item 235-599, National Guard Scholarship Program, from the General Revenue Fund to the National Guard Scholarship Reserve Fund (Fund 5BM).

Same as the Executive.

Same as the Executive, but specifies that the amount to be transferred is up to \$592,000 instead of the unencumbered balance as of June 30, 2004 in appropriation item 235-599, National Guard Scholarship Program.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 870 (CD-1054-BOR) People Working Cooperatively

Section: 401.05

Section: 206.67.09

Section: 206.42.03

No provision.

Amends the capital bill, Am. Sub. H.B. 16 of the 126th General Assembly, to establish a capital appropriation item CAP-335, People Working Cooperatively, within the University of Cincinnati in the amount of \$100,000.

No provision under the BOR. Funding for this purpose is provided, at a level of \$50,000 per fiscal year, in the federal special revenue fund group (Fund 3V6) appropriation item 600-689, TANF Block Grant, of the Department of Job and Family Services. (See also the item entitled "TANF Earmarks" under the ODJFS.)

No provision under the BOR. Funding for this purpose is provided as an earmark of \$100,000 in FY 2006 under GRF appropriation item 440-416, Child and Family Health Services. (See also the item entitled "Child and Family Health Services" under the Department of Health.)

## 871 (CD-109-BOR) Operating Expenses

Section: 209.63.03

Section: 209.63.03

Section: 209.63.03

Section: 209.63.03

Earmarks \$150,000 in each fiscal year under GRF appropriation item 235-321, Operating Expenses, to be used in conjunction with funding provided to the Department of Education for Ohio's Partnership for Continued Learning. Authorizes the Director of Budget and Management to transfer any unencumbered balance in FY 2006 to FY 2007 to support the Partnership's activities. (See also the item entitled "Academic Standards" under the Department of Education)

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

Earmarks \$250,000 in FY 2006 under GRF appropriation item 235-321, Operating Expenses, for the BOR to contract with an independent party to conduct an efficiency

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

and productivity study. The study will examine the areas of study provided at each of the state universities, and the findings are to be reported to the General Assembly and the Governor by March 31, 2006.

**872 (CD-110-BOR) Lease Rental Payments**

Section: 209.63.06

Section: 209.63.06

Section: 209.63.06

Section: 209.63.06

Requires the BOR to use GRF appropriation item 235-401, Lease Rental Payments, to make bonded debt service payments up to a maximum amount of \$401,414,500 during the biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**873 (CD-254-BOR) Sea Grants**

Section: 209.63.09

Section: 209.63.09

Section: 209.63.09

Section: 209.63.09

Specifies that the funds in GRF appropriation item 235-402, Sea Grants, be disbursed to The Ohio State University, which are to be used to conduct research on fish in Lake Erie.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House        | As Passed by the Senate  | As Amended by Conference Committee |
|---|-------------------------------|--|------------------------------------|
| <p><b>874 (CD-255-BOR) Articulation and Transfer</b></p>  |                               |  |                                    |
| <p>Section: 209.63.12</p>   | <p>Section: 209.63.12</p>     | <p>Section: 209.63.12</p>  | <p>Section: 209.63.12</p>          |
| <p>Specifies that the funds under GRF appropriation item 235-406, Articulation and Transfer, are to be used by the BOR to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies to ensure that students at state institutions of higher education can transfer and have coursework apply to their majors and degrees at any other state institution of higher education without unnecessary duplication or institutional barriers.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive, but updates the uncodified language for GRF appropriation 235-406, Articulation and Transfer, by including two additional sections (3333.161 and 3333.162) of the Revised Code dealing with articulation agreements.</p> | <p>Same as the Senate.</p>         |
| <p>Earmarks \$200,000 in each fiscal year to support the work of the Articulation and Transfer Council.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive, but makes a technical correction with regard to the section of the Revised Code referenced under the earmark from section 3333.16 to the proposed new section 3333.162.</p>  | <p>Same as the Senate.</p>         |
| <p><b>875 (CD-256-BOR) Midwest Higher Education Compact</b></p>   |                               |  |                                    |
| <p>Section: 209.63.15</p>   | <p>Section: 209.63.15</p>     | <p>Section: 209.63.15</p>  | <p>Section: 209.63.15</p>          |
| <p>Requires that the BOR use GRF appropriation item 235-408, Midwest Higher Education Compact for paying membership fees.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>      |



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**876 (CD-258-BOR) Information System**

Section: 209.63.18

Section: 209.63.18

Section: 209.63.18

Section: 209.63.18

Requires the BOR to use GRF appropriation item 235-409, Information System, for the operation of the Higher Education Information System.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**877 (CD-260-BOR) State Grants and Scholarship Administration**

Section: 209.63.21

Section: 209.63.21

Section: 209.63.21

Section: 209.63.21

Requires the BOR to use GRF appropriation item 235-414, State Grants and Scholarship Administration, for the administration of the student aid programs created by the General Assembly and those created by Congress, as well as for providing the fiscal services for the Ohio National Guard Scholarship Program and the Physician Loan Repayment Program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

878 (CD-262-BOR) Jobs Challenge

Section: 209.63.24

Sections: 209.63.24, 209.63.57

Section: 209.63.24

Section: 209.63.24

Directs the distribution of funds under GRF appropriation item 235-415, Jobs Challenge, to state-assisted community and technical colleges, to university regional campuses, and to other EnterpriseOhio Network campuses to support non-credit job training.

Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-415, Jobs Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

Makes the following earmarks under GRF appropriation item 235-415, Jobs Challenge:

(1) Earmarks \$2,770,773 in each fiscal year as performance grants to the EnterpriseOhio Network campuses based on BOR's criteria for increasing training services to public and private sector organizations.

(2) Earmarks \$2,819,345 in each fiscal year for the Targeted Industries Training Grant Program to attract, develop, and retain industry important to the state's economy.

(3) Earmarks \$3,758,182 in each fiscal year for the Higher Skills Incentives Program to promote and deliver training to local employers and to reward successful EnterpriseOhio Network campuses.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**879 (CD-264-BOR) Ohio Learning Network**

Section: 209.63.27

Section: 209.63.27

Section: 209.63.27

Section: 209.63.27

Requires the BOR to use GRF appropriation item 235-417, Ohio Learning Network, for supporting the continued implementation of the Ohio Learning Network.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**880 (CD-266-BOR) Access Challenge**

Section: 209.63.30

Sections: 209.63.30, 209.63.57

Section: 209.63.30

Section: 209.63.30

Provides for the distribution of funds under GRF appropriation item 235-418, Access Challenge, to Ohio's state-assisted access colleges and universities. The access campuses are expected to reduce the student share of costs for resident undergraduates enrolled in lower division undergraduate courses by sustaining the tuition restraints that were achieved with Access Challenge allocations in prior years.

Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-418, Access Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

Requires the subsidies for FY 2006 to be distributed by the BOR on the basis of each campus's share of FYs 2003 and 2004 all-terms subsidy-eligible General Studies full-time-equivalent (FTE) students. The FY 2007 allocation will be based on the FY 2004 and FY 2005 FTEs.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee                       |
|---|--|--|--|
| <p>Provides an adjustment for Cleveland State University's enrollments for use in the above distribution formula.</p> <p>The Executive contains this funding under GRF appropriation item 235-514, Central State Supplement, and the uncodified language associated with the appropriation item under "Central State Supplement" in Section 209.63.87 in the As Introduced version of the bill.</p> |  | <p>Same as the Executive.</p> <p>Earmarks \$10,172,626 in FY 2006 and \$9,663,995 in FY 2007 to be used by Central State University to keep undergraduate fees below the statewide average. (See also the item entitled "Central State Supplement" under the BOR.)</p> | <p>Same as the Executive.</p> <p>Same as the Senate.</p> |
| <b>881 (CD-119-BOR) Central State Supplement</b>  |  |  |  |
| Section: 209.63.87  | Sections: 209.63.87, 209.63.57   | Section: 209.63.30   | Section: 209.63.30                                       |
| Requires Central State University to use GRF appropriation item 235-514, Central State Supplement, to keep undergraduate fees below the statewide average.  | Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-514, Central State Supplement, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.) | Same as the Executive, but funding is provided as an earmark under GRF appropriation item 235-418, Access Challenge. (See also the item entitled "Access Challenge" under the BOR.)  | Same as the Senate.                                      |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate       | As Amended by Conference Committee |
|---|--|-------------------------------|------------------------------------|
| 882 (CD-273-BOR) Success Challenge  |  |                               |                                    |
| Section: 209.63.33  | Sections: 209.63.33, 209.63.57   | Section: 209.63.33            | Section: 209.63.33                 |
| <p>Earmarks in each fiscal year 66.67% of GRF appropriation item 235-420, Success Challenge, for distribution to state-assisted university main campuses in proportion to each campus's share of the total statewide bachelor's degrees granted by university main campuses to "at-risk" students, i.e., students eligible for need-based financial aid during the past ten years. Requires institutions to first submit plans addressing how the subsidies will be used to better serve at-risk students prior to receiving the subsidies.</p> | <p>Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-420, Success Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Earmarks the remaining 33.33% of the appropriation in each fiscal year for distribution to state-assisted university main campuses in proportion to each campus's share of the total bachelor's degrees granted by university main campuses to undergraduate students who completed their bachelor's degrees in a "timely manner" (generally, four years) in the previous fiscal year.</p>   |  |                               |                                    |

|            | As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee   |
|------------|---|---|---|--|
| <b>883</b> | <b>(CD-276-BOR) Appalachian New Economy Partnership</b>   |   |   |  |
|            | Section: 209.63.36  | Section: 209.63.36  | Section: 209.63.36  | Section: 209.63.36   |
|            | Distributes the funds under GRF appropriation item 235-428, Appalachian New Economy Partnership, to Ohio University to continue a multi-campus and multi-agency effort to provide leadership in linking Appalachia to the new economy.  | Same as the Executive.  | Same as the Executive.  | Same as the Executive.   |
| <b>884</b> | <b>(CD-277-BOR) Economic Growth Challenge</b>   |   |   |  |
|            | Section: 209.63.39  | Sections: 209.63.39, 209.63.57  | Section: 209.63.39  | Section: 209.63.39   |
|            | Requires the funds under GRF appropriation item 235-433, Economic Growth Challenge, to be used to enhance the basic research capabilities of Ohio's public institutions of higher education, support improved graduate programs, and promote the transfer of technology developed by colleges and universities to private industry. | Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-433, Economic Growth Challenge, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.) | Same as the Executive, but also allows accredited Ohio institutions of higher education holding certificates of authorization under section 1713.02 of the Revised Code to participate in the Innovation Incentive Program, but only if they set aside an amount comparable to the amount of funding withheld by the BOR from the state-assisted universities participating in the Innovation Incentive Program. The criteria for determining this comparable amount would be developed by the BOR. | Same as the Senate, but clarifies that the requirement for initiating an Innovative Incentive Plan applies only to those institutions (both public and private) electing to participate in the Innovation Incentive Program. |
|            | Requires each state-assisted doctoral degree-granting university to initiate in FY 2006 a comprehensive Innovation Incentive Plan designed to enhance doctoral programs, economic growth, and complement the Third Frontier Project.  |   |   |  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Makes the following earmarks under GRF appropriation item 235-433, Economic Growth Challenge:

(1) Earmarks \$18,000,000 in each fiscal year for the Research Incentive Program (formerly the Research Challenge) to enhance the basic research capabilities of public and private colleges and universities in pursuit of Ohio's economic development goals. The program matches all or part of the campuses' externally obtained research funds. The institutions' spending plans must include Third Frontier investments; for campuses with multiple Third Frontier grants, up to 10% of their Research Incentive funding may be invested in Third Frontier Project-related activities.

(2) Earmarks \$2,343,097 in FY 2006 and \$4,686,194 in FY 2007 to match funds set aside by the universities electing to participate in the new Innovation Incentive Program. The participating universities would have 1.5% in FY 2006 and 3% in FY 2007 of their State Share of Instruction doctoral reserve allocations withheld. The program will make competitive awards only to the participating campuses, which are to use the awards to restructure their arrays of doctoral programs. (See also the item entitled "SSI-Innovation Incentive Program" under the BOR)

(3) Earmarks \$500,000 in FY 2007 for the Technology Commercialization Incentive, which is to reward public and private colleges and universities for successful technology transfer to Ohio-based business and industry. Eligibility for awards will be

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

determined by the Third Frontier Commission.

**885 (CD-283-BOR) College Readiness and Access**

Section: 209.63.42

Section: 209.63.42

Section: 209.63.42

Section: 209.63.42

Requires the BOR to use GRF appropriation item 235-434, College Readiness and Access, in order to support programs designed to improve the academic preparation and increase the number of students who enroll and succeed in higher education, as well as to support innovative statewide strategies that increase student access and retention for specialized populations.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Makes the following earmarks under GRF appropriation item 235-434, College Readiness and Access:

Makes the following earmarks under GRF appropriation item 235-434, College Readiness and Access:

Makes the following earmarks under GRF appropriation item 235-434, College Readiness and Access:

(1) Earmarks \$798,684 in FY 2006 and \$822,645 in FY 2007 for the Ohio Appalachian Center for Higher Education at Shawnee State University.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Earmarks \$169,553 in FY 2006 and \$174,640 in FY 2007 for Miami University's Student Achievement in Research and Scholarship (STARS) program.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Earmarks \$1,574,535 in FY 2006 and \$2,753,985 in FY 2007 to be used in conjunction with funding provided in the Ohio Department of Education budget to support the Early College High School Pilot Program. (See also the item entitled "School Improvement Initiatives" under the

(3) Same as the Executive.

(3) Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Department of Education).

**886 (CD-284-BOR) Teacher Improvement Initiatives**

**Section: 209.63.45**

**Section: 209.63.45**

**Section: 209.63.45**

**Section: 209.63.45**

Uses the funds under GRF appropriation item 235-435, Teacher Improvement Initiatives, to support programs such as OSI-Discovery and the Centers of Excellence in Mathematics and Science designed to raise the quality of mathematics and science teaching in primary and secondary education.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Makes the following earmarks under GRF appropriation item 235-435, Teacher Improvement Initiatives:

Makes the following earmarks under GRF appropriation item 235-435, Teacher Improvement Initiatives:

Makes the following earmarks under GRF appropriation item 235-435, Teacher Improvement Initiatives:

Makes the following changes to the earmarks under GRF appropriation item 235-435, Teacher Improvement Initiatives:

(1) Earmarks \$204,049 in each fiscal year for the Mathematics and Science Center in Lake County.

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Earmarks \$81,619 in each fiscal year for the Ohio Mathematics and Science Coalition.

(2) Same as the Executive.

(2) Same as the Executive.

(2) Increases the earmark to \$106,619 in each fiscal year.

(3) Earmarks \$100,000 in each fiscal year for the Teacher Quality Partnerships study.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Earmarks \$799,871 in each fiscal year for the Ohio Resource Center for Mathematics, Science, and Reading. The Center is prohibited from making available resources that are inconsistent with the K-12 science standards and policies adopted by the State Board of Education.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Increases the earmark to \$874,871 in each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

887 (CD-287-BOR) Eminent Scholars

Section: 209.63.48

Section: 209.63.48

Section: 209.63.48

Section: 209.63.48

Provides funds under GRF appropriation item 235-451, Eminent Scholars, to continue supporting the Eminent Scholars program, which invests educational resources to address problems that are of vital statewide significance while fostering the growth in eminence of Ohio's academic programs. Authorizes two endowment grants of approximately \$685,494 each to public and private institutions of higher education to match non-state endowment gifts of the same amount. The grants are to be used to attract and sustain scholar-leaders of national or international prominence. All awards are to be associated with a Wright Center of Innovation, a Partnership Award from the Biomedical Research and Technology Transfer Trust Fund, or a Wright Capital Project.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**888 (CD-294-BOR) EnterpriseOhio Network**

Section: 209.63.51

Section: 209.63.51

Section: 209.63.51

Section: 209.63.51

Provides funds under GRF appropriation item 235-455, EnterpriseOhio Network, to continue increasing the capabilities of the EnterpriseOhio Network to meet the ongoing training needs of Ohio employers through support of multi-campus collaboration, best-practice dissemination, and capacity-building projects.  
Earmarks \$165,300 in each fiscal year for the Dayton Business/Sinclair College Jobs Profiling Program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**889 (CD-302-BOR) Area Health Education Centers**

Section: 209.63.54

Section: 209.63.54

Section: 209.63.54

Section: 209.63.54

Requires the BOR to use GRF appropriation item 235-474, Area Health Education Centers Program Support, to support the medical school regional area health education centers' educational programs, which in turn support medical and other health professions' education and the Area Health Education Center Program.  
Earmarks \$159,158 in each fiscal year for the Ohio University College of Osteopathic Medicine to operate a mobile health care unit to serve the southeastern area of the state.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee |
|---|--|---|------------------------------------|
| Earmarks \$119,369 in each fiscal year for the Ohio Valley Community Health Information Network (OVCHIN) project.   |  |   |                                    |
| <b>890 (CD-321-BOR) State Share of Instruction (SSI)</b>  |  |   |                                    |
| Section: 209.63.57  | Section: 209.63.57   | Section: 209.63.57  | Section: 209.63.57                 |
| Provides a system of formulas for allocating GRF appropriation item 235-501, State Share of Instruction, and allows the BOR to establish procedures for the formula, including the determination of the fee assumptions for the local contributions.                | Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.) | Same as the Executive.  | Same as the Executive.             |
| <b>891 (CD-472-BOR) SSI—Lower Division Fee Differential</b>   |  |   |                                    |
| Section: 209.63.57  | Section: 209.63.57   | Section: 209.63.57  | Section: 209.63.57                 |
| Requires the BOR to adjust the fee assumptions for the General Studies and Technical curriculum models in order to maintain the relationship between these models and the Baccalaureate models if a local contribution of 37% had been used for allocating the SSI. | Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.) | Same as the Executive, but corrects the assumed local contribution from 37% to 37.5% to reflect the actual percentage used by the BOR in the SSI formula. | Same as the Senate.                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

892 (CD-473-BOR) SSI—Aggregate Expenditure

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Provides the rates for the instruction and support services, student services, and the activity-based plant operation and maintenance (POM) allowances per subsidy-eligible full-time-equivalent (FTE) student for each of the fourteen non-doctoral curriculum models, and the rates per square foot for the square-foot-based POM allowance.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

893 (CD-474-BOR) SSI—Core Subsidy Entitlements

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Uses the greater of the two subsidy amounts generated by using the two-year and the five-year average FTE enrollments, the aggregate expenditures per FTE student, and the assumed local contributions.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**894 (CD-475-BOR) SSI—Medical School Enrollment**

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Uses a base enrollment for students in the Medical II model only, so that a medical school whose current-year enrollment is below its listed base enrollment will have a Medical II FTE enrollment equal to 65% of its base enrollment plus 35% of its current-year enrollment, while a medical school whose current-year enrollment is greater than its base enrollment will have a Medical II FTE enrollment equal to the sum of its base enrollment and the FTE for its repeating students.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. Also makes a technical correction that updates a reference to the Medical College of Ohio at Toledo to its new name, the Medical University of Ohio at Toledo. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive, but also includes the House provision making a technical correction that updates a reference to the Medical College of Ohio at Toledo to its new name, the Medical University of Ohio at Toledo.

Same as the Senate.

**895 (CD-476-BOR) SSI—Plant Operation and Maintenance (POM)**

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Requires that a campus receive the greater of either its activity-based POM allowance or its square-foot-based POM allowance.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate | As Amended by Conference Committee |
|--|--|-------------------------|------------------------------------|
| 896 (CD-477-BOR) SSI–Doctoral Reserve  |  |                         |                                    |
| Section: 209.63.57   | Section: 209.63.57   | Section: 209.63.57      | Section: 209.63.57                 |
| Reserves a fixed percentage of no more than 10.34% of the SSI appropriation for doctoral programs. The funds are allocated to the universities in proportion to their shares of Doctoral I equivalent FTE students, based on the greater of the two-year or five-year average of FTE students for the period FY 1994 through FY 1998, as subsequently adjusted to reflect the effects of doctoral review and changes in Doctoral I equivalent enrollments. Defines Doctoral I equivalent enrollments as the number of Doctoral I FTE students plus 1.5 times the number of Doctoral II FTE students. | Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.) | Same as the Executive.  | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 897 (CD-478-BOR) SSI–Innovation Incentive Program

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Requires the BOR to withhold 1.5% in FY 2006 and 3.0% in FY 2007 of a university's allocation of the doctoral reserve if the university elects to participate in the Innovation Incentive Program under appropriation item 235-433, Economic Growth Challenge. The withholding will continue to occur incrementally with a goal of setting aside 15% of the total doctoral reserve by FY 2016.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive, but also allows accredited Ohio institutions of higher education holding certificates of authorization under section 1713.02 of the Revised Code to participate in the Innovation Incentive Program, but only if they set aside an amount comparable to the amount of funding withheld by the BOR from the state-assisted universities participating in the Innovation Incentive Program. The criteria for determining this comparable amount would be developed by the BOR.

Same as the Senate.

Requires the BOR to make awards through a competitive process using the combined amount of the participating campuses' withholdings of portions of their doctoral reserve allocations and the state matching funds earmarked under appropriation item 235-433, Economic Growth Challenge. Only the participating universities will be eligible for the awards and they are to use the awards to restructure their array of doctoral programs.

(See also the item entitled "Economic Growth Challenge" under the BOR)



| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee |
|---|---|--|------------------------------------|
| <b>898 (CD-336-BOR) SSI—Annual Stop Loss</b>  |   |  |                                    |
| Section: 209.63.57  | Section: 209.63.57  | Section: 209.63.57   | Section: 209.63.57                 |
| Provides that the amount of a campus's SSI allocation in each fiscal year will be no less than 95% of the prior year's SSI amount.  | Increases the annual SSI funding stop loss from 95% to 97% of an institution's FY 2005 SSI amount in FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.) | Same as the House, but applies the 97% annual SSI funding stop loss in both FY 2006 and FY 2007. | Same as the Senate.                |
| <b>899 (CD-339-BOR) SSI—Reduction in Earnings</b>   |   |  |                                    |
| Section: 209.63.57  | Section: 209.63.57  | Section: 209.63.57   | Section: 209.63.57                 |
| Requires the BOR to proportionately reduce the SSI earnings for each campus by a uniform percentage if the total SSI earnings are greater than the total SSI appropriation. | Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)  | Same as the Executive.   | Same as the Executive.             |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

900 (CD-374-BOR) SSI-Capital Component Deduction

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Specifies that, after all other adjustments to a campus's SSI allocation have been made, the SSI subsidy for each campus is to be reduced by the amount for which the debt service charged in Am. H.B. 748 of the 121st G.A., Am. Sub. H.B. 850 of the 122nd G.A., Am. Sub. H.B. 640 of the 123rd G.A., H.B. 675 of the 124th G.A., and Am. Sub. H.B. 16 of the 126th G.A. for that campus exceeds its capital component earnings. Requires the sum of all the above amounts deducted from campuses' SSI subsidies to be transferred to appropriation item 235-552, Capital Component, in each fiscal year.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

901 (CD-479-BOR) SSI-Exceptional Circumstances

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Allows the BOR to make adjustments to the SSI payments in response to exceptional circumstances although these require approval by the Controlling Board.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 902 (CD-480-BOR) SSI—Mid-year Appropriation Reductions

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Requires the BOR to re-run the SSI formula if there is a mid-year appropriation reduction prior to the BOR's formal approval of a fiscal year's final allocation. Requires the BOR to proportionately reduce each campus's allocation by a uniform percentage if the appropriation reduction occurs after the BOR's formal approval of a fiscal year's final allocation.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

## 903 (CD-481-BOR) SSI—Distribution

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Requires the SSI payments to the institutions to be distributed in substantially equal monthly amounts during a fiscal year.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

Requires the SSI payments to the institutions during the first six months of a fiscal year to be based on the BOR's enrollment estimates. Payments during the last six months are to be made after approval by the Controlling Board upon the request of the BOR.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

904 (CD-376-BOR) SSI--Law School Subsidy

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Section: 209.63.57

Requires the SSI to state-supported universities for law-school students enrolled in fiscal years 2006 and 2007 to be calculated by using either the number of subsidy-eligible FTE law school students funded by state subsidy in FY 1995 or the actual number of subsidy-eligible FTE law school students at the institution in the given fiscal year, whichever is less.

Same as the Executive for FY 2006, but requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. (See also the item "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.

905 (CD-1413-BOR) SSI--Funds Requiring Controlling Board Approval

Section: 209.63.57

No provision.

No provision.

No provision.

Requires that \$30 million in FY 2007 of GRF appropriation item 235-501, State Share of Instruction, is not to be disbursed until approved by the Controlling Board following the report of Higher Education Funding Study Council.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

906 (CD-891-BOR) SSI Formula Revision / Higher Education Funding Study Council

Section: 209.63.57

Section: 209.63.58

No provision.

Requires the General Assembly to develop a new SSI formula for FY 2007 by January 15, 2006. The new formula is to include a review of the allocation of courses to the Medical I and Medical II models.

No provision.

Creates the Higher Education Funding Study Council to review all aspects of higher education funding in the bill and to issue a report on its findings to the Governor, the Speaker of the House, and the President of the Senate by May 31, 2006.

Consolidates the funding of the following GRF appropriation items into 235-501, State Share of Instruction for FY 2007, and appropriates the funds in anticipation of the new SSI formula and additional itemized appropriations for FY 2007:

(1) 235-415, Jobs Challenge

(2) 235-418, Access Challenge

(3) 235-420, Success Challenge

(4) 235-433, Economic Growth Challenge

(5) 235-514, Central State Supplement

(6) 235-520, Shawnee State Supplement

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee |
|---|--|--|------------------------------------|
| 907 (CD-378-BOR) Higher Education—Board of Trustees and Instructional and General Fee Limitations   |  |  |                                    |
| Section: 209.63.60  | Section: 209.63.60   | Section: 209.63.60   | Section: 209.63.60                 |
| Allows colleges and universities to use instructional subsidy funds at branch or other off-campus sites to provide undergraduate or master's degree courses of study that have been approved by the BOR.  | Same as the Executive.   | Same as the Executive.   | Same as the Executive.             |
| Requires the board of trustees at each institution to supplement state subsidies by establishing fees to be charged to students, including instructional and general fees to be charged for services assessed uniformly to all students. A board may also establish special purpose fees and service charges for individual or specific categories of students. Finally, except for Miami University, each board will establish a tuition surcharge to be paid by all students who are not residents of Ohio. | Same as the Executive.   | Same as the Executive.   | Same as the Executive.             |
| Continues to recognize the pilot tuition restructuring plan at Miami University.  | Same as the Executive.   | Same as the Executive.   | Same as the Executive.             |
| Limits the annual increase in instructional and general fees for in-state undergraduate students in each fiscal year (commonly referred to as the tuition cap) to 6%, limits the board of trustees to a 6% increase in combined instructional and general fees in a single vote, and applies the cap to an academic year even if, prior to the effective date of this provision, a board of trustees has voted to increase fees beyond the cap.   | Same as the Executive, but applies the bill's 6% limitation at state institutions for the 2005-2006 academic year to the instructional and general fees in effect on January 1, 2005 and, for the 2006-2007 academic year, to the tuition rates for the prior academic year. | Same as the Executive, but limits the annual increase to the lesser of 6% or, for full-time students, \$500. | Same as the Senate.                |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Allows for an additional 3% increase of in-state undergraduate instructional and general fees in a separate vote by a board of trustees, although this increase may be used only for providing scholarships, to be known as Access Scholarship Grants, to low-income students. Requires the campus to submit to the BOR a financial aid report for the prior academic year and a plan for how the additional funds will be used, and to report performance against plan each academic year.

No provision.

No provision.

No provision.

Provides that the above limitations in instructional and general fee increases will not apply to increases required to comply with institutional covenants related to their obligations or to meet unfunded mandates or legally binding obligations incurred prior to the act's effective date and for which the fee increases had been identified as the source of funds. Also provides for the limitations to be modified by the BOR, with approval of the Controlling Board, in order to respond to exceptional circumstances.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Prohibits the board of trustees of any state-assisted institution of higher education from authorizing a waiver or nonpayment of instructional and general fees for any student unless the waiver or nonpayment is authorized by law or approved by the Chancellor. Specifies that this prohibition is not intended to limit Miami University in providing financial assistance to students under its pilot tuition restructuring plan.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires each institution to specify separately the instructional fee, general fee, tuition charge, and tuition surcharge in its

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

statement of charges. Makes an exception for Miami University in implementing its pilot tuition restructuring plan.

Declares that it is the intent of the General Assembly that faculty members devote a proper and judicious part of their work week to the actual instruction of students.

Requires that the authority of government vested by law in the boards of trustees of state-assisted institutions of higher education in fact be exercised by those boards, that administrative decisions are the exclusive prerogative of the boards, and that any delegation of authority by the board is to be accompanied by appropriate standards of guidance, and periodic review of the exercise of this delegated authority.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**908 (CD-111-BOR) Student Support Services**

**Section: 209.63.63**

**Section: 209.63.63**

**Section: 209.63.63**

**Section: 209.63.63**

Requires the BOR to distribute GRF appropriation item 235-502, Student Support Services, to state-assisted colleges and universities that incur disproportionate costs in the provision of support services to disabled students.

Same as the Executive.

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

909 (CD-112-BOR) Ohio Instructional Grants

Section: 209.63.66

Section: 209.63.66

Section: 209.63.66

Section: 209.63.66

Specifies that the grant amounts for FY 2006 will be those listed in the tables under section 3333.12 of the Revised Code. Specifies that awards in FY 2007 will be made to students who have already attended college and completed coursework, excluding early college high school and post-secondary enrollment option students, prior to academic year 2006-2007. The grant amounts will be those listed in the tables under section 3333.12 of the Revised Code. Earmarks under GRF appropriation item 235-503, Ohio Instructional Grants, an amount in each fiscal year for reimbursement payments to public and private institutions for tuition waivers for children or spouses of public service officers killed in the line of duty. Requires the unencumbered balance at the end of FY 2006 to be transferred to FY 2007 under the same appropriation item for the same purpose.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 910 (CD-113-BOR) War Orphans Scholarships

Section: 209.63.69

Section: 209.63.69

Section: 209.63.69

Section: 209.63.69

Requires GRF appropriation item 235-504, War Orphans Scholarships, to be used to reimburse public institutions for waivers of instructional and general fees provided to war orphans, and provide grants to war orphans attending private non-profit institutions.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 911 (CD-114-BOR) OhioLINK

Section: 209.63.72

Section: 209.63.72

Section: 209.63.72

Section: 209.63.72

Requires the BOR to use GRF appropriation item 235-507, OhioLINK, to support the state's electronic library information and retrieval system.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 912 (CD-115-BOR) Air Force Institute of Technology

Section: 209.63.75

Section: 209.63.75

Section: 209.63.75

Section: 209.63.75

Directs that the funds under GRF appropriation item 235-508, Air Force Institute of Technology, are to be used to strengthen research and educational linkages between the Wright Patterson Air Force Base and institutions of higher education in Ohio.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Makes the following earmarks under GRF appropriation item 235-508, Air Force Institute of Technology:

(1) Earmarks \$1,233,588 in each fiscal year for research projects that connect the Air Force Research Laboratories with university partners. The Air Force Institute of Technology will report annually to the Third Frontier Commission on current and future collaborations.

(2) Earmarks \$446,952 in each fiscal year for the University of Dayton's chair in nanotechnology in support of the Wright Brothers Institute through the Miami Valley Economic Development Research Corporation.

(3) Earmarks \$244,805 in each fiscal year for the Miami Valley Economic Development Research Corporation to support collaborative research among academia, industry, and the Air Force for the Wright Brothers Institute and related initiatives in nanomaterials and advanced data management and analysis or other technology projects as determined by the Corporation.

(4) No provision.

Makes the following changes to the earmarks under GRF appropriation item 235-508, Air Force Institute of Technology:

(1) Same as the Executive.

(2) No provision.

(3) No provision.

(4) Earmarks \$691,757 in each fiscal year for the Development Research Corporation to match federal dollars to create or expand Ohio-based technology and commercial development collaborations in areas that are a priority in Ohio's Third Frontier initiative among industry, academia, and government.

Makes the following changes to the earmarks under GRF appropriation item 235-508, Air Force Institute of Technology:

(1) Same as the Executive.

(2) No provision.

(3) No provision.

(4) Same as the House.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|---|---|---|---|
| <p><b>913 (CD-116-BOR) Ohio Supercomputer Center</b></p>  |   |   |   |
| <p>Section: 209.63.78</p>   | <p>Section: 209.63.78</p>   | <p>Section: 209.63.78</p>   | <p>Section: 209.63.78</p>   |
| <p>Requires the BOR to use GRF appropriation item 235-510, Ohio Supercomputer Center, to support the operation of the Ohio Supercomputer Center at The Ohio State University. The Center is to report on its services to industrial and other customers, and develop a plan for a computational science initiative with the Wright Centers of Innovation.</p> | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   |
| <p>No provision.</p>  | <p>No provision.</p>  | <p>No provision.</p>  | <p>Earmarks \$250,000 in each fiscal year to support the Super Computer Center in Beavercreek.</p>                                      |
| <p><b>914 (CD-117-BOR) Cooperative Extension Service</b></p>  |   |   |   |
| <p>Section: 209.63.81</p>   | <p>Section: 209.63.81</p>   | <p>Section: 209.63.81</p>   | <p>Section: 209.63.81</p>   |
| <p>Requires the BOR to disburse GRF appropriation item 235-511, Cooperative Extension Service, to The Ohio State University in monthly payments.</p>  | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   |
| <p>Makes the following earmarks under GRF appropriation item 235-511, Cooperative Extension Service:<br/>(1) Earmarks \$178,271 in each fiscal year for additional staffing for county agents for expanded 4-H activities.</p>  | <p>Makes the following earmarks under GRF appropriation item 235-511, Cooperative Extension Service:<br/>(1) Same as the Executive.</p> | <p>Makes the following earmarks under GRF appropriation item 235-511, Cooperative Extension Service:<br/>(1) Same as the Executive.</p> | <p>Makes the following earmarks under GRF appropriation item 235-511, Cooperative Extension Service:<br/>(1) Same as the Executive.</p> |

| As Introduced (Executive)   | As Passed by the House     | As Passed by the Senate    | As Amended by Conference Committee |
|---|----------------------------|----------------------------|------------------------------------|
| (2) Earmarks \$178,271 in each fiscal year for a public-private effort through the Enterprise Center for Economic Development to create and operate a small-business economic development program to enhance the development of alternatives to the growing of tobacco. | (2) Same as the Executive. | (2) Same as the Executive. | (2) Same as the Executive.         |
| (3) Earmarks \$55,179 in each fiscal year for farm labor mediation and educational programs.  | (3) Same as the Executive. | (3) Same as the Executive. | (3) Same as the Executive.         |
| (4) Earmarks \$182,515 in each fiscal year for the Ohio State University Marion Enterprise Center.  | (4) Same as the Executive. | (4) Same as the Executive. | (4) Same as the Executive.         |
| (5) Earmarks \$772,931 in each fiscal year for the Ohio Watersheds Initiative.  | (5) Same as the Executive. | (5) Same as the Executive. | (5) Same as the Executive.         |
| <b>915 (CD-118-BOR) Ohio University Voinovich Center</b>  |                            |                            |                                    |
| <b>Section: 209.63.84</b>   | <b>Section: 209.63.84</b>  | <b>Section: 209.63.84</b>  | <b>Section: 209.63.84</b>          |
| Requires the BOR to use GRF appropriation item 235-513, Ohio University Voinovich Center, to support the operations of the Center.  | Same as the Executive.     | Same as the Executive.     | Same as the Executive.             |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 916 (CD-120-BOR) Performance Standards for Medical Education

Section: 209.63.90

Sections: 209.63.90, 209.64.42

Section: 209.63.90

Section: 209.63.90

Requires the BOR to develop performance standards for medical education. The BOR is to attempt to ensure that at least 50% of the aggregate number of students enrolled in state-assisted medical colleges continue to enter residency as primary care physicians. The BOR is to monitor the medical schools' performances in relation to their plans for reaching the 50% standard.

Same as the Executive, but the language is moved to Section 209.64.42, Medical Support.

Same as the Executive.

Same as the Executive.

## 917 (CD-121-BOR) Case Western Reserve University School of Medicine

Section: 209.63.93

Section: 209.63.93

Section: 209.63.93

Section: 209.63.93

Provides for the disbursement of GRF appropriation item 235-515, Case Western Reserve University School of Medicine, in accordance with agreements covered by section 3333.10 of the Revised Code on aid to private nonprofit medical, osteopathic, and dental schools. The state support per full-time medical student is not to exceed that provided to full-time medical students at state universities.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

918 (CD-1166-BOR) Capitol Scholarship Program

Section: 209.63.94

Section: 209.63.94

No provision.

No provision.

Specifies that GRF appropriation item 235-518, Capitol Scholarship Program, is to be used to provide scholarships of \$1,800 each to students enrolled in institutions of higher education on the quarter system and \$2,300 to students enrolled in institutions on the semester system to participate in the Washington Center Internship Program, which is to provide a match of \$1,200 for students on a quarter system and \$1,700 to students on a semester system.

Same as the Senate.

919 (CD-139-BOR) Family Practice and Primary Care Residencies

Section: 209.64.48

Sections: 209.64.48, 209.64.42

Sections: 209.63.95, 209.64.07

Sections: 209.63.95, 209.64.07

Requires the BOR to develop plans for the distribution of GRF appropriation item 235-562, Family Practice and Primary Care Residencies.

Same as the Executive in FY 2006, but funding is consolidated into GRF appropriation item 235-560, Medical Support, in FY 2007. The distribution of the funds is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "Clinical Teaching Support / Medical Support" under the BOR.)

Requires the BOR to develop plans for the distribution of GRF appropriation items 235-519, Family Practice, and 235-526, Primary Care Residencies.

Same as the Senate.

Makes the following earmarks under GRF appropriation item 235-583, Family Practice and Primary Care Residencies:

Same as the Executive, but disaggregates GRF appropriation item 235-562, Family Practice and Primary Care Residencies, into two separate items: 235-519, Family

Same as the Senate.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Earmarks \$4,548,470 in each fiscal year for Family Practice programs.

Earmarks \$2,245,688 in each fiscal year for Primary Care Residencies. If an institution does not have an approved primary care residency plan, it will receive 5% less funding per student than it normally would have received.

Practice, and 235-526, Primary Care Residencies. The appropriations for each item equal the Executive's earmarked amounts.

**920 (CD-122-BOR) Shawnee State Supplement**

**Section: 209.63.96**

**Sections: 209.63.96, 209.63.57**

**Section: 209.63.96**

**Section: 209.63.96**

Requires Shawnee State University to use GRF appropriation item 235-520, Shawnee State Supplement, for two purposes: To keep its undergraduate tuition below the statewide average; and to allow it to employ new faculty to develop and teach in new degree programs that meet the needs of Appalachia.

Same as the Executive in FY 2006, but consolidates the funding under GRF appropriation item 235-520, Shawnee State Supplement, into GRF appropriation item 235-501, State Share of Instruction, in FY 2007. The distribution of the funds in item 235-501, State Share of Instruction, in FY 2007 is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "SSI Formula Revision" under the BOR.)

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

921 (CD-123-BOR) The Ohio State University Glenn Institute

Section: 209.63.99

Section: 209.63.99

Section: 209.63.99

Section: 209.63.99

Requires the BOR to use GRF appropriation item 235-521, The Ohio State University Glenn Institute, to support the operations of the Institute.

Same as the Executive.

Same as the Executive.

Same as the Executive.

922 (CD-124-BOR) Police and Fire Protection

Section: 209.64.03

Section: 209.64.03

Section: 209.64.03

Section: 209.64.03

Requires that GRF appropriation item 235-524, Police and Fire Protection, be used to support police and fire services in the municipalities of Kent, Athens, Oxford, Fairborn, Bowling Green, Portsmouth, Xenia Township (Green County), Rootstown Township, and the City of Nelsonville, where state-affiliated campuses are located. Provides each participating municipality at least \$5,000 in each year. Funds are to be distributed according to the method of the previous biennium.

Same as the Executive, but makes a technical correction to clarify that the \$5,000 minimum applies to each fiscal year.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

923 (CD-125-BOR) Geriatric Medicine

Section: 209.64.06

Sections: 209.64.06, 209.64.42

Section: 209.64.06

Section: 209.64.06

Requires the BOR to develop plans for the distribution of the funds under GRF appropriation item 235-525, Geriatric Medicine.

Same as the Executive in FY 2006, but funding is consolidated into GRF appropriation item 235-560, Medical Support, in FY 2007. The distribution of the funds is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "Clinical Teaching Support / Medical Support" under the BOR.)

Same as the Executive.

Same as the Executive.

924 (CD-126-BOR) Ohio Aerospace Institute

Section: 209.64.09

Section: 209.64.09

Section: 209.64.09

Section: 209.64.09

Requires the BOR to distribute GRF appropriation item 235-527, Ohio Aerospace Institute, under section 3333.042 of the Revised Code, which governs grants for aerospace research, education, and technology.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires the BOR to consult with the Third Frontier Commission to develop a plan for the appropriate, value-added participation of the Ohio Aerospace Institute in Third Frontier Project proposals and grants.

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|--|------------------------|-------------------------|------------------------------------|
| 925 (CD-127-BOR) Academic Scholarships   |                        |                         |                                    |
| Section: 209.64.12   | Section: 209.64.12     | Section: 209.64.12      | Section: 209.64.12                 |
| Requires GRF appropriation item 235-530, Academic Scholarships, to be used to provide scholarships to students under section 3333.22 of the Revised Code, which governs the awards by the Ohio Academic Scholarship Program. | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 926 (CD-128-BOR) Student Choice Grants   |                        |                         |                                    |
| Section: 209.64.15   | Section: 209.64.15     | Section: 209.64.15      | Section: 209.64.15                 |
| Requires that GRF appropriation item 235-531, Student Choice Grants, be used to support the Student Choice Grant Program pursuant to section 3333.27 of the Revised Code.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| Requires the unencumbered balance of the appropriation at the end of FY 2006 to be transferred to FY 2007 to maintain grant award amounts in FY 2007 equal to the awards provided in FY 2006.                                |                        |                         |                                    |

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|--|--|---|---|
| <p><b>927 (CD-129-BOR) Student Workforce Development Grants</b></p>  |  |   |   |
| <p>Section: <b>209.64.18</b></p>   | <p>Section: <b>209.64.18</b></p>   | <p>Section: <b>209.64.18</b></p>  | <p>Section: <b>209.64.18</b></p>  |
| <p>Requires the BOR to use GRF appropriation item 235-534, Student Workforce Development Grants, to support the Student Workforce Development Grant Program. The size of each grant is to be determined by the BOR based on the funds available.</p> | <p>Same as the Executive.</p>  | <p>Same as the Executive, but also requires the unencumbered balance of GRF appropriation item 235-534, Student Workforce Development Grants, at the end of FY 2006 to be transferred to FY 2007.</p> | <p>Same as the Senate.</p>  |
| <p><b>928 (CD-130-BOR) Ohio Agricultural Research and Development Center</b></p>   |  |   |   |
| <p>Section: <b>209.64.21</b></p>   | <p>Section: <b>209.64.21</b></p>   | <p>Section: <b>209.64.21</b></p>  | <p>Section: <b>209.64.21</b></p>  |
| <p>Requires the BOR to disburse GRF appropriation item 235-535, Ohio Agricultural Research and Development Center, to The Ohio State University in monthly payments.</p>   | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   |
| <p>Exempts OARDC from remitting payment to The Ohio State University for cost reallocation assessments during the biennium.</p>  | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   |
| <p>Requires OARDC to competitively allocate funding among programs based on demonstrated performance.</p>  | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   |
| <p>Makes the following earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:</p>   | <p>Makes the following earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:</p> | <p>Makes the following changes to the earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:</p>   | <p>Makes the following changes to the earmarks under GRF appropriation item 235-535, Ohio Agricultural Research and Development Center:</p> |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

(1) Earmarks \$458,410 in each fiscal year for the purchase of equipment.

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Earmarks \$806,463 in each fiscal year for the Piketon Agricultural Research and Extension Center.

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Earmarks \$212,227 in each fiscal year for the Raspberry/Strawberry-Ellagic Acid Research program at The Ohio State University Medical College.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Earmarks \$42,445 in each fiscal year for the Ohio Berry Administrator.

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Earmarks \$84,890 in each fiscal year for the development of agricultural crops and products not currently in widespread production in Ohio.

(5) Same as the Executive.

(5) Same as the Executive.

(5) Same as the Executive.

(6) No provision.

(6) No provision.

(6) Earmarks \$125,000 in each fiscal year to support Wilmington College for the commercialization of agricultural products.

(6) Same as the Senate.

**929 (CD-137-BOR) Clinical Teaching Support / Medical Support**

**Section: 209.64.42**

**Section: 209.64.42**

**Section: 209.64.22**

**Section: 209.64.22**

The Executive contains this provision under "Performance Standards for Medical Education" in Section 209.63.90 of the As Introduced version of the bill.

Requires the BOR to develop performance standards for medical education. The BOR is to attempt to ensure that at least 50% of the aggregate number of students enrolled in state-assisted medical colleges continue to enter residency as primary care physicians. The BOR is to monitor the medical schools' performances in relation to their plans for reaching the 50% standard.

Same as the Executive.

Same as the Executive.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Requires GRF appropriation item 235-560, Clinical Teaching Support, to be used to support clinical teaching at Ohio's state-assisted colleges of medicine.

Same as the Executive, but changes the name to GRF appropriation item 235-560, Medical Support, and includes funding for other medical education programs as a result of the consolidation in FY 2007 of the Clinical Teaching funding with GRF appropriation items 235-525, Geriatric Medicine, 235-558, Long-term Care Research, and 235-562, Family Practice and Primary Care Residencies.

Replaces the consolidated clinical teaching appropriation item 235-560, Clinical Teaching Support, with six separate clinical teaching appropriation items for specific universities.

Same as the Senate.

Requires the BOR to propose by March 1, 2006 a potential method to allocate the appropriation in future fiscal years. A new method, approved by the Office of Budget and Management, is to be implemented in FY 2007.

Requires the General Assembly to develop by January 15, 2006 a plan to provide itemized appropriations to the BOR for medical support programs for FY 2007.

Requires the BOR to study and propose by November 15, 2006 a new formula to allocate appropriations for clinical teaching support for FY 2008 and FY 2009.

Same as the Senate.

Makes the following earmarks under GRF appropriation item 235-560, Clinical Teaching Support:

Makes the following earmarks under GRF appropriation item 235-560, Medical Support:

Makes the following changes to the earmarks under GRF appropriation item 235-560, Clinical Teaching Support:

Makes the following changes to the earmarks under GRF appropriation item 235-560, Clinical Teaching Support:

(1) Earmarks \$13,565,885 for FY 2006 for The Ohio State University.

(1) Same as the Executive.

(1) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-536, The Ohio State University Clinical Teaching, in both FY 2006 and FY 2007.

(1) Same as the Senate.

(2) Earmarks \$11,157,756 for FY 2006 for the University of Cincinnati.

(2) Same as the Executive.

(2) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-537, University of Cincinnati Clinical Teaching, in both FY 2006 and FY 2007.

(2) Same as the Senate.

(3) Earmarks \$8,696,866 for FY 2006 for the Medical University of Ohio at Toledo.

(3) Same as the Executive.

(3) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-538, Medical University of Ohio at Toledo Clinical Teaching, in both FY 2006 and FY 2007.

(3) Same as the Senate.

(4) Earmarks \$4,225,107 for FY 2006 for Wright State University, with \$124,644 of

(4) Same as the Executive.

(4) Same as the Executive, but appropriates the same amount under GRF appropriation

(4) Same as the Senate.

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

that amount to be used for the University's Ellis Institute for Clinical Teaching Studies to operate the clinical facility to serve the Greater Dayton Area.

item 235-539, Wright State University Clinical Teaching, in both FY 2006 and FY 2007. Earmarks \$124,644 in each fiscal year for the University's Ellis Institute for Clinical Teaching Studies to operate the clinical facility to serve the Greater Dayton Area.

(5) Earmarks \$4,084,540 for FY 2006 for Ohio University.

(5) Same as the Executive.

(5) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-540, Ohio University Clinical Teaching, in both FY 2006 and FY 2007.

(5) Same as the Senate.

(6) Earmarks \$4,200,945 for FY 2006 for the Northeastern Ohio Universities College of Medicine.

(6) Same as the Executive.

(6) Same as the Executive, but appropriates the same amount under GRF appropriation item 235-541, Northeastern Ohio Universities College of Medicine Clinical Teaching, in both FY 2006 and FY 2007.

(6) Same as the Senate.

**930 (CD-1349-BOR) School of International Business**

**Section: 209.64.23**

**Section: 209.64.23**

No provision.

No provision.

Requires GRF appropriation item 235-547, School of International Business, to be used for the continued development and support of the School of International Business at the University of Akron.

Same as the Senate by earmarking \$250,000 in each fiscal year for the School of International Business at the University of Akron, but also earmarks \$100,000 in each fiscal year for the University of Toledo College of Business for expansion of its international business programs, and earmarks \$100,000 in each fiscal year for the Ohio State University BioMEMS program.

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate | As Amended by Conference Committee |
|---|------------------------|-------------------------|------------------------------------|
| 931 (CD-131-BOR) Part-time Student Instructional Grants   |                        |                         |                                    |
| Section: 209.64.24  | Section: 209.64.24     | Section: 209.64.24      | Section: 209.64.24                 |
| Requires that GRF appropriation item 235-549, Part-time Student Instructional Grants, be used to support a grant program for part-time undergraduate students who are Ohio residents and who were enrolled in degree-granting programs prior to academic year 2006-2007.  | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |
| 932 (CD-132-BOR) Capital Component  |                        |                         |                                    |
| Section: 209.64.27  | Section: 209.64.27     | Section: 209.64.27      | Section: 209.64.27                 |
| Requires the BOR to distribute funds under GRF appropriation item 235-552, Capital Component, to each campus for which the estimated campus debt service attributable to new qualifying capital projects is less than the campus's formula-determined capital component allocation. The amount of each campus' payment is determined by subtracting the former amount from the latter. The campuses may use these payments only for capital projects.<br>Requires the BOR to subtract from a campus's State Share of Instruction allocation in each fiscal year the amount by which the estimated campus debt service attributable to new qualifying capital projects exceeds the campus's formula-determined | Same as the Executive. | Same as the Executive.  | Same as the Executive.             |



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

capital component allocation. The funds so subtracted are to be transferred to this appropriation item from GRF appropriation item 235-501, State Share of Instruction.

**933 (CD-133-BOR) Dayton Area Graduate Studies Institute**

Section: 209.64.30

Section: 209.64.30

Section: 209.64.30

Section: 209.64.30

Requires the BOR to use GRF appropriation item 235-553, Dayton Area Graduate Studies Institute, for support of the Institute, which is an engineering consortium of Wright State University, the University of Dayton, and the Air Force Institute of Technology, with the participation of the University of Cincinnati and The Ohio State University.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Earmarks \$417,053 in each fiscal year for the Miami Valley Economic Development Research Corporation to support collaborative research between academia, industry, and the Air Force for the Wright Brothers Institute and related initiatives in nanomaterials and advanced data management and analysis.

Same as the Executive.

Reduces the earmark amount to \$350,000 and changes the purpose of the earmark by requiring the funds be used by the Development Research Corporation to support collaborative research and technology commercialization initiatives in Ohio.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**934 (CD-134-BOR) Priorities in Collaborative Graduate Education**

Section: 209.64.33

Section: 209.64.33

Section: 209.64.33

Section: 209.64.33

Requires the BOR to use GRF appropriation item 235-554, Priorities in Collaborative Graduate Education, to support improvements in state-assisted universities' graduate programs that the BOR identifies as vital to the state's economic strategy. Earmarks up to \$169,782 in each fiscal year to support collaborative efforts in graduate education in the above area.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**935 (CD-135-BOR) Ohio Academic Resources Network (OARNet)**

Section: 209.64.36

Section: 209.64.36

Section: 209.64.36

Section: 209.64.36

Requires that GRF appropriation item 235-556, Ohio Academic Resources Network, be used to support the operations of the OARNet, including support for Ohio's state-assisted colleges and universities in maintaining and enhancing network connections. Requires the OARNet to give priority to supporting the Third Frontier Network and allocating bandwidth to programs directly supporting Ohio's economic development.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 936 (CD-136-BOR) Long-term Care Research

Section: 209.64.39

Sections: 209.64.39, 209.64.42

Section: 209.64.39

Section: 209.64.39

Requires that GRF appropriation item 235-558, Long-term Care Research, be disbursed to Miami University for long-term care research.

Same as the Executive in FY 2006, but funding is consolidated into GRF appropriation item 235-560, Medical Support, in FY 2007. The distribution of the funds is to be determined by a new formula to be developed by the General Assembly by January 15, 2006. (See also the item entitled "Clinical Teaching Support / Medical Support" under the BOR.)

Same as the Executive.

Same as the Executive.

## 937 (CD-138-BOR) Bowling Green State University Canadian Studies Center

Section: 209.64.45

Section: 209.64.45

Section: 209.64.45

Section: 209.64.45

Requires GRF appropriation item 235-561, Bowling Green State University Canadian Studies Center, to be used by the Center to study opportunities for Ohio and Ohio businesses to benefit from the Free Trade Agreement between the United States and Canada.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

**938 (CD-140-BOR) Ohio College Opportunity Grant**Section: **209.64.51**Section: **209.64.51**Section: **209.64.51**Section: **209.64.51**

Requires the BOR to use GRF appropriation item 235-563, Ohio College Opportunity Grant, to begin in FY 2007 to award needs-based financial aid to students who enroll in an institution of higher education for the first time (excluding early college high school and post-secondary enrollment option participants) in academic year 2006-2007 based on each student's Expected Family Contribution (EFC) as calculated by the United States Department of Education, and the tables under section 3333.122 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**939 (CD-141-BOR) The Ohio State University Clinic Support**Section: **209.64.54**Section: **209.64.54**Section: **209.64.54**Section: **209.64.54**

Directs the BOR to distribute the funds under GRF appropriation item 235-572, The Ohio State University Clinic Support, to The Ohio State University for support of the dental and veterinary medicine clinics.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|---|---|---|---|
| <p>940 (CD-142-BOR) Urban University Program</p>  |   |   |   |
| <p>Section: 209.64.57</p>   | <p>Section: 209.64.57</p>   | <p>Section: 209.64.57</p>   | <p>Section: 209.64.57</p>   |
| <p>Requires universities receiving funds under GRF appropriation item 235-583, Urban University Programs, to certify periodically in a manner approved by the BOR that program funds are being matched on a one-to-one basis with equivalent resources. Prohibits overhead support from being used to meet this requirement. Matching funds must come from continuing rather than one-time sources.</p> | <p>Same as the Executive.</p>   | <p>Same as the Executive, but changes the name of the appropriation item to Urban University Program.</p>           | <p>Same as the Senate.</p>  |
| <p>Makes the following earmarks under GRF appropriation item 235-583, Urban University Programs:</p>  | <p>Makes the following changes to the earmarks under GRF appropriation item 235-583, Urban University Programs:</p> | <p>Makes the following changes to the earmarks under GRF appropriation item 235-583, Urban University Programs:</p> | <p>Makes the following changes to the earmarks under GRF appropriation item 235-583, Urban University Programs:</p> |
| <p>(1) Earmarks \$247,453 in each fiscal year to support a public communication outreach program (WCPN).</p>  | <p>(1) Same as the Executive.</p>   | <p>(1) Same as the Executive.</p>   | <p>(1) Same as the Executive.</p>   |
| <p>(2) Earmarks \$117,215 in each fiscal year to support the Center for the Interdisciplinary Study of Education and the Urban Child at Cleveland State University.</p>   | <p>(2) Same as the Executive.</p>   | <p>(2) Same as the Executive.</p>   | <p>(2) Same as the Executive.</p>   |
| <p>(3) Earmarks \$169,310 in each fiscal year to support the Kent State University Learning and Technology Project.</p>   | <p>(3) Same as the Executive.</p>   | <p>(3) Same as the Executive.</p>   | <p>(3) Same as the Executive.</p>   |
| <p>(4) Earmarks \$65,119 in each fiscal year to support the Ameritech Classroom/Center for Research at Kent State University.</p>   | <p>(4) Same as the Executive.</p>   | <p>(4) Same as the Executive.</p>   | <p>(4) Same as the Executive.</p>   |
| <p>(5) Earmarks \$651,192 in each fiscal year to support the Polymer Distance Learning Project at the University of Akron.</p>  | <p>(5) Same as the Executive.</p>   | <p>(5) Increases the earmark to \$723,547 in each fiscal year.</p>  | <p>(5) Same as the Senate.</p>  |

| As Introduced (Executive)  | As Passed by the House                                       | As Passed by the Senate                                     | As Amended by Conference Committee |
|--|--|---|------------------------------------|
| (6) Earmarks \$32,560 in each fiscal year to support the Kent State University/Cleveland Design Center program.  | (6) Same as the Executive.                                   | (6) Same as the Executive.                                  | (6) Same as the Executive.         |
| (7) Earmarks \$162,797 in each fiscal year to support the Bliss Institute of Applied Politics at the University of Akron.  | (7) Same as the Executive.                                   | (7) Increases the earmark to \$180,886 in each fiscal year. | (7) Same as the Senate.            |
| (8) Earmarks \$9,766 in each fiscal year to support the Advancing-Up Program at the University of Akron.   | (8) Same as the Executive.                                   | (8) Increases the earmark to \$10,851 in each fiscal year.  | (8) Same as the Senate.            |
| (9) Earmarks \$1,433,037 in each fiscal year to Cleveland State University to support the Maxine Goodman Levin College of Urban Affairs.   | (9) Same as the Executive.                                   | (9) Same as the Executive.                                  | (9) Same as the Executive.         |
| (10) Earmarks \$1,433,037 in each fiscal year for the Northeast Ohio Research Consortium, the Urban Linkages Program, and the Urban Research Technical Assistance Grant Program. The distribution among the three programs will be made by the chairman of the Urban University Program. | (10) Same as the Executive.                                  | (10) Same as the Executive.                                 | (10) Same as the Executive.        |
| (11) Earmarks \$139,777 in each fiscal year to support the Strategic Economic Research Collaborative at the University of Toledo Urban Affairs Center.   | (11) Same as the Executive.                                  | (11) Same as the Executive.                                 | (11) Same as the Executive.        |
| (12) Earmarks \$139,777 in each fiscal year to support the Institute for Collaborative Research and Public Humanities at The Ohio State University.  | (12) Same as the Executive.                                  | (12) Same as the Executive.                                 | (12) Same as the Executive.        |
| (13) Earmarks \$84,368 in each fiscal year to support the Medina County University Center.   | (13) Increases the earmark to \$300,368 in each fiscal year. | (13) Same as the House.                                     | (13) Same as the House.            |

| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|--|--|--|--|
| <p>941 (CD-143-BOR) Rural University Projects</p>  |  |  |  |
| <p>Section: 209.64.60</p>  | <p>Section: 209.64.60</p>  | <p>Section: 209.64.60</p>  | <p>Section: 209.64.60</p>  |
| <p>Makes the following earmarks under GRF appropriation item 235-587, Rural University Projects:</p> <p>(1) Earmarks \$237,405 in each fiscal year for Bowling Green State University to support the Center for Policy Analysis and Public Service.</p> <p>(2) Earmarks \$220,788 in each fiscal year for Miami University to support the Center for Public Management and Regional Affairs.</p> <p>(3) Earmarks \$517,513 in each fiscal year for Ohio University to support the Institute for Local Government Administration and Rural Development (ILGARD). A small portion of these funds is to be used for the ILGARD State and Rural Policy Partnership with the Governor's Office of Appalachia and the Appalachian Delegation of the General Assembly.</p> <p>(4) Earmarks \$14,348 in each fiscal year to support the Washington State Community College day-care center.</p> <p>(5) Earmarks \$43,046 in each fiscal year to support the COAD/ILGARD/GOA Appalachian Leadership Initiative.</p> | <p>Makes the following earmarks under GRF appropriation item 235-587, Rural University Projects:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the Executive.</p> <p>(5) Same as the Executive.</p> | <p>Makes the following changes to the earmarks under GRF appropriation item 235-587, Rural University Projects:</p> <p>(1) Increases the earmark to \$263,783 in each fiscal year.</p> <p>(2) Increases the earmark to \$245,320 in each fiscal year.</p> <p>(3) Increases the earmark to \$575,015 in each fiscal year.</p> <p>(4) Increases the earmark to \$15,942 in each fiscal year.</p> <p>(5) Increases the earmark to \$47,829 in each fiscal year.</p> | <p>Makes the following changes to the earmarks under GRF appropriation item 235-587, Rural University Projects:</p> <p>(1) Same as the Senate.</p> <p>(2) Same as the Senate.</p> <p>(3) Same as the Senate.</p> <p>(4) Same as the Senate.</p> <p>(5) Same as the Senate.</p> |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

942 (CD-144-BOR) Hazardous Materials Program

Section: 209.64.63

Section: 209.64.63

Section: 209.64.63

Section: 209.64.63

Requires that GRF appropriation item 235-596, Hazardous Materials Program, be disbursed to Cleveland State University for the operation of a program to certify firefighters for the handling of hazardous materials.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Earmarks \$127,337 in each fiscal year to support the Center for the Interdisciplinary Study of Education and Leadership in Public Service at Cleveland State University.

Same as the Executive.

Increases the earmark to \$177,337 in each fiscal year.

Same as the Senate.

943 (CD-145-BOR) National Guard Scholarship Program

Section: 209.64.66

Section: 209.64.66

Sections: 209.64.66, R.C. 5919.341

Sections: 209.64.66, R.C. 5919.341

Requires the BOR to disburse funds under GRF appropriation item 235-599, National Guard Scholarship Program, at the direction of the Adjutant General.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires the unencumbered balance of the appropriation will be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM) for use under appropriation item 235-623, National Guard Scholarship Reserve Fund. Upon the request of the Adjutant General, the BOR is to seek Controlling Board approval to establish appropriations in item 235-623, National Guard Scholarship Reserve Fund.

Same as the Executive.

Modifies the Executive provision to allow, rather than require, the unencumbered balance of GRF appropriation item 235-599, National Guard Scholarship Program, at the end of each fiscal year to be transferred to the National Guard Scholarship Reserve Fund (Fund 5BM) and clarifies that the BOR is to disburse the funds under appropriation item 235-623, National Guard Scholarship Reserve Fund, at the direction of the

Same as the Senate, but also allows the Director of Budget and Management to transfer from the GRF to the National Guard Scholarship Reserve Fund (Fund 5BM) an amount equal to the canceled prior year encumbrances in GRF appropriation item 235-599, National Guard Scholarship Program.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Adjutant General.

**944 (CD-146-BOR) Pledge of Fees**

Section: 209.64.69

Section: 209.64.69

Section: 209.64.69

Section: 209.64.69

Provides that any new pledge or adjustment of fees made in the biennium to secure bonds or notes of a state-assisted institution of higher education for a project for which bonds or notes were not outstanding on the effective date of this section will be effective only after approval by the BOR, unless approved in a previous biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**945 (CD-147-BOR) Higher Education General Obligation Debt Service**

Section: 209.64.72

Section: 209.64.72

Section: 209.64.72

Section: 209.64.72

Requires the funds under GRF appropriation item 235-909, Higher Education General Obligation Debt Service, to be used to pay all debt service and related financing costs at the required times during the biennium. The payments will be effectuated by the Office of the Sinking Fund or the Director of Budget and Management.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

946 (CD-148-BOR) Sales and Services

Section: 209.64.75

Section: 209.64.75

Section: 209.64.75

Section: 209.64.75

Authorizes the BOR to charge and accept payment for the provision of goods and services. Such charges are to be reasonably related to the cost of producing the goods and services, though no charges are to be levied for goods or services that are produced as part of the routine responsibilities or duties of the BOR. All revenues received are to be deposited into Fund 456 and may be used by the BOR to pay for the costs of producing the goods and services.

Same as the Executive.

Same as the Executive.

Same as the Executive.

947 (CD-149-BOR) Ohio Higher Educational Facility Commission Support

Section: 209.64.75

Section: 209.64.76

Section: 209.64.76

Section: 209.64.76

Authorizes the BOR to use the funds under appropriation item 235-602, Higher Educational Facility Commission Administration, of the state special revenue fund group (Fund 4E8) for operating expenses related to its support of the activities of the Ohio Higher Educational Facility Commission.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires the Director of Budget and Management to transfer up to \$55,000 from Fund 461 to Fund 4E8 in each fiscal year. Fiscal effect: The transfer will allow the

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

BOR to hire one staff person to manage the administrative duties of the Higher Educational Facility Commission. (See also the item entitled "Fund Transfer" under the Higher Educational Facility Commission)

**948 (CD-150-BOR) Physician Loan Repayment**

Section: 209.64.78

Section: 209.64.78

Section: 209.64.78

Section: 209.64.78

Provides for the funds under appropriation item 235-604, Physician Loan Repayment, of the state special revenue fund group (Fund 4P4) to be used in accordance with sections 3702.71 to 3702.81 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**949 (CD-151-BOR) Nursing Loan Program**

Section: 209.64.81

Section: 209.64.81

Section: 209.64.81

Section: 209.64.81

Requires that appropriation item 235-606, Nursing Loan Program, of the state special revenue fund group (Fund 682) be used to support the administration of the Nurse Education Assistance Program.

Earmarks up to \$159,600 in FY 2006 and \$167,580 in FY 2007 for operating expenses associated with the program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

950 (CD-152-BOR) Science and Technology Collaboration

Section: 209.64.84

Section: 209.64.84

Section: 209.64.84

Section: 209.64.84

Requires the BOR to collaborate with the Department of Development, the Air Quality Development Authority, and the Third Frontier Commission in relation to appropriation items and programs referred to as Alignment Programs and other technology-related programs in those agencies, to ensure implementation of a coherent state strategy with respect to science and technology.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires the Third Frontier Commission to conduct annual reviews of each of the alignment programs, which include the following appropriation items:

Requires the Third Frontier Commission to conduct annual reviews of each of the alignment programs, which include the following appropriation items:

Requires the Third Frontier Commission to conduct annual reviews of each of the alignment programs, which include the following appropriation items:

Requires the Third Frontier Commission to conduct annual reviews of each of the alignment programs, which include the following appropriation items:

(1) GRF appropriation item 195-401, Thomas Edison Program, under the Department of Development;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) GRF appropriation item 898-402, Coal Development Office, under the Air Quality Development Authority;

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) GRF appropriation item 195-422, Third Frontier Action Fund, under the Department of Development;

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Appropriation item 898-604, Coal Research and Development Fund, in the Coal Development/Research Fund (Fund 046) under the Air Quality Development Authority;

(4) Same as the Executive.

(4) Same as the Executive.

(4) Same as the Executive.

| As Introduced (Executive)   | As Passed by the House      | As Passed by the Senate     | As Amended by Conference Committee |
|---|-----------------------------|-----------------------------|------------------------------------|
| (5) GRF appropriation item 235-433, Economic Growth Challenge, under the BOR;   | (5) Same as the Executive.  | (5) Same as the Executive.  | (5) Same as the Executive.         |
| (6) GRF appropriation item 235-451, Eminent Scholars, under the BOR;  | (6) Same as the Executive.  | (6) Same as the Executive.  | (6) Same as the Executive.         |
| (7) GRF appropriation item 235-508, Air Force Institute of Technology, under the BOR;   | (7) Same as the Executive.  | (7) Same as the Executive.  | (7) Same as the Executive.         |
| (8) GRF appropriation item 235-510, Ohio Supercomputer Center, under the BOR;   | (8) Same as the Executive.  | (8) Same as the Executive.  | (8) Same as the Executive.         |
| (9) GRF appropriation item 235-527, Ohio Aerospace Institute, under the BOR;  | (9) Same as the Executive.  | (9) Same as the Executive.  | (9) Same as the Executive.         |
| (10) GRF appropriation item 235-535, Ohio Agricultural Research and Development Center, under the BOR;  | (10) Same as the Executive. | (10) Same as the Executive. | (10) Same as the Executive.        |
| (11) GRF appropriation item 235-553, Dayton Area Graduate Studies Institute, under the BOR;   | (11) Same as the Executive. | (11) Same as the Executive. | (11) Same as the Executive.        |
| (12) GRF appropriation item 235-554, Priorities in Collaborative Graduate Education, under the BOR;   | (12) Same as the Executive. | (12) Same as the Executive. | (12) Same as the Executive.        |
| (13) GRF appropriation item 235-556, Ohio Academic Resources Network, under the BOR; and  | (13) Same as the Executive. | (13) Same as the Executive. | (13) Same as the Executive.        |
| (14) Appropriation item 195-435, Biomedical Research and Technology Transfer Trust, in the tobacco master settlement agreement fund group (Fund M87) under the Department of Development. | (14) Same as the Executive. | (14) Same as the Executive. | (14) Same as the Executive.        |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 951 (CD-153-BOR) Repayment of Research Facility Investment Fund Moneys

Section: 209.64.87

Section: 209.64.87

Section: 209.64.87

Section: 209.64.87

Requires all repayments of Research Facility Investment Fund loans to be made to the Bond Service Trust Fund. Campuses are to make timely repayments of these loans according to a schedule established by the BOR.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 952 (CD-154-BOR) Veterans' Preferences

Section: 209.64.90

Section: 209.64.90

Section: 209.64.90

Section: 209.64.90

Requires the BOR to work with the Governor's Office of Veterans' Affairs to develop specific veterans' preference guidelines for higher education institutions' hiring practices.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

953 (CD-155-BOR) State Need-based Financial Aid Reconciliation

Section: 209.64.93

Section: 209.64.93

Section: 209.64.93

Section: 209.64.93

Requires the BOR, on or soon after August 1 in each fiscal year, to certify to the Director of Budget and Management the amount necessary to pay any outstanding prior-year obligations to higher education institutions for the state's need-based financial aid programs. The amounts certified are paid from funds in the State Need-based Financial Aid Reconciliation Fund (Fund 5Y5) through appropriation item 235-618, State Need-based Financial Aid Reconciliation.

Same as the Executive.

Same as the Executive.

Same as the Executive.

954 (CD-1180-BOR) Study on Distributing SSI Funds Based on Campus Administrative and Operational Efficiency

Section: 209.64.96

Section: 209.64.96

No provision.

No provision.

Requires the BOR to conduct a study on the feasibility of distributing a portion of GRF appropriation item 235-501, State Share of Instruction, based on campus administrative and operational efficiency and requires the BOR to submit the results of the study to the General Assembly not later than September 15, 2006.

Same as the Senate, but requires the results to be submitted to the Higher Education Funding Study Council by April 15, 2006.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 955 (CD-1181-BOR) Study on Distributing SSI Funds Based on the Number of Degrees and Certificates Awarded

Section: 209.64.99

Section: 209.64.99

No provision.

No provision.

Requires the BOR to conduct a study on the feasibility of distributing a portion of GRF appropriation item 235-501, State Share of Instruction, based on the number of Ohioans who are awarded certificates or associate, baccalaureate, master's, or doctoral degrees and requires the BOR to submit the results of the study to the General Assembly not later than September 15, 2006.

Same as the Senate, but requires the results to be submitted to the Higher Education Funding Study Council by April 15, 2006.

## 956 (CD-1182-BOR) Study on Providing Incentives for Certificates and Associate Degrees

Section: 209.65.03

Section: 209.65.03

No provision.

No provision.

Requires the BOR to conduct a study in consultation with representatives from the higher education community on the feasibility of devising a performance-based grant, modeled on the Success Challenge, to provide incentives to public two-year campuses based on the number and proportion of Ohio students who receive certificates or associate degrees, and requires the results of the study to be submitted to the General Assembly not later than September 15, 2006.

Same as the Senate, but requires the results to be submitted to the Higher Education Funding Study Council by April 15, 2006, and includes consideration of students who transfer to a four-year institution of higher education when devising the incentives under the study.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

957 (CD-865-BOR) Capital Appropriation Item Transfer

Section: 401.05

Section: 401.05

Section: 401.05

No provision.

Amends the capital bill, Am. Sub. H.B. 16 of the 126th General Assembly, to remove capital appropriation item CAP-130, WVIZ Technology Center/Playhouse Square, in the amount of \$750,000, from the capital budget of Cleveland State University and place it in the capital budget of Cuyahoga Community College.

Same as the House.

Same as the House.

958 (CD-866-BOR) Capital Appropriation Item Transfer

Section: 401.05

Section: 401.05

Section: 401.05

No provision.

Amends the capital bill, Am. Sub. H.B. 16 of the 126th General Assembly, to remove capital appropriation item CAP-895, Blossom Music Center, in the amount of \$2,512,500, from the capital budget of the Cultural Facilities Commission and place it in the capital budget of Kent State University.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

959 (CD-1422-BOR) Montgomery County Port Authority

Section: 401.05

No provision.

No provision.

No provision.

Amends the capital bill, Am. Sub. H.B. 16 of the 126th General Assembly, to establish capital appropriation item CAP-132, Montgomery County Port Authority, within Wright State University in the amount of \$1,000,000; and requires Wright State University to seek the Controlling Board's approval to release this funding within 90 days after the effective date of this amendment.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

960 (CD-1093-DRC) Private Operation of State or Local Correctional Facility - Amount of Savings to be Realized

R.C. 9.06

No provision.

Changes the existing 5% cost savings criterion such that in any contracts for the private operation and management of a state or local facility entered into or renewed on or after the bill's effective date, the contractor must convincingly demonstrate that it can realize at least a 10% savings over the projected cost to the government entity of providing the same services to operate the subject facility.

Fiscal effect: This provision would not produce any immediate savings to the Department of Rehabilitation and Correction, as both of its privatized correctional institutions are currently operating at a 17% savings over the projected cost to the Department of providing the same services to operate each of those subject facilities. The precise magnitude of any savings that a county or municipal corporation operating a local correctional facility may realize as a result of this increase in the amount of savings to be realized for the private operation and management of a correctional facility is uncertain at this time.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

961 (CD-1272-DRC) Payments for Medical Care of Inmates of State Correctional Institutions

R.C. 341.192

R.C. 341.192

No provision.

No provision.

Requires that a medical provider that is not under contract to the Department of Rehabilitation and Correction and that provides necessary care to a person who is confined in a state correctional institution or in the custody of a law enforcement officer before confinement be paid at the Medicaid reimbursement rate.

Same as the Senate.

Fiscal effect: Medicaid reimbursement rates are generally lower than the going market rate for medical care. Presumably then, as a result of this provision, the medical care expenditures of the Department and local law enforcement may be reduced from what those costs might otherwise have been under current law and practice. As of this writing, the annual magnitude of that potential reduction in medical care expenditures for the Department or any affected local criminal justice system is uncertain.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

962 (CD-1273-DRC) Active Global Positioning System Monitoring of Sexually Violent Predators

R.C. 2743.191, 2971.05, and Section 209.69

R.C. 2743.191, 2971.05, and Section 209.69

No provision.

No provision.

Provides that a sexually violent predator who has been released from prison must be supervised by the Adult Parole Authority with an active global positioning system device for the sexually violent predator's entire life, unless the court removes that classification from the offender, provides that the cost of administering the supervision is to be paid out of funds from the Reparations Fund (Fund 402), transfers cash totaling \$100,000 in FY 2006 and \$75,000 in FY 2007 from the Attorney General's Reparations Fund (Fund 402) to the Department of Rehabilitation and Correction's Sex Offender Supervision Fund (Fund 5CL), appropriates those amounts in each fiscal year to non-GRF appropriation item 501-616, Sex Offender Supervision, stipulates that those appropriated amounts are for the purpose of paying for the costs incurred by the Adult Parole Authority (APA) in supervising sexually violent predators released from prison as required by section 2971.05 of the Revised Code, and requires the Director of Budget and Management to transfer any unexpended, unencumbered cash at the end of each fiscal year back to the Reparations Fund (Fund 402).

Same as the Senate.

Fiscal effect: Based on information provided by the Department, LSC fiscal staff estimates that the appropriated amounts will

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

be sufficient to cover the APA's costs of supervising up to 10 sexually violent predators that could be released from prison over the course of the next biennium.

963 (CD-959-DRC) Medical Hardship Releases and Medical Hardship Prisoner Release Commission

R.C. *RC 2929.13, 2929.14, 2967.13, 2967.24, 5120.16, 5120.48*

(1) No provision.

(1) Establishes within the Office of the Governor, the Medical Hardship Prisoner Release Commission, consisting of three members appointed by the Governor who serve without compensation, but are to be reimbursed for actual and necessary expenses incurred in the performance of their official duties.

(1) No provision.

(1) No provision.

(2) No provision.

(2) Authorizes the Director of Rehabilitation and Correction to file a request with the Commission asking that it approve the release of specified, non-death row, prisoners confined in a state prison, because of a "medical hardship" (and requires the Department by rule to specify the medical hardships for a potential release).

(2) No provision.

(2) No provision.

(3) No provision.

(3) Requires the Commission to promptly review such a request, make a determination as to whether the request is approved or denied, and notify the Director; specifies that an approval of the request authorizes the Department to release the prisoner, a denial of the request prohibits the release, and a subsequent request may be filed at any time after a denial.

(3) No provision.

(3) No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(4) No provision.

(4) Provides that, if the Department grants a medical hardship release to a prisoner: the prisoner is to be released from imprisonment as if the prisoner's stated prison term had expired; the prisoner is subject to a period of post-release control of up to three years after the release, during which time the prisoner is subject to one or more post-release control sanctions imposed by the Department; and existing procedures regarding violations of the sanctions and the final release of prisoners who are under a post-release control apply to the prisoner.

Fiscal effect: It seems likely that the cost of reimbursing Commission members for their actual and necessary expenses would be minimal annually, if that. Theoretically, if a prisoner receives a medical hardship release, the Department realizes some incarceration savings, including expenses related to the provision of inmate medical care.

(4) No provision.

(4) No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

964 (CD-1275-DRC) Consolidated Prescription Drug Purchasing Program

Section: 209.06.15

Section: 209.06.15

No provision.

No provision.

Requires the Department of Mental Health, with the Bureau of Workers' Compensation, the Department of Rehabilitation and Correction, the Department of Youth Services, and any other state or local government agency other than the Department of Job and Family Services, for purposes of the Medicaid program, that purchases prescription drugs, to do the following:

Same as the Senate.

(1) No provision.

(1) No provision.

(1) Study intrastate consolidated prescription drug purchasing systems currently in effect in other states;

(1) Same as the Senate.

(2) No provision.

(2) No provision.

(2) Estimate potential cost-savings and other advantages, as well as any potential disadvantages, that might result if Ohio were to consolidate its executive agencies' prescription drug purchases under a prescription drug-purchasing program;

(2) Same as the Senate.

(3) No provision.

(3) No provision.

(3) Design a consolidated prescription drug-purchasing program appropriate to the prescription drug purchasing needs of the state; and

(3) Same as the Senate.

(4) No provision.

(4) No provision.

(4) Submit a written report of its findings, including an analysis of any costs Ohio may incur in creating a consolidated prescription drug purchasing program, to certain parties not later than January 1, 2006.

(4) Same as the Senate.

Fiscal effect: Presumably, the Department of Rehabilitation and Correction will incur some



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

additional one-time operating costs associated with its participation in this study. The nature of their participation in such a study, and the magnitude of any such one-time expenses, are unclear at this time.

(See the item entitled "Consolidated Prescription Drug Purchasing Program" in the Department of Youth Services, the Department of Mental Health, and the Bureau of Workers' Compensation)

965 (CD-796-DRC) Ohio Building Authority Lease Payments

Section: 209.69

Section: 209.69

Section: 209.69

Section: 209.69

Requires moneys appropriated to GRF appropriation item 501-406, Lease Rental Payments, be used for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance capital projects through the state's Adult Correctional Building Fund (Fund 027).

Same as the Executive.

Same as Executive.

Same as Executive.

Fiscal effect: This uncodified law provision continues existing practice with regard to the moneys appropriated to GRF appropriation item 501-406, Lease Rental Payments.

| As Introduced (Executive)  | As Passed by the House    | As Passed by the Senate   | As Amended by Conference Committee |
|--|---------------------------|---------------------------|------------------------------------|
| <p>966 (CD-797-DRC) Prisoner Compensation</p>  |                           |                           |                                    |
| <p>Section: 209.69</p>   | <p>Section: 209.69</p>    | <p>Section: 209.69</p>    | <p>Section: 209.69</p>             |
| <p>Requires moneys appropriated to GRF appropriation item 501-403, Prisoner Compensation, be transferred on a quarterly basis by intrastate transfer voucher (ISTV) to Fund 148 (non-GRF appropriation item 501-602, Services and Agricultural) for the purposes of paying prisoner compensation.</p>  | <p>Same as Executive.</p> | <p>Same as Executive.</p> | <p>Same as Executive.</p>          |
| <p>Fiscal effect: Although inmates are paid from non-GRF appropriation item 501-602, Services and Agricultural, for jobs performed while in prison, the actual money for these payments is transferred from GRF appropriation item 501-403, Prisoner Compensation. This uncodified law provision continues existing practice with regard to the moneys appropriated to appropriation item 501-403.</p> |                           |                           |                                    |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

967 (CD-1143-DRC) Correction Officer to Inmate Ratio

Section: 209.69

No provision.

Requires that a \$6.0 million total reduction in the original FY 2006 and FY 2007 recommended appropriation for GRF appropriation item 501-321, Institutional Operations, not affect the correction officer to inmate ratio.

Fiscal effect: To the extent that this reduction of \$6.0 million in institutional appropriations over the biennium requires corresponding reductions in prison operating expenses, such reductions would presumably involve non-security related personnel and programs.

No provision.

No provision.

968 (CD-1274-DRC) Location and Tracking Technology

Section: 209.69

No provision.

No provision.

Permits the Director of Rehabilitation and Correction to expend \$3.0 million in each fiscal year for the purchase, installation, and operation of location and tracking technology.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

969 (CD-1381-DRC) Halfway House Transfers

Section: 209.69

Section: 209.69

No provision.

No provision.

Requires the Department to seek Controlling Board approval for the transfer of at least \$500,000 per fiscal year from the Department's unexpended unobligated GRF appropriations in FYs 2006 and 2007 to GRF appropriation item 501-405, Halfway House, in order to support additional halfway house services.

Same as the Senate.

Fiscal effect: To the extent that unobligated and unexpended GRF appropriations are available for transfer by the Controlling Board, annual expenditures on halfway house services could increase by as much as \$500,000 or more per fiscal year from what those annual expenditure levels might otherwise have been absent the appropriations transfers.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

970 (CD-971-DRC) Correctional Faith-Based Initiatives Task Force

Section: 503.09

Section: 503.09

Section: 503.09

(1) No provision.

(1) Creates the 15-member Correctional Faith-Based Initiatives Task Force, which includes the Director of Rehabilitation and Correction, and requires it meet at least once a month.

(1) Same as the House, but increases from 15 to 17 the membership of the Correctional Faith-Based Initiatives Task Force, which the bill creates, by adding the Executive Director of the Division of Criminal Justice Services or the executive director's designee and a member appointed by the Director of Youth Services who has expertise or experience in the juvenile court system.

(1) Same as the Senate, but replaces the authority of the Minority Leader of the House of Representatives and the Minority Leader of the Senate to appoint one member each to the Correctional Faith-Based Initiatives Task Force with the authority of the Speaker of the House and the President of the Senate to appoint one member each after considering the recommendations of the minority leaders of the respective houses.

(2) No provision.

(2) Requires the Department of Rehabilitation and Correction provide the Task Force with a meeting room and secretarial assistance.

(2) Same as the House.

(2) Same as the House.

(3) No provision.

(3) Requires the Task Force study seamless faith-based solutions to problems in the correctional system.

(3) Same as the House.

(3) Same as the House.

(4) No provision.

(4) Requires the Task Force submit a written report and recommendations to certain parties within one year of the bill's enactment.

(4) Same as the House.

(4) Same as the House.

(5) No provision.

(5) Ceases the existence of the Task Force upon submitting its written report and recommendations.

(5) Same as the House.

(5) Same as the House.

Fiscal effect: It would appear that the services of the Task Force members themselves will not directly cost the state any money, and that the requirement that the Department of Rehabilitation and Correction provide the Task Force with a

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

meeting room and secretarial assistance in all likelihood can easily be absorbed into its daily operations with little, if any, noticeable cost. It is uncertain as to whether the Task Force will need or request research and technical services and support to be performed by the departmental staff of the state agencies whose directors would be appointed as members of the Task Force. That said, the potential one-time costs of procuring these other services and support, should such services and support be provided, would seem unlikely to exceed minimal. No discernible fiscal effect on state revenues. No discernible fiscal effect on the revenues and expenditures of political subdivisions.

(See the item entitled "Correctional Faith-Based Initiatives Task Force" in the Department of Youth Services)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

971 (CD-965-DRC) Conveyance of Real Estate in Athens County

Section: 506.03

Section: 506.03

Section: 506.03

No provision.

Authorizes the conveyance of specified state-owned real estate situated in the Village of Glouster, Trimble Township, Athens County to Hocking.Athens.Perry Community Action for the purchase price of one dollar. This is the site of an adult boot camp built by the Department of Rehabilitation and Correction, but never activated.

Fiscal effect: The state would gain the cash sum of one dollar, and there may also be additional savings, of unknown magnitude, to the Department in terms of maintenance and upkeep functions on the property that will no longer need to be performed by the state.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

972 (CD-996-RSC) Disability Determination Consolidation Study

Section: 206.66.46

Section: 206.66.46

Section: 206.66.46

No provision.

Requires the Department of Job and Family Services (ODJFS) to assess the feasibility of an interagency agreement with the Rehabilitation Services Commission whereby the Commission would perform disability determinations for certain programs and services offered by the Department or a county department of job and family services.

Replaces the House provision with a provision that requires state and local government entities actively engaged in providing programs or services for which disability is an eligibility requirement to conduct a study to consider the feasibility of an interagency agreement under which a government entity would perform disability determinations for all programs and services for which disability is an eligibility requirement offered in this state.

Same as the Senate.

Requires a written report of the study results to be prepared and submitted to the Speaker of the House and Senate President not later than six months after the bill's effective date.

Fiscal effect: Even though the responsibility for the assessment falls on ODJFS, it is presumed that ODJFS will seek input from RSC. To the extent that RSC provides input to ODJFS, RSC will experience an increase in administrative costs associated with this provision.

Fiscal effect: To the extent that RSC, ODJFS, and county departments of job and family services are involved in the study, they will experience an increase in administrative costs associated with this producing and distributing the report.

Fiscal effect: Same as the Senate.

(See the item entitled "Disability Determination Consolidation Study" in Job and Family Services)

(See the item entitled "Disability Determination Consolidation Study" in Job and Family Services)

(See the item entitled "Disability Determination Consolidation Study" in Job and Family Services)



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

973 (CD-622-RSC) Independent Living Council

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

Requires that GRF appropriation item 415-402, Independent Living Council, be used to fund the operations of the State Independent Living Council.

Same as the Executive.

Same as the Executive.

Same as the Executive.

974 (CD-559-RSC) Services to Mutually Eligible Clients

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

Requires that GRF appropriation items 415-403, Mental Health Services; 415-404, MR/DD Services; and 415-405, Vocational Rehabilitation/Job and Family Services, be used as state matching funds to provide vocational rehabilitation services to mutually eligible clients of RSC and the departments of Mental Health, Mental Retardation and Developmental Disabilities, and Job and Family Services. RSC is to provide each agency with reports on the number and status of mutually eligible clients and the status of the funds and expenditures for those clients.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)  | As Passed by the House        | As Passed by the Senate  | As Amended by Conference Committee |
|--|-------------------------------|--|------------------------------------|
| <p><b>975 (CD-560-RSC) Assistive Technology</b></p>  |                               |  |                                    |
| <p>Section: 209.72</p>   | <p>Section: 209.72</p>        | <p>Section: 209.72</p>   | <p>Section: 209.72</p>             |
| <p>Requires that GRF appropriation item 415-406, Assistive Technology, be provided to Assistive Technology of Ohio and is to be used only to provide grants under that program. No amount of the appropriation may be used for administrative costs.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>      |
| <p><b>976 (CD-572-RSC) Office for People with Brain Injury</b></p>   |                               |  |                                    |
| <p>Section: 209.72</p>   | <p>Section: 209.72</p>        | <p>Section: 209.72</p>   | <p>Section: 209.72</p>             |
| <p>Earmarks \$50,000 in each fiscal year in GRF appropriation item 415-431, Office for People with Brain Injury, for the state match for a federal grant awarded through the Traumatic Brain Injury Act, Pub. L. No. 104-166. In addition, up to \$50,000 in each fiscal year is to be provided to the Brain Injury Trust Fund. The remaining appropriations are to be used to plan and coordinate head injury-related services provided by state agencies and other government or private entities, to assess the needs and set priorities for such services.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive, but specifies that the earmark for the state match for a federal grant awarded through the Traumatic Brain Injury Act is an amount "up to" \$50,000.</p> | <p>Same as the Senate.</p>         |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

977 (CD-574-RSC) Services for the Deaf

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

Requires that GRF appropriation item 415-508, Services for the Deaf, be used to supplement Social Security reimbursement funds used to provide grants to community centers for the deaf. These funds are not to be used in lieu of Social Security reimbursement funds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

978 (CD-561-RSC) Services for the Elderly

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

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

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

979 (CD-575-RSC) Independent Living Services

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

Requires that GRF appropriation items 415-520, Independent Living Services, and 415-612, Federal-Independent Living Centers or Services, (Fund 3L1) in the federal special revenue fund group, be used to support state independent living centers or independent living services pursuant to Title VII of the federal Rehabilitation Act Amendments of 1992.

Same as the Executive.

Same as the Executive.

Same as the Executive.

980 (CD-576-RSC) Program Management Expenses

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

Requires that appropriation item 415-606, Program Management Expenses, (Fund 4W5) in the general services fund group, be used to support the administrative functions of the Commission related to the provision of vocational rehabilitation, disability determination services, and ancillary programs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| As Introduced (Executive)   | As Passed by the House        | As Passed by the Senate       | As Amended by Conference Committee |
|---|-------------------------------|-------------------------------|------------------------------------|
| <p>981 (CD-578-RSC) Independent Living/Vocational Rehabilitation Programs</p>   |                               |                               |                                    |
| <p>Section: 209.72</p>  | <p>Section: 209.72</p>        | <p>Section: 209.72</p>        | <p>Section: 209.72</p>             |
| <p>Requires that appropriation item 415-617, Independent Living/Vocational Rehabilitation Programs, (Fund 3L4) in the federal special revenue fund group, be used to support vocational rehabilitation programs, including, but not limited to, High Tech High Schools, training grants, and Brain Injury Grants.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>982 (CD-571-RSC) Social Security Reimbursement Funds</p>   |                               |                               |                                    |
| <p>Section: 209.72</p>  | <p>Section: 209.72</p>        | <p>Section: 209.72</p>        | <p>Section: 209.72</p>             |
| <p>Requires that reimbursement funds received from the Social Security Administration, United States Department of Health and Human Services, for the costs of providing services and training to return disability recipients to gainful employment, be used as follows:</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Appropriation item 415-601, Social Security Personal Care Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |
| <p>Appropriation item 415-605, Social Security Community Centers for the Deaf, to provide grants to community centers for the deaf in Ohio for services to individuals with hearing impairments.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>      |

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

Appropriation item 415-607, Social Security Administration Cost, to provide administrative services needed to administer the Social Security reimbursement program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Appropriation item 415-608, Social Security Special Programs/Assistance, to provide vocational rehabilitation services to individuals with severe disabilities, who are Social Security beneficiaries, so they can achieve competitive employment. This appropriation item also includes funds to assist the Personal Care Assistance, Community Centers for the Deaf, and Independent Living programs to pay their share of indirect costs as required by federal mandate.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Appropriation item 415-610, Social Security Vocational Rehabilitation, to provide vocational rehabilitation services to older blind individuals with severe disabilities to achieve a noncompetitive employment goal.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

983 (CD-557-RSC) Pilot Program for Vocational Rehabilitation

Section: 209.72

Section: 209.72

Section: 209.72

Section: 209.72

During FYs 2006 and 2007, RSC is permitted to conduct a pilot program to provide vocational rehabilitation and related services to entities, employers, or individuals that are not eligible for state or federally supported services through RSC. Prior to commencement of the pilot program, RSC is to develop a program plan and propose fees to be collected from the entities, employers, or individuals served by the pilot program. During implementation of the pilot program, RSC is to investigate and determine the possibility of using this source of revenue to match federal funds. Fees collected are to be credited to Fund 468 (Third Party Funding). RSC must evaluate the progress of the pilot program and issue a report of its findings to the Governor by December 15, 2007, that is to include a recommendation on whether to continue or discontinue the pilot program during the FY 2008-2009 biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: RSC estimates that this pilot program will generate approximately \$100,500 the first year, \$162,900 the second year, and \$225,250 the third year. The Commission assumes that it may use this revenue to match federal dollars if additional funds are made available to Ohio.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

984 (CD-990-RSC) Consumer Advisory Committee

Section: 403.05

Section: 403.05

Section: 403.05

No provision.

Removes a duplicative agency listing for the Consumer Advisory Committee to the Rehabilitation Services Commission from the list of agencies that will be subject to review in the 128th General Assembly under the Sunset Review Committee Law and whose existence was recently extended to December 31, 2010, by Section 4 of Am. Sub. H.B. 516 of the 125th General Assembly.

Same as the House.

Same as the House.

Fiscal effect: None.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

985 (CD-698-RCB) Convenience Fees for Electronically Renewing a License

R.C. 4761.07

Authorizes the Respiratory Care Board to charge convenience fees for renewing a license or limited permit electronically by credit card. The fee is not to exceed the cost of the processing fee charged by the state's credit card processor.

Fiscal effect: The Board will realize a gain in revenues equal to any increase in expenditures.

No provision.

No provision.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 986 (CD-593-RCB) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Respiratory Care Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

987 (CD-1341-RET) Office of Information Technology

R.C. 125.18

R.C. 125.18

No provision.

No provision.

Expands the list of state governmental bodies that would not be included within the jurisdiction of the proposed Office of Information Technology within the Department of Administrative Services to include the five state retirement systems. Also see subject item " Office of Information Technology" in DAS.  
Fiscal effect: None.

Same as the Senate, but grants the Office the same authority DAS has for purchases of supplies and services, to be used by the Office only for the purchase of information technology supplies and services for state agencies. Also see subject item " Office of Information Technology" in DAS.  
Fiscal effect: None.

988 (CD-1097-RET) Municipal Public Safety Directors - Includes PERS - LE

R.C. 145.01, 145.33

R.C. 145.01, 145.33, Section 569.12

No provision.

Includes municipal public safety directors in the law enforcement division of the Public Employees Retirement System (PERS-LE).  
Fiscal effect: None.

No provision.

Same as the House.  
Fiscal effect: Potential increase in additional unfunded actuarial liabilities to the PERS-LE program. If the funding period for PERS increases, PERS may not be able to fund the mandated pension benefits within its current funding structure. This could also have an indirect impact on PERS discretionary health care benefits, and PERS employer and/or employee contributions rates. If the contributions rates are increased, the rate increase will affect the state and local governments' expenditures.

|     | As Introduced (Executive)   | As Passed by the House          | As Passed by the Senate         | As Amended by Conference Committee |
|-----|---|---------------------------------|---------------------------------|------------------------------------|
| 989 | (CD-567-RET) Elimination of State Contribution to Ohio Police and Fire Pension Fund   |                                 |                                 |                                    |
|     | R.C. 742.36, (repealed), 742.59   | R.C. 742.36, (repealed), 742.59 | R.C. 742.36, (repealed), 742.59 | R.C. 742.36, (repealed), 742.59    |
|     | Eliminates a requirement that an annual payment of \$1.2 million, known as the "state contribution," be made to the Ohio Police and Fire Pension Fund.<br>Fiscal effect: Estimated increase in the state GRF by \$1.2 million annually. | Same as the Executive.          | Same As the Executive           | Same As the Executive.             |

| As Introduced (Executive)  | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee   |
|--|------------------------|---|--|
| 990 (CD-671-RDF) Additional Appropriations   |                        |   |  |
| Section: 209.78  | Section: 209.78        | Section: 209.78   | Section: 209.78  |
| <p>Specifies that appropriation items in Section 209.78 of the bill are to be used for the purpose of administering and distributing the designated revenue distribution fund according to the Revised Code. Provides that if it is determined that additional appropriations are necessary, such amounts are appropriated.</p> <p>See LOC subject item "Temporary Adjustment to Local Government Funds" for details on the temporary suspension of the Revised Code funding and distribution formulas of the local government funds.</p> <p>Also, see TPR subject item "Change in Distributions of Kilowatt Hour Tax Receipts". The bill revises the statutory shares of kilowatt hour tax revenues that are credited to the Local Government Fund (069) and Local Government Revenue Assistance Fund (Fund 064).</p> <p>Fiscal effect: None.</p> | Same as the Executive. | <p>Same as the Executive, except corrects appropriation item 110-900, Library/Local Government Support Fund (Fund 065), by adding \$5 million in each fiscal year.</p> <p>Removes from the bill the Local Government Services Collaboration Grant Fund (Fund 088) and its appropriation of \$5 million in fiscal year 2006 (appropriation item 110-900, Local Government Services Collaboration, under the Revenue Distribution Fund Group).</p> <p>See LOC subject item "Temporary Adjustment to Local Government Funds" for details on the temporary suspension of the Revised Code funding and distribution formulas of the local government funds.</p> <p>Also, see TPR subject item "Change in Distributions of Kilowatt Hour Tax Receipts". The bill revises the statutory shares of kilowatt hour tax revenues that are credited to the Local Government Fund (069) and Local Government Revenue Assistance Fund (Fund 064).</p> <p>Revises the local government funds' appropriation items, 110-900, Local Government Revenue Assistance Fund (Fund 064), and 110-900, Local Government Fund (Fund 069), in the Revenue</p> | <p>See LOC subject item "Temporary Adjustment to Local Government Funds" for details on the temporary suspension of the Revised Code funding and distribution formulas of the local government funds.</p> <p>Fiscal effect: Increases the appropriations for FY 2006 and FY 2007 to local government funds – Local Government Revenue Assistance Fund (Fund 064), Library and Local Government Support Fund (Fund 065), and Local Government Fund (Fund 069) in Revenue Distribution Funds. The additional funding is needed to maintain the local government funds funding at current "freeze" levels (per HB 95 of the 125th General Assembly) in FY 2006 and FY 2007.</p> |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

No provision.

No provision.

Distribution Fund. Increases the total appropriations by adding \$187,658 in fiscal year 2006 and \$822,332 in fiscal year 2007 to correct the appropriations items. Increases appropriation item 110-900, Local Government Revenue Assistance Fund (Fund 064), by \$3,346,647 and \$5,239,733 in FY 2006 and FY 2007, and decreases appropriation item 110-900, Local Government Fund (Fund 069), in FY 2006 and FY 2007 by \$3,158,989 and \$4,417,401 in FY 2006 and FY 2007. In the sub bill in Senate Finance "LSC 126 0134-4" version, the total appropriations of \$16.9 million and \$26.4 million were included only in appropriation item 110-900, Local Government Fund (Fund 069).

Increases the appropriations for FY 2006 and FY 2007 to local government funds – Local Government Revenue Assistance Fund (Fund 064), Library and Local Government Support Fund (Fund 065), and Local Government Fund (Fund 069) in Revenue Distribution Funds. The additional funding is needed to maintain the local government funds funding at current "freeze" levels (per HB 95 of the 125th General Assembly) in FY 2006 and FY 2007.

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee   |
|---|--|--|--|
| 991 (CD-994-RDF) Local Government Property Tax Replacement - Business | Sections: 209.78, 5711.22, 5751.20,<br>5751.21, 5751.22, and 206.09  | Sections: 209.78, 5711.22, 5751.20,<br>5751.21, 5751.22; and 206.09.61 | Sections: 209.78, 5711.22, 5751.20,<br>5751.21, 5751.22; and 206.09.61   |
| No provision.   | Requires the Director of Budget and Management to transfer \$4,290,000 in fiscal year 2006 and \$30,090,000 in fiscal year 2007 to appropriation item 110-900, Local Government Property Tax Replacement – Business (Fund 081) in the Revenue Distribution Fund, from the General Revenue Fund.<br>Also, see subject item "Phase Out Tax on Some Tangible Personal Property" in TPR.<br><br>Fiscal effect: The funds will be used to reimburse local taxing units for the revenue loss from the phase out of the furniture and fixtures component of tangible personal property taxes. | Same as the House.   | Increases appropriation item 110-900, Local Government Property Tax Replacement - Business, (Fund 081) in the Revenue Distribution Fund Group, by \$660,000 in fiscal year 2006 and \$3,876,000 in fiscal year 2007.<br>Also, see subject item "Phase Out Tax on Some Tangible Personal Property" in TPR.<br><br>Fiscal effect: The additional funds are necessary to reimburse local taxing units for the acceleration of the tangible personal property phase-out from 5 to 4 years. |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

992 (CD-981-RDF) Small Township and Village Relief Fund

Sections: 209.78.09, 209.78

No provision.

Creates a new fund and appropriation item, 110-900, Small Township Relief Fund (Fund 090) in the state treasury to aid small townships and villages to provide essential services to residents.

Also, see subject item "Small Township and Village Relief Fund" in TAX.

Fiscal effect: Appropriations would total \$3.5 million in FY 2006 and \$6.5 million in FY 2007. The source of fund revenue is transfers from the general revenue fund.

No provision.

No provision.



| As Introduced (Executive)   |   | As Passed by the House                |                | As Passed by the Senate               |                | As Amended by Conference Committee    |                |
|---|---|---------------------------------------|----------------|---------------------------------------|----------------|---------------------------------------|----------------|
| <b>993</b>  | <b>(CD-697-SAN) Notification of Sanitarian Continuing Education Courses</b> |                                       |                |                                       |                |                                       |                |
| R.C.  | <b>4736.11</b>  | R.C.                                  | <b>4736.11</b> | R.C.                                  | <b>4736.11</b> | R.C.                                  | <b>4736.11</b> |
| Relaxes the requirement that at least once annually the State Board of Sanitarian Registration mail each registered sanitarian a list of approved education courses and upon request, supply an update of the list in favor of a requirement that the Board simply provide a list annually and supply a list of applicable courses upon request.  |   | Same as the Executive.                |                | Same as the Executive.                |                | Same as the Executive.                |                |
| Fiscal effect: The Board will experience a minimal decrease in expenditures for postage.  |   | Fiscal effect: Same as the Executive. |                | Fiscal effect: Same as the Executive. |                | Fiscal effect: Same as the Executive. |                |
| <b>994</b>  | <b>(CD-696-SAN) Sanitarian Registration Fee Increase</b>                    |                                       |                |                                       |                |                                       |                |
| R.C.  | <b>4736.12</b>  | R.C.                                  | <b>4736.12</b> | R.C.                                  | <b>4736.12</b> | R.C.                                  | <b>4736.12</b> |
| Increases fees the State Board of Sanitarian Registration charges for the following: (1) application as a sanitarian-in-training or application by a sanitarian-in-training for registration as a sanitarian, from \$75 to \$80; (2) registration as a sanitarian, from \$150 to \$160; (3) registration renewal, from \$69 to \$74; (4) renewal for sanitarian-in-training, from \$69 to \$74; and (5) late applications for renewal, from \$25 to \$27. |   | Same as the Executive.                |                | Same as the Executive.                |                | Same as the Executive.                |                |
| Fiscal effect: The provision is expected to generate \$10,000 annually. The revenue will be deposited in the Occupational   |   | Fiscal effect: Same as the Executive. |                | Fiscal effect: Same as the Executive. |                | Fiscal effect: Same as the Executive. |                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Licensing and Regulatory Fund (Fund 4K9)  
in the general services fund group.

---

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 995 (CD-595-SAN) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Board of Sanitarian Registration, the Board will be consolidated into the Department of Commerce. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Commerce.)

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

996 (CD-176-OSB) Administration of Donations and Federal Funds

R.C. 3325.10

R.C. 3325.10

R.C. 3325.10

R.C. 3325.10

Authorizes the State School for the Blind to receive and administer any funds donated or granted by federal government or third parties that are marked for use in the education of blind or visually impaired students without the supervision of the State Board of Education.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

997 (CD-177-OSB) Student Activity and Work-Study Fund

R.C. 3325.11

R.C. 3325.11

R.C. 3325.11

R.C. 3325.11

Creates the Student Activity and Work-Study Fund (Fund 4M5) within the state treasury to receive donations, bequests, and moneys from the school vocational program. The School is required to use these moneys for school operating expenses, student activities, and scholarships. Approval from the State Board of Education is not needed to designate money for deposit into the fund.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

998 (CD-172-OSB) Student Account Fund

R.C. 3325.12

R.C. 3325.12

R.C. 3325.12

R.C. 3325.12

Creates the Student Account Fund, a custodial fund (in the custody of the Treasurer of the State, but not part of the state treasury) to hold moneys received from the students' parents or guardians for use by the students in any activities of their choice. Any investment earnings are required to be credited back to the Fund.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

999 (CD-857-OSB) Capital Appropriation Line Item Number Change

Section: 401.05

Section: 401.05

Section: 401.05

No provision.

Renumbers capital appropriation item CAP-780, New School Lighting, as CAP-782, New School Lighting.  
Fiscal effect: None.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1000 (CD-178-OSD) Administration of Donations and Federal Funds

R.C. 3325.15

R.C. 3325.15

R.C. 3325.15

R.C. 3325.15

Authorizes the School for the Deaf to administer any moneys donated or granted by federal government or third parties that are marked for use in the education of deaf or hearing-impaired students without the supervision of the State Board of Education.  
Fiscal effect: None

Same as the Executive.

Same as the Executive.

Same as the Executive.

1001 (CD-183-OSD) Educational Program Expenses Fund

R.C. 3325.16

R.C. 3325.16

R.C. 3325.16

R.C. 3325.16

Creates the Educational Program Expenses Fund (Fund 4M0) within the state treasury to hold moneys raised, given, or otherwise designated for its use to be disbursed in school and student activities. Approval from the State Board of Education is not required to designate money for deposit into the fund.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1002 (CD-189-OSD) Student Account Fund

R.C. 3325.17

R.C. 3325.17

R.C. 3325.17

R.C. 3325.17

Creates the Student Account Fund, a custodial fund (in the custody of the Treasurer of the State, but not part of the state treasury) to hold moneys received from the students' parents or guardians for use by the students in any activities of their choice. Any investment earnings are required to be credited back to the Fund.  
Fiscal effect: None

Same as the Executive.

Same as the Executive.

Same as the Executive.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1003 (CD-194-OSD) Equipment

Section: 209.87

Section: 209.87

Section: 209.87

Section: 209.87

Earmarks up to \$15,000 in fiscal year 2006 from GRF appropriation item 221-300, Equipment, to purchase software for the documentation and tracking of deaf or hearing-impaired students for increased accountability and data analysis for quality instruction.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1004 (CD-397-SFC) Half-Mill Maintenance Equalization

R.C. 3318.111, 5727.84, 5727.85

R.C. 3318.111, 5727.84, 5727.85

R.C. 3318.18, 5727.84, 5727.85

R.C. 3318.18, 5727.84, 5727.85

Creates the Half-Mill Equalization Program, beginning in FY 2007, to be jointly administered by the School Facilities Commission (SFC) and the Department of Education (ODE). The program provides an equalized payment to a school district that raises less local revenue per pupil than the average district in the state for the required half-mill maintenance levy. The equalized payment is equal to the district's formula ADM (average daily membership) multiplied by the difference between the state average revenue yield per pupil and the district's revenue yield per pupil.

Same as the Executive.

Same as the Executive, but replaces the Executive subsidy formula that bases on the amount of district revenue yield per pupil compared to the statewide average amount of district revenue yield per pupil with a formula that bases on the district's valuation per pupil compared to the statewide average valuation per pupil in order to be able to perform the necessary calculations.

Same as the Senate.

Requires that the comparison of a district's revenue yield per pupil with the state average revenue yield per pupil be made at a single point in time, when the district first becomes eligible for assistance and enters its project agreement with the SFC. From that time forward until the 23-year maintenance levy expires, no update of a district's revenue yield per pupil is made. An eligible district will, therefore, receive the same amount of annual payment for 23 years.

Requires the ODE, beginning in FY 2007, to compute the state average revenue yield per pupil and each district's revenue yield per

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

pupil and provides these data to the SFC by July 1 of every year. The SFC is then required to determine the amount of payment for each eligible district. School districts receiving these payments are required to deposit the money in their Classroom Maintenance Facilities Fund and use the money only for maintaining SFC-assisted facilities.

Makes the equalized payment available to those districts that have been served by the SFC before FY 2007 if their revenue yield per pupil is below the state average. For these districts, the comparison of the district's revenue yield per pupil and the state average revenue yield per pupil will be made on September 1, 2006.

Creates the Half-Mill Equalization Fund (Fund 5BJ) to receive excess funds from the School District Property Tax Replacement Fund (Fund 053). The money from Fund 5BJ will be used to fund the Half-Mill Maintenance Equalization Program described above. Requires excess balances in Fund 053 to be used for equalization payments and the school facilities assistance program, with first priority being given to equalization payments. Under current law, excess funds in Fund 053 are distributed to school districts and joint vocational school districts on a per pupil basis for capital improvements.

Fiscal effect: The executive proposal recommends funding of \$10.7 million in FY 2007 for appropriation item 200-626, Half-Mill Maintenance Equalization, (Fund 5BJ) in

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

the state special revenue fund group in the ODE for this program. The changes made in the use of excess funds in the School District Property Tax Replacement Fund (Fund 053) would provide more money to some districts and less money to some other districts.

See also the item entitled "Half-Mill Maintenance Equalization" in the ODE.

---

**1005 (CD-305-SFC) Investment Earnings of Education Facilities Trust Fund**

**R.C. 3318.33**

**R.C. 3318.33**

**R.C. 3318.33**

**R.C. 3318.33**

Authorizes the Director of Budget and Management to transfer investment earnings of the Education Facilities Trust Fund (Fund N87) to the Ohio School Facilities Commission Fund (Fund 5E3) to pay the SFC's operating expenses.  
 Fiscal effect: Allows investment earnings of the Education Facilities Trust Fund (Fund N87), along with investment earnings of the School Building Assistance Fund (Fund 032) and the Public School Building Fund (Fund 021), to be used for the SFC's operating expenses.

Same as the Executive.

Same as the Executive.

Same as the Executive.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1006 (CD-332-SFC) Career-Technical School Building Assistance Loan Program

R.C. 3318.47, 3318.48, 3318.49,  
Section 315.06

R.C. 3318.47, 3318.48, 3318.49,  
Section 315.06

R.C. 3318.47, 3318.48, 3318.49,  
Section 315.06

R.C. 3318.47, 3318.48, 3318.49,  
Section 315.06

Renames the Vocational School Building Assistance Fund (Fund 020) the Career-Technical School Building Assistance Fund. Moneys in Fund 020 are used to provide school districts with interest-free loans for the construction, renovation, or purchase of vocational education equipment or facilities. Fiscal effect: None

Same as the Executive.

Same as the Executive.

Same as the Executive.

Transfers responsibility of the loan program from the ODE to the SFC and places two new restrictions on eligibility for the loans. First, it limits eligibility in the loan program to school districts that have not yet been served by one of the SFC's programs or will not be reasonably expected to be served in the next three years, unless the loan is for the purchase of equipment not covered by the SFC's programs. Second, an eligible district must agree to comply with all applicable design specifications and policies of the SFC, unless waived by the SFC. The SFC must develop and approve a transition plan, in consultation with the ODE, to transfer all materials, assets, liabilities, and records related to the program. These transfers must occur within 120 days after the bill's effective date. The ODE is required to continue to administer the program until the program is transferred. Fiscal effect: The executive budget appropriates \$2 million in each fiscal year for

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

appropriation item 230-620, Career-Tech School Building Assistance, (Fund 020) in the lottery profits/education fund group for the program.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1007 (CD-234-SFC) Lease Rental Payments

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Specifies that GRF appropriation item 230-428, Lease Rental Payments, be used to meet all leases and agreements made by the SFC pursuant to section 3318.26 of the Revised Code. Limits the aggregate amount of all lease payments made during the period from July 1, 2005 to June 30, 2007 to \$63,294,900.

Same as the Executive.

Same as the Executive.

Same as the Executive.

1008 (CD-244-SFC) Common Schools General Obligation Debt Service

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Specifies that GRF appropriation item 230-908, Common Schools Obligation Debt Service, be used to pay all debt service and related financing costs incurred between July 1, 2005 and June 30, 2007 pursuant to sections 151.01 and 153.03 of the Revised Code. Requires the Office of the Sinking Fund or the Director of Budget and Management to effectuate required payments via an intrastate transfer voucher.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1009 (CD-251-SFC) Operating Expenses

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Specifies that appropriation item 230-644, Operating Expenses, (Fund 5E3) in the state special revenue fund group be used by the SFC to carry out its duties under this section and Chapter 3318. of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Requires the Executive Director of the SFC to certify, on a quarterly basis in each fiscal year, to the Director of Budget and Management the amount of cash to be transferred from the School Buildings Assistance Fund (Fund 032), the Public School Building Fund (Fund 021), and the Educational Facilities Trust Fund (Fund N87) to the Ohio School Facilities Commission (Fund 5E3). The amount transferred may not exceed investment earnings credited to the School Building Assistance Fund (Fund 032), less any amount required to be paid for federal arbitrage rebate purposes.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1010 (CD-252-SFC) School Facilities Encumbrances and Reappropriation

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Section: 209.90.03

Authorizes the Director of Budget and Management, at the request of the Executive Director of the SFC, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within one year of Controlling Board approval. The Executive Director is required to certify the amounts of the canceled encumbrances to the Director of Budget and Management on a quarterly basis. The amounts of the canceled encumbrances are appropriated to the CFAP.  
 Fiscal effect: The canceled encumbrances would be made available to serve other school districts.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1011 (CD-259-SFC) Extreme Environmental Contamination of School Facilities

Section: 209.90.06

Section: 209.90.06

Section: 209.90.06

Section: 209.90.06

Authorizes the SFC to provide assistance under the Exceptional Needs School Facilities Program to any school district, regardless of wealth, for the purpose of the relocation or replacement of school facilities required as a result of extreme environmental contamination.  
Fiscal effect: Allows a school district experiencing extreme environmental contamination to receive state assistance under the Exceptional Needs program. This provision authorizes the continuation of the current program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

1012 (CD-263-SFC) Canton City School District Project

Section: 209.90.09

Section: 209.90.09

Section: 209.90.09

Section: 209.90.09

Authorizes the SFC to commit up to \$35,000,000 to the Canton City School District for construction of a combined secondary and post-secondary facility in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code.  
Fiscal effect: None. It authorizes the continuation of the current program and does not change the state share of the school facilities project in the Canton City School District.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1013 (CD-1410-SFC) GRF Transfer to Public School Building Fund (Fund 021)

Section: 312.19

No provision.

No provision.

No provision.

Requires the Director of Budget and Management, in fiscal year 2006, to transfer \$30,000,000 in cash from the General Revenue Fund to the Public School Building Fund (Fund 021).

1014 (CD-1188-SFC) ODOT Notification

Section: 3318.091

Section: 3318.091

No provision.

No provision.

Requires the SFC to submit project plans to the Director of Transportation for review and consider the Director's findings prior to final approval when a proposed school facility project is to be located on or within a mile of a state route or federal highway.  
Fiscal effect: Minimal.

Same as the Senate.

(See also the item entitled "Ohio School Facilities Commission Project Plans" in the Department of Transportation.)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1015 (CD-890-SOS) Office of Information Technology

R.C. 125.041, 125.18

R.C. 125.041, 125.18

R.C. 125.041, 125.18

No provision.

Provides that the Office of Information Technology created in the Department of Administrative Services does not superintend the development and use of information technology in the offices of state elected officials, including the Secretary of State. (See Office of Information Technology in the Auditor of State, Department of Administrative Services, Treasurer of State, and Attorney General for further description).

Same as the House.

Same as the House.

Fiscal effect: None.

| As Introduced (Executive)   |  | As Passed by the House |  | As Passed by the Senate |  | As Amended by Conference Committee |  |
|---|--|------------------------|--|-------------------------|--|------------------------------------|--|
| 1016  | (CD-505-SOS) Notary Public Registration    |                        |  |                         |  |                                    |  |
| R.C.  | 147.05, 147.10, 147.11, 147.12,<br>147.371 | R.C.                   | 147.05, 147.10, 147.11, 147.12,<br>147.371 | R.C.                    | 147.05, 147.10, 147.11, 147.12,<br>147.371 | R.C.                               | 147.05, 147.10, 147.11, 147.12,<br>147.371 |
| <p>Requires a notary public to notify the Secretary of State (SOS) and appropriate clerk of courts within thirty days of when he or she legally changes his or her name or address after being commissioned as a notary public. A fee of \$2 is charged by the SOS for such a change. Also requires a notary, other than an attorney, who resigns a commission to deliver written notice to SOS that indicates the effective date of the resignation. The person also is prohibited from performing notary public actions after resigning, and may be fined \$500 for failure to adhere to this prohibition.</p> <p>Fiscal effect: Potential increase in revenue for the Notary Commission Fund (Fund 412), within the general services fund group, if fee revenue exceeds the costs of producing the necessary prescribed forms.</p> |  | Same as the Executive. |  | Same as the Executive.  |  | Same as the Executive.             |  |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1017 (CD-1426-SOS) Prohibitions on Duplicate Candidacy

R.C. 3513.052, 3513.04, 3513.041,  
3513.05, 3513.257, 3513.259,  
3513.261

No provision.

No provision.

No provision.

Prohibits a person from seeking nomination or election to a federal office and a state or county office at the same election.

Requires that a person seeking nomination or election to a federal office and another prohibited office at the same election to be disqualified from the ballot for any office that is not a federal office.

Fiscal effect: None.

## 1018 (CD-506-SOS) Secretary of State's Appointment Authority for Railroad Company and Hospital Police Officers

R.C. 4973.171

R.C. 4973.171

R.C. 4973.171

R.C. 4973.171

Conforms R.C. 4973.171 to previous statutory changes in Section 4973.17 that moved the responsibility for the appointment and commission of railroad company and hospital police officers from the Governor to the Secretary of State.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1019 (CD-812-SOS) Holding Account Redistribution Group

Section: 209.93

Section: 209.93

Section: 209.93

Section: 209.93

Requires appropriation items 050-605, Uniform Commercial Code Refunds, and 050-606, Corporate/Business Filing Refunds, within the holding account redistribution fund group, to be used to hold revenues until they are directed to the appropriate accounts or until they are refunded. If it is determined that additional appropriations are necessary, such amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1020 (CD-811-SOS) Board of Voting Machine Examiners

Section: 209.93

Section: 209.93

Section: 209.93

Section: 209.93

Requires that appropriation item 050-610, Board of Voting Machine Examiners, within the general services fund group, to be used to pay the expenses of the members of the Board and for other expenses that are authorized to be paid for from this fund. If it is determined that additional appropriations are necessary, such amounts are appropriated.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1021 (CD-1347-SOS) 2005 HAVA Voting Machines

Sections: 209.93, 105.01, 612.18, R.C.  
3506.17Sections: 209.93, 105.01, 612.18, R.C.  
3506.17

No provision.

No provision.

Transfers the unexpended, unencumbered amount of appropriation item 050-615, 2004 HAVA Voting Machines, to appropriation item 050-616, 2005 HAVA Voting Machines on July 1, 2005 or as soon as possible thereafter.

Same as the Senate.

Transfers the unexpended, unencumbered amount of appropriation item 050-616, 2005 HAVA Voting Machines, at the end of fiscal year 2006 to fiscal year 2007.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1022 (CD-719-SOS) Corporate and UCC Filing Fund Transfer to GRF

Section: 312.15

Section: 312.15

Section: 312.15

Section: 312.15

Requires the OBM Director to transfer \$1,000,000 from the Corporate Uniform Commercial Code Filing Fund, known as the Business Services Operating Expenses Fund (Fund 599), within the general services fund group, to the GRF no later than the first day of June in each year of the biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This transfer will result in a loss of revenue for the Business Services Operating Expenses Fund (Fund 599). If current revenue projections are accurate, there will be enough cash in the fund to effectuate the transfer. However, such a transfer will leave a very small cash balance on hand.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1023 (CD-798-SEN) Operating Expenses

Section: 209.96

Section: 209.96

Section: 209.96

Section: 209.96

Requires the Director of Budget and Management, at the direction of the Clerk of the Senate, to: (1) transfer any FY 2005 unencumbered appropriations in GRF appropriation item 020-321, Operating Expenses, to FY 2006 for use within that same GRF appropriation item, and (2) transfer any FY 2006 unencumbered appropriations in GRF appropriation item 020-321, Operating Expenses, to FY 2007 for use within that same GRF appropriation item.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1024 (CD-669-CSF) Debt Service Costs

Section: 101

Section: 101

Section: 209.99

Section: 209.99

Specifies appropriation items are for the purpose of paying debt service costs on state bonds issued pursuant to the Ohio Constitution and acts of the General Assembly, and appropriates additional amounts if necessary. The Ohio Constitution requires repayment of general obligation bonds.  
Fiscal effect: None.

Same as the Executive.

Same As the Executive

Same As the Executive.

## 1025 (CD-961-CSF) Commissioner of the Sinking Fund Highway Bond Transfer Authorization

Section: 209.99

Section: 209.99

Section: 209.99

No provision.

Authorizes the transfer of the balance remaining after provision for payment of all outstanding bonds, notes, coupons, and charges from Highway Obligation Bond Retirement Fund to the Highway Capital Improvements Bond Service Fund.  
Fiscal effect: None.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1026 (CD-1132-SPE) License to Practice Audiology

R.C. 4753.03, 4753.06, 4753.071,  
4753.08, 4753.09

R.C. 4753.03, 4753.06, 4753.071,  
4753.08, 4753.09

R.C. 4753.03, 4753.06, 4753.071,  
4753.08, 4753.09

No provision.

Requires an individual who applies for an audiologist license on or after January 1, 2006, to have a doctor of audiology degree or the equivalent as determined by the Board.

Same as the House.

Same as the House.

Permits an audiologist initially licensed or certified in another state before January 1, 2008, to obtain an audiologist license in this state even though the audiologist has a master's degree in audiology rather than a doctor of audiology degree.

Same as the House.

Same as the House.

Fiscal effect: The Board anticipates that there will be minimal, if any, fiscal impact as a result of this requirement. Most of the Board's new licensees currently have doctorate degrees. Also, this will have no effect on master's degree graduates prior to calendar year 2007.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1027 (CD-596-SPE) The Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Board of Speech-Language Pathology and Audiology, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety must appoint representatives to a transition team. The team must develop a plan for the smooth and timely consolidation of the boards and must also address the details of the consolidation. The team must submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation.

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

(See also entry entitled "Consolidation of Regulatory Boards" under the Department of Health.)

Same as the Executive.

Fiscal effect: Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected boards.

Fiscal effect: Same as the Executive.

Same as the Senate.

Fiscal effect: Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1028 (CD-1090-TPR) Venture capital tax credits for dealers in intangibles and public utilities

R.C. 150.07, 150.10, 5707.031,  
5727.241, 5729.08, 5733.49,  
5747.80

R.C. 150.07, 150.10, 5707.031,  
5727.241, 5729.08, 5733.49,  
5747.80

R.C. 150.07, 150.10, 5707.031,  
5727.241, 5729.08, 5733.49,  
5747.80

No provision.

Extends the venture capital tax credits to dealers in intangibles and public utilities. The provision also specifies how refundable and nonrefundable credits may be claimed for each tax reporting period. Under current law, the venture capital tax credits are available to businesses paying the corporate franchise tax, the personal income tax or the insurance taxes.

Same as the House, except specifies that the venture capital tax credits available to dealers in intangibles are available only to "qualifying dealers in intangibles", which are dealers affiliated with financial institutions.

Same as the Senate, except specifies that equity investors of a lender pass-through entity may claim their distributive shares of tax credits approved by the Ohio Venture Capital Authority, and requires the entity to elect refundable or nonrefundable credits. Fiscal effect: Indeterminate revenue loss.

Fiscal effect: Indeterminate revenue loss

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1029 (CD-1248-TPR) Permits a County to Operate or Support a Facility that Encourages Study of Science

R.C. 307.76, 5705.19

No provision.

No provision.

Permits a board of county commissioners to maintain and operate a facility to encourage study of and promote sciences including natural history. A board of county commissioners may alternatively contract with or contribute to a nonprofit corporation to maintain and operate such a facility. The county may levy a property tax for this purpose. (See also County Support of Science Facilities under Local Government Provisions.)

No provision.

Fiscal effect: May increase county tax revenues and expenditures for support of science facilities.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1030 (CD-617-TPR) Eliminate the 10% Rollback for Class II Real Property

R.C. 319.302, 323.152, Section 557.15

R.C. 319.302, 323.152, Section 557.15

R.C. 319.302

R.C. 319.302

Eliminates the 10% rollback for Class II real property, which includes all real property other than residential and agricultural. Appropriation amounts are based on elimination of this rollback beginning in tax year 2005, but wording in the bill has the elimination beginning in tax year 2006. Local governments' loss of state reimbursement is offset by the increase in property owners' taxes. Affects GRF appropriation items 200-901, Property Tax Allocation-Education, and 110-901, Property Tax Allocation-TAX.

Fiscal effect: Raises property owners' taxes for tax year 2005 by an estimated \$294 million, which grows over time. Real property taxes are paid a year in arrears, and reimbursements to local governments from the GRF are further lagged by several months. Savings to the GRF are estimated at \$147 million in FY 2006 and \$301 million in FY 2007.

Changes wording in the bill to begin elimination of the rollback on Class II real property in tax year 2005.

Fiscal effect: Same as the Executive.

Limits the 10% real property tax rollback to property not intended for use primarily in a "business activity," which is defined as not including farming, leasing property for farming, leasing property improved with one-, two-, or three-family dwellings, or holding vacant land that the county auditor determines will be used for farming or to develop one-, two-, or three-family dwellings. Some property currently in Class II might qualify for the rollback, such as that of fraternal or other nonprofit organizations, broadening the partial exemption in the Executive and House-passed versions of the bill. Some property currently in Class I might not qualify for the rollback, such as agricultural property used for forestry or other business purposes other than farming, narrowing the partial exemption.

Fiscal effect: LSC cannot determine the difference in fiscal effect between the Senate proposal and the House-passed version of this provision.

Same as the Senate, but clarifies that only real property specifically listed is eligible for the rollback. Eligible property includes that used for farming; leasing property for farming; occupying, holding, or leasing property improved with one-, two-, or three-family dwellings; or holding vacant land that the county auditor determines will be used for these purposes. Timberland is specifically excluded from the rollback benefit.

Fiscal effect: Raises property owners' taxes by an amount in excess of that with the Executive proposal.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1031 (CD-614-TPR) Increase in Real Property Transfer Fee

R.C. 319.54

R.C. 319.54

Increases the real property or used manufactured or mobile home transfer fee from the greater of \$1 or 10 cents for each \$100 or fraction of \$100 to the greater of \$1 or 20 cents for each \$100 or fraction of \$100. The greater of \$1 or one-half of the fee is credited to the county general fund, and the balance is credited to the state GRF.

Same as the Executive, but clarifies that the portion of the fee due to the state is to be forwarded to the Treasurer of State, accompanied by a report, and caps the combined state plus local tax at 5 mills.

No provision.

No provision.

Fiscal effect: Revenue to the state GRF is estimated at \$51 million in FY 2006 and \$55 million in FY 2007.

Fiscal effect: No effect beyond that of the Executive proposal. Under current law, the local mandatory plus permissive fee is capped at 4 mills. The change in the cap accommodates the additional 1 mill state fee.

1032 (CD-616-TPR) Accelerated Phase-Out of State Reimbursement for \$10,000 Business Property Exemption

R.C. 321.24

R.C. 321.24

R.C. 321.24

R.C. 321.24

Accelerates phase-out of reimbursement to local governments for taxes forgone as a result of exemption of the first \$10,000 of business tangible personal property from taxation. Affects GRF appropriation items 200-906, Tangible Tax Exemption-Education, and 110-906, Tangible Tax Exemption-TAX.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Savings to the GRF are \$5.7 million in FY 2006, \$19.1 million in FY 2007, and continue through FY 2012.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1033 (CD-1102-TPR) County Auditors Authorized to Use Moneys in Real Estate Assessment Funds for Estate Tax Enforcement

R.C. 325.31, 5731.41

R.C. 325.31, 5731.41

R.C. 325.31, 5731.41

No provision.

Authorizes county auditors to expend moneys in real estate assessment funds to defray costs incurred in enforcing estate taxes.  
Fiscal effect: None.

Same as the House, except specifies that the Tax Commissioner may appoint agents to enforce real property and manufactured and mobile home taxes and that such agents may be compensated from moneys in county real estate assessment funds.  
Fiscal effect: None.

Same as the Senate.

## 1034 (CD-1023-TPR) Municipal Corporation and School District Shared Income Tax

R.C. 718.09, 718.10

R.C. 718.09, 718.10

No provision.

Reauthorizes municipal corporations to levy income taxes to be shared with an overlapping school district. (Also see item entitled "Municipal Corporation and School District Shared Income Tax" in Education.)  
Fiscal effect: This provision has the potential to provide additional revenue to school districts and municipal income tax revenue.

No provision.

Same as the House, except prohibits municipal corporations from levying the tax on the incomes of nonresidents.  
Fiscal effect: This provision has the potential to provide additional revenue to school districts and municipal income tax revenue.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1035 (CD-912-TPR) Revision of laws governing the sale, distribution and taxation of cigarettes

R.C. 2921.13, 5743

R.C. 2921.13, 5743

R.C. 2921.13, 5743

No provision.

Revises the laws governing the sales, distribution and taxation of cigarettes, including cigarette sales by Indian tribes; cigarette tax stamps records and reports of cigarette sales and purchases; seizure and forfeiture of cigarettes; the Tax Commissioner's inspection powers; licenses to engage in the sales, manufacture and importation of cigarettes; and electronic and mail order cigarette purchases.  
Fiscal Effect: None.

Same as the House, except specifies that an importer for purposes of the cigarette excise tax is a person that imports finished cigarettes into the United States under a valid federal permit to engage in the importation of tobacco products. Removes references (in the House version of the bill) to Indian tribes, cigarette sales and Indian tribes and lands. Removes references (in the House version of the bill) to Internet sales, merchant mail-order sales and shipment of cigarettes. Also, the bill makes various other changes to the cigarette excise tax enforcement and shipment of cigarettes laws that appear to have no direct fiscal effect.  
Fiscal effect: none

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1036 (CD-1076-TPR) Transportation Improvement Districts, Tax Increment Financing, and Areawide TIFs

R.C. 5540.032, 133.09, 5540.01, 5540.09, 5709.40, 5709.41, 5709.73, 5709.77, 5709.78

R.C. 5540.032, 133.09, 5540.01, 5540.09, 5540.032

R.C. 3317.02, 3317.021, 3317.022, 3317.0216, 5540.01, 5540.09, 5709.40, 5709.73, 5709.77, 5709.78, Section 515.03, 557.17

No provision.

Authorizes transportation improvement districts (TIDs) and government agencies to undertake joint projects, and expressly authorizes government agencies to issue securities representing their obligations to the TID under the agreement, which securities the TID is authorized to purchase. Also eliminates the specific tax increment financing (TIF) benefit test, and permits the commencement of TIF tax exemptions to be delayed.

Same as the House, but eliminates the proposed TIF changes.

Authorizes transportation improvement districts and two or more other government agencies to jointly finance a street, highway, interchange, or other transportation project on or before December 31, 2005.

Fiscal effects: While these changes may have fiscal consequences, LSC has no estimate of the amounts of these effects.

No provision.

Changes the sunset date for the current law that allows the legislative authority of a municipal corporation, board of township trustees, or board of county commissioners to create incentive districts and declare improvements to real property within a district to be a public purpose and exempt from taxation. Current law allows such exemptions to be made through June 30, 2007. This provision changes that date to December 31, 2007, for municipal corporations, but leaves the date unchanged for townships and counties. (See "Sunset of Tax Increment Financing Agreements" in

No provision.

Removes the sunset provisions that apply to incentive districts.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Local Government Provisions.)

Fiscal effect: Sunsetting new tax increment financing agreements may generate additional revenue for political subdivisions for any improvements made after the sunset date that would otherwise have been given a tax exemption. Alternatively, some improvements dependent on the incentives ended by this provision may not be made.

No provision.

No provision.

Requires that when a transportation improvement district purchases securities from a governmental agency to finance a joint project undertaken pursuant to an agreement between the governmental agency and transportation improvement district, at least half of the project must be located within the territory of the transportation improvement district. (See also "Transportation Improvement District Joint Projects" in Local Government Provisions.)

Same as the Senate.

No provision.

No provision.

Fiscal effect: None on ODOT or counties.  
No provision.

Real property tax exemptions granted under the tax increment financing law begin in the tax year specified in the ordinance or resolution granting the exemption if it is adopted between July 1 and December 31, 2005.

No provision.

No provision.

No provision.

For a municipal corporation, county, or township with property in an incentive district (also known as an areawide TIF) that it did not create, provides for notice regarding creation of the incentive district and compensation of up to 50% of the amount of taxes exempted in the eleventh or

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

subsequent year of an exemption period that are in excess of 75% of the portion of the improvement. Limits creation of additional areawide TIFs in municipalities, counties, or townships with a population of more than 25,000 that has 25% of its current taxable value already subject to such TIFs. Makes other changes to incentive district law.

1037 (CD-623-TPR) Tax rate increases for alcoholic beverages

R.C. 4301.42, 4301.43, 4305.01

R.C. 4301.42, 4301.43, 4305.01

R.C. 4301.42, 4301.43, 4305.01

Doubles each of the existing taxes levied on the sale and distribution of wine, mixed beverages, cider, and beer effective July 1, 2005. The new tax rate for sales of wine containing less than 14% of alcohol by volume would be \$0.60 per wine gallon. The new tax rate for sales of wine containing more than 14% and less than 21% of alcohol by volume would be \$1.96. The new tax rates for vermouth and cider would be \$2.16 and \$0.48 per wine gallon, respectively. The new tax rate for sparkling and carbonated wine and champagne would be \$2.96 per wine gallon. The new tax rate for mixed beverages would be \$2.40 per gallon. The new tax rate for beer per barrel of 31 gallons would be \$11.16. The new tax rate for beer will be \$0.0028 per ounce and \$0.0168 per six ounces of liquid.

Same as the Executive.

No provision.

Fiscal effect: reduces GRF revenues by \$51 million in each year of the biennium.

Same as the Senate.

Fiscal effect: This provision will increase GRF revenues by \$51 million in each year of the biennium.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1038 (CD-1423-TPR) Military Injury Relief Fund

R.C. 5101.98, 5101.184, 5747.113

No provision.

No provision.

No provision.

Allows taxpayers to donate a portion of their personal income tax refunds to injured military personnel and their families.

Fiscal Impact: Donations to this fund are expected to be similar to those made to the other two funds in the refund contribution system. The Ohio Wildlife Species and Endangered Species fund receives approximately \$450,000 annually from donations, and the Nature Preserves, Scenic Rivers, and Endangered Species Protection fund receives approximately \$500,000 annually from donations.

The Ohio Department of Taxation will deduct one-third of the cost for administering the income tax refund contribution system from each of the three funds.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1039 (CD-1433-TPR) School District Property Tax to Offset Charge-off Increases

R.C. 5705.211, 3317.01

No provision.

No provision.

No provision.

Authorizes school districts to propose to voters a property tax that adjusts to provide local revenue to offset year-to-year decreases in state funding caused by increases in the district's base-cost funding charge-off, subject to a 4% limit on year-to-year increases in total taxes from current expense levies other than new levies. (See entry under Department of Education.)

Fiscal effect: May increase school district property tax revenues.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1040 (CD-978-TPR) School Districts Levies Not Subject to H.B. 920 Tax Reduction Factors

R.C. 5705.219, 319.301, 323.17,  
5705.02, 5705.214, 5705.29

No provision.

Permits school districts to levy additional, voter-approved property taxes that would not be subject to the H.B. 920 tax reductions factors. Such growing levies might raise additional revenues or might necessitate submission of fewer levies to voters to raise approximately the same amounts of revenues. (See item entitled "School District Levies Not Subject to H.B. 920 Tax Reduction Factors" in Department of Education.)

Fiscal effect: May increase school district tax revenues. If revenues increase, state reimbursements of the 10% and 2.5% rollbacks and homestead exemptions would rise commensurately. The effect of this change on school financing is potentially substantial, but the dollar amount of any such increases is indeterminate.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1041 (CD-1114-TPR) Real Property Tax Exemption for Certain Buildings and Lands of a State University

R.C. 5709.07, Section 557.14

R.C. 5709.07, Section 557.14

No provision.

Clarifies that the real property tax exemption for buildings and lands of the 13 state universities, not used for profit, extends to those used for housing-related facilities, or for other purposes related to the university's educational purpose, and lands used for common space, walkways, and green space; that are under control of a charitable organization with which the university has a joint agreement entitling its students, faculty, or employees to use the lands or buildings; and for which the university has agreed to make payments to the organization sufficient to maintain required debt service coverage ratios on bonds related to the lands or buildings. Leasing of housing in such buildings shall not be considered a profit-making activity under this division. (See also entry for this item under Board of Regents.)

Fiscal effect: Possible loss of local government tax revenues due to the property tax exemption.

No provision.

Similar to the House. Specifies that the amendment is intended to clarify the exemption provided by R.C. 5709.07.

Fiscal effect: Possible loss of local government tax revenues due to clarification of the property tax exemption.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1042 (CD-1345-TPR) Taxation of Oil and Gas Production Property

R.C. 5709.112, 5715.01, Section  
557.13.03R.C. 5709.112, 5715.01, Section  
557.13.03

No provision.

No provision.

Exempts from the tangible personal property tax all oil and gas recovery equipment installed on the premises or leased premises of the owner. This exemption does not apply to public utilities. Excludes from the real property tax value of minerals or mineral rights the value of the tangible personal property used in recovery of those minerals. Requires the Tax Commissioner to review multipliers used in oil and gas valuation in time for these provisions to be applicable to tax year 2006.

Same as the Senate.

Fiscal effect: May reduce tangible personal property tax receipts in tax years 2006 through 2008. However, the amount of oil and gas recovery equipment taxed as tangible personal property is unknown. The sections of the tax bill providing reimbursement to local governments for loss of tangible personal property tax receipts are specified in terms of a 4-year phase-out schedule. Consequently, they would not provide reimbursement for any tax revenues lost as a result of full tax exemption in 2006 for the equipment covered by this provision. State education aid may increase in FY 2008 through FY 2010 as a result of this change.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1043 (CD-1424-TPR) Property Tax Exemption for Performing Arts Centers

R.C. 5709.121, 5709.12

No provision.

No provision.

No provision.

Specifies that a performing arts center used by a charitable or educational institution, the state, or a political subdivision continues to be exempt from taxation after its conveyance to an entity that is not a charitable or educational institution and is not the state or a political subdivision if certain specified conditions are satisfied.

Fiscal effect: May reduce real or personal property tax revenues to local governments. May increase state base cost funding for schools.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1044 (CD-615-TPR) Phase Out Tax on Some Tangible Personal Property

R.C. 5711.22, 5701.03, 5711.21, 5713.01, 5727.02, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12

Exempts from taxation business machinery and equipment newly installed after 2004, phases out taxation of other business machinery and equipment by tax year 2007, accelerates phase-out of inventory taxation by tax year 2010, and eliminates property tax exemption for patterns, jigs, dies, and drawings of general business. Over 95% of patterns, jigs, dies, and drawings of general business would be included in machinery and equipment, that is no longer taxed after tax year 2006, according to the Department of Taxation. Tangible personal property taxes levied are expected to fall from \$1,755 million in tax year 2005 to \$696 million in tax year 2010, when only furniture, fixtures, and certain other property not included in the phase-out schedule would remain taxable.

Fiscal effect: The state would reimburse local governments for most forgone tax revenues in FY 2006 and FY 2007, funding these reimbursements with revenue from the Commercial Activity Tax (see Compare Doc entry for that tax). State reimbursements would phase out in future years.

No provision.

R.C. 5711.22, 5701.03, 5711.21, 5713.01, 5727.02, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12

Same as the Executive but phases out taxation of furniture and fixtures, reducing assessment rates in 5 percentage point increments from 25% in tax year 2005 to 0% in tax year 2010 and thereafter. Reimburses local governments based on taxes in 2004 plus those applicable to 2005 and passed before September 1.

Fiscal effect: LSC estimates tangible personal property taxes on furniture and fixtures at \$440 million in tax year 2004. Reimbursements to school districts and other local governments would total an estimated \$17 million in FY 2006 and \$107 million in FY 2007.

No provision.

R.C. 5711.22, 5701.03, 5711.21, 5713.01, 5727.01, 5727.02, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12

Phases out taxation of all general business tangible personal property evenly over four years, eliminating the tax in 2009, except for new manufacturing equipment which is exempted immediately. Makes corresponding changes in the schedule of school district and local taxing unit reimbursement provisions. Adds reimbursement of counties for loss of property tax collection and administration fees. Reinstates the property tax exemption for patterns, jigs, dies, and drawings provided in current law. Tangible personal property of utilities and of persons other than utilities that lease such property to utilities remains taxable. (See also Phase-out of Tax on Some Tangible Personal Property under Department of Education.)

Fiscal effect: Same as the Executive, except that more rapid phase-out of taxation of tangible personal property will increase state reimbursements more quickly.

No provision.

R.C. 5711.22, 5701.03, 5711.21, 5713.01, 5727.01, 5727.02, 5727.031, 5727.06, 5727.10, 5727.11, 5727.12

Same as the Senate, but provides three reimbursement payments to school districts each year instead of four. Specifies that school district levies allowed by R.C. 5705.212 and 5705.213, which have phased in or increasing rates, are to be reimbursed at their 2010 tax rates. Corrects the tax year, from 2006 to 2009, in which non-utility electricity providers must begin reporting electricity-related property in the same manner as electric companies.

Fiscal effect: Essentially the same as the Senate.

Phases out taxation of tangible personal property of telephone, telegraph, and interexchange telecommunications

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

companies over five years and reimburses school districts and taxing units in a manner similar to that for reimbursement for the phase-out of general business tangible personal property.

Fiscal effect: Will reduce local government tax receipts. Will increase state outlays for reimbursement of local governments through 2018.

1045 (CD-1267-TPR) Dealers in Intangibles -- Activities of DIT; procedures to review penalties; clarify definition

R.C. 5711.28, 5725.01

R.C. 5711.28, 5725.01

No provision.

No provision.

Provides for procedures whereby dealers in intangibles may petition for review of penalties imposed upon them in connection with their reporting and payment of the tax.  
Fiscal effect: none

Same as the Senate.

No provision.

No provision.

Narrows the definition of who qualifies as a dealer in intangibles by specifying that the person must be engaged "primarily" in the specific activities that distinguish dealers in intangibles from other types of businesses, such as lending money, dealing in mortgages, other debt instruments and securities for profit or gain, and requires the Tax Commissioner to adopt a rule clarifying the definition of "dealer in intangibles". Also specifies that the Tax Commissioner must receive input from current dealers prior to adopting the rule.  
Fiscal effect: none.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1046 (CD-958-TPR) Changes Real Property Tax Equalization Procedure

R.C. 5715.24

R.C. 5715.24

R.C. 5715.24

No provision.

The process by which real property assessments are determined in reappraisal or update years would be changed by subtracting property destroyed or demolished from the base or prior year value.

Fiscal effect: LSC estimates that this change would reduce taxable values statewide by \$150 million (0.08%). The reduction in taxes collectible that would otherwise result would be largely offset by smaller tax reduction factors. For inside millage, not subject to tax reduction factors, taxes due would decline \$1.5 million. If implemented in tax year 2006, state spending in FY 2006 would be unaffected. Reimbursements for the 10% and 2.5% rollbacks and homestead exemption from the state to local governments would decline an estimated \$70,000 in FY 2007. In future years, state spending would rise because of increased base cost funding payments to school districts.

Adds that the Tax Commissioner, in determining whether real property has been assessed at its correct taxable value, shall consider only aggregate values of property that existed in the prior year and is to be taxed in the current year. In addition to adjustments for new construction and property destroyed or demolished, any other adjustments that the Tax Commissioner considers necessary to comply with this requirement are to be made.

Fiscal effect: Other adjustments will generally be small. Most of the effect of any adjustments will be offset by changes to tax reduction factors. Additional effort and expense may be required by the Department of Taxation to make these adjustments; LSC does not at this time have an estimate of the amount of an additional expenditures required to implement this change.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1047 (CD-1224-TPR) Job creation tax credit for insurance companies

R.C. 5725.32, 5729.032, 122.17

R.C. 5725.32, 5729.032, 122.17

No provision.

No provision.

Extends the existing job creation tax credit to domestic and foreign insurance companies. Clarifies that the Tax Credit Authority may grant job creation tax credits against the insurance taxes.  
Fiscal effect: GRF revenue loss of \$1.0 million per year. Revenue loss may be higher depending on future tax credit agreements.

Same as the Senate, but specifies that the Department of Development must issue a tax credit certificate to the taxpayer and the company may claim the credit for the calendar year specified in the certificate.  
Fiscal effect: GRF revenue loss of \$1.0 million per year.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1048 (CD-635-TPR) End Personal Property Tax Exemption of Electric Utilities' Drawings and Reduce Assessment Rates

R.C. 5727.111, 5701.03, 5727.01

R.C. 5727.111, 5701.03, 5727.01

R.C. 5727.111, 5727.01

R.C. 5727.111, 5727.01

Ends exemption from personal property taxation for patterns, jigs, dies, and drawings of electric utilities beginning in tax year 2006. Patterns, jigs, dies, and drawings of other utilities remain exempt. Assessment rates of electric companies are reduced beginning in that tax year, from 88% to 85% for transmission and distribution property and from 25% to 24% for all other taxable property. The lower assessment rates would reduce taxes about 3.4%. This tax reduction offsets the tax increase that would otherwise result from eliminating tax exemption for electric companies' engineering drawings, according to Department of Taxation calculations.

Same as the Executive.

Similar to the Executive, with the same results.

Same as the Senate.

Fiscal effect: No net effect.

| As Introduced (Executive)  | As Passed by the House       | As Passed by the Senate  | As Amended by Conference Committee |
|--|------------------------------|--|------------------------------------|
| 1049 (CD-687-TPR) Increase in Kilowatt Hour Tax Rates  | R.C. 5727.81, Section 557.21 | R.C. 5727.81, 5727.812, Section 557.21   | No provision.                      |
| <p>Increases the tax rate paid under the tax by approximately 30% for most electric customers. Specifically, the tax rate for the first 2,000 kilowatt hours (KWH) used in a 30 day period is increased from \$0.00465 to \$0.00605 per KWH; the tax rate for KWH used between 2,001 and 15,000 is increased from \$0.00419 to \$0.00545; and the tax rate for KWH used over 15,000 is increased from \$0.00363 to \$0.00472 per KWH. Very large electricity users, those who use more than 45 million KWH in a year, are permitted to self-assess the tax, and have a different rate structure. Self-assessors pay \$0.00075 per KWH for the first 504 million KWH used, plus 4% of the total price of electricity distributed to them. The bill retains the \$0.00075 per KWH rate and increases the 4% rate to 5% of the total price of electricity. All rate increases are to begin in the tax measurement period that includes July 1, 2005.</p> <p>Fiscal effect: Total revenue under the tax would increase by an estimated \$158 million in FY 2006 and \$160 million in FY 2007. Under the current statutory allocation of revenue from the tax, the GRF would receive \$94.9 million of the FY 2006 amount and \$96.2 million of the FY 2007 amount, the Local Government Fund would receive</p> | Same as the Executive.       | <p>Same as the Executive, except that a tax credit is created for self-assessors. The amount of the credit is a company's tax liability based on the total price of electricity multiplied by a percentage determined by the Tax Commissioner on or before September 1 of each year. That percentage is the difference between 1) the revenue increase attributable to the tax rate increase for self-assessors, and 2) \$10 million (adjusted each year for inflation), as a percentage of 3) \$10 million adjusted for inflation. The credit is applied in 1/12 increments to the self-assessor's future monthly tax payments over the course of one year.</p> <p>Fiscal effect: Potential to reduce revenue to the GRF, the Local Government Fund, the Local Government Revenue Assistance Fund, the School District Property Tax Replacement Fund, and the Local Government Property Tax Replacement Fund as compared with the revenue expected under the Executive Proposal. The potential amount of any such revenue loss depends on electricity use by self-assessors after the tax increase, but is expected to be less than \$5 million during the initial few fiscal years of operation.</p> |                                    |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

\$4.2 million each year, the Local Government Revenue Assistance Fund would receive \$0.6 million each year, the School District Property Tax Replacement Fund would receive \$40.2 million in FY 2006 and \$40.7 million in FY 2007, and the Local Government Property Tax Replacement Fund would receive \$18.4 million in FY 2006 and \$18.6 million in FY 2007. The Governor's proposal also amends the statutory formula, however, so as to retain the full increase for the GRF.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1050 (CD-1025-TPR) Kilowatt Hour Tax and Municipal Electric Companies

R.C. 5727.82

R.C. 5727.82

No provision.

Provides that revenues collected by municipal electric companies that derive from the rate increase contained in section 5727.81 of the Revised Code are distributed like those collected by other electric companies, as provided in section 5727.84 of the Revised Code. Current law allows municipalities to retain these revenues in their general funds.

Fiscal effect: The tax rate increases are estimated to increase revenues that would have been retained in municipal general funds by approximately \$11 million. Under the existing distribution formula, approximately \$6.6 million of this would go to the GRF, \$2.8 million would go to the School District Property Tax Replacement Fund, \$1.2 million would go to the Local Government Property Tax Replacement Fund, \$0.3 million would go to the Local Government Fund, and \$0.04 million would go to the Local Government Revenue Assistance Fund.

Same as the House.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1051 (CD-690-TPR) Change in Distribution of Kilowatt Hour Tax Receipts

R.C. 5727.84, Section 557.12

R.C. 5727.84, Section 557.12

R.C. 5727.84, Section 557.12

Increases the statutory share of KWH tax receipts going to the GRF from 59.976% to 69.213% beginning August 1, 2005. Reduces the share of those receipts going to the Local Government Fund (LGF) from 2.646% to 2.035%, to the Local Government Revenue Assistance Fund (LGRAF) from 0.378% to 0.291%, to the School District Property Tax Replacement Fund (SDPTRF) from 25.4% to 19.538%, and to the Local Government Property Tax Replacement Fund (LGPTRF) from 11.6% to 8.923%. Section 557.12 specifies the amounts that should be credited to the LGF and the LGRAF in fiscal years 2006 and 2007 notwithstanding the statutory formula. Under current law, if in fiscal years 2002 through 2006 the KWH tax revenues are less than \$552 million, the amount credited to the GRF is reduced by the amount necessary to credit the LGF and the LGRAF the amount each would have received if the tax had raised that amount. Beginning in FY 2007, if tax revenues are less than \$552 million, current law requires that the amount credited to the GRF be reduced by the amount necessary to credit all four of the other funds the amount each one would have received if the tax did raise that amount. The bill strikes the language about these thresholds.

Same as the Executive except decreased slightly the amount of revenue to be credited to the LGF and to the LGRAF during the FY 2006-2007 biennium. Fiscal effect: Decreases revenue to the LGF by approximately \$1.3 million in FY 2006 and \$1.8 million in FY 2007 as compared to the Executive Proposal. Decreases revenue to the LGRAF by approximately \$0.2 million in FY 2006 and \$0.3 million in FY 2007 compared to the Executive Proposal. Revenue to the GRF, SDPTRF, and LGPTRF increases in total by \$1.5 million in FY 2006 and \$2.1 million in FY 2007, with each fund getting its share proportionally according to the statutory formula.

Same as the Executive except that the distributions to the LGF and LGRAF are increased for the FY 2006-07 biennium. Fiscal effect: Increases revenue to the LGF by approximately \$5.7 million in FY 2006 and \$6.2 million in FY 2007 as compared with the Executive Proposal. Increases revenue to the LGRAF by approximately \$0.8 million in FY 2006 and \$0.9 million in FY 2007 as compared with the Executive Proposal. Revenue to the GRF decreases by corresponding amounts, i.e., by \$6.5 million in FY 2006 and \$7.0 million in FY 2007.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Fiscal effect: At current tax rates, these provisions would increase the amount credited to the GRF by approximately \$47.0 million in FY 2006 and \$48.7 million in FY 2007, the amount credited to the LGF by approximately \$2.1 million in FY 2006 and \$1.3 million in FY 2007, and the amount credited to the LGRAF by approximately \$0.3 million in FY 2006 and \$0.2 million in FY 2007. At current tax rates, they would decrease the amount credited to the SDPTRF by approximately \$33.9 million in FY 2006 and \$34.4 million in FY 2007, and the amount credited to the LGPTRF by approximately \$15.5 million in FY 2006 and \$15.7 million in FY 2007. The statutory changes are apparently intended to work together with the increase in tax rates contained in section 5727.81 to reserve the increase in revenue attributable to the increase in tax rates for the GRF.

---

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1052 (CD-790-TPR) Shortfall in Receipts from the Natural Gas Consumption Tax and GRF Transfer

R.C. 5727.84

R.C. 5727.84

R.C. 5727.84

R.C. 5727.84

Strikes language that provides a trigger for transferring funds from the GRF to the School District Property Tax Replacement Fund (SDPTRF) and the Local Government Property Tax Replacement Fund (LGPTRF). Under existing law beginning in FY 2007, if total revenue under the tax is less than \$90 million, the difference between \$90 million and the total revenue is transferred from the GRF to the SDPTRF and the LGPTRF, with the difference split between the funds according to their statutory shares of the total revenue. The bill eliminates this provision.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This tax raised a total of approximately \$76.3 million in FY 2004, which was less than FY 2003 revenue of \$83.7 million. This provision could eliminate a transfer of up to \$15 million or more from the GRF, starting in FY 2007, and correspondingly reduce revenue to the SDPTRF by up to \$10.3 million and revenue to the LGPTRF by up to \$4.7 million.

1053 (CD-1031-TPR) Motor Fuel Use Tax

R.C. 5728.06, 5728.01, 5728.02,  
5728.03, 5728.04, 5728.08

R.C. 5728.06, 5728.01, 5728.02,  
5728.03, 5728.04, 5728.08

R.C. 5728.06, 5728.01, 5728.02,  
5728.03, 5728.04, 5728.08

No provision.

Provides that a person must obtain a fuel use permit only if operating a commercial car or commercial tractor upon public highways in two or more states. Eliminates the requirement that farm trucks pay the tax annually; instead they must pay the tax quarterly as do other commercial cars or tractors. Existing law imposes the tax on three-axle commercial cars; the bill adds the words "regardless of weight."  
Fiscal effect: The motor fuel use tax surcharge will be eliminated beginning July 1, 2005 due to provisions of Am. Sub. H.B. 87 of the 125th General Assembly, so this provision does not have a fiscal effect.

Same as the House, with some clarifications.  
Fiscal effect: None.

Same as the Senate.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1054 (CD-782-TPR) Estate Tax

R.C. 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.20, and Sections 557.03 and 557.24

R.C. 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.20, and Sections 557.03 and 557.24

R.C. 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.20, and Sections 557.03 and 557.24

R.C. 5731.01, 5731.05, 5731.131, 5731.14, 5731.18, 5731.181, 5731.20, and Sections 557.03 and 557.24

The bill updates the state estate tax law to incorporate changes in the federal estate tax law and eliminates the deduction for family-owned business.

The federal "Economic Growth and Tax Relief Reconciliation Act of 2001" (the "Act") phased out the federal credits for paying state death taxes and state generation-skipping transfer taxes to estates of decedents dying after December 31, 2004, or to generation-skipping transfers made after that date. The bill eliminates the state "sponge" taxes. The state "sponge" taxes (additional estate tax and generation skipping tax) are equal to the difference between state tax liability and the estate's federal credit. The estate of a decedent who dies on or after January 1, 2002, but before the effective date of the bill, receives a tax credit against the additional estate "sponge" tax. The credit equals the portion of the additional estate sponge tax that is over and above the sponge tax that would have been imposed if the tax had been equal to the maximum federal credit allowable for paying state estate taxes under the federal law that was in effect and applicable on the date of the decedent's death.

The bill also eliminates the family-owned business deduction. The revisions made to

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

the federal estate tax law affect this deduction. Federal law permits estates to avoid federal estate taxes on a part of the estate consisting of family-owned businesses inherited by or passed to family members. These family-owned business interests are deducted in computing the value of the estate that is subject to the federal estate tax. Ohio also has a deduction modeled closely after this federal deduction, for the value of a family-owned business (including a farm) when computing the Ohio estate tax, to the extent the business is passed on to other family members. The state deduction may be claimed even if the federal deduction is not claimed against federal estate tax liability.

Fiscal effect: Estate tax collections are estimated to decrease by \$2 million in FY 2006 and \$8 million in FY 2007.

---

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1055 (CD-646-TPR) Phase-out of the corporate franchise tax

R.C. 5733.01

R.C. 5733.01

R.C. 5733.01, 5733.41

R.C. 5733.01(G), 5733.41

Phases out the corporation franchise tax evenly over five years, beginning in 2006, for all corporations other than financial institutions. Financial institutions will continue to pay the corporate franchise tax on their net worth at the rate of 13 mills. For tax year 2006, nonfinancial corporations would pay 80% of their corporation franchise tax liability less any credits allowable against the tax. For tax year 2007, nonfinancial corporations would pay 60% of their franchise tax liability less any applicable credits. For tax year 2008, nonfinancial corporations would pay 40% of their franchise tax liability less any credits allowable against the tax. For tax year 2009, nonfinancial corporations would pay 20% of the franchise tax liability less any allowable credits. For tax year 2010 and each year after, the corporation franchise tax would be eliminated for nonfinancial corporations.

Fiscal effect: The phase-out of the corporation franchise tax will decrease GRF revenues by \$153.3 million in FY 2006 and \$314.4 million in FY 2007.

Same as the Executive, but other corporations exempted from the proposed CAT also would continue to pay the franchise tax (see CD-945-TPR, CAT-- Exemption for some holding companies and all affiliates of financial institutions and of insurance companies).

Same as the House, except makes various technical corrections regarding the pass-through entity tax, withholding tax credits, and pass-through entities owned by corporations. Specifies that during the phase-out of the CFT the withholding tax imposed on pass-through entities owned by corporations is based on each corporation-owner franchise tax liability. The phase out rate of the pass-through entity withholding tax applies only to corporation-owners that become subject to the CAT.  
Fiscal effect: none (assumes that this was the original intent in the executive proposal)

Specifies the way in which credits that are carried forward will be claimed during the phase-out.

Fiscal effect: none

Same as the Senate, but specifies that securitization entities affiliated with financial institutions or insurance companies or their affiliates or their holding companies are subject to the corporation franchise tax.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1056 (CD-628-TPR) Limited Liability Companies

R.C. 5733.01

R.C. 5733.01

R.C. 5733.01

R.C. 5733.01

Clarifies how limited liability companies classified as corporations for federal purposes are treated under the corporate franchise tax law. The executive proposes that any business classified as an association taxable as a corporation for federal income tax purposes will also be treated as a corporation for state franchise tax law, and an equity interest in the business shall be treated as capital stock.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This change is expected to have a minimal fiscal effect.

1057 (CD-883-TPR) Corporation Franchise Tax: Recycling and Litter Prevention Fund

R.C. 5733.065, 5733.066, 5733.122, Sections 557.10 and 612.27

R.C. 5733.065, 5733.066, 5733.122, Sections 557.10 and 612.27

R.C. 5733.065, 5733.066, 5733.122, Sections 557.10 and 612.27

No provision.

Provides for a final series of payments in FY 2006 equal to \$1.5 million from GRF to the Recycling and Litter Prevention Fund. Future litter taxes paid by corporations would be used to fund recycling and litter prevention but not necessarily through the Recycling and Litter Prevention Fund. Under current law, proceeds from the litter taxes of the corporation franchise tax are distributed to GRF for use in recycling and litter prevention programs.  
Fiscal Effect: None.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1058 (CD-929-TPR) \* **Partially Vetoed** \* Manufacturing Machinery and Equipment Tax Credits.

R.C. 5733.33

R.C. 5733.33, 122.172, 122.173

R.C. 5733.33, 122.172, 122.173

No provision.

Limits the availability of the corporate franchise and personal income tax credits to purchases of new manufacturing machinery and equipment purchased and installed by June 30, 2005, instead of December 31, 2016. Under current law, corporate franchise tax and personal income tax credits are available for the purchase of manufacturing machinery and equipment until December 31, 2016.

Fiscal Effect: Potential revenue gain of \$7.2 million in FY 2006 and \$10.5 million in FY 2007. (Department of Taxation estimates)

Same as the House, except removes apparent redundant language.

Same as the Senate.

No provision.

No provision.

Requires that a taxpayer's notice of intent to claim the credit for purchase and installation of new manufacturing machinery and equipment be filed on or before September 2005, or no credit may be claimed. Fiscal effect: none assuming all taxpayers file their notice on time.

Same as the Senate.

[\*\*\*VETOED: Converts existing corporation franchise and income tax credits for purchase and installation of new manufacturing machinery and equipment into grants that can be applied against those taxes. The Department of Development will administer the grants.

Same as the Senate

Fiscal effect: none (assumes that the decrease in state revenues from the grants would be the same as that of the credits currently available to taxpayers on which the

| As Introduced (Executive) | As Passed by the House | As Passed by the Senate<br>grants are based.) ***] | As Amended by Conference Committee |
|---------------------------|------------------------|--|------------------------------------|
|---------------------------|------------------------|--|------------------------------------|

**1059 (CD-1247-TPR) Phase-out of the Grain Handling Tax**

|               |               |  |   |
|---------------|---------------|--|---|
| No provision. | No provision. | <p style="text-align: center;">R.C.     <b>5737.03</b></p> <p>Phases out the grain handling tax, reducing the tax rates in half in 2006 and eliminating the tax in 2007.</p> <p>Fiscal effect: Grain handling tax receipts ranged from \$229,403 to \$287,800 in calendar years 1999-2002. Receipts are distributed to local taxing jurisdictions in proportion to property tax rates levied by each jurisdiction.</p> | <p style="text-align: center;">R.C.     <b>5737.03</b></p> <p>Same as the Senate.</p> |
|---------------|---------------|--|---|

**1060 (CD-1227-TPR) Sales and use tax changes from the Streamlined Sales and Use Tax Agreement**

|               |               |  |   |
|---------------|---------------|--|---|
| No provision. | No provision. | <p style="text-align: center;">R.C.     <b>5739.01,<br/>5739.02,5739.021,5739.034,573<br/>9.035,5739.17,5739.012,5739.16<br/>,5741.16,5741.02,5739.033</b></p> <p>Provides that county permissive tax levy changes that are not emergency levies and are not placed on the ballot by a board of county commissioners must be adopted at least 120 days prior to the date on which the tax or the rate increase is to go into effect.<br/>Fiscal effect: none</p> | <p style="text-align: center;">R.C.     <b>5739.01,<br/>5739.02,5739.021,5739.034,573<br/>9.035,5739.17,5739.012,5739.16<br/>,5741.16,5741.02,5739.033</b></p> <p>No provision.</p> |
| No provision. | No provision. | <p>Revises Ohio law regarding exemption certificates so that it complies with the Agreement.<br/>Fiscal effect: none</p>   | <p>Same as the Senate.</p>  |

| As Introduced (Executive) | As Passed by the House | As Passed by the Senate  | As Amended by Conference Committee  |
|---------------------------|------------------------|--|---|
| No provision.             | No provision.          | Changes the manner in which sales of digital goods, computer software or services are sourced when used in more than one taxing jurisdiction and the business consumer does not hold a direct payment permit. This conforms Ohio law to the Streamlined Sales and Use Tax Agreement.<br>Fiscal effect: indeterminate | Same as the Senate.   |
| No provision.             | No provision.          | Adopts the definitions in the SSTP for various types of communication services. Also exempts sales by a vendor of 900 service to a subscriber and sales of value-added non-voice data services.<br>Fiscal effect: indeterminate revenue loss   | Same as the Senate, except adds to certain telecommunication-related definitions the phrase "including but not limited to" as the terms are defined in the Streamlined Sales and Use Tax Agreement.<br>Fiscal effect: none. |
| No provision.             | No provision.          | Provides that the definitions of "durable medical equipment" and "mobility enhancing equipment" are mutually exclusive.<br>Fiscal effect: none   | Same as the Senate.   |
| No provision.             | No provision.          | Amends the definition of "price" to address the treatment of coupons, discounts, third party payments and other issues. Also creates a new law regarding the tax treatment of "bundled transactions".<br>Fiscal effect: Potential revenue loss.  | Same as the Senate.   |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1061 (CD-626-TPR) Sales and use tax rate changes

R.C. 5739.02,  
5739.025,5739.10,5741.02

R.C. 5739.02,  
5739.025,5739.10,5741.02

R.C. 5739.02,  
5739.025,5739.10,5741.02

R.C. 5739.02,  
5739.025,5739.10,5741.02

Establishes a permanent sales and use tax rate of 5.5% beginning July 1, 2005. This provision also revises the tax rate schedules that specify how the tax is applied to fractions of dollars when sales are not in exact dollar amounts. Under current law, the tax rate is scheduled to return to 5% on July 1, 2005. Am. Sub. H.B. 95 of the 125th General Assembly temporarily increased the rate to 6% for sales occurring between July 1, 2003 and June 30, 2005.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The sales and use tax rate increase will boost GRF revenues by \$720 million in FY 2006 and \$744 million in FY 2007. This estimate includes additional GRF revenues from the limit on distributions to local government funds from state sales tax revenues.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1062 (CD-1359-TPR) Sales and Use Tax -- Repeal of the exemption for sale of investment coins

R.C. 5739.02 (B) (35)

R.C. 5739.02 (B) (35)

No provision.

No provision.

Repeals the sales and use tax exemption for sales of investment metal bullion and investment coins.

Same as the Senate.

Fiscal effect: GRF revenue gain of up to \$3.1 million in FY 2006 and \$3.4 million in FY 2007 (according to the Department of Taxation estimates). Revenue to local governments from the permissive local sales tax will increase by \$0.7 million each year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1063 (CD-1240-TPR) Levy Taxes to Build and Equip Convention Centers

R.C. 5739.09, 307.695

R.C. 5739.09, 307.695

No provision.

No provision.

Provides that within 180 days of July 1, 2005, a board of county commissioners of a county where a lodging tax is already in effect may adopt a resolution to levy an additional lodging tax up to 3% to make payments on bonds and notes issued by or for the benefit of a convention and visitors' bureau or a community improvement corporation to construct and equip a convention center in the county. (See also entry in Local Government Provisions.)

Fiscal effect: May increase lodging taxes. May increase expenditures on convention centers in some counties.

Same as the Senate, but allows certain convention facilities authorities in Apalachian counties with populations less than 80,000 to levy a lodging tax at any rate up to 3%. Removes the 180-day period within which a resolution levying an additional lodging tax to pay costs associated with a convention center may be adopted. Permits a board of county commissioners in a county with a population of 1,200,00 or more--up from 600,000 or more in the Senate-passed version of the bill--to establish and provide local funding options from constructing and equipping a convention center.

Fiscal effect: May increase lodging taxes. May increase expenditures on convention centers in some counties.

No provision.

No provision.

No provision.

A county with a population of one million two hundred thousand or more may levy a tax on food and beverages consumed on the premises where sold, and on lodging by transient guests at a hotel, to pay the cost of constructing, improving, expanding, equipping, financing, or operating a convention center.

Fiscal effect: May increase local government revenues from taxes on food and beverages and on lodging.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1064 (CD-1346-TPR) Sales and Use Tax: Vendor discount kept at 0.9%

R.C. 5739.12

R.C. 5739.12

No provision.

No provision.

Maintains the vendor discount at 0.9% for a vendor promptly filing sales and use tax returns. Under current law, the vendor discount was to return to 0.75% beginning July 1, 2005. (The discount was temporarily increased to 0.9% for FY 2004 and FY 2005).

Same as the Senate, except that the increase in the vendor discount is to continue to June 30, 2007.

Fiscal effect: GRF revenue loss of about \$16.4 million in FY 2006 and \$17.2 million in FY 2007.

1065 (CD-1236-TPR) SSTP -- County license fee reimbursement

R.C. 5739.17

R.C. 5739.17

No provision.

No provision.

Creates in the State Treasury the Vendor's License Application Fund in which vendor license fees collected by the Tax Commissioner are deposited. These fees will be transmitted to counties in which the vendor engages in business. Under current law, the Tax Commissioner may establish a registration system for payment of license fees available to remote vendors.

Fiscal effect: none

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1066 (CD-1134-TPR) Use tax exemption for cigarettes valued at \$300 or less monthly

R.C. 5741.02, 5743.33, 5743.331, and Section 612.27

R.C. 5741.02, 5743.33, 5743.331, and Section 612.27

No provision.

Exempts cigarettes from the general use tax and from the cigarette use tax if the wholesale value used, stored, or consumed (other than for resale) is \$300 or less per month.  
Fiscal effect: Significant revenue loss if this provision, in conjunction with the tax rate increase (see CD-636-TPR, Increases in tax rates for tobacco products), results in higher levels of individual bootlegging and organized smuggling. Potential revenue loss will be several millions of dollars.

No provision.

Same as the House.

1067 (CD-1215-TPR) Cigarette Tax -- prohibitions against trafficking in unstamped cigarettes

R.C. 5743

R.C. 5743

No provision.

No provision.

Changes references in the law regarding prohibitions against possessing unstamped cigarettes from a wholesale value of \$60 to an amount of 1,200 cigarettes.  
Fiscal effect: none.

Same as the Senate.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1068 (CD-1217-TPR) Cigarette Tax -- enforcement and shipment within the state; other changes to the administration of the tax.

R.C. 5743, 2927.023, 5743.071

R.C. 5743, 2927.023,  
5743.071, 5743.112, 5743.08, 574  
3.15, 5743.20

No provision.

No provision.

Makes it an offense punishable by a fine of up to \$1,000 to transport or cause to be shipped cigarettes to a person other than an authorized recipient of cigarettes (which is defined in the bill). Also, the bill specifies that a person may not, without prior consent of the Tax Commissioner, transport cigarettes upon which taxes have not been paid if the quantity transported exceeds 1,200 cigarettes during any 12-month period; requires that manufacturers and importers obtain licenses from the Tax Commissioner rather than county auditors; provides that the identity of licensed cigarette distributors is subject to public disclosure and requires the Tax Commissioner to maintain a list of all distributors available to the public; makes other changes regarding the sale of cigarettes between manufacturers, wholesalers, and retailers.  
Fiscal effect: Indeterminate.

Same as the Senate, except removes references to other tobacco products from the provision regarding obtaining consent from the Tax Commissioner for the consumer shipment of cigarettes.  
Fiscal effect: Indeterminate.

| As Introduced (Executive)   | As Passed by the House                              | As Passed by the Senate   | As Amended by Conference Committee                  |
|---|---|---|---|
| 1069 (CD-636-TPR) Increases in tax rates for tobacco products   |   |   |   |
| R.C. 5743.02, 5743.32, 5743.51,<br>5743.62, 5743.63   | R.C. 5743.02, 5743.32, 5743.51,<br>5743.62, 5743.63 | R.C. 5743.02, 5743.32, 5743.51,<br>5743.62, 5743.63   | R.C. 5743.02, 5743.32, 5743.51,<br>5743.62, 5743.63 |
| Increases the cigarette excise tax from 27.5 mills per cigarette to 50 mills per cigarette on July 1, 2005. The executive proposes a 45-cent increase per pack of 20 cigarettes, to \$1.00 per pack from the current \$0.55 per pack.   | Same as the Executive.                              | Same as the Executive, except eliminates the tax rate increase for other tobacco products (OTP), and increases the tax rate for cigarettes from 55 cents to \$1.25 per pack of 20 cigarettes instead of \$1.00 per pack as in the Executive proposal.   | Same as the Senate.                                 |
| Fiscal effect: This provision is expected to increase GRF revenues by \$304.0 million in FY 2006 and \$296.0 million in FY 2007. The yield of the tax increase will depend on cigarette tax rate increases in neighboring states.   |   | Fiscal effect: The increase in cigarette tax rate may increase GRF revenues by \$153.0 million in FY 2006 and \$147 million in FY 2007 above the gain in the executive proposal. The gain from the floor tax might be up to \$20 million above the gain in the executive proposal (FY 2006 only).   |   |
| Increases the existing excise tax on tobacco products other than cigarettes from 17% to 30% of the wholesale price of the tobacco product on July 1, 2005. Consumers are expected to purchase cheaper products as a result of the tax increase. Thus, the tax increase may decrease both overall consumption of other tobacco products and the taxable base because the tax on other tobacco products is an ad valorem tax. |   | However, the amount of floor tax revenue will be dependent of the amount of cigarette in inventory on July 1, 2005. Higher cigarette tax rates will reduce taxed consumption and lead to higher levels of smuggling and other tax avoidance strategies, which may reduce estimated revenue gains from the tax increase. The elimination of the tax increase on the OTP decreases GRF revenues by \$18.0 million in FY 2006 and \$19.5 million in FY 2007. |   |
| Fiscal effect: This provision is estimated to increase GRF revenue by \$18.0 million in FY 2006 and \$19.5 million in FY 2007. The yield of the tax increase will depend on rate increases in neighboring states.   |   |   |   |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Requires wholesale and retail tobacco dealers to pay the additional tax on inventory in their possession on July 1, 2005 from the increase in the cigarette excise tax to \$1.00 per pack of 20 cigarettes. Wholesalers and dealers had previously paid the \$0.55 per pack of 20 cigarettes on inventory in their possession.

Fiscal effect: The net additional tax on inventory (the floor tax) is expected to increase revenue by \$44.0 million in FY 2006 only, and has no fiscal effect in FY 2007.

---

**1070 (CD-1042-TPR) Transportation of untaxed cigarettes**

R.C. *5743.33, section 612.27*

R.C. *5743.33, section 612.27*

No provision.

Increases the value (wholesale) of untaxed cigarettes that a person may transport within Ohio without the prior consent of the Tax Commissioner from \$60 to \$300. Fiscal Effect: (See CD-1134-TPR)

No provision.

Same as the House.

---

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1071 (CD-731-TPR) Deduction for Qualified Tuition and Fees Eliminated

R.C. 5747.01

R.C. 5747.01

R.C. 5747.01

R.C. 5747.01

Eliminates the deduction that is allowed under existing law for qualified tuition and fees. Existing law permits taxpayers to take a deduction for certain tuition costs and fees during the taxable year. The deduction is available for tuition and fees paid to a state university or other postsecondary institution located in Ohio. For taxpayers enrolled in a full-time course of study, the deduction is available for tuition and fees paid in each of the first two years of postsecondary education. For taxpayers enrolled part-time, the deduction is available for tuition and fees paid for the academic equivalent of the first two years of postsecondary education during a maximum of five taxable years. The total amount of tuition and fees that may be deducted by a taxpayer for all taxable years is \$5,000. The deduction is not available to individuals filing a joint return showing a combined federal adjusted gross income greater than \$100,000 and is not available to single filers having federal adjusted gross income in excess of \$50,000.

Same as the Executive.

Same as Executive

Same as Executive.

Fiscal Effect: No effect in FY 2006. Increases revenue from the personal income tax by an estimated \$13.4 million per fiscal year starting in FY 2007.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1072 (CD-734-TPR) Trust Tax Made Permanent

R.C. 5747.01, 5747.02

R.C. 5747.01, 5747.02

R.C. 5747.01, 5747.012, 5747.02

R.C. 5747.01, 5747.012, 5747.02

Extends the tax on trust income past taxable year 2004. Under existing law, the income tax applies to trusts for only three taxable years; namely, the taxable years of a trust beginning in 2002, 2003, and 2004.

Fiscal Effect: Increases tax revenue from the personal income tax by an estimated \$19 million in FY 2006, and an estimated \$55 million for each fiscal year thereafter.

Narrows the definition of who is a qualifying beneficiary of a charitable lead trust, from current, future, and contingent beneficiaries to only current and future beneficiaries. The narrowing of the beneficiary definition narrows the extent to which charitable lead trusts are subject to the income tax.

Fiscal Effect: Possible reduction in revenue from that under the Executive proposal.

Removes the provision in the House passed version of the bill that narrows the definition of who is a qualifying beneficiary of a charitable lead trust.

Modifies the definition of a "qualifying investment pass-through entity," which is used in determining the taxable income of certain trusts, to specify that a pass-through entity can qualify as a trust if it existed as an entity before June 5, 2002 and as a pass-through entity for all of the taxable year of the trust.

Fiscal Effect: Possible increase in revenues from that under the House passed version of the bill.

Same as Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1073 (CD-1249-TPR) Income Tax: Meaning of "Indirectly" Owned

R.C. 5747.01

R.C. 5747.01

No provision.

No provision.

Clarifies that the shareholder of a "C" corporation (or of any association treated as a C corporation for federal income tax purposes) does not, by virtue of being a shareholder, indirectly own the assets of the corporation. The clarification includes the case where one corporation is the shareholder of another corporation, unless the corporations satisfy the majority ownership or control test to determine whether the corporations may combine their net income for corporate franchise tax purposes. Clarifies that nonresident shareholders may not claim a credit against a portion of their dividends from a corporation with Ohio income by applying the corporation's apportionment factors to those dividends.

Fiscal Effect: Minimal fiscal impact, if any.

Same as Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1074 (CD-1427-TPR) \* **Vetoed** \* Pre-Income Tax Trusts

R.C. 5747.01, 5751.01

No provision.

No provision.

No provision.

[\*\*\*VETOED: Provides a mechanism for a trust that was created before the Ohio personal income tax was enacted and the pass-through entities in which the trust owns a 5% or more interest to elect to be subject to the commercial activity tax rather than the personal income tax.  
Fiscal Impact: Possible loss of tax revenue from the personal income tax, and a possible gain in tax revenue from the commercial activity tax. \*\*\*]

| As Introduced (Executive)   | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee |
|---|------------------------|---|------------------------------------|
| 1075 (CD-786-TPR) Pass-through entity tax   |                        |   |                                    |
| R.C. 5733.40  | R.C. 5733.40           | R.C. 5747.012, 5747.01  | R.C. 5747.012, 5747.01             |
| <p>Conforms provisions governing the apportionment of expenses paid by a pass-through entity to a related entity with provisions governing a nonresident investor's nonresident credit computation. The apportionment of such expenses is done for the purposes of the withholding tax on pass-through entities with one or more nonresident investors. Expressly provides that, for the purposes of the pass-through entity withholding tax, a nonresident investor's distributive share of a pass-through entity includes income items from a qualified subchapter S subsidiary ("QSSS").</p> | Same as the Executive. | Same as Executive   | Same as Executive.                 |
| <p>Fiscal Effect: Minimal fiscal impact, if any.<br/>No provision.</p>  | No provision.          | <p>Modifies the definition of a "qualifying investment pass-through entity," which is used in determining the taxable income of certain trusts, to specify that a pass-through entity can qualify as a trust if it existed as an entity before June 5, 2002 and as a pass-through entity for all of the taxable year of the trust.<br/>Fiscal Effect: Minimal impact, in any.</p> | Same as Senate.                    |

| As Introduced (Executive)   |  | As Passed by the House |                | As Passed by the Senate |                | As Amended by Conference Committee |                |
|---|--|------------------------|----------------|-------------------------|----------------|------------------------------------|----------------|
| <b>1076</b>   | <b>(CD-728-TPR) Inflation Adjustments for Personal Income Tax Brackets Delayed</b> |                        |                |                         |                |                                    |                |
| R.C.  | <i>5747.02</i>   | R.C.                   | <i>5747.02</i> | R.C.                    | <i>5747.02</i> | R.C.                               | <i>5747.02</i> |
| <p>Delays the indexing of the personal income tax brackets until taxable year 2010. Under existing law the personal income tax brackets were to be adjusted for inflation beginning in taxable year 2005.</p> <p>Fiscal Effect: Increases revenue from the personal income tax by an estimated \$65 million in FY 2006, \$126 million in FY 2007, \$194 million in FY 2008, \$273 million in FY 2009, and \$344 million in FY 2010.</p>   |  | Same as the Executive. |                | Same as Executive       |                | Same as Executive.                 |                |
| <b>1077</b>   | <b>(CD-722-TPR) Personal Income Tax Rate Adjustment</b>                            |                        |                |                         |                |                                    |                |
| R.C.  | <i>5747.02</i>   | R.C.                   | <i>5747.02</i> | R.C.                    | <i>5747.02</i> | R.C.                               | <i>5747.02</i> |
| <p>Reduces the tax rates and amounts within each personal income tax bracket by a total of 21% over five years, beginning with taxable year 2005, in nearly even per-year increments. For each taxable year beginning after 2009, the income tax dollar amounts and rates are the same as for taxable years beginning in 2009.</p> <p>Fiscal Effect: Reduces revenue from the personal income tax by an estimated \$316 million in FY 2006, \$660 million in FY 2007, \$1,044 million in FY 2008, \$1,445 million in FY 2009, and \$1,967 million in FY 2010.</p> |  | Same as the Executive. |                | Same as Executive       |                | Same as Executive.                 |                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1078 (CD-735-TPR) Disallowance of the Credit for Out-of-State Income

R.C. 5747.05, 5747.01

R.C. 5747.05, 5747.01

R.C. 5747.05, 5747.01

R.C. 5747.05, 5747.01

Disallows the existing credit for income taxes paid by Ohio residents to other states or the District of Columbia for any taxpayer who has directly or indirectly deducted, or was required to directly or indirectly deduct, the amount of income taxes owed to another state or the District of Columbia in computing federal adjusted gross income.

Same as the Executive.

Same as Executive

Same as Executive.

Fiscal Effect: Minimal fiscal impact, if any.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1079 (CD-733-TPR) Tax Credit for Low-Income Taxpayers

R.C. 5747.056, 5747.08, 5747.98

R.C. 5747.056, 5747.08, 5747.98

R.C. 5747.056, 5747.08, 5747.98

R.C. 5747.056, 5747.08, 5747.98

Creates a nonrefundable credit for individuals whose Ohio Taxable Income (Ohio adjusted gross income less personal exemptions) does not exceed \$10,000. The amount of the credit varies depending upon the taxable year for which it is claimed. For taxable years beginning in 2005, the credit equals \$107. For taxable years beginning in 2006, the credit equals \$102. For taxable years beginning in 2007, the credit equals \$98. For taxable years beginning in 2008, the credit equals \$93. For taxable years beginning in 2009 or thereafter, the credit equals \$88.

Same as the Executive.

Same as Executive

Same as Executive.

Fiscal Effect: Reduces revenue from the personal income tax by an estimated \$14.1 million in FY 2006, \$13.2 million in FY 2007, \$12.3 million in FY 2008, \$11.5 million in FY 2009, and \$10.8 million in FY 2010.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1080 (CD-1251-TPR) Income Tax: Treatment of Sale of an Interest in a Business

R.C. 5747.212

R.C. 5747.212

No provision.

No provision.

Modifies the current income tax treatment of nonresidents selling an interest in a pass-through entity (the gain or loss of other income is taxable) to cover situations where a pass-through entity is converted from pass-through entity status to some other status within three years before the nonresident's taxable year in which the interest is sold. Applies if the interest is in an entity that is a pass-through entity, if five or fewer persons owned all the voting equity, or if one person owns at least 50% of voting equity on any day in that three-year period. As under current law, the nonresident's income from the sale is apportionable on the basis of the entity's apportionment factors for the year of the sale and the two preceding years for the purposes of the nonresident computing the nonresident income tax credit.

Fiscal Effect: Minimal fiscal impact, if any.

Same as Senate.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1081 (CD-1137-TPR) School District Income Taxes

R.C. 5748.01, 5748.02, 5748.03,  
5748.04, 5748.08

R.C. 5748.01, 5748.02, 5748.03,  
5748.04, 5748.08

No provision.

Permits school districts to apply school district income taxes only to earnings. School districts could either apply the tax to Ohio adjusted gross income less exemptions as at present or only to that portion of employee compensation and of net earnings from self-employment that is included in Ohio adjusted gross income. The tax would be subject to approval by voters. (See the item entitled "School District Income Taxes" in Education.)

Fiscal effect: By applying the school district income tax to a narrower base, school districts might obtain voter approval of levies that would otherwise be defeated. Alternatively, the narrower base might result in reduction of school district revenues from income taxation. LSC has no estimate of the net revenue effect of this change.

No provision.

Same as the House.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee   |
|---|---|---|--|
| 1082 (CD-648-TPR) CAT - The Commercial Activity Tax   |   |   |  |
| R.C. 5751.01, 140.08, 5703.052, 5703.053, 5703.50, 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31   | R.C. 5751.01, 140.08, 5703.052, 5703.053, 5703.50, 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31   | R.C. 5751.01, 140.08, 5703.052, 5703.053, 5703.50, 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31   | R.C. 5751.01, 140.08, 5703.052, 5703.053, 5703.50, 5703.70, 5751.02 to 5751.12, 5751.20 to 5751.22, 5751.31  |
| Imposes a privilege tax or the " commercial activity tax" equal to 0.26% of gross receipts in excess of \$1 million annually. All entities with annual gross receipts above \$40,000 and less than \$1 million will pay \$100 in commercial activity tax liability. | Same as the Executive.  | Same as the Executive, except raises the threshold at which a person becomes subject to the CAT from \$40,000 to \$200,000 and the minimum tax from \$100 to \$175. Also expands the scope of activities taxable under the CAT to any activity conducted for or resulting in gain, income, or profit, specifies that the tax is not a transactional tax, and expressly provides that the tax applies to all persons with substantial nexus with Ohio.<br>Fiscal effect: The net effect of raising both the CAT threshold and the minimum fee may be a potential CAT revenue loss of up to \$1.0 million per year. | Same as the Senate, except decreases the threshold for exclusion to \$150,000 and sets the minimum tax at \$150.<br>Fiscal effect: Indeterminate revenue gain compared to the introduced version (reverses the revenue loss in the Senate version).  |
| Phases in a rate adjustment for the commercial activity tax. The executive proposes the Tax Commissioner adjust the rate by September 2007 if the commercial activity tax receipts are 10% above or below the target of \$815 million in the first two years.       | Same as the Executive, but provides for two more future rate adjustments to the CAT if revenue is more than 10% above or below certain prescribed thresholds. If FY 2008 CAT revenues exceed \$859 million, the excess is credited to the Budget Stabilization Fund (BSF) up to \$42.95 million. Any excess revenue above \$42.95 million is credited to the tax rate stabilization fund (TRSF). Any excess revenue above \$85.9 million is credited to BSF. If excess revenue is greater than \$85.9 million, the CAT rate must be adjusted downward for 2009 and thereafter so that it equals the rate that | Same as the Executive, except modifies the CAT rate adjustment process, creates a commercial activity tax reduction fund in state treasury, and establishes a permanent mechanism (which includes the calculation of "excess revenues") designed to reduce each year's CAT tax rate if revenues exceeds projections. If revenue exceeds those projections (\$1.594 billion in FY 2011 and thereafter), the excess is placed in a special fund and credited toward the following year revenue target. The tax rate for the following year is reduced accordingly to raise the difference. The Tax                  | Prescribes a new CAT rate adjustment mechanism and the following test periods and corresponding revenues: For FY 2005 through June 2007, expected revenues are \$815 million. For the period of July 2008 through June 2009, expected revenues are \$1.190 billion. For the period of July 2010 through June 2011, expected revenues are \$1.610 billion. If CAT revenue exceeds the specified threshold for the defined periods by more than 10% of the threshold, the rate is adjusted downward to the rate that would have produced the specified threshold over the test period minus one-half of the amount |

| As Introduced (Executive)                                     | As Passed by the House  | As Passed by the Senate   | As Amended by Conference Committee  |
|---|---|---|---|
|   | <p>would have produced \$859 million in FY 2008. If revenue is less than 90% of \$859 million (\$773.1 million), then the tax rate is adjusted upward to the rate that would have generated \$859 million during FY 2008.</p> <p>Similar transfers and adjustments are required in 2010. If FY 2010 CAT revenues exceeds \$1.548 billion, the excess is credited to the BSF up to \$77.4 million; any excess revenue above \$77.4 million is credited to the tax rate stabilization fund up to \$154.8 million; any excess revenue above \$154.8 million is credited to the BSF. If excess revenue is greater than \$154.8 million, the CAT rate is adjusted downward for 2011 and thereafter so that it equals the rate that would have produced \$1.548 billion in FY 2010. If revenue is less than 90% of \$1.548 billion (\$1.3932 billion), the tax rate is adjusted upward to the rate that would have generated \$1.548 billion during FY 2010.</p> <p>Fiscal effect: None in FY 2006 or FY 2007. Potential future rate decreases would decrease CAT revenues in future years.</p> | <p>Commissioner must report the excess to the General Assembly which shall review the report and make the appropriate CAT rate adjustment.</p> <p>States the intent of the General Assembly to review the CAT revenue limitation mechanism and to lower the revenue limitation or reduce the rate or both. The review will be conducted every two years in conjunction with the biennial budget deliberation and will take into account the tax's yield, the condition of the state economy and any savings from Medicaid reform or other policy initiatives.</p> <p>Fiscal effect: none during the biennium.</p> | <p>by which revenue exceeded 110% of the specified threshold. Also, 50% of the excess revenue (above the 10% excess) is credited to the BSF and the other 50% is credited to a new CAT Refund Fund. Money credited to the CAT Refund Fund is returned to CAT taxpayers that fully paid their taxes for the year in which the test period ends. Each taxpayer is entitled to the taxpayer's pro rata share of the excess revenue credited to the CAT Refund Fund based on the taxpayer's CAT liability as compared to the total liability of all taxpayers. If revenue falls short of specified thresholds for any of the three test periods, the rate is adjusted upward to the rate that would have produced the specified threshold over the test period. The rate must be computed by the Tax Commissioner.</p> <p>Fiscal effect: None (any change to the current rate would apply beyond the biennium.)</p> |
| No provision.   | Creates in the state treasury the tax rate stabilization fund which will receive transfers of "excess" CAT revenues. Funds in the tax rate stabilization fund must be used for reducing the rates of the individual income tax permanently  | No provision.   | No provision.   |
| Requires taxpayers to pay the tax on a calendar quarter basis | Same as the Executive, but restructures the CAT so that it is clearly an annual privilege tax payable on a quarterly basis.   | Same as the Executive.  | Same as the Executive, but specifies that the CAT is an annual privilege tax and that the fourth quarter return for taxpayers required to file quarterly constitutes an annual reconciliation return.   |

| As Introduced (Executive)   | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee                      |
|---|--|--|---|
| <p>Proposes as the CAT payment and filing deadline the 40th day after the end of the quarterly or annual tax period.</p> <p>Provides for the refund of CAT tax liability.</p>   | <p>Changes the proposed CAT filing and payment deadlines to the 15th day of the second month after the end of the tax period.</p> <p>Same as the Executive, but specifies the conditions under which an outstanding debt owed by a CAT taxpayer becomes final and offsets a refund of CAT liability.</p> | <p>Same as the Executive.</p> <p>Same as the House.</p>  | <p>Same as the Executive.</p> <p>Same as the House.</p> |
| <p>Provides that the sampling of taxpayer receipts during audits is allowed.</p>  | <p>Same as the Executive, but requires any sampling method to be adopted by administrative rule, and requires the Tax Commissioner to try in good faith to reach agreement on the sampling method with the taxpayer.</p>   | <p>Same as the House.</p>  | <p>Same as the House.</p>                               |
| <p>Fiscal effect: Earmarks revenue from the commercial activity tax for the GRF and for reimbursing school districts and other local governments for reductions and phase-outs of local taxes on most tangible personal property. Varying percentages are applied to the distribution of revenues from the commercial activity tax. For FY 2006, GRF will receive 83% of the revenues from the commercial activity tax. The School District Tangible Property Tax Replacement Fund (SDRF) will receive 11.9% of revenues from the commercial activity tax. The Local Government Tangible Property Tax Replacement Fund (LGRF) will receive 5.1% of revenues from the commercial activity tax. For FY 2007, GRF will receive 37.3% of the revenues, the SDRF will receive 43.9%, and the LGRF will receive 18.8%. The Department of Taxation estimates that the commercial activity tax will provide to the GRF \$220.0 million in FY 2006 and \$205 million in FY 2007.</p> | <p>Fiscal effect: Same as the Executive.</p>   | <p>Fiscal effect: Makes changes to the distribution of CAT revenues to GRF, SDRF, and LGRF. For FY 2006, GRF will receive 67.7% of CAT revenues, the SDRF will receive 22.6%, and the LGRF will receive 9.7% of CAT revenues. For FY 2007, the GRF will not receive distributions from CAT revenues. Instead, the SDRF will receive 70.0% of CAT revenues, and the LGRF will receive 30.0% of CAT revenues. Thus, revenues to the GRF might be reduced by about \$ 41 million in FY 2006 and \$205 million in FY 2007 (compared to the Executive).</p> | <p>Same as the Senate.</p>                              |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1083 (CD-1148-TPR) CAT - Calculation of Taxable Gross Receipts

R.C. 5751.01

R.C. 5751.01

R.C. 5751.01

R.C. 5751.01, Section 557.09.06, 557.09.09

Defines taxable gross receipts, the tax base for the commercial activity tax, as amounts realized on sales by a person on transactions that contribute to the production of gross income without deductions for cost of goods sold or other expenses. Excludes certain amounts from the calculation of taxable gross receipts, including unless the amount is received in the taxpayer's ordinary course of business (for a complete list of exclusions, please see the bill analysis):

Same as the Executive, but clarifies the basic definition of "gross receipts" to state that they are amounts realized from sales by a person in transactions contributing to the production of gross income of that person. Removes the provisions that denies the exclusion if an amount is received in the ordinary course of business and makes the following changes and additions to the amounts excluded from taxable gross receipts:

Same as the House, except clarifies the definition of "gross receipts" to recognize that taxable receipts are not limited to receipts derived from "sales" and specifies that only the person receiving the gross receipts is subject to the CAT. Subjects to the CAT receipts from interest, dividends, distributions, and receipts from the sales, exchange, or disposition of capital assets that are received in the ordinary course of business. Also defines an "agent" for purposes of the CAT as a person that acts on behalf of another person to undertake a transaction for that person.

Same as the Senate, but excludes certain receipts (interest, dividends and certain capital gains) even if they are received in the ordinary course of the taxpayer's business. Fiscal effect: indeterminate revenue loss. (compared to the Senate and the Executive)

(1) Interest income;

(1) Same as the Executive, but interest on credit sales is not excluded.

(1) Same as the House, except as note above regarding receipts in the ordinary course of business.

Same as the House.

(2) Dividends and distributions;

(2) Same as the Executive, but also excludes an investor's pass-through income from an S-corporation, partnership, limited liability company, or other kind of pass-through entity.  
Fiscal Effect: Potential revenue loss compared to Executive.

(2) Same as the House, except as noted above regarding receipt in the ordinary course of business.

Same as the House.

(3) Sales and use taxes collected by a vendor.

(3) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

(4) No provision.

(4) Federal and state excise taxes paid on cigarettes and tobacco products.  
Fiscal Effect: Decreases CAT revenue by about \$3.0 million in each fiscal year of the

(4) Same as the House.

Same as the House.

| As Introduced (Executive) | As Passed by the House   | As Passed by the Senate  | As Amended by Conference Committee |
|---------------------------|--|--|------------------------------------|
| (5) No provision.         | biennium.<br>(5) Federal and state taxes on alcoholic beverages.<br>Fiscal Effect: Reduces CAT revenue by \$1.1 million each year of the biennium (according to Department of Taxation estimate).                                      | (5) Same as the House.   | Same as the House.                 |
| (6) No provision.         | (6) Specifies that only commissions in receipts of a state liquor agency are included in taxable gross receipts.<br>Fiscal Effect: None. (assuming that receipts in excess of commissions were not intended to be in the CAT tax base) | (6) Same as the House.   | Same as the House.                 |
| (7) No provision.         | (7) Federal and state motor fuel taxes.<br>Fiscal Effect: Decreases revenues from the commercial activity tax by \$9.0 million each year of the biennium.  | (7) Same as the House.   | Same as the House.                 |
| (8) No provision.         | (8) Pari-mutuel horse racing wagers received by a horse racing agent.<br>Fiscal Effect: Potential revenue loss.  | (8) Same as the House, except the exclusion from gross receipts applies only to the portion of pari-mutual wagers that legally must be held as purse money or collected as tax . Also removes permit holders from the definition of "agent". | Same as the Senate.                |
| (9) No provision.         | (9) Receipts from sales of lottery tickets in excess of agents' commissions, bonuses, and reimbursements.<br>Fiscal Effect: None.  | (9) Same as the House.   | Same as the House.                 |
| (10) No provision.        | (10) Gross receipts received by one motor vehicle dealer for selling a motor vehicle to another dealer that intends to resell the motor vehicle.<br>Fiscal Effect: Indeterminate revenue loss.   | (10) Same as the House, except clarifies that the exclusion from taxable receipts applies only to those transactions by new and used motor vehicle dealers that are needed to meet a specific customer's preference for a motor vehicle.     | Same as the Senate.                |
| (11) No provision.        | (11) Amounts or gross receipts received from transactions between electric companies and regional transmission   | (11) Same as the House.  | Same as the House.                 |



| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee   |
|--|---|--|--|
| (12) No provision.   | <p>organizations regardless of whether they are received in the ordinary course of business or as a form of payment for an otherwise taxable transaction.<br/>Fiscal Effect: Indeterminate revenue loss.</p> <p>(12) Receipts from selling accounts receivables to the extent the receipts from the transaction giving rise to the receivable were previously included in the taxpayer's receipts.<br/>Fiscal Effect: Potential revenue loss.</p> | (12) Same as the House.  | Same as the House.   |
| (13) No provision.   | <p>(13) Hunting, fishing and similar license fees collected by a person authorized to issue such licenses, but does not exclude the \$1 fee such persons may charge for issuing the license.<br/>Fiscal Effect: Minimal decrease in CAT revenue.</p>  | (13) Same as the House.  | Same as the House.   |
| (14) No provision.   | <p>(14) Specifies that the taxable base for the CAT includes only the part of the real estate brokerage fee retained by the broker and not paid to another broker or to a real estate salesperson.<br/>Fiscal Effect: Indeterminate reduction in revenue.</p>   | <p>(14) Same as the House, except the exclusion applies only to the portion of the fee that applies in transactions in which the taxpayer is acting as a real estate broker. Also specifically excludes from gross receipts any funds received by a mortgage broker under a "table-funded" or "warehouse-lending" mortgage loan. LSC assumes that mortgage brokers' receipts for transactions not specified or where the taxpayer is not acting as a real estate broker are taxable.</p> | <p>Same as the Senate, except clarifies that the bill exempts funds received or used by a mortgage broker, regardless of from whom they are received. Also, the bill clarifies that funds received by mortgage brokers who are not dealers in intangibles are excluded from "gross receipts".<br/>Fiscal effect: none (compared to the Senate version)</p> |
| Specifies that gross receipts be calculated on an accrual basis, rather than a cash basis, unless the taxpayer is not required to used accrual basis accounting for federal income tax purposes. | Same as the Executive, but clarifies that the taxpayer must use the same accounting method (generally cash or accrual) for the CAT as it uses for federal income tax purposes for the same period of time.  | Same as the House, except clarifies that amounts "received" includes the accrual of an amount if the accrual method is used.   | Same as the Senate.  |
| No provision.  | No provision.   | Creates a new exclusion for receipts for services provided to a financial institution in   | Same as the Senate   |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

|               |               |   |   |
|---------------|---------------|---|---|
| No provision. | No provision. | <p>connection with issuing, processing, servicing, and managing loans or credit accounts, if such financial institutions and the recipients of the receipts have at least 50% of their ownership interests owned and controlled by common owners.<br/>                     Fiscal effect: Potential revenue loss.<br/>                     Creates a new exclusion for gross receipts received from administering cancer treatment drugs in a physician's office to patients with cancer.</p> | Same as the Senate.   |
| No provision. | No provision. | <p>Fiscal effect: potential revenue loss.<br/>                     Specifies that taxpayers must include in their taxable gross receipts the value of property received outside Ohio and transferred into Ohio within one year after its receipt, unless the Tax Commissioner ascertains that the transfer was not carried out for purposes of avoiding the CAT.<br/>                     Fiscal effect: none (however, prevents potential revenue loss from such tax avoidance)</p>          | Same as the Senate.   |
| No provision. | No provision. | <p>Adds an exemption from gross receipts for receipts realized by a person engaged in selling securities in excess of the gain on the sale of those securities.<br/>                     Fiscal effect: potential revenue loss (compared to the Executive)</p>  | <p>Removes the exclusion for receipts realized by a person engaged in selling securities.<br/>                     Fiscal effect: eliminates the potential loss from the Senate provision.</p>  |
| No provision. | No provision. | <p>Excludes from the CAT amounts derived from the sale of TPP that is delivered into or shipped from certain foreign trade zones that include a transshipment station capable of receiving and shipping freight by rail, highway, and air transportation.<br/>                     Fiscal effect: indeterminate revenue loss</p>  | <p>Same as the Senate, but moves from codified law to uncodified law the exclusion for amounts derived from the sales of TPP delivered into or shipped from certain foreign trade zones.<br/>                     Fiscal effect: none</p> |



| As Introduced (Executive) | As Passed by the House | As Passed by the Senate   | As Amended by Conference Committee  |
|---------------------------|------------------------|---|---|
| No provision.             | No provision.          | Provides that property, money and other amounts received by a professional employer organization from a client employer in excess of the administrative fee charged by the organization are not gross receipts that are subject to the CAT.<br>Fiscal effect: potential loss. | Same as the Senate.   |
| No provision.             | No provision.          | No provision.   | Exempts receipts from the sale of motor fuel from the CAT until July 1, 2007 and requires the Tax Commissioner to report to the General Assembly on the topic of applying the CAT to sales of motor fuel.<br>Fiscal effect: Revenue loss of about \$22.4 million in FY 2006 and \$47.0 million in FY 2007. GRF revenue loss in FY 2006 will be about \$15.1 million. The Senate passed version does not distribute any CAT revenues to the GRF in FY 2007. Thus, there is no loss to the GRF in FY 2007 compared to the Senate-passed version of HB 66. |

1084 (CD-742-TPR) CAT ---Tax Credits

| R.C. 5751.50, 5751.51, 5751.52, 5751.98   | R.C. 5751.01, 5751.50, 5751.51, 5751.52, 5751.98, 122.17, 122.   | R.C. 5751.01, 5751.50, 5751.51, 5751.52, 5751.98, 122.17, 122. | R.C. 5751.01, 5751.50, 5751.51, 5751.52, 5751.98, 122.17, 122. |
|---|--|--|--|
| Permits the following four credits that currently apply to the corporation franchise tax and personal income tax to be applied against the commercial activity tax beginning in 2008. | Same as the Executive, but specifies that the credits can be applied against the CAT beginning on or after July 1, 2008 and can no longer be applied against the corporation franchise tax or the personal income tax after that date. If not fully utilized, the credit could be carried forward and used against the CAT.<br>Fiscal effect: The fiscal effect of this provision occurs outside the biennium. | Same as the House.   | Same as the House.   |

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee |
|---|---|--|------------------------------------|
| (1) Creates a refundable job creation tax credit;   | (1) Same as the Executive.  | (1) Same as the Executive, except specifies that unused portions of the job creation credits automatically convert to credits against the CAT in 2008. | Same as the Senate.                |
| (2) Creates a nonrefundable job retention tax credit. This tax credit will not be allowed against the commercial activity tax if it was available against the corporate franchise tax or the personal income tax, except to the extent the credit was not applied against those taxes.  | (2) Same as the Executive, but permits the Tax Credit Authority to continue entering into agreements for job retention tax credits after June 30, 2007. Also specifies that the capital investment projects for which a job retention credit may be granted include project costs paid after December 31, 2006. Fiscal Effect: Future potential revenue loss. | (2) Same as the House, except specifies that unused job retention credits automatically convert to credits against the CAT in 2008.                    | Same as the Senate.                |
| (3) Creates a nonrefundable tax credit for qualified research expenses. The credit is equal to seven percent of the excess of qualified research expenses over the taxpayer's average annual qualified research expenses incurred in the three preceding calendar years. This credit may be carried forward for seven calendar years. The tax credit will not be allowed against the commercial activity tax if it was available against the corporate franchise tax or the personal income tax, except to the extent the credit was not applied against those taxes. | (3) Same as the Executive.  | (3) Same as the Executive, except specifies that unused portions of the credit may be applied against the CAT beginning in 2008.                       | Same as the Senate.                |
| (4) Creates a nonrefundable credit for qualified research and development loan payments. The credit is equal to the a borrower's qualified research and development loan payments made during the calendar year preceding the tax period for which the taxpayer is claiming the credit. The amount of the credit for a calendar year shall not exceed \$150,000 and the taxpayer must obtain a certificate issued by the director of development. The credit may be   | (4) Same as the Executive.  | (4) Same as the Executive, except specifies that the credit may be applied against the CAT beginning in 2008.  | Same as the Senate.                |

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

carried to the next tax period or periods. The aggregate credit for loan payments against the personal income tax, the corporate franchise tax, and the commercial activity tax cannot exceed \$150,000 per year per taxpayer.

Requires that the tax credits against the CAT be taken in the following order: First, the nonrefundable jobs retention tax credit; then, the nonrefundable credit for qualified research expenses; then, the nonrefundable credit for a borrower's qualified research and development loan payments; and, the refundable jobs creation tax credit.

No provision.

Same as the Executive.

No provision

Same as the Executive.

Permit corporations subject to the corporation franchise tax that have a net operation loss deduction of more than \$50 million to claim a tax credit against the CAT beginning in 2010. The credit will be phased in over 10 years, but may not exceed 50% of the taxpayer's CAT liability in any year (after deducting any other credits).  
Fiscal effect: revenue loss in future years outside the biennium.

Same as the Executive.

Same as the Senate, except specifies that the Tax Commissioner may audit the accuracy of the value of the net operation losses or other lost unrealized tax assets (due to the corporate franchise tax phase-out).  
Fiscal effect: none

Fiscal effect: Revenue loss from these tax credits in future years.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

Creates a CAT tax credit if CAT revenues exceed specified thresholds (see CD-648-TPR). A portion of the excess revenues credited to the CAT Refund Fund will be returned to CAT taxpayers based on their pro-rata share of liability compared to total liability of all taxpayers entitled to the credit.  
Fiscal effect: None in the biennium.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1085 (CD-1150-TPR) \* **Partially Vetoed** \* CAT - Taxpayers and Taxpayer Groups

R.C. 5751.01, 5751.04, 5711.22, 5733.01, 5751.03, 5751.31

R.C. 5751.01, 5751.04, 5711.22, 5733.01, 5751.03, 5751.31

R.C. 5751.01, 5751.04, 5711.22, 5733.01, 5751.03, 5751.31

R.C. 5751.01, 5751.04, 5711.22, 5733.01, 5751.03, 5751.31

Specifies that the commercial activity tax (CAT) applies to any legal person with more than \$40,000 in annual taxable gross receipts in Ohio regardless of the person's legal or organizational form, unless they are specifically excluded.

Same as the Executive.

Same as the Executive, but increases the \$40,000 threshold to \$200,000.  
Fiscal effect: potential revenue loss

Same as the Executive, but increases the threshold to \$150,000.  
Fiscal effect: potential revenue loss (compared to the Executive proposal)

Specifies that nonprofit organizations are subject to the tax, but only on the gross receipts underlying any unrelated business income that is taxable for federal income tax purposes.

Same as the Executive.

Same as the Executive, except further clarifies that the CAT applies only to unrelated business taxable income.  
Fiscal effect: none.

Excludes nonprofit organizations from the CAT.  
Fiscal effect: Revenue loss of up to \$1.0 million per year.

Excludes public utilities, financial institutions, dealers in intangibles, insurance companies, and nonprofits without unrelated business income. These business entities will continue their current tax regimes.

Same as the Executive, but also exempts bank holding companies, financial holding companies, financial service companies, and majority-owned affiliates of all those companies. Also, the provision exempts majority-owned affiliates of financial institutions and insurance companies. All of these exempted companies would be subject to the corporation franchise tax if they are C corporations.  
Fiscal Effect: Excluding all affiliates of financial institutions and insurance companies will reduce CAT revenues by \$2.2 million in FY 2006 and \$9.6 million in FY 2007. The amount of revenue loss will grow each year.

Same as the House, except narrows the exemption for financial-type companies to those engaged only in activities allowed for a financial holding company under federal law. However, if a nonfinancial company is held as a part of a merchant banking activity, the company may not be exempted from the CAT. For legal entities majority-owned by insurance companies, the bill requires that the insurance companies be authorized to do business in Ohio. Also excludes from the CAT persons formed by financial institutions solely for the purpose of facilitating or servicing securitizations transactions for financial-type institutions exempt from the CAT.  
Fiscal effect: indeterminate reduction in revenue loss (compared to the House).

Same as the Senate.

| As Introduced (Executive)   | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee  |
|---|---|--|---|
| <p>Defines what constitutes "substantial nexus", including a "bright-line presence" test providing that an out-of-state business will have nexus with Ohio and be taxable under the CAT if it has over \$50,000 in real or personal property, \$50,000 in payroll for work in Ohio, \$500,000 in taxable gross receipts, or has 25% or more of its activity in the state.</p> | <p>Eliminates the bright-line test from the nexus standards.<br/>Fiscal effect: Potential revenue loss compared to the Executive.</p>   | <p>Same as the Executive, except specifies that the bright-line presence is measured on a calendar year basis. Also, adds that the Commissioner may require certain taxpayers to file a report detailing purchases from persons not registered to collect the CAT.<br/>Fiscal effect: none</p> | <p>Same as Senate, except removes the reporting requirement upon finding that CAT is unconstitutional.<br/>Also specifies that constitutional challenges to the "bright-line presence" test for determining nexus under the CAT may be appealed directly to the Ohio Supreme Court.</p> |
| <p>Prohibits a taxpayer from billing or invoicing of the CAT to another person.</p>   | <p>No provision.</p>  | <p>Same as the Executive, but clarifies that a taxpayer is not prohibited from adding the tax in the price of good or service and the tax remains part of the price for purposes of the sales and use tax.</p>   | <p>Same as the Senate,<br/>[***VETOED: but provides that the CAT may be recovered as an overhead or other charge as part of a legal contract. ***]</p>  |
| <p>Excludes from the CAT taxable receipts of members of a consolidated group taxpayer, except for sales to a member of the consolidated group for the use of the member in Ohio. Receipts are not excluded if they are received from sales to persons outside the group.</p>  | <p>Same as the Executive, but excludes all receipts from sales between the group's members, including sales to a member for the member's own use in Ohio. Also excludes receipts from sales of electricity through an intermediary regional transmission organization.<br/>Fiscal Effect: Indeterminate revenue loss when compared to the executive's definition of CAT receipts.</p> | <p>Same as the House.</p>  | <p>Same as the House, except permits a consolidated taxpayer group to exclude from its taxable gross receipts any receipts received by an entity that is excluded from the CAT.<br/>Fiscal effect: indeterminate</p>  |
| <p>No provision.</p>  | <p>Provides for the possibility that a taxpayer that was formerly a member of a consolidated taxpayer group under the CAT might become a member of a new consolidated group, and therefore must file with its new group.<br/>Fiscal effect: None</p>  | <p>Same as the House.</p>  | <p>Same as the House.</p>   |
| <p>No provision.</p>  | <p>Provides that a combined utility company owes the CAT liability on gross receipts attributable to the activity of an electric company (including rural electric company) and activities other than the activity of a heating company or a natural gas company.</p>   | <p>Same as the House, except clarifies that a combined company must pay the CAT with regard to taxable gross receipts directly attributed to a public utility activity, but not directly attributed to an activity that is subject to the public utility gross receipts tax.</p>               | <p>Same as the Senate.</p>  |

| As Introduced (Executive)  | As Passed by the House  | As Passed by the Senate  | As Amended by Conference Committee  |
|--|---|--|---|
| <p>Requires every legal person subject to the commercial activity tax to register by November 15, 2005 or within 30 days of being subject to the tax. Imposes an initial registration fee of \$15 or \$20 for CAT taxpayers.</p> | <p>Assuming that the companies exempted under the provision are taxable under the public utility excise tax, this provision has little fiscal impact.<br/>Fiscal Effect: Minimal.</p> <p>Same as the Executive, but applies a taxpayer's CAT registration fee toward the taxpayer's tax liability.<br/>Fiscal Effect: Reduces CAT revenue by \$6.5 million in FY 2006 and \$0.5 million in FY 2007.</p> | <p>Same as the House.</p>  | <p>Same as the House.</p>   |
| <p>Provides that business privileges may be revoked for noncompliance with the CAT law.</p>  | <p>Same as the Executive, but prescribes the legal proceedings against taxpayers failing to report and pay the CAT, similar to the provisions for the corporate franchise tax and the personal income tax.<br/>Fiscal Effect: None.</p>   | <p>Same as the Executive, but prescribes a more specific administrative revocation process, and prohibits a person from reregistering until all outstanding taxes, penalties, and interest are paid in full. If the bright line presence nexus test is ruled unconstitutional, the Tax Commissioner may require certain taxpayers to file a report detailing the purchases they make from persons not registered to collect the CAT.<br/>Fiscal effect: none</p> | <p>Same as the House.</p>   |
| <p>No provision.</p>   | <p>No provision.</p>  | <p>Provides that instrumentalities of the state (for example universities) are excluded from the CAT.<br/>Fiscal effect: indeterminate revenue loss (compared to the Executive)</p>  | <p>Same as the Senate.</p>  |
| <p>Permits multiple persons to elect to be treated as a single consolidated taxpayer if those persons are 50% or more owned or controlled by common owners.</p>  | <p>Same as the Executive.</p>   | <p>Changes the consolidated election ownership test by specifying that persons not subject to the CAT may be included in the group, and receipts from sales among those excluded persons and others in the group are also not taxable. Also Specifies that foreign corporations may not be included as part of a consolidated elected taxpayer and increases the common ownership for a consolidated elected</p>   | <p>Same as the Senate, except specifies that an election to be treated as a single CAT taxpayer by a group of companies under common ownership or control may be made by those with 50% ownership, rather than majority ownership. Also makes other changes to consolidated treatment of consolidated groups.<br/>Fiscal effect: indeterminate.</p> |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

No provision.

No provision.

taxpayer from 50% to 80%. Provides that a consolidated elected group may make an election with respect to domestic persons to include either all of the persons with at least an 80% ownership interest or all of the persons with more than a 50% ownership interest. Permits a consolidated group to make an election to include all of its foreign corporations meeting the ownership interest or one of them. Also specifies that the common owner of a group of taxpayers electing consolidated treatment as a single CAT taxpayer also is a member of the group. Also permits companies in a consolidated group to exclude receipts from sales to other members of the group even if those other members are not subject to the CAT.

Fiscal effect: indeterminate

No provision.

[\*\*\*VETOED: Provides a mechanism for a trust that was created before the Ohio income tax was enacted and the pass-through entities in which such trust owns a more than 5% interest to elect to be subject to the CAT rather than the personal income tax. (See also CD-1427-TPR). Fiscal effect: indeterminate. \*\*\*]



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1086 (CD-1149-TPR) \* **Partially Vetoed** \* CAT- Situsing Gross Receipts to Ohio

R.C. 5751.032

R.C. 5751.032, Section 557.13

R.C. 5751.033, Section 557.13

R.C. 5751.033, Sections 557.09.03, 557.13

Specifies that only gross receipts sitused to Ohio are taxable under the commercial activity tax. Prescribes specific situsing rules for various kinds of gross receipts. The following kinds of receipts are sitused to Ohio:

(1) Gross rents and royalties from real property located in Ohio.

(2) Gross rents and royalties from tangible personal property (TPP) to the extent it is located or used in Ohio.

(3) Gross receipts from the sale of real property located in Ohio.

(4) Gross receipts from the sale of TPP if the property is received in Ohio by the purchaser.

Same as the Executive, but makes the following changes to the situsing rules:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive, but specifies that property received in the state for transportation by the purchaser to a location outside Ohio is not to be sitused in Ohio, but rather to the place where the property is ultimately located. Also, TPP delivered into a foreign trade zone located in Ohio for the purpose of delivery out of Ohio without regards to the passage of title and repackaging for further shipping purposes, shall be sitused to the location at which the person or person's affiliated customer delivers the property outside Ohio. Fiscal effect: Potential revenue loss compared to the Executive.

Same as the House, except requires that gross receipts from the sale of transportation services by a common or contract carrier be sitused in Ohio based on the mileage in this state as compared to everywhere else.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the House, but clarifies that TPP delivered to a purchaser who transports the property to a location outside Ohio is to be sitused to the location where the property is ultimately received after all the transportation has been completed. Fiscal effect: none

Same as the Senate.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Senate.



| As Introduced (Executive)  | As Passed by the House   | As Passed by the Senate   | As Amended by Conference Committee  |
|--|--|---|---|
| (5) Gross receipts from trademarks, trade names, patents, copyrights, and similar intellectual property to the extent the property is used in Ohio.                              | (5) Same as the Executive.   | (5) Same as the Executive.  | Same as the Executive.  |
| (6) Gross receipts from the sale of services, and all other gross receipts not otherwise mentioned above are sitused to Ohio proportionately to the purchaser's benefit in Ohio. | (6) Same as the Executive, but clarifies that the location where the purchaser receives the benefit of services is "paramount" which is similar to situsing standards under the corporate franchise tax.<br>Fiscal Effect: Potential revenue loss. | (6) Same as the House.  | Same as the House.  |
| (7) Gross receipts from the sale of electricity and electric transmission and distribution services are sitused in the same manner as under the corporate franchise tax.         | (7) Same as the Executive.   | (7) Same as the Executive.  | Same as the Executive.  |
| No provision.  | [***VETOED: Requires the Tax Commissioner to follow "a body of case law" addressing the situsing of sales under the corporation franchise tax when situsing sales under the CAT situsing law. ***]   | No provision.   | [***VETOED: Same as the House, except states that the provisions governing the situsing of gross receipts for CAT purposes is to be interpreted and applied in a manner consistent with the existing case law regarding the situsing of the corporation franchise tax sales factor (which is used to apportion net income or net worth). ***] |
| No provision.  | No provision.  | Prescribes situsing rules for determining how various receipts from financial transactions are deemed to occur in Ohio for a taxpayer that is not on the list of exempted persons.<br>Fiscal effect: none | Same as the Senate  |

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1087 (CD-845-TPR) Income Tax Distribution to Counties

Section: 303.18

Section: 303.18

Section: 303.18

Appropriates sufficient funds to the credit of the General Revenue Fund to ensure that at least 50 percent of state personal income tax collections are returned to the county of origin as required by Section 9 of Article XII of the Ohio Constitution.

Same as the Executive.

Same as Executive

Same as Executive.

## 1088 (CD-1344-TPR) Refund of Motor Fuel Tax

Section: 553.02.01

Section: 553.02.01

No provision.

No provision.

Gives school districts and educational service centers (ESCs) that failed to file an application for a refund of that portion of the motor fuel tax that became effective on July 1, 2003, 60 days after the effective date of the bill to file the application.

Fiscal effect: Potential loss of revenue to the Highway Operating Fund (Fund 002), the Waterways Safety Fund, the Wildlife Boater-Angler Fund, to municipalities, counties, and townships. The amount of revenue loss to these funds and political subdivisions depends on the number and size of the school districts that file for a refund. See related entry under Department of Education.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1089 (CD-1314-TPR) Telephone Company Tax Credit for Tax Year 2005

Section: 557.04

Section: 557.04

No provision.

No provision.

Permits full recovery in tax year 2005 of an existing tax credit under the corporate franchise tax (CFT). The credit is for telephone companies that provide programs that aid the communicatively impaired. Telephone companies were exempted from the public utility excise tax and subject to the CFT beginning in tax year 2005. For tax year 2005, they were required to compute taxes owed and net operating loss carry forward by multiplying the tax owed, net of nonrefundable credits, or the loss for the tax year, by 50%. This feature of existing law was to solve timing issues in moving from one tax to the other, but had the effect of limiting the amount of this credit that a company could claim. This provision removes the limitation.

Same as the Senate.

Fiscal effect: Would reduce revenue to the GRF, the Local Government Fund, and the Local Government Revenue Assistance Fund. The total revenue loss may be in the millions.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1090 (CD-637-TPR) Cigarette inventory tax collection procedures

Section: 557.06

Section: 557.06 (B)

Section: 557.06

Section: 557.06

Establishes procedures that govern the collection of the net additional tax resulting from the increase in the cigarette tax rate on July 1, 2005. Wholesalers and dealers must remit by August 31, 2005 the additional tax (based on the new tax rate on cigarette of \$1.00 per pack of 20 cigarettes), on all packages of cigarettes on hand (inventory) that had the "old" stamp of \$0.55 per pack of 20 cigarettes.

Fiscal effect: None

Requires wholesalers and dealers to file the "floor" tax return and payment by September 30, 2005. The provision delays receipts from the tax on cigarette inventory.  
Fiscal effect: None

Same as the House, except the Senate changed the increase in the tax rate so that the new rate would be \$1.25 per pack. (See item entitled "Increases in tax rates for tobacco products" for more information on the tax increase)

Same as the Senate.

## 1091 (CD-930-TPR) Cigarette Floor Tax

Section: 557.06

Section: 557.06

Section: 557.06

Established an additional tax on cigarette on inventory on July 1, 2005.

Specifies that the cigarette floor tax is reduced by the discount granted to wholesale dealers as compensation for affixing stamps.  
Fiscal effect: potential revenue loss.

Same as the House.

Same as the House.

No provision.

Allows wholesale and retail dealers to claim a 5% credit against the amount of floor tax due if the return is filed and payment remitted before August 15, 2005.  
Fiscal effect: potential revenue loss.

Same as the House.

Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1092 (CD-712-TPR) First tax return under the Commercial Activity Tax

Section: 557.09

Section: 557.09

Section: 557.09

Section: 557.09

Establishes how the commercial activity tax will be calculated for the semi-annual period from July 1, 2005 through December 31, 2005 for calendar year and calendar quarter taxpayers. The commercial activity tax return for the period is due by February 15, 2006. The semi-annual tax payment for all taxpayers for that semi-annual period will be \$50 for the first \$500,000 in taxable gross receipts. For taxable receipts above the first \$500,000, the commercial activity tax will be 0.06% of taxable gross receipts in excess of \$500,000. Any taxpayer with less than \$40,000 in taxable gross receipts is exempt from the tax.

Converts the CAT from a quarterly tax to an annual tax payable on quarterly basis.  
Fiscal effect: none

Same as the Executive, except the six-month minimum tax equals \$88 instead of \$50 (reflecting the Senate's increase in the annual minimum tax to \$175) and the threshold is increased to \$200,000.

Same as the Executive, except the six-month minimum tax equals \$75 instead of \$50 (reflecting the increase in annual minimum tax to \$150) and the threshold is increased to \$150,000.

Fiscal effect: None

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1093 (CD-1451-TPR) Fuel Excise Tax Discounts

Sections: 557.09.06, 557.09.07

No provision.

No provision.

No provision.

Reduces the motor fuel tax discounts and shrinkage refunds provided to dealers for reporting and paying the motor fuel excise tax on time. Discounts and refunds are reduced for reporting periods between July 2005 and June 2007.

Fiscal effect: Increases revenues to the Highway Operating Fund (Fund 002), the Waterways Safety Fund, and the Wildlife Boater-Angler Fund, and increases revenues to municipalities, counties, and to townships for fiscal years 2006 and 2007. The total amount of the revenue increase is approximately \$6 million each fiscal year.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1094 (CD-1378-TPR) Telecommunications Personal Property Tax Study Committee

Section: 557.13.12

No provision.

No provision.

Creates the Telecommunication Personal Property Tax Study Committee to review the equity of the TPP tax rates that apply to the various entities providing telecommunications services. The committee will have nine members: three members of the Senate, three members of the House, the Chairperson of the Public Utilities Commission, the Director of Development, and the Tax Commissioner. The members of the committee will not receive compensation, nor will they receive reimbursement for expenses. The committee shall report its findings to the General Assembly not later than December 31, 2005, and then shall cease to exist. Fiscal effect: None.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1095 (CD-1019-TAX) Exemption for Property in Nature Preserves From Special Assessments

R.C. 1517.052, 1525.11, 1525.12,  
6111.034, Section 618.06

Exempts real property that is within a nature preserve from special assessments for sewer, water, or electrical service; establishes recording requirements for county auditors regarding the exemptions; and authorizes a board of county commissioners, legislative authority of a municipal corporation, or other governing board of any other public entity to apply to the Water and Sewer Commission for an advance of money from the Water and Sewer Fund in an amount equal to the portion of the costs of a water or sewer improvement that is to be financed by assessments on real property within a nature preserve whose collection is prohibited under the bill, and requires that money to be repaid to the Commission if the assessments subsequently are collected.

No provision.

No provision.

No provision.

Fiscal effect: This provision exempts nature preserves from paying special assessments and will save the Department of Natural Resources money. The actual amount of savings is unknown.

(See item entitled "Exemption for Property in Nature Preserves from Special Assessments, in Department of Natural Resources)



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1096 (CD-787-TAX) Transmission of Sales and Use Taxes Collected by Clerks of Court

R.C. 1548.06, 4505.06

R.C. 1548.06, 4505.06

R.C. 1548.06, 4505.06

R.C. 1548.06, 4505.06

The bill establishes procedures for the transmission of sales and use taxes collected by the court clerks to the Treasurer of State. The bill provides that the clerks are to transmit sales and use taxes and remittance reports from sales of motor vehicles, off-highway vehicles, all-purpose vehicles, and titled watercraft and outboard motors during the week to the Treasurer on or before the Friday following the close of that week. If, on any Friday, the offices of a court clerk or the state are closed, the tax must be forwarded to the Treasurer on or before the next day on which the offices are open. In addition, the bill requires the Tax Commissioner to determine the form of the remittance report. Upon receiving a tax remittance and a report, the Treasurer is required to date stamp the report and forward it to the Tax Commissioner. The Treasurer may require the court clerks to transmit tax collections and remittance reports electronically.

If the tax due for any week with respect to titled watercraft and outboard motors is not remitted by a court clerk in accordance with the procedures outlined in the bill, the clerk must forfeit the poundage fees collected by the clerk for sales made during that week. If the tax due for any week with respect to motor vehicles, off-highway vehicles, and all-

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

purpose vehicles is not remitted by a court clerk in accordance with the bill's procedures, the Tax Commissioner may, but is not required to, compel the clerk to forfeit the poundage fees collected by the clerk for sales made during that week.  
Fiscal effect: None.

## 1097 (CD-1330-TAX) Public Utility Property Taxes and School Aid Computations

R.C. 3317.021, 5727.47

No provision.

No provision.

Specifies that when the Tax Commissioner certifies to ODE information pertaining to public utility property taxes so that ODE can calculate state school aid, the Commissioner is not to certify amounts pertaining to taxes that a public utility contests and with respect to which the public utility withholds payment. Requires public utilities to make a binding election as to whether or not to pay contested property taxes at the time they file a petition for reassessment. (See also entry in Department of Education section.)

No provision.

Fiscal effect: Could increase state aid to districts with contested public utility property.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1098 (CD-718-TAX) Tire Tax Administration

R.C. 3734.9010

R.C. 3734.9010

R.C. 3734.9010

R.C. 3734.9010

Reduces the Department of Taxation's share of money collected from the Scrap Tire Management program from 4% to 2% (the remaining of which goes to Ohio EPA's Scrap Tire Management Fund). The Department of Taxation uses its share for administration of tire tax. See Ohio EPA's subject item Scrap Tire Management Program Funding.

Fiscal effect: Reduces the Department of Taxation's annual revenue by approximately \$140,000.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1099 (CD-1070-TAX) Taxation of Railroad Tracks

R.C. 5701.03, 5713.01, 5727.06,  
5727.10, 5727.11, 5727.12R.C. 5701.03, 5713.01, 5727.06,  
5727.10, 5727.11, 5727.12R.C. 5701.03, 5713.01, 5727.06,  
5727.10, 5727.11, 5727.12R.C. 5701.03, 5713.01, 5727.06,  
5727.10, 5727.11, 5727.12

Reclassifies railroad tracks of railroads as real property and specifies that county auditors, rather than the Tax Commissioner as under current law, would be responsible for assessing them.

Fiscal effect: Railroad tracks of railroads would be assessed at 35% of true value instead of 25% as under current law.

Eliminates this change so that railroad tracks of railroads remain classified as business fixtures that are taxed as public utility tangible personal property. The Tax Commissioner would continue to appraise and assess the tracks.

Fiscal effect: Tracks would remain taxable as public utility tangible personal property at a 25% assessment rate instead of becoming taxable as real property at a 35% assessment rate.

Same as the House.

Real property of railroads that is not used in railroad operations is to be assessed by county auditors. The Tax Commissioner is to continue to assess real property used in railroad operations and tangible personal property of railroads.

Fiscal effect: County auditors may incur additional costs to assess real property assessed under current law by the Tax Commissioner. The state's expenditures may decline as a result of this change.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1100 (CD-741-TAX) Authorization to Require Identifying Information from Persons Filing Tax Documents

R.C. 5703.057

R.C. 5703.057

R.C. 5703.057

R.C. 5703.057

Authorizes the Tax Commissioner to request that persons filing tax documents with the Commissioner to provide any identifying information including a social security number, employer identification number, or other identification number to efficiently administer the tax with respect to which the document is filed. The bill requires that taxpayers update the Commissioner of any changes with respect to that information prior to, or at the time of, filing the next tax document requiring identifying information. The bill requires that the Commissioner maintain the confidentiality of individuals' social security numbers.

The bill permits the Commissioner to impose penalties for failure to comply with the Commissioner's request for identifying information and failure to update identifying information. The bill also specifies that penalties in addition to criminal penalties may be imposed with respect to any false or fraudulent identifying information knowingly submitted by a person to the Commissioner. Fiscal effect: Minimal, if any.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1101 (CD-1265-TAX) Criminal Penalties Under the Tax Code

R.C. 5703.26, 5703.99, 5727.99,  
5728.99, 5731.99, 5735.99,  
5739.99, 5741.99, 5743.99, and  
5747.99

No provision.

No provision.

Changes certain criminal penalties under the  
tax code from unclassified misdemeanors to  
classified misdemeanors.  
Fiscal effect: None.

No provision.

1102 (CD-1112-TAX) \* **Partially Vetoed** \* Interest Rate on Estate Tax and Personal Property Tax Overpayments and Underpayments Changed, Penalty for Late Estate Tax Pa

R.C. 5703.47, 5719.041, 5731.22,  
and 5731.23, and Section  
612.21

R.C. 5703.47, 5719.041, 5731.22,  
and 5731.23, and Section 612.21

No provision.

Reduces the rate at which interest accrues  
on estate tax and personal property tax  
overpayments and underpayments.

No provision.

Same as the House.

[ \*\*\* VETOED - Increases the penalty for  
late estate tax payments and filings and  
authorizes county auditors to forgive such  
penalties for good cause. \*\*\* ]

Fiscal effect: This provision has minimal  
fiscal effect to the state and to counties.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1103 (CD-789-TAX) Taxpayer Audits

R.C. 5703.50

The bill changes the definition of "audit". The bill defines "audit" as a visit by an employee of the Department of Taxation to one or more of the taxpayer's business locations or other locations designated by the taxpayer to inspect the taxpayer's books, records, memoranda, or accounts for the purpose of determining tax liability. "Audit" does not include being served an assessment (i.e., formal notice of outstanding liability) or any other type of document or notification, and does not include an investigation by an enforcement agent or other Department of Taxation employee to verify that a taxpayer has the appropriate license or registration, to conduct a test purchase, or to conduct a "similar" investigation. The bill also clarifies what constitutes a taxpayer audit for the purposes of the time at which certain of a taxpayer's rights are invoked, by stating that an audit does not include providing information to a taxpayer, serving notice of an assessment, or conducting certain kinds of investigations, which do not involve a visit by a tax authority.

Fiscal effect: None.

No provision.

No provision.

No provision.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1104 (CD-788-TAX) Changes Computation of Transfers to the Property Tax Administration Fund

R.C. 5703.80, 321.24

R.C. 5703.80, 321.24

R.C. 5703.80, 321.24

R.C. 5703.80, 321.24

Changes calculation of transfers to the Property Tax Administration Fund (Fund 5V8) in the state special revenue fund group, used to defray Department of Taxation costs to administer property taxes. The current charge of 0.3% against the amount of the 10% real property tax rollback is raised to 0.33% for FY 2006 and to 0.35% for FY 2007 and thereafter. Current charges of 0.15% against public utility tangible personal property taxes and 0.75% against tangible personal property taxes are changed to 0.5% for FY 2006, to 0.56% for FY 2007, and to 0.6% for FY 2008 and thereafter. Charges in each fiscal year are based on the preceding tax year, for example, FY 2006 charges are based on tax year 2005.

Fiscal effect: In conjunction with elimination of the 10% rollback on Class II real property and the phase-out of some taxes on tangible personal property, these changes result in transfers to the Property Tax Administration Fund that LSC estimates at about \$14 million in each of FY 2006 and FY 2007.

Same as the Executive, except that the beginning of the phase-out of taxation of furniture, fixtures, and other tangible personal property in tax year 2006 reduces revenue to the Property Tax Administration Fund in FY 2007.  
Fiscal effect: Revenue to the Property Tax Administration Fund is reduced by this change by about \$0.4 million, to an estimated \$13.8 million, in FY 2007.

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1105 (CD-1263-TAX) Tax Commissioner Quarterly Reports on Tourism-related Tax Revenues

R.C. 5739.36

R.C. 5739.36

No provision.

No provision.

Requires the Tax Commissioner to prepare quarterly reports summarizing tax revenue associated with the travel and tourism industry.  
Fiscal effect: Minimal.

Same as the Senate, except changes the Tax Commissioner's report summarizing tax collections pertaining to travel and tourism from a quarterly report to a semiannual report. Modifies the required contents of the reports to generally specify that the reports must contain information on travel and tourism industries included in the industrial classification system used by the Commissioner in preparing the report. Retains the requirement in the Senate-passed version of the bill that the Commissioner adopt rules necessary to administer the reporting requirement.  
Fiscal effect: Minimal.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1106 (CD-792-TAX) General Administration of Department of Taxation

R.C. 5751.05, 5751.06, 5751.07,  
5751.08, 5751.081, 5751.09,  
5751.10, 5751.11, and 5751.12

R.C. 5751.05, 5751.06, 5751.07,  
5751.08, 5751.081, 5751.09,  
5751.10, 5751.11, 5751.12, and  
5751.31

R.C. 5751.05, 5751.06, 5751.07,  
5751.08, 5751.081, 5751.09,  
5751.10, 5751.11, 5751.12, and  
5751.31

R.C. 5751.05, 5751.06, 5751.07,  
5751.08, 5751.081, 5751.09,  
5751.10, 5751.11, 5751.12, and  
5751.31

The bill proposes permanent law changes related to the Department of Taxation's general administration of the new commercial activity tax, particularly tax payments procedure, tax assessments, penalties and interest, refunds, record keeping, and challenging the legality of tax application procedures.

The bill requires every legal person subject to the new commercial activity tax to register with the Tax Commissioner by November 15, 2005 or within 30 days after first becoming subject to the tax. The registration must be made on a form provided by the Commissioner that must include various required items of information. A one-time fee of \$15 or \$20 registration fee will be imposed. An additional fee of up to \$100 per month, up to \$1000 will be charged if a person registers after the due date. Persons that would otherwise be subject to the tax but that begin business after November 30 in any year are exempt from the fee, as are persons that do not surpass the \$40,000 taxable gross receipts threshold as of December 1. The registration fee may be waived by the Tax Commissioner. Fee collections are credited to a fund to defray the Commissioner's costs of administering the new commercial activity tax, including

Same as the Executive, except provides for taxpayer appeals directly to the Ohio Supreme Court when the Tax Commissioner issues a final determination in response to a taxpayer's challenge of an assessment under the commercial activity tax when the primary issue raised by the taxpayer arises under certain constitutional provisions governing the General Assembly's power to tax incomes and to levy excise and franchise taxes; the manner in which the General Assembly may use moneys derived from motor vehicle license and fuel taxes; or the General Assembly's power to tax food for human consumption. Removes a provision in the bill specifying that if the bill's bright-line presence standard for conferring Ohio nexus status on a person is ruled unconstitutional, the Tax Commissioner may require taxpayers having taxable gross receipts in Ohio to provide a report detailing purchases they make from persons that are not registered to collect the commercial activity tax.

Applies a taxpayer's CAT registration fee toward the taxpayer's tax liability. This provision will decrease CAT revenue by \$6.5 million in FY 2006 and \$0.5 million in FY 2007.

Same as the House.

Same as the House, except specifies that constitutional challenges to the "bright-line presence" standard for determining nexus under the commercial activity tax may be appealed directly to the Ohio Supreme Court. Fiscal effect: None.

## As Introduced (Executive)

promoting awareness of the tax during its initial implementation.  
 Fiscal effect: The estimated costs to implement the new commercial activity tax are included in line item 110-628, Tax Reform System Implementation in the Department of Taxation. Revenue from the proposed one-time fee is assumed to cover these costs.

## As Passed by the House

Also, see subject item " CAT - Registration Fee Credited Toward Tax Due" in TPR.

Prescribes the legal proceedings against taxpayers failing to report and pay the CAT, similar to the provisions for the corporate franchise tax and the personal income tax. Also, see subject item "CAT- Revocation of Business Privileges from Noncompliance" in TPR.

Conforms language under which sampling of a taxpayer' receipts during an audit with similar language under the sales tax and requires any sampling method to be adopted by administrative rule. Also, see subject item "CAT - Sampling Taxpayer Receipts During Audits" in TPR.

Fiscal effect: None.

## As Passed by the Senate

## As Amended by Conference Committee

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1107 (CD-747-TAX) Centralized Tax Filing and Payment Fund

Section: 101

Section: 101

Section: 101

Section: 101

Requires the Director of Budget and Management to transfer \$4.5 million in the biennium from the GRF to the Centralized Tax Filing and Payment Fund, Fund 5W4, in the general services fund group in the Department of Taxation's budget.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1108 (CD-749-TAX) Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption

Section: 101

Section: 101

Section: 101

Section: 101

Earmarks GRF appropriation item 110-901, Property Tax Allocation – TAX, to pay the state's costs incurred due to the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. It also earmarks GRF appropriation item 110-906, Tangible Tax Exemption – Taxation, to pay the state's cost incurred due to the tangible personal property tax exemption. These moneys are distributed to county auditors, who distribute the appropriate amounts to the local taxing districts.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1109 (CD-748-TAX) International Registration Plan Audit

Section: 101

Section: 101

Section: 101

Section: 101

Earmarks appropriation item 110-616, International Registration Plan, (Fund 4C6) in the Department of Taxation's state special revenue fund group for the audits of persons with vehicles registered under the International Registration Plan.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1110 (CD-746-TAX) Litter Control Tax Administration Fund

Section: 101

Section: 101

Section: 101

Section: 101

Authorizes some corporate franchise tax revenues to be deposited into the Litter Control Tax Administration Fund (Fund 437).  
Fiscal effect: None.

Same as the Executive.

Same As the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1111 (CD-750-TAX) Municipal Income Tax

Section: 101

Section: 101

Section: 101

Section: 101

Earmarks appropriation item 110-901, Municipal Income Tax, (Fund 095) in the Agency Fund Group, to make payments to municipal corporations for the municipal income tax on electric companies. This tax is collected and distributed by the Department of Taxation.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1112 (CD-743-TAX) Tax Reform Implementation Fund

Section: 101

Section: 101

Section: 101

Section: 101

Creates the Tax Reform System Implementation Fund (Fund 228) to pay the expenses of the Department of Taxation to provide an integrated tax system that will accommodate the needs of tax reform and allow for improved customer service, processing efficiency, compliance, enforcement, and reporting, and requires the Director of Budget and Management to transfer and credit residual cash to the fund on July 2, 2005 or as soon as possible.  
Fiscal effect: The executive budget provides line item 110-628, Tax Reform System Implementation Fund with \$7 million in each fiscal years of the FY 2006-2007 biennium.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1113 (CD-751-TAX) Tax Refunds

Section: 101

Section: 101

Section: 101

Section: 101

Appropriates any additional amounts that are needed to pay tax refunds for taxes or fees that have been overpaid or illegally or erroneously assessed and collected. The funds are transfers from current receipts of the same tax or fee for which the refund arose.

Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1114 (CD-745-TAX) Travel Expenses for the Streamlined Sales Tax Project

Section: 101

Section: 101

Section: 101

Section: 101

Allows the Tax Commissioner to use funds from appropriation item 110-607, Local Tax Administration (Fund 435), to pay for travel costs to Streamlined Sales Tax meetings.

Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1115 (CD-983-TAX) Small Township and Village Relief Fund

Sections: 209.78.09, 209.78

No provision.

Authorizes the Tax Commissioner to adopt rules to implement a small township and village relief fund to aid small townships and villages in providing essential services to its residents.

Requires the Tax Commissioner to determine the distribution method.

Also, see subject item "Small Township and Village Relief Fund" in RDF.  
Fiscal effect: None.

No provision.

No provision.

## 1116 (CD-962-TAX) Commercial Activity Tax Administration

Sections: 212.09, 5751.05

Sections: 212.09, 5751.05

Sections: 212.09, 5751.05

No provision.

Provides spending authority for the implementation and ongoing administration of the new Commercial Activity Tax.  
Also, see subject item "CAT Administrative Fund: Technical Correction" in TPR.  
Fiscal effect: Appropriations would total \$6 million in FY 2006 and \$500,000 in FY 2007.  
The introduced version of H.B. 66 creates the fund but does not include appropriation authority for the moneys.

Same as the House.

Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1117 (CD-967-TAX) Tax Amnesty Program

Sections: 553.01, 212.09, 312.10

Sections: 553.01, 212.09, 312.10

Sections: 553.01, 212.09, 312.10

No provision.

Requires that the Tax Commissioner administer a temporary tax amnesty program from November 1, 2005, to December 15, 2005, under which taxpayers who voluntarily pay outstanding state taxes, tangible personal property taxes, county and transit authority sales taxes, and school district income taxes are not required to pay penalties associated with those outstanding taxes, are excused from having to pay one-half of the interest accruing on the taxes, and are immune from criminal and civil actions in connection with the taxes.

Creates a new appropriation item, 110-630, Tax Amnesty Promotion and Administration (Fund 5BW), to implement and pay for expenses incurred in promoting and administering the tax amnesty program in the Department of Taxation.

Requires a transfer of \$2,000,000 from the Budget Stabilization Fund to appropriation item 110-630, Tax Amnesty Promotion and Administration (Fund 5BW).  
Requires the Director of Budget and Management to transfer the first \$2,000,000 of revenue received from the tax amnesty program to the Budget Stabilization Fund, the next \$10,000,000 to the General Revenue Fund, and the remaining excess

Same as the House except, changes the source of one-time payment to support the administration of the Tax Amnesty Program from the Budget Stabilization Fund to the Tax Reform System Implementation Fund (Fund 228). Clarifies that the Tax Amnesty Promotion and Administration Fund is created within the State Treasury.  
Fiscal effect: This provision has the potential to create additional revenue for the general revenue fund.

Same as the Senate, except changes the dates of the program from November 1, 2005 through December 15, 2005 to January 1, 2006 through February 15, 2006. Specifies that amnesty is not available with respect to any unpaid tax pertaining to a tax period that ends after the effective date of the legislation.  
Fiscal effect: This provision has the potential to create additional revenue for the general revenue fund.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

fund balance to the Budget Stabilization Fund.  
 Fiscal effect: This provision has the potential to create additional revenue for the general revenue fund.

1118 (CD-1379-TAX) \* **Vetoed** \* Joint Legislative Tax Reform Impact Study Committee

Section: 557.13.09

Section: 557.13.09

No provision.

No provision.

[\*\*\*VETOED: Creates a joint legislative study committee with ten members to study the effects on school districts and other local taxing units of the bill's phase-out of tangible personal property taxes and the revenue impact of the commercial activity tax. Fiscal effect: None. \*\*\*]

[\*\*\*VETOED: Same as the Senate, except adds another subject of study by the Joint Legislative Tax Reform Impact Study Committee created by the bill: the revenue effects of reclassifying rental real property having more than three units as residential/agricultural real property instead of as nonresidential/agricultural real property. Fiscal effect: None. \*\*\*]

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1119 (CD-1036-TUP) Automobile Emissions Test

Section: 206.27

Section: 206.27

Section: 206.27

No provision.

Creates the Auto Emissions Test Fund (Fund 5BY) and transfers \$8,100,000 in FY 2006 and \$15,200,000 in FY 2007 from the Tobacco Master Settlement Agreement Fund (Fund 087) to this newly created fund. The amount being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

Fiscal effect: The moneys transferred to the Auto Emissions Test Fund would otherwise have been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

(See the item entitled "Automobile Emissions Test" in Environmental Protection Agency)

Replaces the House provision regarding the transfers with a provision that states that rather than transferring a specific amount of money from the Tobacco Master Settlement Agreement Fund (Fund 087), Ohio EPA, in consultation with the Office of Budget and Management (OBM), is to determine an amount to withhold and later transfer from that fund to the Auto Emissions Test Fund, and specifies that any money withheld but not transferred to the Auto Emissions Test Fund is to be transferred to the Tobacco Use Prevention and Cessation Trust Fund.

Fiscal effect: Same as the House.

(See the item entitled "Automobile Emissions Test" in Environmental Protection Agency)

Same as the Senate.

Fiscal effect: Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1120 (CD-1035-TUP) Transfer of Tobacco Master Settlement Dollars to the Department of Health

Section: 206.42

Sections: 206.42, 312.24

Sections: 206.42, 312.24

No provision.

Requires the Director of Budget and Management, on July 1, 2005, or as soon as possible thereafter, to transfer up to \$5 million cash from the Tobacco Master Settlement Agreement Fund (Fund 087) to the Healthy Ohioans Initiative Fund (Fund 5BL) in the Department of Health. The amount being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2006.

Same as the House.

Same as the House.

Fiscal effect: This provision reduces the amount of Tobacco Master Settlement dollars that will be transferred to the Tobacco Use Prevention and Control Foundation in FY 2006.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

(See the item entitled "Transfer of Tobacco Master Settlement Dollars" in the Department of Health)

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1121 (CD-1034-TUP) Aged, Blind, and Disabled Managed Care

Section: 206.67.21

Section: 206.67.21

Section: 206.67.21

No provision.

Requires the Director of OBM, on July 1, 2006, or as soon as possible thereafter, to transfer the state share of the amount necessary to implement the ABD Managed Care Program from the Tobacco Master Settlement Agreement Fund (Fund 087) to the ABD Managed Care – State Fund (Fund 5BZ in ODJFS) and appropriates that amount to appropriation item 600-698, ABD Managed Care - State. The amount being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2007.

Replaces the House provision with a provision that requires the Department to implement, by July 1, 2006, two pilot programs for the care management of the aged, blind, and disabled, with one pilot program applicable to noninstitutionalized persons and the other pilot program applicable to persons who require the level of care provided by nursing facilities; requires that the Department evaluate both pilot programs; and authorizes the Department to terminate the pilot programs.

Same as the House, but extends the deadline for implementation to December 31, 2006.

No provision.

Requires that the Director of Budget and Management, not later than July 31, 2007, transfer the unencumbered cash balance in the ABD Managed Care – State Fund (Fund 5BZ) to the Tobacco Use Prevention and Cessation Trust Fund (Fund H87).

Fiscal effect: The moneys transferred to the ABD Managed Care - State Fund would otherwise have been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2007.

Same as House, but requires that the cash balance be transferred not later than 90 days after ODJFS terminate the pilot programs.

No provision.

Fiscal effect: Under this provision, state expenditures would initially increase because both fee-for-service costs (due to a payment lag) and start-up costs for managed care services would have to be paid at the same time. After the initial start-up period, there would likely be savings for services provided to this population under managed care. The magnitude of the fiscal impact will depend on the number of individuals served through the two pilot programs.

Fiscal effect: Same as the House, but with the delayed effective date the fiscal impact will be delayed.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

(See the item entitled "Medicaid Care Management for Aged, Blind, and Disabled" in Job and Family Services)

(See the item entitled "Medicaid Care Management for Aged, Blind, and Disabled" in Job and Family Services)

(See the item entitled "Medicaid Care Management for Aged, Blind, and Disabled" in Job and Family Services)

1122 (CD-1026-TUP) Transfer from the Tobacco Master Settlement Agreement Fund to the General Revenue Fund

Section: 312.24

Section: 312.24

Section: 312.24

No provision.

Requires the Director of Budget and Management, on July 1, 2005, or as soon as possible thereafter, to transfer \$5.0 million, from the Tobacco Master Settlement Agreement Fund (Fund 087) to the General Revenue Fund. The amount being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2006.

Same as the House.

Same as the House.

Fiscal effect: This provision reduces the amount of Tobacco Master Settlement dollars that will be transferred to the Tobacco Use Prevention and Control Foundation in FY 2006.

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1123 (CD-1316-TUP) Transfer of Tobacco Master Settlement Agreement Dollars to ODJFS

Section: 312.24

Section: 312.24

No provision.

No provision.

Requires the Director of Budget and Management, at the start of fiscal years 2006 and 2007, to transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) \$6 million cash to the Children's Hospitals Fund (Fund 5CR in the Department of Job and Family Services). The amounts being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

Same as the Senate.

Fiscal effect: The moneys transferred to the Children's Hospitals Fund would otherwise have been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

Fiscal effect: Same as the Senate.

(See the item entitled "Inpatient Supplemental Payment Program for Children's Hospitals" in Job and Family Services)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1124 (CD-1317-TUP) Transfer of Tobacco Master Settlement Agreement Dollars to the Department of Mental Health

Sections: 312.24, 209.06

No provision.

No provision.

Requires the Director of Budget and Management, at the start of fiscal years 2006 and 2007, to transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) \$4 million cash to the Adult Emergency Assistance Fund (Fund 5CS in the Department of Mental Health). The amounts being transferred would have otherwise been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

No provision.

Fiscal effect: The moneys transferred to the Emergency Assistance Fund would otherwise have been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007.

(See the item entitled "Transfer of Tobacco Master Settlement Agreement Dollars" in the Department of Mental Health)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1125 (CD-1446-TUP) Transfer from the Tobacco Master Settlement Agreement Fund to the Department of Development

Sections: 312.24, 203.99

No provision.

No provision.

No provision.

Requires the Director of Budget and Management, at the start of fiscal year 2006, to transfer from the Tobacco Master Settlement Agreement Fund (Fund 087) \$10 million cash to the Lung Cancer and Lung Disease Research Fund (Fund 5CY in the Department of Development).  
Fiscal effect: The moneys transferred to the Lung Cancer and Lung Disease Research Fund would otherwise have been transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal year 2006. (See the item entitled "Lung Cancer and Lung Disease Research" in Development)

1126 (CD-1447-TUP) Transfer to the Education Facilities Trust Fund

Section: 312.27

No provision.

No provision.

No provision.

Requires the Director of Budget and Management to transfer the remaining balance of funds that would otherwise be transferred to the Tobacco Use Prevention and Cessation Trust Fund in fiscal years 2006 and 2007, after all other transfers have been made, to the Education Facilities Trust Fund.



## As Introduced (Executive)

No provision.

## As Passed by the House

No provision.

## As Passed by the Senate

No provision.

## As Amended by Conference Committee

Fiscal effect: The Tobacco Use Prevention and Cessation Trust Fund will not receive any Tobacco Master Settlement Agreement dollars in FY 2006 and 2007. The Education Facilities Trust will receive an amount that is yet to be determined due to the unknown amounts that will be transferred for the Auto Emissions Test and ABD Managed Care.

(See other items in this section.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1127 (CD-911-DOT) County, Township, Municipal, and Department of Transportation Force Account Limits

R.C. 117.16, 117.162, 723.52,  
723.53, 5517.02, 5543.19,  
5575.01

No provision.

Requires the Auditor of State, by no later than January 31 of each year, to adjust county, township, municipal and Department of Transportation force account limits by the percentage increase of the consumer price index over the twelve month period ended on the last day of December of the immediately preceding year. The Auditor must post these new limits on the worldwide web before January 31 each year. These limits shall be effective for the following twelve month period beginning on the first day of February. (See "County, Township, Municipal and Department of Transportation Force Account Limits" in Local Government and Auditor of State for further descriptions.)

Fiscal effect: Will give the Department more flexibility over time to make cost-effective decisions of whether to use state employees or whether to contract out for certain road and bridge projects.

No provision.

No provision.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1128 (CD-1335-DOT) Ohio School Facilities Commission Project Plans

R.C. 3318.091

R.C. 3318.091

No provision.

No provision.

Requires that, when a facility funded by the Ohio School Facilities Commission is proposed to be located on or within a mile of a state route or U.S. highway, the Commission must submit the project plans to the Director of Transportation for review and consider the Director's findings prior to approving the plans.

Same as the Senate.

Fiscal effect: The Department of Transportation may experience minimal costs to review project plans.

(See item entitled "ODOT Notification" in School Facilities Commission")

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1129 (CD-767-DOT) Aircraft License Fee

R.C. 4561.17, 4561.18, 4561.21

R.C. 4561.17, 4561.18, 4561.21

R.C. 4561.17, 4561.18, 4561.21

R.C. 4561.17, 4561.18, 4561.21

Calculates the annual general aircraft license tax at a rate of \$15 per seat, rather than at a flat rate of \$100 per year; assesses gliders and balloons at a flat rate of \$15 per year; allows the license fees to be used for maintenance and capital improvements to publicly owned airports, rather than just maintenance of county-owned airports; and, renames the County Airport Maintenance Assistance Fund in the state special revenue fund group the Airport Assistance Fund.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The Department estimates the \$15 per seat tax may generate approximately \$524,000 annually. The \$15 flat rate for gliders and balloons will likely generate less than \$2,000 annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1130 (CD-1253-DOT) Transportation Improvement District Bond Refunding Through the State Infrastructure Bank

R.C. 5531.10

R.C. 5531.10

No provision.

No provision.

Allows the State Infrastructure Bank (SIB) Bond Program, which the Director of Transportation administers, to refund certain bonds issued by a transportation improvement district (TID). The Treasurer of State is the issuing authority for SIB bonds, including any that would be issued to refund TID bonds.

Same as the Senate.

Fiscal effect: Potential savings to the Highway Operating Fund by refunding bonds resulting in reduced debt service payments.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1131 (CD-1334-DOT) Rail Transload Initiative

Sections: 203.99.45, 212.12

Sections: 203.99.45, 212.12

No provision.

No provision.

Transfers \$500,000 in FY 2006 from the Energy Efficiency Loan and Grant Fund (Fund 5M5) in the Department of Development to the Rail Transload Facilities Fund (Fund 5CF) in the Department of Transportation. Appropriates \$500,000 in FY 2006 to newly established appropriation item 776-667, Rail Transload Facilities, and requires the appropriation be used for the Rail Transload Initiative, a statewide pilot grant program to enhance the ability of railroads to work with other transport modes to move bulk commodities more efficiently and safely.

Same as the Senate.

(See item entitled "Energy Efficiency Revolving Loan Fund" in Department of Development")

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1132 (CD-768-DOT) Elderly and Disabled Fare Assistance

Section: 212.12

Section: 212.12

Section: 212.12

Section: 212.12

Earmarks up to \$6,000,000 in FY 2006 and \$7,000,000 in FY 2007 from GRF appropriation item 775-451, Public Transportation – State to make grants to county transit boards, regional transit authorities, regional transit commissions, counties, municipal corporations, and private nonprofit organizations that operate or will operate public transportation systems, for the purpose of reducing the transit fares of elderly or disabled persons.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Offsetting revenues to various entities that operate public transportation systems.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1133 (CD-769-DOT) Aviation Lease Payments

Section: 212.12

Section: 212.12

Section: 212.12

Section: 212.12

Requires GRF appropriation item 777-473, Rickenbacker Lease Payments - State, be used to meet scheduled payments for the Rickenbacker Port Authority. The Director of DOT shall certify to the Director of OBM any appropriations that are not needed to make lease payments for the Rickenbacker Port Authority.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Will allow lease payments to be made on time.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1134 (CD-908-DOT) Preventive Maintenance

Sections: 401.11, 401.12

Sections: 401.11, 401.12

Sections: 401.11, 401.12

No provision.

Amends Section 203.03.10 of Am. Sub. H.B. 68, the FY 2006-2007 transportation budget act of the 126th General Assembly, to clarify temporary law in that act concerning a study and report to be produced by an independent party on preventive maintenance projects. Removes language requiring the Department to issue a report for fiscal year 2005, but still requires the Department to provide this report on or before December 1 for three consecutive years.

Same as the House.

Same as the House.

Fiscal effect: The Department may experience increased costs to conduct a study and issue a yearly report for three years on preventive maintenance projects.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1135 (CD-926-DOT) Maintenance of State Park Roads

Sections: 401.13, 401.11, 401.12

Sections: 401.13, 401.11, 401.12

Sections: 401.13, 401.11, 401.12

No provision.

Requires the Director of Transportation, after conferring with the Director of Natural Resources, to construct, repair, and maintain all roads and bridges within the state parks during fiscal years 2006 and 2007, but limits the amount that can be expended for the purpose to \$5 million in a fiscal year.

Same as the House.

Same as the House.

Increases an earmark in Am. Sub. H.B. 68, the FY 2006-2007 transportation budget act of the 126th General Assembly, by requiring the Department of Transportation to use \$5,000,000 in FY 2006 and FY 2007 of appropriation item 772-421, Highway Construction - State, for the construction and maintenance of public access roads to and within state facilities operated by the Department of Natural Resources. The earmark in Am. Sub. H.B. 68 is \$4,517,500 in each fiscal year. (See the item entitled "Maintenance of State Park Roads by the Department of Transportation" in the Department of Natural Resources for the fiscal effect on that agency).

Fiscal effect: Potential increase in the amount of construction and repair projects performed on public access roads in state parks.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1136 (CD-952-TOS) Office of Information Technology

R.C. 125.041, 125.18

R.C. 125.041, 125.18

R.C. 125.041, 125.18

No provision.

Provides that the Office of Information Technology that the bill creates in the Department of Administrative Services does not superintend the offices of state elected officials in their development or use of information technology. Also see subject item " Office of Information Technology" in DAS.  
Fiscal effect: None.

Same as House Passed, except expands the list of state governmental bodies that would not be included within the jurisdiction of the proposed Office of Information Technology within the Department of Administrative Services to include the five state retirement systems.  
Fiscal effect: None.

Same as the Senate, but grants the Office the same authority DAS has for purchases of supplies and services, to be used by the Office only for the purchase of information technology supplies and services for state agencies.  
Also see subject item " Office of Information Technology" in DAS.  
Fiscal effect: None.

1137 (CD-730-TOS) Elimination of State Contribution to Ohio Police and Fire Pension Fund

R.C. 742.59, 742.36 (repealed)

R.C. 742.59

R.C. 742.59

R.C. 742.59

Eliminates the state contribution to the Ohio Police and Fire Pension Fund. The contribution is paid by the State Treasurer from GRF line item 090-544, Police and Fire State Contribution. See Retirement Systems' (RET) subject item " Elimination of State Contribution to Ohio Police and Fire Pension Fund".  
Fiscal effect: Estimated to increase the state GRF by \$1.2 millions annually.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1138 (CD-680-TOS) Office of the Sinking Fund

Section: 212.15.03

Section: 212.15.03

Section: 212.15.03

Section: 212.15.03

Specifies that GRF appropriation item 090-401, Office of the Sinking Fund, be used for financing and other costs incurred for the issuance of general obligation bonds. Also the GRF will be reimbursed for its costs by the relevant bond retirement fund.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1139 (CD-681-TOS) Police and Fire Death Benefit

Section: 212.15.03

Section: 212.15.03

Section: 212.15.03

Section: 212.15.03

Specifies that GRF appropriation item 090-575, Police and Fire Death Benefit Fund, will be disbursed annually by the Treasurer of State at the beginning of each fiscal year to the Board of Trustees of the Ohio Police and Fire Pension Fund. Also requires the annual payment to be certified by the 20th day of June of each fiscal year and the unused money returned to the state.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive, except changes the certification requirement of the appropriation item 090-575, Police and Fire Death Benefits, a GRF fund in the Treasurer of State from annually to quarterly.  
Fiscal effect: None.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1140 (CD-683-TOS) Tax Refunds

Section: 212.15.03

Section: 212.15.03

Section: 212.15.03

Section: 212.15.03

Designates appropriation item 090-635, Tax Refunds (Fund 425) in the Agency Fund Group, to be used to pay for required tax refunds. If the director of Budget and Management finds that additional amounts are necessary, the amounts are appropriated.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1141 (CD-738-TOS) Debt Service Payments

Section: 318.03

Section: 318.03

Section: 318.03

Section: 318.03

Specifies certain appropriations in the bill are for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state issued pursuant to the Ohio Constitution and acts of the General Assembly, and appropriates additional amounts if necessary.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Specifies certain appropriations in the bill are for the purpose of making lease payments pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State or, previously, by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the

**As Introduced (Executive)**

**As Passed by the House**

**As Passed by the Senate**

**As Amended by Conference Committee**

General Assembly, and appropriates additional amounts if necessary.  
Fiscal effect: None.

**1142 (CD-732-TOS) Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments**

**Section: 318.09**

**Section: 318.09**

**Section: 318.09**

**Section: 318.09**

Requires that after receiving certification of dates and amounts of debt service due on those dates from the Treasurer of State, the Director of Budget and Management shall pay debt service expenses required for the bonds or notes issued under Sections 2i, 2k, 2l, 2m, 2n, 2o, and 15 of Article VIII, Ohio Constitution, and Chapters 151 and 154 of the Revised Code. See OBM subject item "Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments".  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1143 (CD-409-TTA) Change in Tuition Trust Terminology

R.C. 3334.01, 2329.66, 3334.02,  
3334.03, 3334.07, 3334.08,  
3334.09, 3334.10, 3334.11,  
3334.12, 3334.15, 3334.16,  
3334.17, 3334.18, 5747.01,  
5747.70

R.C. 3334.01, 2329.66, 3334.02,  
3334.03, 3334.07, 3334.08,  
3334.09, 3334.10, 3334.11,  
3334.12, 3334.15, 3334.16,  
3334.17, 3334.18, 5747.01,  
5747.70

R.C. 3334.01, 2329.66, 3334.02,  
3334.03, 3334.07, 3334.08,  
3334.09, 3334.10, 3334.11,  
3334.12, 3334.15, 3334.16,  
3334.17, 3334.18, 5747.01,  
5747.70

R.C. 3334.01, 2329.66, 3334.02,  
3334.03, 3334.07, 3334.08,  
3334.09, 3334.10, 3334.11,  
3334.12, 3334.15, 3334.16,  
3334.17, 3334.18, 5747.01,  
5747.70

Changes the name of "tuition credits" that are purchased under the Guaranteed Savings Plan to "tuition units" and specifies that tuition units include tuition credits that were purchased prior to July 1, 1994.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1144 (CD-410-TTA) Changes in Tuition Trust Refund Procedures

R.C. 3334.10

R.C. 3334.10

R.C. 3334.10

R.C. 3334.10

Changes the method of recalculating and processing refunds when a tuition payment contract is terminated under the Guaranteed Savings Plan, and if the beneficiary is under the age of 18, requires that the amount of the refund be determined in an actuarially sound manner.  
Fiscal effect: Possible minimal increase in expenditures associated with the determination of the amount of the refund in an actuarially sound manner.  
Changes the procedures for rollovers and termination of accounts under the Variable Savings Plan.  
Fiscal effect: None.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

Eliminates the requirement that refunds of scholarships in the form of tuition units awarded by a scholarship program established under section 3334.17 of the Revised Code be refunded for "just cause" only, and replaces it with a requirement that the entity establishing such a program file a written notice with the Authority requesting a refund.

Fiscal effect: None.

Eliminates the provision allowing a beneficiary who receives a scholarship, waiver of tuition, or similar award that cannot be converted into money to receive a refund in the amount of the scholarship, waiver of tuition, or similar award.

Fiscal effect: None.

Eliminates the procedure for refunding a prorated share of tuition paid by a tuition unit when a beneficiary withdraws from an institution of higher education prior to the end of an academic year.

Fiscal effect: Possible minimal decrease in administrative costs since the determination of the refund will solely be between the institution and the beneficiary.



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1145 (CD-1178-TTA) Index Operating Fund

R.C. 3334.19

R.C. 3334.19

No provision.

No provision.

Creates the Index Operating Fund and specifies that the Authority may, at its discretion, deposit into and make payments from either the Index Operating Fund or the Variable Operating Fund in connection with the Variable College Savings Program. Further clarifies that these two funds are created in the state treasury (not as custodial funds).

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1146 (CD-1250-OVH) Ohio's Veterans' Homes Rental, Service, and Medicare Reimbursement Fund

R.C. 5907.15

R.C. 5907.15

No provision.

No provision.

Expands the permissible uses of the moneys in the Rental, Service, and Medicare Reimbursement Fund to include the purchase of medication services.

Same as the Senate.

No provision.

No provision.

Fiscal effect: In H.B. 66, appropriation item 430-603, Rental and Service Revenue (Fund 484), in the general services fund group, is appropriated \$882,737 in each fiscal year. Funds are currently used to purchase items such as food products and to maintain the areas of the Veterans' Home that are rented or leased. This provision will allow medication services to also be paid for out of the fund.

Fiscal effect: Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1147 (CD-813-VET) Release of Funds

Section: 212.27

Section: 212.27

Section: 212.27

Section: 212.27

Approves the release of all line items contained within the Veterans' Organizations budget to be released upon approval by the Director of OBM.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1148 (CD-814-VET) Central Ohio United Services Organization

Section: 212.27

Section: 212.27

Section: 212.27

Section: 212.27

Requires that \$50,000 of GRF appropriation item 751-501, State Support-Vietnam Veterans of America, be used in each fiscal year to support the activities of the Central Ohio USO.

Same as the Executive

Same as the Executive

Same as the Executive.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

## 1149 (CD-815-VET) Veterans Service Commission Education

Section: 212.27

Section: 212.27

Section: 212.27

Section: 212.27

Authorizes the use of \$20,000 of GRF appropriation item 753-501, State Support-AMVETS, in each fiscal year to provide moneys to the Association of County Veterans Service Commissioners to reimburse its member county veteran service commissions for costs incurred in carrying out educational and outreach duties required under section 5901.03 of the Revised Code.

Same as the Executive.

Same as the Executive.

Same as the Executive.

## 1150 (CD-1450-VET) Veterans' Organizations Service Officer Expenses

No provision.

No provision.

No provision.

Section: 212.27

Increases appropriations for five different veterans' organizations and requires that the appropriation increases be used to fund service officer expenses.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1151 (CD-909-DVM) Veterinary Student Loan Program

Section: 212.30

Section: 212.30

No provision.

Requires the Veterinary Medical Licensing Board to implement a student loan repayment program for veterinary students focusing on large animal populations, public health, or regulatory veterinary medicine. Funds the program by a \$60,000 transfer from the Occupational Licensing and Regulatory Fund (Fund 4K9) to the new Veterinary Student Loan Program Fund (Fund 5BU) in FY 2006, but appropriates no moneys for this in FY 2007.

No provision.

Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1152 (CD-422-DVM) Consolidation of Regulatory Boards

Section: 315.03

Section: 315.03

Section: 315.03

Section: 315.03

Consolidates the occupational licensing boards into the departments of Health, Public Safety, or Commerce not later than July 1, 2006. In the case of the Veterinary Medical Licensing Board, the Board will be consolidated into the Department of Health. The directors of Budget and Management, Administrative Services, Commerce, Health, and Public Safety shall appoint representatives to a transition team. The team shall develop a plan for the smooth and timely consolidation of the boards and shall also address the details of the consolidation. The team shall submit a report containing recommendations and the details of the consolidation not later than December 31, 2005 to the Governor, Speaker of the House, and President of the Senate. A bill will be introduced in fiscal year (FY) 2006 that will include the necessary statutory changes and appropriations for consolidation. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Health).

Fiscal effect: The Board will receive no appropriation in FY 2007. The total fiscal effect is unknown at this time since the specifics of the transfer will not be addressed until FY 2006.

Same as the Executive.

Same as the Executive, but adds three members to the transition team selected by the affected regulatory boards. (See the item entitled "Consolidation of Regulatory Boards" in the Department of Health).

Fiscal effect: Same as the Executive.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1153 (CD-1368-BWC) Financial Disclosure Statements

R.C. 102.02, 102.06

R.C. 102.02, 102.06

No provision.

No provision.

Requires the Administrator of Workers' Compensation, each voting member of the Workers' Compensation Oversight Commission, and the Chief Investment Officer of the BWC to file financial disclosure statements under the Ohio Ethics Law. Also permits the Ohio Ethics Commission, while investigating complaints against a voting member of the Workers' Compensation Oversight Commission, to share information it gathers in the course of its investigation with the Attorney General and the Auditor of State.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1154 (CD-1390-BWC) Breach of Fiduciary Responsibilities and Rights to Legal Counsel

R.C. 109.98, 109.981

R.C. 109.98, 109.981

No provision.

No provision.

Specifies that if the Attorney General maintains a civil action against a state retirement board for breach of fiduciary responsibility, as authorized under section 109.98 of the Revised Code, the board may retain independent legal counsel, including legal counsel provided by the board's fiduciary insurance carrier, to advise the board and to represent the board.

Same as the Senate.

Additionally, the Attorney General is authorized to maintain a civil action against voting members of the Workers' Compensation Oversight Commission for harm resulting from a breach of fiduciary responsibility. The Commission is similarly authorized to obtain legal counsel in such an incident, and the Attorney General is permitted to recover damages or to be granted injunctive relief, which may include the removal of board members from the Commission. Any damage awards are payable to the Bureau of Workers' Compensation.



## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1155 (CD-1392-BWC) Licensing Requirements and Duties of the Division of Securities

R.C. 1707.164, 1707.01, 1707.165,  
1707.17, 1707.19, 1707.20,  
1707.22, 1707.23, 1707.25,  
1707.261

R.C. 1707.164, 1707.01, 1707.165,  
1707.17, 1707.19, 1707.20,  
1707.22, 1707.23, 1707.25,  
1707.261

No provision.

No provision.

Requires that the Chief Investment Officer of the BWC be licensed by the Division of Securities within the Department of Commerce as a Bureau of Workers' Compensation Chief Investment Officer.

Same as the Senate.

Prohibits a Bureau of Workers' Compensation Chief Investment Officer from acting as a dealer, salesperson, investment advisor, or investment advisor representative.

Specifies that upon application to the Division of Securities for the position of Bureau of Workers' Compensation Chief Investment Officer, the Division may investigate an applicant regarding the applicant's business repute and qualifications. If an investigation requires work outside of the state, an applicant may be required to pay for actual expenses associated with the investigation.

An applicant is required to pass an exam designated by the Division of Securities, or to achieve a specified professional designation, unless both of the following apply: (1) the applicant currently acts as the Chief Investment Officer for the BWC, and (2) the applicant has experience and

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

education acceptable to the Division.

The annual license fee and renewal fee associated with the position of Bureau of Workers' Compensation Chief Investment Officer is \$50. A license expires on June 30 of each year.

The Division of Securities may refuse, revoke, suspend, or deny renewal of a license if the Division determines the applicant is not of good business repute, is conducting illegitimate or fraudulent business, or has otherwise violated state laws or conducted business in violation of rules and regulations germane to investment and securities practices.

An applicant has the right to appeal the Division of Securities' refusal, revocation, suspension, or denial of renewal of a license in accordance with Chapter 119. of the Revised Code.

The Division of Securities is authorized to investigate a Bureau of Workers' Compensation Chief Investment Officer on suspicion of illegal practices, fraud, or deception by various means, including requiring statements made under oath, examining a Chief Investment Officer or any of his/her professional relationships, examining books, records and other documents, issuing subpoenas and following evidentiary procedures, and initiating criminal proceedings.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

If a Bureau of Workers' Compensation Chief Investment Officer fails to comply with an investigation conducted by the Division of Securities, the Director of Commerce is authorized to apply to a court of common pleas and to be granted an injunction that restrains the acts of the Chief Investment Officer. If an injunction is granted, the Director of Commerce, in consultation with the Attorney General, may request the court to order the Chief Investment Officer to make restitution to the BWC.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1156 (CD-1393-BWC) Limitations on Campaign Contributions

R.C. 3517.13, 3517.151

R.C. 3517.13, 3517.151

No provision.

No provision.

The Administrator of Workers' Compensation and all BWC employees are prohibited from awarding any contract (other than through competitive bidding) for the purchase of goods or the purchase of services that totals more than \$500 to any individual, partnership, association, estate, or trust if that individual (or that individual's spouse), or any partner, shareholder, administrator, executor, or trustee (or their spouses) made one or more contributions within the previous two calendar years that totaled more than \$1,000 to the political campaigns of Governor, Lieutenant Governor, or to any candidate for Governor or Lieutenant Governor.

Same as the Senate.

Additionally, the Administrator and all BWC employees are prohibited from awarding any such contract for goods or services (except through competitive bidding) that totals more than \$500 to any corporation or business trust (except to a professional association organized under Chapter 1785. of the Revised Code) if an owner of more than 20% of the corporation or trust (or the owner's spouse) made, as an individual, one or more contributions to the political campaigns of Governor, Lieutenant Governor, or to any candidate for Governor or Lieutenant Governor that totaled more

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

than \$1,000 during the previous two calendar years.

## 1157 (CD-1395-BWC) Membership of the Workers' Compensation Oversight Commission

R.C. 4121.12, Sections 401.07 and 502.01

R.C. 4121.12, Sections 401.07 and 502.01

No provision.

No provision.

Increases the membership of the Workers' Compensation Oversight Commission from nine to eleven members, decreases all terms of office from five to three years, and requires that the two additional members to the Commission be investment expert members, one of whom is to be appointed by the Treasurer of State, and the other jointly appointed by the Speaker of the House and the President of the Senate.

The two investment expert members must be residents of Ohio, must not have been employed by the BWC for three years prior to their appointment, and must have direct experience in management, analysis, supervision, or investment of assets.

The investment expert members may not be appointed to more than two full terms and may vote only on investment matters.

All members, including the two investment expert members, are authorized to receive reasonable and necessary expenses and an annual salary that does not exceed \$18,000.

Same as the Senate, but shortens the time period under which the Treasurer of State and the President of the Senate and the Speaker of the House must appoint their respective investment expert member to the Workers' Compensation Oversight Commission. Formerly, the temporary language provision (Section 502.01) that addresses the appointments was denoted with an "asterisk," making it subject to the referendum and in effect, giving the Treasurer and the President and Speaker up to 180 days to make the appointments. The Conference Committee report removes the asterisk, making the effective date of the provision the same day as the Governor signs the bill, and in effect, giving the Treasurer and the President and Speaker up to 90 days to make the appointments.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

1158 (CD-1396-BWC) Investment Objectives, Policies, and Criteria

No provision.

No provision.

R.C. 4121.12, 4121.121, 4121.126,  
4121.127, 4123.44, Sections  
502.02 and 502.03

R.C. 4121.12, 4121.121, 4121.126,  
4121.127, 4123.44, Sections  
502.02 and 502.03

Requires the Workers' Compensation Oversight Commission, in its responsibility to establish objectives, policies, and criteria for the administration of the BWC's investment program, to prohibit the following investments:

coins, artwork, horses, jewelry or gems, stamps, antiques, artifacts, collectibles, memorabilia, or similar unregulated investments that are not commonly part of an institutional portfolio, that lack liquidity, and that lack readily determinable valuation.

Additionally, the Administrator of Workers' Compensation may invest in an investment class only if the Commission - by majority vote - open that class. The Commission must adopt due diligence standards for employees of the BWC when investing in a class, and must establish policies and procedures to review and monitor the performance and valuation of each investment class. The Commission is required to report annually on the performance and value of each investment class to the Governor, the Speaker of the House, and the President of the Senate.

The Commission may vote to close any investment class.

Same as the Senate, but adds the minority leader of the Senate and the minority leader of the House of Representatives as persons to whom the Workers' Compensation Oversight Commission must report annually on the performance and value of each investment class.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

**1159 (CD-1398-BWC) Independent Audit of BWC's Investment Program**

R.C. 4121.125

R.C. 4121.125

No provision.

No provision.

Requires the Workers' Compensation Oversight Commission to have an independent auditor conduct a fiduciary performance audit of the investment program of the BWC at least once every 10 years. A copy of this audit must be provided to the Auditor of State.

Same as the Senate.

Additionally, requires the BWC to employ an internal auditor who must report directly to the Commission on investment matters.

**1160 (CD-1399-BWC) Attorney General as Legal Advisor**

R.C. 4121.128

R.C. 4121.128

No provision.

No provision.

Designates the Attorney General as the legal advisor of the Workers' Compensation Oversight Commission.

Same as the Senate.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1161 (CD-1397-BWC) Trustees of the State Insurance Fund and Conflicts of Interest

R.C. 4123.44, 4121.126, 4121.127

R.C. 4123.44, 4121.126, 4121.127

No provision.

No provision.

Designates the voting members of the Workers' Compensation Oversight Commission, the Administrator of Workers' Compensation, and the Bureau of Workers' Compensation Chief Investment Officer as the trustees of the State Insurance Fund.

Same as the Senate.

Prohibits members of the Workers' Compensation Oversight Commission or any employee of the BWC from having direct or indirect interest in the gains or profits of any investment of the Bureau or from receiving pay or emolument for services. Prohibits any person connected with the BWC from borrowing any of the Bureau's funds or deposits or from using the funds or deposits except to make current and necessary payments that are authorized by the Administrator.

Prohibits the BWC from doing any business with an individual, partnership, association, or corporation that is owned or is controlled by a person who, within the preceding three years, was employed by the BWC or by a board member or member of the Workers' Compensation Oversight Commission. Also prohibits the BWC from doing any business with a person who, within the preceding three years, was employed by or was an officer holding a fiduciary, administrative,



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

supervisory, or trust position, or any other position that involved decisions or recommendations affecting the investment policy of the BWC and from which a person would benefit by any monetary gain.

Makes additional requirements upon a fiduciary related to transactions of the Bureau that would constitute a conflict of interest, and requires each fiduciary of the BWC to be bonded or insured for not less than \$1 million for loss by reason of acts of fraud or dishonesty.

---

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1162 (CD-1391-BWC) Bureau of Workers' Compensation Chief Investment Officer

R.C. 4123.441, 1707.44

R.C. 4123.441, 1707.44

No provision.

No provision.

Requires the BWC, with the advice and consent of the Workers' Compensation Oversight Commission, to employ or designate an employee of the Bureau who has been chartered by the CFA Institute as a Chartered Financial Analyst and who has been licensed by the Division of Securities within the Department of Commerce as a "Bureau of Workers' Compensation Chief Investment Officer" to be the Chief Investment Officer for the BWC.

Same as the Senate.

The Chief Investment Officer is required to supervise employees of the Bureau who handle investment of assets of funds and to implement and enforce written policies and procedures aimed toward preventing violations of state and federal securities laws.

The Bureau of Workers' Compensation Chief Investment Officer is prohibited from (1) employing any device to defraud the workers' compensation system, (2) from engaging in any act that would operate as a fraud or deceit on the workers' compensation system, (3) from engaging in any act that is fraudulent, deceptive, or manipulative, and (4) from knowingly failing to comply with the provisions outlined in the paragraph above.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

## 1163 (CD-1373-BWC) Criminal Background Checks

R.C. 4123.444, 109.579, 4123.445

R.C. 4123.444, 109.579, 4123.445

No provision.

No provision.

Requires the Administrator of Workers' Compensation, prior to contracting with an investment manager, to obtain a list of all employees of investment managers and business entities who will be investing assets of Bureau of Workers' Compensation funds, and to request the Superintendent of the Bureau of Criminal Investigation and Identification (BCI & I) to conduct a criminal records check on each employee.

Same as the Senate.

If an employee has not been a resident of Ohio for the five years prior to the Administrator's request of a criminal records check, the Administrator is required to request an FBI criminal record check for that employee.

The BWC is required to provide a records check form and a standard fingerprint impression sheet to investment managers for each employee subject to a records check, in formats prescribed by the Superintendent of the BCI & I. Employees are required to fill out the forms and to submit their fingerprints. Employees are responsible for obtaining their own fingerprints from a county sheriff's office, a municipal police department, or another entity capable of making fingerprint impressions, and may be asked to pay a

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

reasonable fee for this service.

The BWC is required to pay for each records check it requests. The Superintendent of the BCI & I is authorized to prescribe and charge a reasonable fee for this service.

The Administrator of Workers' Compensation is prohibited from contracting with an investment manager if any employee who will be making investments on behalf of the Bureau has been convicted of, or has pled guilty to, a financial or investment crime. Additionally, investment managers are prohibited from contracting with any business entity if any employee of that entity who will be making investments on behalf of the Bureau has been convicted of, or has pled guilty to, a financial or investment crime.

"Financial or investment crime" means any criminal offense involving theft, receiving stolen property, embezzlement, forgery, fraud, passing bad checks, money laundering, drug trafficking, or any criminal offense involving money or securities.

Fiscal effect: According to information provided on the Attorney General's website, the cost necessary for BCI & I to perform a criminal records check is \$15 per transaction. This cost, and presumably the cost of any records check performed by the FBI, would be borne by the BWC.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1164 (CD-1401-BWC) Annual Certified Public Audits of all Funds

R.C. 4123.47

R.C. 4123.47

No provision.

No provision.

Requires the Administrator of Workers' Compensation to have actuarial audits of the State Insurance Fund made at least once each year (rather than once every two years, as provided under current law). Also adds this audit requirement to all funds established and administered pursuant to the Workers' Compensation Law.

Same as the Senate.

Requires that these audits be certified by recognized insurance actuaries and requires the Administrator to make copies of the audits available to the public at cost.

Fiscal effect: Increase in expenditures for audits

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1165 (CD-1445-BWC) Inspector General Independent Fiduciary Review

Sections: 206.60, 502.03.01

No provision.

No provision.

No provision.

Requires the Inspector General to contract with an independent firm (in the same manner the Inspector General contracts with special investigators) to conduct a fiduciary review of the investments of the assets of BWC funds. A copy of the fiduciary review must be submitted to the Governor, the Attorney General, the Auditor of State, and the General Assembly.

Also earmarks up to \$750,000 in fiscal year 2006 in the budget of the Office of the Inspector General (GRF appropriation item 965-321, Operating Expenses) for that agency to contract with an independent firm to conduct the fiduciary review.

(See the item entitled "Inspector General Fiduciary Review of BWC Funds" in the Office of the Inspector General.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1166 (CD-1338-BWC) Consolidated Prescription Drug Purchasing Program

Section: 209.06.15

Section: 209.06.15

No provision.

No provision.

Requires the Bureau of Workers' Compensation, together with the Departments of Mental Health, Rehabilitation and Correction, Youth Services, and any other agency that purchases prescription drugs (other than the Department of Job and Family Services for purposes of the Medicaid program) to do the following: (1) study intrastate consolidated prescription drug purchasing systems in effect in other states under which a single entity administers the state's prescription drug purchases, (2) estimate potential cost-savings and other advantages resulting from consolidation of drug purchasing programs, (3) design a consolidated drug purchasing program, and (4) submit a report of findings, including an analysis of costs Ohio might incur in creating a consolidated drug purchasing program, no later than January 1, 2006.

Same as the Senate.

Fiscal effect: Increase in administrative costs, although the magnitude of such an increase is unknown at this time. The Department of Mental Health is responsible for leading the study. Potential costs associated with research and design of the study are likely.

(See also the items in Youth Services and

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Mental Health.)

---



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1167 (CD-1113-DYS) Payment of Maintenance and Other Expenses of District Detention Facilities

R.C. 2152.43

R.C. 2152.43

R.C. 2152.43

No provision.

Modifies how the joint board of county commissioners decides to pay for the maintenance and other expenses of district detention facilities by including among the methods any other method agreed upon by unanimous vote of the joint board of county commissioners.

Fiscal effect: It appears that this modifying provision will have no direct and immediate fiscal effect on the Department, as it is not currently providing direct financial assistance to county detention centers.

(See the item entitled "Payment of Maintenance and Other Expenses of District Detention Facility" in Local Government Provisions)

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1168 (CD-248-DYS) Referral of Children by the Department of Youth Services to Community Corrections Facilities

R.C. 5139.36

R.C. 5139.36

R.C. 5139.36

R.C. 5139.36

Eliminates the requirement that a referral by the Department of Youth Services of a child in its custody to a community corrections facility (CCF) occur only when a facility is not meeting its minimum occupancy threshold and allows the committing court to consider a referral on less than the 45 days' notice required by existing law.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Presumably, the Department will potentially be able to more easily and quickly place a child in a CCF than might otherwise have been the case under current law. The practical fiscal effect of such a result may be a decrease in the Department's institutional and community supervision costs and a related increase in the operating expenses of the affected CCFs. Currently, there are 12 CCFs located around the state. These facilities are local, secure county-operated facilities and are fully funded by the Department. As of this writing, it would not appear that the potential expenditure effects on the Department and the affected counties will be more than minimal annually.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1169 (CD-1276-DYS) Consolidated Prescription Drug Purchasing Program

Section: 209.06.15

Section: 209.06.15

No provision.

No provision.

Requires the Department of Mental Health, with the Bureau of Workers' Compensation, the Department of Rehabilitation and Correction, the Department of Youth Services, and any other state or local government agency other than the Department of Job and Family Services, for purposes of the Medicaid program, that purchases prescription drugs, to do the following:

Same as the Senate.

(1) No provision.

(1) No provision.

(1) Study intrastate consolidated prescription drug purchasing systems currently in effect in other states;

(1) Same as the Senate.

(2) No provision.

(2) No provision.

(2) Estimate potential cost-savings and other advantages, as well as any potential disadvantages, that might result if Ohio were to consolidate its executive agencies' prescription drug purchases under a prescription drug-purchasing program;

(2) Same as the Senate.

(3) No provision.

(3) No provision.

(3) Design a consolidated prescription drug-purchasing program appropriate to the prescription drug purchasing needs of the state; and

(3) Same as the Senate.

(4) No provision.

(4) No provision.

(4) Submit a written report of its findings, including an analysis of any costs Ohio may incur in creating a consolidated prescription drug purchasing program, to certain parties not later than January 1, 2006.

(4) Same as the Senate.

Fiscal effect: Presumably, the Department of Youth Services will incur some additional

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

one-time operating costs associated with its participation in this study. The nature of their participation in such a study, and the magnitude of any such one-time expenses, are unclear at this time.

(See the item entitled "Consolidated Prescription Drug Purchasing Program" in the Department of Youth Services, the Department of Mental Health, and the Bureau of Workers' Compensation)

1170 (CD-1075-DYS) RECLAIM Ohio

Section: 212.33

Section: 212.33

Section: 212.33

No provision.

Earmarks \$25,000 in each fiscal year from GRF appropriation item 470-401, RECLAIM Ohio, to be distributed to the Lighthouse Youth Services Wrap-Around Program

Same as the House.

Same as the House.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1171 (CD-99-DYS) Ohio Building Authority Lease Payments

Section: 212.33

Section: 212.33

Section: 212.33

Section: 212.33

Specifies that the moneys appropriated to GRF appropriation item 470-412, Lease Rental Payments, are for payments to the Ohio Building Authority for the purpose of covering the principal and interest on outstanding bonds issued to finance the state's juvenile correctional building program.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This uncodified law provision continues existing practice with regard to the moneys appropriated to GRF appropriation item 470-412, Lease Rental Payments.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1172 (CD-100-DYS) Education Reimbursement

Section: 212.33

Section: 212.33

Section: 212.33

Section: 212.33

Requires moneys appropriated to non-GRF appropriation item 470-613, Education Reimbursement, be used to fund the operating expenses of providing educational services to youth supervised by the Department, including, but not limited to, teachers' salaries, maintenance costs, educational equipment, and capital expenses.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: This uncodified law provision generally continues existing practice with regard to the moneys appropriated to non-GRF appropriation item 470-613, Education Reimbursement, except that in prior biennia use of these moneys for capital expenses was prohibited.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1173 (CD-101-DYS) Employee Food Service and Equipment

Section: 212.33

Section: 212.33

Section: 212.33

Section: 212.33

Permits, notwithstanding section 125.14 of the Revised Code which allocates the proceeds from the transfer, sale, or lease of excess and surplus supplies, moneys collected in the form reimbursements for state surplus property, deposited to the credit of Fund 479, and appropriated to non-GRF appropriation item 470-609, Employee Food Service, to be used for the purpose of purchasing food operational items.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Existing codified law, which creates Fund 479 in section 5139.86 of the Revised Code, already specifies that all of its moneys shall be used to purchase food, supplies, and cafeteria equipment for the Department's institutions. Thus, this uncodified law provision is consistent with existing codified law, as well as current practice.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1174 (CD-102-DYS) Partnerships for Success

Sections: 212.33, 206.66.84

Sections: 212.33, 206.66.84

Sections: 212.33, 206.66.84

Sections: 212.33, 206.66.84

States that the moneys appropriated to Fund 5BH, line item 470-628, Partnerships for Success, are to be used to support the Department's Partnerships for Success Project, and that, on or before January 1, 2007, the Director of Budget and Management is required to transfer to the Children's Trust Fund (Fund 198) any amount of Fund 5BH's cash that remains unspent.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: The project's purpose is to build capacity within counties to effectively prevent and respond to child and adolescent problem behaviors, while promoting positive youth development. The current number of participating counties is 28. According to the Department, the additional cash will allow an additional five counties to receive a subsidy. The Department also provides technical assistance and training tailored to the circumstances of each county being served.

(See the item entitled "Children's Trust Fund" in the Department of Job and Family Services)



As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1175 (CD-103-DYS) Federal Juvenile Justice Program Transfer from the Office of Criminal Justice Services to the Department of Youth Services

Section: 212.33

Section: 212.33

Section: 212.33

Section: 212.33

Specifies that:

(1) Any business related to the Office of Criminal Justice Services' federal appropriation item 196-602, Criminal Federal Justice Programs, commenced but not completed by the Office of Criminal Justice Services must be completed by the Department in the same manner and with the same effect;

(1) Same as the Executive.

(1) Same as the Executive.

(1) Same as the Executive.

(2) No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer; and

(2) Same as the Executive.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Upon the effective date of the Department's FY 2006-2007 biennial operating budget, the Department becomes the responsible party for any action or proceeding pending against the Office of Criminal Justice Services.

(3) Same as the Executive.

(3) Same as the Executive.

(3) Same as the Executive.

Fiscal effect: Under the FY 2002-2003 biennial operating budget, responsibility for the state's involvement in federal juvenile justice programs was transferred to the Department from the Office of Criminal Justice Service. This uncodified law provision simply continues existing provisions related to the previously enacted transfer of those duties and responsibilities, and a result, would not seem likely to create any discernible fiscal effect on the

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

Department or the Office of Criminal Justice Services.

1176 (CD-973-DYS) Correctional Faith-Based Initiatives Task Force

Section: 503.09

Section: 503.09

Section: 503.09

(1) No provision.

(1) Creates the 15-member Correctional Faith-Based Initiatives Task Force, which includes the Director of Youth Services, and requires it to meet at least once a month.

(1) Same as the House, but increases from 15 to 17 the membership of the Correctional Faith-Based Initiatives Task Force, which the bill creates, by adding the Executive Director of the Division of Criminal Justice Services or the executive director's designee and a member appointed by the Director of Youth Services who has expertise or experience in the juvenile court system.

(1) Same as the Senate, but replaces the authority of the Minority Leader of the House of Representatives and the Minority Leader of the Senate to appoint one member each to the Correctional Faith-Based Initiatives Task Force with the authority of the Speaker of the House and the President of the Senate to appoint one member each after considering the recommendations of the minority leaders of the respective houses.

(2) No provision.

(2) Requires the Department of Rehabilitation and Correction provide the Task Force with a meeting room and secretarial assistance.

(2) Same as the House.

(2) Same as the House.

(3) No provision.

(3) Requires the Task Force study seamless faith-based solutions to problems in the correctional system.

(3) Same as the House.

(3) Same as the House.

(4) No provision.

(4) Requires the Task Force submit a written report and recommendations to certain parties within one year of the bill's enactment.

(4) Same as the House.

(4) Same as the House.

(5) No provision.

(5) Ceases the existence of the Task Force upon submitting its written report and recommendations.

(5) Same as the House.

(5) Same as the House.

Fiscal effect: It would appear that the services of the Task Force members themselves will not directly cost the state any money, and that the requirement that

Fiscal effect: Same as the House.

Fiscal effect: Same as the House.

## As Introduced (Executive)

## As Passed by the House

## As Passed by the Senate

## As Amended by Conference Committee

the Department of Rehabilitation and Correction provide the Task Force with a meeting room and secretarial assistance in all likelihood can easily be absorbed into its daily operations with little, if any, noticeable cost. It is uncertain as to whether the Task Force will need or request research and technical services and support to be performed by the departmental staff of the state agencies whose directors would be appointed as members of the Task Force. That said, the potential one-time costs of procuring these other services and support, should such services and support be provided, would seem unlikely to exceed minimal. No discernible fiscal effect on state revenues. No discernible fiscal effect on the revenues and expenditures of political subdivisions.

(See the item entitled "Correctional Faith-Based Initiatives Task Force" in the Department of Rehabilitation and Correction)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1177 (CD-940-MIS) Submission of Legislative Reports Via Electronic Means

R.C. 101.68

R.C. 101.68

R.C. 101.68

No provision.

Requires state agencies that must submit a report, recommendation, or other similar document to the General Assembly in hard copy format instead to submit these reports through electronic means when possible, and also to post these items on agency web sites.

Fiscal effect: Potential decrease in copying costs for agencies which currently submit paper copies of reports to the General Assembly.

Same as the House.

Same as the House.

1178 (CD-1342-MIS) Free Clinics' Medical Malpractice Insurance Premiums

R.C. 2305.2341

R.C. 2305.2341

No provision.

No provision.

Reimburses free clinics with moneys appropriated from the GRF for 80 percent of the premiums paid for medical liability insurance coverage up to \$20,000.

Same as the Senate.

Fiscal effect: GRF appropriation item 440-431, Free Clinic Liability Insurance, in the Department of Health, is appropriated \$275,000 in FY 2006 and \$325,000 in FY 2007.

Fiscal effect: Same as the Senate.

(See also entry entitled "Free Clinic Liability Insurance" under the Department of Health.)

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1179 (CD-1311-MIS) Ohio Water Development Authority Competitive Bidding

R.C. 6121.04, 6123.04

R.C. 6121.04, 6123.04

No provision.

No provision.

Requires the Ohio Water Development Authority to use a competitive bidding process for contracts costing more than \$25,000, instead of the currently required \$10,000 for general projects and \$2,000 for projects dealing with solid waste and energy resource development.

Same as the Senate.

Fiscal effect: Increasing the competitive bidding threshold will likely result in administrative savings related to the bidding process. At this point, the overall savings from services procured in this manner is unknown.

As Introduced (Executive)

As Passed by the House

As Passed by the Senate

As Amended by Conference Committee

1180 (CD-686-MIS) Satisfaction of Judgments and Settlements Against the State

Section: 303.12

Section: 303.12

Section: 303.12

Section: 303.12

Permits the use of certain appropriations to satisfy judgments, settlements, and administrative awards made against the state.

Same as the Executive.

Same as the Executive.

Same as the Executive.

# Index

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|------------|---|-------------|
| <b>ACC</b> | Consolidation of Regulatory Boards  | 1           |            | Award of Printing Contracts by State Colleges and Universities Pursuant to Buy Ohio | 23          |
| <b>PAY</b> | Accrued Leave Liability Fund  | 2           |            | Medicaid Enterprise Data Warehouse  | 24          |
|            | State Employee Disability Leave Benefit Fund  | 2           |            | School Employee Life and Health Benefits  | 26          |
|            | State Employee Health Benefit Fund  | 3           |            | Ohio Building Authority   | 27          |
|            | Dependent Care Spending Account   | 3           |            | Agency Audit Expenses   | 27          |
|            | Parental Leave Benefit Fund   | 4           |            | DAS-Building Operating Payments   | 29          |
|            | Life Insurance Investment Fund  | 4           |            | Central Service Agency Fund   | 30          |
|            | Health Care Spending Account  | 5           |            | Collective Bargaining Arbitration Expenses  | 31          |
| <b>ADJ</b> | National Guard Life Insurance and Death Benefits  | 7           |            | Office of Information Technology  | 31          |
|            | Ohio Military Reserve Homeland Security Study Commission  | 8           |            | Equal Opportunity Program   | 32          |
|            | National Guard Benefits   | 9           |            | Merchandise For Resale  | 32          |
|            | Central Administration  | 9           |            | DAS Information Services  | 33          |
| <b>DAS</b> | EDGE Program  | 10          |            | Investment Recovery Fund  | 34          |
|            | Local Administration Competency Certification Program for State Universities and Community Colleges | 12          |            | Multi-Agency Radio Communications System  | 35          |
|            | Responsibilities of DAS Under the Civil Service Law   | 13          |            | Workforce Development Fund  | 36          |
|            | Charges to State Agencies for Services Performed  | 14          |            | Professional Development Fund   | 36          |
|            | Charges to Political Subdivisions for Human Resource Services                                       | 15          |            | Employee Educational Development  | 37          |
|            | Layoffs as a Result of Position Abolishment   | 16          |            | Major IT Purchases  | 38          |
|            | Purchase of Furniture by State Agencies   | 17          |            | Information Technology Assessment   | 39          |
|            | Transfer of State Use Program to the Department of Administrative Services                          | 18          |            | Unemployment Compensation Fund  | 40          |
|            | Office of Information Technology  | 19          |            | Payroll Withholding Fund  | 40          |
|            | Department of Vendors and Contractors   | 20          |            | General Services Refunds  | 41          |
|            | Changes to Fleet Management Law   | 21          |            | Director's Declaration of Public Exigency   | 42          |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|------------|---|-------------|
| <b>DAS</b> | Multi-Agency Radio Communications System Debt Service Payments                              | 43          |            | Transfer of Residential State Supplement Appropriations   | 63          |
|            | Medicaid Information Technology System  | 44          |            | Alzheimer's Respite   | 64          |
|            | General Service Charges   | 44          |            | JCFS Elderly Transportation   | 64          |
|            | Efficiency Study to Create Reorganization Plan for the Executive Branch of State Government | 45          |            | PASSPORT/Residential State Supplement   | 65          |
|            | Capital Reappropriation Correction  | 46          |            | Regional Long-Term Care Ombudsman Programs  | 65          |
|            | Clark County Real Estate Conveyance   | 47          |            | Transition Plan for Residential State Supplement  | 66          |
|            | Temporary Work Level and Personnel Assignments  | 48          |            | Transfer of Resident Protection Funds   | 67          |
| <b>AAM</b> | Commission on African American Males Progress Review  | 49          |            | Transfer of Appropriations-Federal Aging Nutrition, Federal Independence Services, and Federal Aging Grants | 67          |
| <b>JCR</b> | Operating   | 50          |            | Allocation of PACE Slots  | 68          |
|            | Operating Expenses  | 50          |            | Aging and Disability Resource Center  | 68          |
| <b>AGE</b> | Community Service Council Gift and Donations Fund   | 51          |            | Transferring Individuals from Nursing Facilities to PASSPORT  | 69          |
|            | Penalty for Late Payment of Long-Term Care Facility Bed Fee                                 | 52          | <b>AGR</b> | Merger of Animal Industry Laboratory Fund and Laboratory Services Fund                                      | 72          |
|            | Payment for Community-Based Long-Term Care Services   | 52          |            | Family Farm Loan Program Extension  | 72          |
|            | Long-Term Care Consultation Program   | 54          |            | Creation of Laboratory and Administrative Support Fund  | 73          |
|            | Nursing Home and Residential Care Facility Survey   | 56          |            | Background Information for Installation or Operating of a Concentrated Animal Feeding Facility              | 74          |
|            | Long-Term Care Consumer Guide   | 57          |            | Fertilizers, Seed, Pesticides, Feed, Plants, and Metrology and Scale Certification Fund                     | 75          |
|            | Ombudsman Access to Long-Term Care Facilities and Sites                                     | 58          |            | Prohibition Against Regulation of Fertilizer and Seed by Political Subdivisions                             | 77          |
|            | Transfer of PACE Administrative Duties  | 58          |            | Bakery Registration Fee   | 78          |
|            | Ambulette Services  | 59          |            | Cannery License Fee   | 79          |
|            | Pre-Admission Review for Nursing Facility Admission   | 60          |            | Soft Drink Manufacturing or Bottling and Sale of Syrup or Extract Fees                                      | 79          |
|            | PASSPORT  | 60          |            | Cold-Storage Warehouse Operation License Fee  | 80          |
|            | Ohio Community Service Council  | 61          |            | Annual License Fee for Food Locker Plan Establishments  | 80          |
|            | Long-Term Care Ombudsman  | 62          |            | Fee for Issuance of Certificates of Health and Freesale   | 81          |
|            | Senior Community Services   | 62          |            |   |             |
|            | Residential State Supplement  | 63          |            |   |             |



| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <b>AGR</b> | Agricultural Commodity Handlers Law Definition Changes                     | 82          |
|            | Permits for Large Capacity Scales and Large Meters                         | 83          |
|            | Advisory Council on Amusement Ride Safety                                  | 84          |
|            | Requirements for Electrical Connections for Amusement Rides                | 84          |
|            | Wine tax diversion to Ohio Grape Industries Fund                           | 85          |
|            | Amusement Ride Permit Fee  | 85          |
|            | Family Farm Loan Program   | 86          |
|            | Ohio-Israel Agricultural Initiative  | 86          |
|            | Commercial Feed, Fertilizer, Seed, and Lime Inspection and Laboratory Fund | 87          |
|            | Fertilizer-Related Licensure and Registration                              | 87          |
|            | Animal and Consumer Analytical Laboratory Services Fund                    | 88          |
|            | Metrology Lab and Scale Certification Fund                                 | 88          |
|            | Pesticide Registration and Inspection Fee                                  | 89          |
|            | Clean Ohio Agricultural Easement   | 89          |
|            | Transfer Between Funds   | 90          |
|            | National Pollution Discharge Elimination System Funding Transfer           | 91          |
|            | Utility Radiological Safety Board Assessments                              | 92          |
| <b>AIR</b> | Coal Development Office  | 93          |
|            | Science and Technology Collaboration                                       | 94          |
|            | Issuance of Obligations by the Ohio Coal Development Office                | 95          |
|            | Coal Research and Development General Obligation Debt Service              | 95          |
| <b>ADA</b> | Behavioral Health Exclusion from Medicaid Care Management                  | 96          |
|            | Medicaid Interagency Agreements for Coverage of Behavioral Health Services | 97          |
|            | Talbert House  | 99          |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
|            | Treatment Services  | 99          |
|            | Substance Abuse Services for Families of At Risk Children   | 100         |
|            | Services for TANF-Eligible Individuals  | 100         |
|            | Parent Awareness Task Force   | 101         |
|            | Therapeutic Communities   | 101         |
|            | Disability Medical Assistance Council   | 102         |
| <b>ARC</b> | State Boards of Examiners of Architects Imposing Fines Against Certificate Holders  | 104         |
|            | Consolidation of Regulatory Boards  | 105         |
| <b>ART</b> | Program Subsidies   | 106         |
| <b>ATH</b> | Expanded Authority for Executive Director   | 107         |
|            | Consolidation of Regulatory Boards  | 108         |
| <b>AGO</b> | Financial Accountability of Recipients of Money from Governmental Entities  | 109         |
|            | Investigation of Criminal Activity Related to Elections by BCII   | 110         |
|            | Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories | 111         |
|            | Funding the Ohio Peace Officer Training Academy   | 112         |
|            | Composition of State Victims Assistance Advisory Committee  | 113         |
|            | Office of Information Technology  | 113         |
|            | Sale of Debts Owed to the State to Private Parties  | 114         |
|            | Medicaid Eligibility Fraud  | 116         |
|            | Creation of the Charitable Gaming Oversight Fund  | 117         |
|            | County Sheriffs' Pay Supplement   | 118         |
|            | Workers' Compensation Section   | 118         |
|            | County Prosecutors' Pay Supplement  | 118         |
|            | Corrupt Activity Investigation and Prosecution  | 119         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|---|-------------|------------|--|-------------|
| <b>AGO</b> | Federal Pass-Through Funds  | 120         |            | Reappropriation of Unexpended Encumbered Balances of Operating Appropriations            | 137         |
|            | Antitrust Settlements   | 120         |            | Transfers to the General Revenue Fund from Non-Federal Non-GRF Funds                     | 138         |
|            | Consumer Frauds   | 121         |            | Transfers of Fiscal Year 2005 General Revenue Fund Ending Balances                       | 138         |
|            | Organized Crime Commission Account  | 121         |            | Transfers to the General Revenue Fund of Interest Earned                                 | 139         |
| <b>AUD</b> | Financial Accountability of Recipients of Money from Government Entities                              | 122         |            | Appropriations Related to Cash Transfers and Re-establishment of Encumbrances            | 140         |
|            | Audits of Medicaid and Performance Audit of Medicaid Program  | 123         |            | Budget Stabilization Fund Transfers  | 140         |
|            | County, Township, Municipal, and Department of Transportation Force Account Limits                    | 124         |            | Lease Payments to OPFC, OBA, and Treasurer of State                                      | 141         |
|            | Office of Information Technology  | 125         |            | General Obligations Debt Service Payments  | 141         |
|            | Sale of Debts Owed to the State to Private Parties, Review of State Agencies' Debt Collection Process | 126         |            | Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments | 142         |
|            | Random Audits of School District ADM Reports  | 127         |            | State and Local Rebate Authorization   | 142         |
|            | Fiscal Watch/Emergency Technical Assistance   | 128         |            | Federal Cash Management Improvement Act  | 143         |
|            | Electronic Data Processing  | 128         |            | Statewide Indirect Cost Recovery   | 143         |
|            | Uniform Accounting Network/Technology Improvements Fund   | 129         |            | Federal Government Interest Requirements   | 144         |
|            | Billing Practices Pilot Review  | 129         |            | GRF Transfers on Behalf of the Statewide Indirect Cost Allocation Plan                   | 144         |
| <b>BRB</b> | Barber Board's Annual Review of Rules   | 130         | <b>CSR</b> | Jurisdiction of the Joint Legislative Ethics Committee                                   | 145         |
|            | Consolidation of Regulatory Boards  | 131         |            | Financial Disclosure Statements  | 145         |
| <b>OBM</b> | Miscellaneous Bond Law and Uniform Public Securities Law  | 132         |            | Hiring of the Executive Director of the Capitol Square Review and Advisory Board         | 146         |
|            | Accounting and Budgeting Fund   | 133         |            | Increase in Membership of the Board  | 146         |
|            | Audit Costs   | 134         |            | Expansion of Committee Hearing Rooms   | 147         |
|            | OAKS Project Implementation   | 135         | <b>CDP</b> | Consolidation of Regulatory Boards   | 148         |
|            | Personal Service Expenses   | 135         | <b>CHR</b> | Consolidation of Regulatory Boards   | 149         |
|            | Re-Issuance of Voided Warrants  | 136         | <b>COM</b> | Ohio Residential Building Code Changes   | 150         |
|            | Capital Project Settlements   | 136         |            |  |             |
|            | Income Tax Distribution to Counties   | 137         |            |  |             |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|------------|---|-------------|
| <b>COM</b> | Safekeeping of Investments Securing Payment                                 | 152         |            | Approval of Collective Bargaining Agreements  | 174         |
|            | Additional Requirements for Commercial Plumbing Inspectors                  | 153         |            | Federal Share   | 175         |
|            | Changes to the Fireworks Laws   | 154         |            | Disaster Assistance   | 175         |
|            | Fire Marshal's Fireworks and Training Education Fund                        | 155         |            | Southern Ohio Correctional Facility Cost  | 176         |
|            | Prevailing Wage Law Concerning Interested Parties                           | 156         |            | Mandate Assistance  | 176         |
|            | Ski Area Sunday Sales Liquor Permit   | 157         |            | Ballot Advertising Costs  | 178         |
|            | Reduction in Wholesale Price Discount for Spirituous Liquor                 | 157         |            | Radio Reading Services  | 178         |
|            | Unclaimed Funds Payments  | 159         |            | Disaster Services   | 179         |
|            | Unclaimed Funds Transfers   | 159         |            | Expenditures and Appropriation Increases Approved by the Controlling Board                      | 179         |
|            | Small Government Fire Departments   | 159         | <b>COS</b> | Location of Board of Cosmetology  | 180         |
|            | Penalty Enforcement   | 160         |            | Cosmetology Courses for Adults and High Schools   | 181         |
|            | Cash Transfer to State Fire Marshal's Fund                                  | 160         |            | Consolidation of Regulatory Boards  | 182         |
|            | Cash Transfer to Budget Stabilization Fund                                  | 161         | <b>CSW</b> | Consolidation of Regulatory Boards  | 183         |
|            | Fire Department Grants  | 162         |            | Scope of Practice of Certain Marriage and Family Therapists                                     | 184         |
|            | Cash Transfer to Real Estate Operating Fund                                 | 163         | <b>CJS</b> | Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services | 185         |
|            | Merchandising   | 164         |            | Transfer of the Office of Criminal Justice Services to the Department of Public Safety          | 187         |
|            | Development Assistance Debt Service   | 164         |            | Transfer of Family Violence Prevention Center   | 187         |
|            | Revitalization Debt Service   | 165         | <b>AFC</b> | Increase in Membership of the Commission  | 188         |
|            | Administrative Assessments  | 165         |            | Refunding Ohio Arts and Sports Facilities Obligations   | 188         |
|            | Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund | 166         |            | Lease Rental Payments   | 189         |
|            | State Fire Marshal's Fund Cash Transfers for Public Safety Services         | 167         |            | Operating Expenses  | 189         |
|            | Consolidation of Regulatory Boards  | 168         |            | Changes in Appropriation to Capital Line Items  | 190         |
| <b>OCC</b> | Call Center for Consumer Complaints   | 170         | <b>DEN</b> | Consolidation of Regulatory Boards  | 191         |
|            | Payment of Annual Assessment  | 171         | <b>BDP</b> | Board of Deposit Expense Fund   | 192         |
| <b>CEB</b> | Consent Agreements in Civil Actions Involving the State                     | 173         | <b>DEV</b> | Family Farm Loan Program Extension  | 193         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <i>DEV</i> | Alternative Fuel Transportation Grant Program                                      | 194         |
|            | Shovel Ready Sites Program   | 195         |
|            | Grant Program for Certain Sporting Events  | 196         |
|            | Grants to Communities Affected by the BRAC Program                                 | 197         |
|            | Development Financing Advisory Council   | 198         |
|            | Increased State Contributions under the Capital Access Loan Program                | 199         |
|            | Minority Business Development Loan and Bonding Programs                            | 200         |
|            | Small Business Loan and Loan Guarantee Programs                                    | 202         |
|            | Industrial Site Improvement Fund   | 203         |
|            | Prohibition Against Third Frontier Commission Funding Embryonic Stem Cell Research | 204         |
|            | Certification of Payments Received in Lieu of Taxes to the Department of Education | 205         |
|            | Metropolitan Housing Authority Members   | 206         |
|            | Lung Cancer and Lung Disease Research  | 208         |
|            | Thomas Edison Program  | 209         |
|            | Local Economic Development Coordinator - Crawford County                           | 209         |
|            | Small Business Development   | 210         |
|            | Minority Business Development Division   | 211         |
|            | Business Development   | 212         |
|            | First Frontier Match   | 213         |
|            | Economic Development Division and Regional Offices                                 | 213         |
|            | Governor's Office of Appalachia  | 214         |
|            | Science and Technology Collaboration   | 215         |
|            | Third Frontier Action Fund   | 217         |
|            | Ohio Investment in Training Program  | 218         |
|            | International Trade  | 218         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
|            | CDBG Operating Match  | 219         |
|            | State Operating Match   | 219         |
|            | Travel and Tourism Grants   | 220         |
|            | Third Frontier Research and Commercialization General Obligation Debt Service | 221         |
|            | Supportive Services   | 222         |
|            | General Reimbursement   | 222         |
|            | Worker Guarantee Program  | 223         |
|            | Training Services   | 224         |
|            | State Special Projects  | 225         |
|            | HEAP Weatherization   | 225         |
|            | Minority Business Enterprise Loan   | 226         |
|            | Minority Business Bonding Fund  | 226         |
|            | Global Analyst Settlement Agreements Payments                                 | 227         |
|            | Economic Development Financing Operating                                      | 228         |
|            | Volume Cap Administration   | 228         |
|            | Energy Efficiency Revolving Loan Fund   | 229         |
|            | Universal Service Fund  | 229         |
|            | Housing Trust Fund Transfer to the Residential State Supplement Fund          | 231         |
|            | Facilities Establishment Fund   | 232         |
|            | Rural Development Initiative Fund   | 233         |
|            | Family Farm Loan Program  | 234         |
|            | Capital Access Loan Program   | 234         |
|            | Innovation Ohio Loan Fund   | 235         |
|            | Research and Development  | 235         |
|            | Clean Ohio Operating Expenses   | 235         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
| <i>DEV</i> | Unclaimed Funds Transfer  | 236         |
|            | Local Government Services Collaboration Grant Program                 | 237         |
| <i>OBD</i> | Consolidation of Regulatory Boards                                    | 239         |
| <i>EDU</i> | Allowing Specified Public Authorities to Award Single-prime Contracts | 240         |
|            | School District Levies Not Subject to H.B. 920 Tax Reduction Factors  | 241         |
|            | Elimination of the 10% Rollback on Some Real Property                 | 242         |
|            | Reimbursement for the \$10,000 Business Property Exemption            | 243         |
|            | Municipal Corporation and School District Shared Income Tax           | 244         |
|            | Administration of Achievement Tests                                   | 244         |
|            | Use of Students' Data Verification Codes                              | 245         |
|            | School District Charters  | 246         |
|            | Montessori Schools  | 246         |
|            | Reading Improvement Grants  | 247         |
|            | School District Performance Ratings                                   | 248         |
|            | Academic Distress Commission  | 249         |
|            | Educational Choice Scholarship Programs                               | 251         |
|            | Legislative Approval of New School Districts                          | 253         |
|            | State Board Approval of Education Service Center Change               | 253         |
|            | Elimination of School Districts' Annual Spending Plan                 | 254         |
|            | Latchkey Program Expenditures   | 255         |
|            | Pilot Project Scholarship Program                                     | 256         |
|            | Internet or Computer Based Community Schools (E-schools)              | 257         |
|            | Community Schools   | 261         |
|            | Suspension of Set-Asides for Certain School Districts                 | 270         |
|            | School District Five-Year Projections                                 | 271         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
|            | Base Cost Funding  | 272         |
|            | Poverty-Based Assistance for School Districts                        | 276         |
|            | Other School Funding Formula Changes                                 | 282         |
|            | School District Property Tax to Offset Charge-off Increases          | 285         |
|            | Reporting and Spending of State Building Blocks Funds                | 286         |
|            | Removing Truants from a School District's Formula ADM                | 287         |
|            | Public Utility Property Taxes and School Aid Computations            | 288         |
|            | Subsidy for Transporting Special Education Students                  | 289         |
|            | Deduction and Payment of Nonfederal Share of Medicaid Reimbursements | 289         |
|            | Recalculating School District Valuations                             | 290         |
|            | Random Audits of School District ADM Reports                         | 290         |
|            | Handicapped Preschool Units  | 291         |
|            | Nonpublic Administrative Cost Reimbursement                          | 292         |
|            | School Bus Purchase Allocations                                      | 292         |
|            | Joint Vocational School District Excess Costs for Special Education  | 293         |
|            | Statistical Report Filing  | 293         |
|            | Categorical Funding for State Institutions                           | 294         |
|            | School District Internal Auditor                                     | 295         |
|            | Reductions in Force of Teachers and Nonteaching Employees            | 295         |
|            | Termination of School District Transportation Staff                  | 297         |
|            | National Board Certification of Teachers                             | 297         |
|            | Excess Costs for Special Education and Related Services              | 298         |
|            | Ohio Center for Autism and Low Incidence                             | 299         |
|            | Adoption of a Statewide "Grade Acceleration" Policy                  | 299         |
|            | Post-Secondary Enrollment Options Program (PSEO)                     | 300         |

| <b>CAS</b> | <b>Subject</b>                                       | <b>Page</b> | <b>CAS</b> | <b>Subject</b>                                 | <b>Page</b> |
|------------|--|-------------|------------|--|-------------|
| <i>EDU</i> | Pupil Transportation Requirements                    | 300         |            | Educator Preparation                           | 326         |
|            | Use of Volunteers by School Districts                | 302         |            | Community Schools                              | 327         |
|            | Cosmetology Courses for Adults at High Schools       | 303         |            | Pupil Transportation                           | 328         |
|            | Community Alternative Funding System                 | 304         |            | Bus Purchase Allowance                         | 329         |
|            | Phase-out of Tax on Some Tangible Personal Property  | 305         |            | School Lunch Match                             | 329         |
|            | Property Tax Replacement Payments                    | 307         |            | Adult Literacy Education                       | 330         |
|            | School District Income Taxes                         | 308         |            | Auxiliary Services                             | 331         |
|            | Personal Services                                    | 309         |            | Postsecondary Adult Career-Technical Education | 331         |
|            | Maintenance and Equipment                            | 309         |            | Ohio Choice Scholarships                       | 332         |
|            | Early Childhood Education                            | 310         |            | Gifted Pupil Program                           | 332         |
|            | Educator Training                                    | 312         |            | Special Education Enhancements                 | 333         |
|            | Alternative Education Programs                       | 314         |            | Nonpublic Administrative Cost Reimbursement    | 333         |
|            | Career-Technical Education Match                     | 314         |            | Career-Technical Education Enhancements        | 334         |
|            | Computer/Application/Network Development             | 314         |            | Foundation Funding                             | 335         |
|            | School Management Assistance                         | 316         |            | Emergency Loan Interest Subsidy                | 339         |
|            | Policy Analysis                                      | 316         |            | Reading/Writing Improvement - Classroom Grants | 339         |
|            | Tech Prep Consortia Support                          | 317         |            | Property Tax Allocation - Education            | 340         |
|            | Ohio Educational Computer Network                    | 317         |            | Safe and Supportive Schools                    | 340         |
|            | Academic Standards                                   | 318         |            | Tangible Tax Exemption                         | 341         |
|            | School Improvement Initiatives                       | 320         |            | Teacher Certification and Licensure            | 341         |
|            | Reading/Writing Improvement-Professional Development | 322         |            | School District Solvency Assistance            | 341         |
|            | Student Assessment                                   | 323         |            | Reading First                                  | 342         |
|            | Accountability/Report Cards                          | 323         |            | Half-Mill Maintenance Equalization             | 343         |
|            | Child Care Licensing                                 | 324         |            | Head Start and Early Learning Initiative       | 343         |
|            | OhioReads Volunteer Support                          | 324         |            | Auxiliary Services Reimbursement               | 348         |
|            | Education Management Information System              | 324         |            | Lottery Profits Education Fund                 | 348         |
|            | GED Testing  | 326         |            | Lottery Profits Education Reserve Fund         | 349         |



| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <b>EDU</b> | School District Property Tax Replacement - Business                          | 350         |
|            | School District Property Tax Replacement - Utility                           | 350         |
|            | Distribution Formulas  | 351         |
|            | Educational Service Centers Funding  | 352         |
|            | Waiver of Required Pupil Teacher Ratio                                       | 353         |
|            | School District Participation in National Assessment of Educational Progress | 354         |
|            | Private Treatment Facility Project   | 354         |
|            | Department of Education Appropriation Transfers for Student Assessment       | 355         |
|            | Pilot Project Special Education Scholarship Program                          | 356         |
|            | Required Eye Exam for Disabled Students                                      | 357         |
|            | Earmark Accountability   | 358         |
|            | Intervention Funding   | 358         |
|            | School Funding Advisory Council  | 359         |
|            | School District Consolidation Legislative Committee                          | 359         |
|            | School Physical Fitness and Wellness Advisory Council                        | 360         |
|            | Earmark of Federal Grant Funds   | 361         |
|            | Disposal of School District Real Property                                    | 361         |
|            | Refund of Motor Fuel Tax   | 362         |
|            | School Employee Life and Health Benefits                                     | 363         |
| <b>FUN</b> | Funeral Director Apprenticeships   | 365         |
|            | Consolidation of Regulatory Boards   | 366         |
| <b>ERB</b> | SERB Training, Publications, and Grants Fund                                 | 367         |
| <b>ENG</b> | Consolidation of Regulatory Boards   | 368         |
| <b>EPA</b> | Contaminated Site Cleanup  | 369         |
|            | Clean Diesel School Bus Fund   | 370         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
|            | Construction and Demolition Debris Disposal Fees                                      | 371         |
|            | Infectious Waste Management   | 373         |
|            | Repayment of Costs to the Hazardous Waste Cleanup Fund                                | 374         |
|            | Solid Waste Management  | 375         |
|            | Hazardous Waste Funding   | 377         |
|            | Scrap Tire Management Program Funding   | 378         |
|            | Environmental Protection Fund   | 379         |
|            | Extension of Various Fee Sunsets  | 380         |
|            | Revision of Industrial Classifications in the Air Pollution Control Fee Schedule      | 381         |
|            | Surface Water Protection Fee  | 382         |
|            | Certification of Certified Professionals under the Voluntary Action Program (VAP) Law | 383         |
|            | Section 401 Water Quality Certifications  | 384         |
|            | Cash Transfer for Environmental Protection Fund                                       | 386         |
|            | Automobile Emissions Tests  | 387         |
|            | National Pollution Discharge Elimination System Funding Transfer                      | 389         |
|            | Utility Radiological Safety Board Assessments   | 390         |
| <b>ETC</b> | eTech Ohio - Merger of SchoolNet and OETNC  | 391         |
|            | Operations  | 394         |
|            | Statehouse News Bureau  | 394         |
|            | Technical Operations  | 395         |
|            | Telecommunications Operating Subsidy  | 395         |
|            | Ohio Government Telecommunications Studio   | 395         |
|            | Technical and Instructional Professional Development                                  | 396         |
|            | Education Technology  | 397         |
|            | Telecommunity   | 399         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|--|-------------|------------|---|-------------|
| <b>ETC</b> | Distance Learning  | 399         |            | Women's Health Services   | 418         |
|            | Gates Foundation Grants  | 400         |            | Transfer from the Tobacco Master Settlement Agreement Fund to Immunizations | 419         |
|            | Name conformity changes in capital appropriations bill and tobacco budget bill         | 400         |            | Free Clinic Liability Insurance   | 420         |
|            | Changes to capital reappropriations bill of the 126th G.A.                             | 401         |            | HIV/AIDS Prevention/Treatment   | 420         |
| <b>GOV</b> | Appointment of Legal Counsel for the Governor  | 402         |            | Help Me Grow  | 421         |
|            | Federal Relations  | 402         |            | Infectious Disease Prevention   | 421         |
|            | Veterans' Hall of Fame   | 402         |            | Targeted Health Care Services Over 21                                       | 422         |
| <b>DOH</b> | County Tuberculosis Control Programs and Detention Costs                               | 403         |            | Maternal Child Health Block Grant   | 422         |
|            | Certificate of Authority to Establish or Operate a Health Insuring Corporation         | 404         |            | Safety and Quality of Care Standards  | 423         |
|            | Bureau of Children with Medical Handicaps (Program for Medically Handicapped Children) | 405         |            | Genetics Services   | 423         |
|            | Administration and Implementation of the "Choose Life" Fund                            | 407         |            | Medically Handicapped Children Audit  | 424         |
|            | Critical Access Hospitals  | 407         |            | Medically Handicapped Children - County Assessments                         | 425         |
|            | Certificate of Need Moratorium on Long-Term Care Beds                                  | 408         |            | Cash Transfer from Liquor Control Fund to Alcohol Testing and Permit Fund   | 425         |
|            | Physician Loan Repayment Program   | 409         |            | Nursing Facility Technical Assistance Program                               | 426         |
|            | J-1 Visa Waiver Program  | 409         |            | Cash Transfer from the State Fire Marshal's Fund to the Poison Control Fund | 426         |
|            | Fees for Vital Records   | 410         |            | Transfer of Tobacco Master Settlement Dollars                               | 427         |
|            | General Health District Office Space and Utilities                                     | 411         |            | Utility Radiological Safety Board Assessments                               | 427         |
|            | Hospice Care Facility Inspection Fee   | 412         |            | Consolidation of Regulatory Boards  | 428         |
|            | Nursing Home and Residential Care Facility Licensing Fees                              | 413         |            | Nursing Facility Regulatory Reform Task Force                               | 430         |
|            | Revocation and Denial of Nursing Home and Residential Care Facility Licenses           | 413         | <b>HEF</b> | Meetings by Teleconference  | 431         |
|            | Adult Care Facility Inspection Fees  | 414         |            | Fund Transfer   | 432         |
|            | Religious Nonmedical Health Care Institutions  | 414         | <b>OHS</b> | Disbursement of Funds by the Ohio Historical Society                        | 433         |
|            | Radiation Control Program Fees   | 415         |            | Subsidy Appropriation   | 434         |
|            | Child and Family Health Services   | 416         |            | Hayes Presidential Center   | 435         |
|            |  |             |            | Historical Grants   | 435         |



| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|------------|---|-------------|
| <i>REP</i> | Operating Expenses  | 437         |            | Medicaid Managed Care - Prompt Payment and External Reviews                                     | 457         |
| <i>IGO</i> | Special Investigations  | 438         |            | Support Services Funds  | 458         |
|            | Inspector General Fiduciary Review of BWC Funds                               | 438         |            | Disciplinary Action in the Form of Increase in County Share of Public Assistance                | 459         |
| <i>INS</i> | Certificate of Authority to Establish a Medicaid Health Insuring Corporation  | 439         |            | Consolidated Funding Allocations  | 460         |
|            | Performance Bonds for Medicaid Health Insuring Corporations                   | 440         |            | Workforce Development Activities  | 461         |
|            | Medicaid Managed Care External Review   | 441         |            | Recovery of Excess Payments Made to County Family Services Agencies                             | 462         |
|            | Revenues for Department of Insurance Operating Fund                           | 442         |            | Audits of Title XX Social Services Block Grant Funds  | 463         |
|            | Medicaid Managed Care - Prompt Payment  | 443         |            | Use of TANF Funds for Title XX Social Services  | 464         |
|            | Requirement to Notify of Out-of-State Discipline for Insurers                 | 443         |            | Eligibility Determinations for Public Assistance Programs                                       | 465         |
|            | Certificates of Compliance for Foreign Insurance Companies                    | 444         |            | Kinship Caregiver   | 466         |
|            | Distribution of Claims from Health Insuring Corporation's Estate              | 444         |            | Title IV-A Demonstration Program  | 467         |
|            | Exemption for "Employer Insureds" from the Unauthorized Foreign Insurance Tax | 445         |            | Reimbursement Ceilings for Publicly-Funded Child Care   | 468         |
|            | Fee Increases   | 446         |            | Income Requirement for Initial Ohio Works First Eligibility                                     | 469         |
|            | Examinations of Domestic Fraternal Benefit Societies                          | 447         |            | Fees for Publicly Funded Child Care   | 469         |
|            | Market Conduct Examination  | 448         |            | LEAP Program Incentives and Post-Secondary Enrollment Award                                     | 470         |
| <i>JFS</i> | Joint Legislative Committee on Medicaid Technology and Reform                 | 449         |            | Statistics on Frequently Dispensed Drugs Under Ohio's Best Rx Program to be Calculated Annually | 471         |
|            | Audits of Medicaid Providers and Performance Audit of Medicaid Program        | 449         |            | ABD Medicaid Eligibility  | 471         |
|            | Summary of Minor Adoption Proceedings   | 450         |            | Medicaid Look-Back Period   | 472         |
|            | Medicaid Eligibility Fraud  | 451         |            | Medicaid Co-Payment Program   | 473         |
|            | Lump Sum Payments Sent to the Office of Child Support                         | 452         |            | Medicaid Eligibility Reduction for Parents  | 474         |
|            | Electronic Disbursements of Child Support                                     | 453         |            | Multiple State Prescription Drug Purchasing Program   | 474         |
|            | Child Support Federal Incentives  | 454         |            | Rules Governing State Medicaid Plan Services  | 475         |
|            | Deduction and Payment of Nonfederal Share of Medicaid Reimbursements          | 455         |            | Medicaid-Funded Community Mental Health Services  | 476         |
|            | Nursing Home Franchise Permit Fee   | 456         |            | Medicaid Coverage of Erectile Dysfunction Drugs   | 476         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|---|-------------|------------|--|-------------|
| <i>JFS</i> | Step Therapy System for Medicaid                                      | 477         |            | Ohio Veteran's Home Agency Nursing Facility Beds                                     | 500         |
|            | Abandoned Medicaid Provider Agreements                                | 477         |            | Multiple Provider Agreements for Long-Term Care Providers                            | 500         |
|            | Recovery of Medicaid Overpayments                                     | 478         |            | Therapy Costs  | 501         |
|            | Retail Pharmacy Operations Survey for Medicaid                        | 479         |            | Long-Term Care Facilities' Submission of Assessment Information                      | 501         |
|            | Long-Term Care Pharmacy Management Incentive Payment Program          | 480         |            | Refund of Excess Depreciation  | 502         |
|            | Supplemental Drug Rebate Program                                      | 481         |            | Amortization of Cost of Acquiring Nursing Facility Bed                               | 503         |
|            | Update of Cost and Control Numbers for Medicaid Drugs                 | 482         |            | ICF/MR Beds Excluded from Medicaid Provider Agreement                                | 503         |
|            | Pharmacy and Therapeutics Committee                                   | 483         |            | Nursing Facility Reimbursement Study Council Abolished                               | 504         |
|            | Medicaid E-Prescribing System   | 483         |            | Change of Operator, Closure, and Voluntary Termination and Withdrawal                | 505         |
|            | Reviews of the Medicaid Program                                       | 484         |            | General Requirements for Home and Community-Based Services Waivers                   | 506         |
|            | Medicaid Estate Recovery and Liens                                    | 484         |            | Medicaid Waivers for Individuals with Autism or Developmental Delays or Disabilities | 507         |
|            | Medicaid Mandatory Managed Care Enrollment Service Areas              | 486         |            | Home and Community-Based Services to Replace ICF/MR Service                          | 508         |
|            | Behavioral Health Exclusion from Medicaid Care Management             | 487         |            | Assisted Living Medicaid Waiver  | 511         |
|            | Medicaid Care Management System Annual Report                         | 488         |            | Medicaid Interagency Agreements for Coverage of Behavioral Health Services           | 513         |
|            | Mandatory Managed Care for Covered Families and Children              | 488         |            | Medicaid Enterprise Data Warehouse   | 515         |
|            | Medicaid Managed Care Reimbursement Rate for Noncontracting Providers | 489         |            | Department-Administered Home and Community-Based Waivers                             | 516         |
|            | Care Management Pilot Program for Chronically Ill Children            | 490         |            | Ohio Access Success Project  | 517         |
|            | Medicaid Care Management for Aged, Blind, and Disabled                | 491         |            | Medicaid Voucher Pilot Program   | 519         |
|            | Financial Incentives for Positive Outcomes in Medicaid Managed Care   | 493         |            | Department's Duties under Medicare Prescription Drug Benefit Law                     | 521         |
|            | Medicaid Managed Care Coverage of Respiratory Anti-Viral Drugs        | 494         |            | ICF/MR Franchise Permit Fee  | 522         |
|            | Medicaid Managed Care Organizations Franchise Permit Fee              | 494         |            | Disability Medical Assistance Program Abolished                                      | 523         |
|            | Medicaid Payments for Graduate Medical Education Costs                | 496         |            | Head Start and Early Learning Initiative   | 526         |
|            | Medicaid's Long-Term Care Reimbursement Formula                       | 497         |            |  |             |
|            | Assessments on Need for Nursing Facility Services                     | 499         |            |  |             |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> | <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|------------|--|-------------|
| <i>JFS</i> | Appropriation Item Restructuring   | 531         |            | Health Care Services Administration  | 552         |
|            | Governor's Office of Faith-Based and Community Initiatives                               | 533         |            | Child Support Collections  | 553         |
|            | TANF Ohio Works First Cash Assistance Payments   | 533         |            | Health Care Services Administration Fund                                     | 553         |
|            | Ohio's Best Rx Operational Costs   | 534         |            | Medicaid Program Support Fund - State  | 554         |
|            | TANF Transfers   | 534         |            | Transfers of IMD/DSH Cash to the Department of Mental Health                 | 555         |
|            | Fiscal Year 2006 Medicaid Reimbursement Rate for Nursing Facilities                      | 535         |            | Federal Unemployment Programs  | 555         |
|            | Fiscal Year 2007 Medicaid Reimbursement Rate for Nursing Facilities                      | 537         |            | Workforce Development Grant Agreement  | 556         |
|            | Fiscal Years 2006 and 2007 Reimbursement Rate for ICFs/MR                                | 538         |            | TANF Earmarks  | 556         |
|            | Increased Payment to ICFs/MR for CAFS Expenses   | 539         |            | Employment Retention Incentive Program                                       | 558         |
|            | Medicaid Coverage of Dental and Vision Services  | 540         |            | Publicly Funded Child Care Market Rate Survey                                | 559         |
|            | Disability Determination Consolidation Study   | 541         |            | Waiver of Food Stamp Work Requirements                                       | 560         |
|            | Health Care/ Medicaid  | 542         |            | Prescription Drug Rebate Fund  | 560         |
|            | Medicaid Transition Council  | 543         |            | Inpatient Supplemental Payment Program for Children's Hospitals              | 561         |
|            | Medicare Part D  | 545         |            | Delay of Termination of Hospital Care Assurance Program                      | 562         |
|            | ODJFS Funds  | 546         |            | Public Assistance Reconciliation   | 562         |
|            | Employer Surcharge   | 546         |            | Temporary Civil Service Authority of the Director of Job and Family Services | 563         |
|            | Transfer of Funds to the Department of Aging   | 547         |            | Medicaid Care Management Working Group                                       | 564         |
|            | Funding for Institutional Facility Audits and the Ohio Access Success Project            | 548         | <i>JCO</i> | State Council of Uniform State Laws  | 566         |
|            | PASSPORT Evaluation Panel  | 549         |            | Ohio Jury Instructions Fund  | 566         |
|            | Ohio Association of Second Harvest Food Banks  | 549         | <i>JSC</i> | Vehicle Allowance for Supreme Court Justices                                 | 568         |
|            | Transfer of Funds to the Department of Mental Retardation and Developmental Disabilities | 550         |            | Law-Related Education  | 569         |
|            | Funding for Habilitative Services  | 550         |            | Continuing Judicial Education  | 570         |
|            | Children's Trust Fund  | 551         |            | Commission for Legal Education Opportunity                                   | 570         |
|            | Hospital Care Assurance Match Fund   | 552         |            | Federal Grants   | 571         |
|            |  |             |            | Attorney Registration  | 572         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|---|-------------|------------|--|-------------|
| <i>JSC</i> | Grants and Awards   | 573         |            | Certification of Public Authorities' Professional Design Contracts and County Building and Bridge Construction Contracts | 593         |
|            | Supreme Court Admissions  | 574         |            | Allowing Specified Public Authorities to Award Single-Prime Contracts  | 594         |
|            | Continuing Legal Education  | 575         |            | Criminal Justice Regional Information Service  | 595         |
| <i>LEC</i> | Cash Transfer   | 576         |            | Local Funding Options for Convention Centers and Art Facilities  | 596         |
| <i>JLE</i> | Committee's Jurisdiction to Include Employees of the Capitol Square Review and Advisory Board                               | 577         |            | Boards of Trustees for Certain Regional Transit Authorities  | 596         |
| <i>LSC</i> | Revenue and Spending Data for School Districts  | 578         |            | County Support of Science Facilities   | 597         |
|            | Legislative Office of Education Oversight / Legislative Budget Office   | 579         |            | Bid Bond Requirements  | 598         |
|            | Joint Legislative Committee on Medicaid Technology and Reform   | 580         |            | Increase in Real Property Transfer Fee   | 599         |
| <i>LIB</i> | Ohio Public Library Information Network   | 581         |            | Authorization for County Auditors to Use Real Estate Assessment Funds for Estate Tax Enforcement                         | 600         |
|            | Ohioana Rental Payments   | 582         |            | Payment for Necessary Medical Care of Jail Inmates at Medicaid Reimbursement Rate  | 601         |
|            | Regional Library Systems  | 582         |            | Prohibition Against Regulation of Fertilizer and Seed by Political Subdivisions  | 602         |
|            | Libraries for the Blind   | 583         |            | Election and Compensation of the Medina Municipal Court Clerk  | 603         |
|            | Ohioana Library Association Operating Funds   | 583         |            | Methamphetamine, Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control   | 604         |
| <i>LOC</i> | Financial Accountability of Recipients of Money from Governmental Entities  | 584         |            | Ohio CASA/GAL Study Committee  | 606         |
|            | Participation of Local Agencies in Self-Insurance Plans   | 585         |            | Juvenile Facilities Districts Created by Joint Boards of County Commissioners  | 607         |
|            | Annual Statistical Report to BCII on Methamphetamine-Related Arrests and Illegal Methamphetamine Manufacturing Laboratories | 586         |            | Payment of Maintenance and Other Expenses of District Detention Facility   | 608         |
|            | County, Township, Municipal and Department of Transportation Force Account Limits   | 587         |            | Medicaid Eligibility Fraud   | 609         |
|            | Changes to Procedures of Family and Children First County Councils  | 588         |            | Law Library Associations and Associated County Financial Obligations   | 610         |
|            | Family and Children First County Council Membership   | 589         |            | Services from Free Public Libraries  | 611         |
|            | Agreements to Assist Municipal Corporations in Retaining Military Facility Jobs   | 590         |            |  |             |
|            | Responsibilities of DAS Under the Civil Service Law   | 591         |            |  |             |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|--|-------------|------------|---|-------------|
| <b>LOC</b> | County Boards of Elections: Spending Authority and Health Benefits                                       | 611         |            | Medicaid Appropriations   | 636         |
|            | Fee Increases for Birth Certificates, Death Certificates, and Divorce or Dissolution of Marriage Decrees | 613         |            | Health Care/Medicaid  | 636         |
|            | General Health District Office Space and Utilities   | 614         |            | Medicare Part D   | 637         |
|            | Metropolitan Housing Authority Members   | 615         | <b>MED</b> | Consolidation of Regulatory Boards  | 638         |
|            | Purchase of Electronic CIndigent Drivers Alcohol Treatment Fund Money                                    | 616         | <b>AMB</b> | Ambulette Services for Certain Agencies                                     | 639         |
|            | Motor Vehicle Collision Repair Registration Board  | 617         |            | Consolidation of Regulatory Boards  | 641         |
|            | Collaboration with Local Fire and Building Departments   | 617         | <b>DMH</b> | Family and Children First Administration Fund                               | 642         |
|            | Jurisdiction over Medicaid Payments  | 618         |            | Behavioral Health Exclusion from Medicaid Care Management                   | 643         |
|            | Transportation Improvement District Joint Projects   | 619         |            | Medicaid Interagency Agreements for Coverage of Behavioral Health Services  | 644         |
|            | Annual Local Government Inventory and Road Report  | 620         |            | Inpatient Billing Methodology   | 646         |
|            | County Commissioners' Authority to Adopt a Quarterly Spending Plan                                       | 621         |            | Tobacco Cessation Programs Providing Tobacco Cessation Counseling to Minors | 647         |
|            | Sunset of Tax Increment Financing Agreements   | 622         |            | Billing Practices Pilot Review  | 648         |
|            | Phase Out Taxation of Fixtures and Furniture   | 623         |            | Disability Medical Assistance Council                                       | 649         |
|            | Levy Lodging Tax to Build and Equip Convention Centers   | 624         |            | Forensic Services   | 651         |
|            | Local Government Services Collaboration Grant Fund   | 625         |            | Residency Traineeship Programs  | 652         |
|            | Income Tax Distribution To Counties  | 626         |            | Pre-Admission Screen Expenses   | 652         |
|            | Local Government and Library Financing and Support Committee   | 627         |            | Lease-Rental Payments   | 653         |
|            | Direct Recording Electronic Voting Machine Acquisition Requirements                                      | 628         |            | Community Mental Health Board Risk Fund                                     | 653         |
|            | Temporary Adjustment to Local Government Funds   | 629         |            | Community Medication Subsidy  | 654         |
| <b>LOT</b> | Creation of the Charitable Gaming Oversight Fund   | 632         |            | Housing Trust Fund Transfer to the Residential State Supplement Fund        | 654         |
| <b>MHC</b> | Increased Appropriation Through Controlling Board  | 633         |            | Local Mental Health Systems of Care   | 655         |
|            | Consolidation of Regulatory Boards   | 634         |            | Behavioral Health Medicaid Services   | 655         |
| <b>DOM</b> | Medicaid Transition Council  | 635         |            | Behavioral Health - Children  | 656         |
|            |  |             |            | State-Wide Prescription Drug Purchasing                                     | 658         |



| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> | <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|------------|--|-------------|
| <i>DMH</i> | Transfer of Ohio Family and Children First Cabinet Council Administrative Duties | 659         |            | Developmental Center Program to Develop a Model Billing for Services Rendered                            | 684         |
|            | Transfer of Tobacco Master Settlement Agreement Dollars                          | 660         |            | Transfer to Funds for Developmental Center Pharmacy Programs   | 685         |
|            | Community Assistance Projects  | 660         |            | Nonfederal Share of Additional ICF/MR Beds   | 685         |
|            | Partial-Hospitalization Community Mental Health Service                          | 661         |            | Community Assistance Projects  | 686         |
| <i>DMR</i> | Nonfederal Match for Active Treatment Services                                   | 662         | <i>MIH</i> | Lupus Program  | 687         |
|            | Transfer of State Use Program  | 663         | <i>CRB</i> | Motor Vehicle Collision Repair Registration Board Collaboration with Local Fire and Building Departments | 688         |
|            | Community Alternative Funding System Terminated                                  | 664         |            | Consolidation of Regulatory Boards   | 689         |
|            | Administrative Fee Increase for Medicaid Paid Claims                             | 666         | <i>DNR</i> | Dissemination of Information from Certain Computer Databases Maintained by Division of Water             | 690         |
|            | Certification of Home and Community-Based Services                               | 668         |            | State Payment of Estimated Taxes for Acquired Property   | 691         |
|            | Payment of Nonfederal Share of MR/DD Home and Community-Based Services           | 670         |            | Fees and Charges for Use of State Forests and Services Provided Under Division of Forestry               | 692         |
|            | Residential Facilities I and II  | 671         |            | General Increase in Fees for Oil and Gas Well Permits  | 693         |
|            | Rules Governing Service Contracts  | 673         |            | State Solid Waste Disposal Fee; Recycling and Litter Prevention Fund; Corporate Franchise Tax            | 694         |
|            | Medicaid Case Management Services  | 674         |            | Old Woman Creek National Estuarine Research Reserve  | 695         |
|            | County Boards' Waiting Lists for Services  | 674         |            | Exemption for Property in Nature Preserves from Special Assessments                                      | 696         |
|            | Lease-Rental Payments  | 676         |            | Privatization of Inspection of Certain Dams  | 697         |
|            | Transfer of Ohio Family and Children First Cabinet Council Administrative Duties | 676         |            | Division of Wildlife's Sources of Funding for Payments to School Districts                               | 698         |
|            | Residential and Support Services   | 677         |            | Youth Hunting Licenses; Fur Taker Permits  | 699         |
|            | Waiver State Match   | 678         |            | Resident Hunting and Fishing Licenses for Certain Military Personnel                                     | 700         |
|            | Supported Living   | 679         |            | Animal Control Permits   | 701         |
|            | Other Residential and Support Service Programs                                   | 680         |            | Ginseng Permit and Ginseng Dealer Permit   | 702         |
|            | Family Support Services  | 681         |            | State Park Parking Permits; Recreational Immunity  | 703         |
|            | Service and Support Administration   | 682         |            |  |             |
|            | Waiver-Match   | 683         |            |  |             |
|            | State Subsidies to MR/DD Boards  | 683         |            |  |             |
|            | County Board Waiver Match  | 684         |            |  |             |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <i>DNR</i> | State Parks Discount Program for Park Services and Rentals for Golden Buckeye Card Holders   | 704         |
|            | Elimination of Depreciation Reserve Fund   | 704         |
|            | Watercraft Revolving Loan Fund   | 705         |
|            | Exemption for Coal Mining From Section 401 Water Quality Certification Fees.   | 706         |
|            | All-Purpose and Other Special Vehicle Registration Fee   | 707         |
|            | Nonresident Operation of All-Purpose and Other Special Vehicles  | 707         |
|            | Department of Natural Resources Real Property Tax Exemption  | 708         |
|            | Exemption from Tax Savings Recoupment Charges of Certain Conversions of Agricultural Property by the Department of Natural Resources | 708         |
|            | Distribution of Money from Severance Tax on Coal   | 709         |
|            | Capital Appropriations - Local Park Projects   | 710         |
|            | Capital Appropriations - Statewide Trails  | 710         |
|            | Central Support Indirect   | 711         |
|            | Parks and Recreation   | 711         |
|            | Fountain Square  | 712         |
|            | Lease Rental Payments  | 713         |
|            | Natural Resources General Obligation Debt Service  | 714         |
|            | Canal Lands  | 714         |
|            | Clean Ohio Operating Expenses  | 715         |
|            | Fund Consolidation   | 715         |
|            | Oil and Gas Well Plugging  | 716         |
|            | Parks Capital Expenses Fund  | 717         |
|            | Soil and Water Districts   | 718         |
|            | Wildlife License Reimbursement   | 719         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
|            | Watercraft Marine Patrol  | 719         |
|            | Capital Appropriations - The Wilds Carnivore Center                 | 720         |
|            | Capital Appropriations - Kennedy Stone House                        | 720         |
|            | Maintenance of State Park Roads by the Department of Transportation | 721         |
| <i>NUR</i> | Nurse Education Assistance Program                                  | 722         |
|            | Nursing Special Issues  | 723         |
|            | Consolidation of Regulatory Boards                                  | 724         |
|            | Medication Aide Pilot Program                                       | 725         |
| <i>PYT</i> | Occupational Therapy, Physical Therapy, and Athletic Trainers Board | 729         |
|            | Practice of Physical Therapy  | 729         |
|            | Consolidation of Regulatory Boards                                  | 730         |
| <i>OLA</i> | Ohioana Library Association Consolidation with the State Library    | 731         |
| <i>ODB</i> | Consolidation of Regulatory Boards                                  | 732         |
| <i>OPT</i> | Consolidation of Regulatory Boards                                  | 733         |
| <i>OPP</i> | Consolidation of Regulatory Boards                                  | 734         |
| <i>PBR</i> | Transcript and Other  | 735         |
| <i>PRX</i> | Ephedrine, Pseudoephedrine, and Phenylpropanolamine Control         | 736         |
|            | Consolidation of Regulatory Boards                                  | 738         |
| <i>PSY</i> | Consolidation of Regulatory Boards                                  | 739         |
| <i>PUB</i> | Legal Aid Fund  | 740         |
|            | County Representation Billing Rate                                  | 741         |
|            | Application Fee for Indigent Defendants                             | 742         |
|            | Ohio Legal Assistance Foundation                                    | 744         |
|            | Ohio Legal Aid Filing Fee Surcharge                                 | 745         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
| <b>PUB</b> | Removal of the Right to Counsel for Indigents in Certain Civil Juvenile Proceedings             | 746         |
|            | Indigent Defense Office   | 747         |
|            | Multi-County Office   | 748         |
|            | Training Account  | 749         |
|            | Federal Representation  | 750         |
| <b>DHS</b> | Exclusion of State Highway Patrol from State Fleet Management Law                               | 751         |
|            | Abolishes Office of Criminal Justice Services and Creates Division of Criminal Justice Services | 752         |
|            | Proceeds from the Criminal Forfeiture of Property Under Federal Law                             | 753         |
|            | Family Violence Prevention Fund   | 754         |
|            | All-Purpose Vehicle Law Clarifications  | 756         |
|            | Creation of the Highway Building Fund   | 757         |
|            | Commercial Driver's Licenses  | 758         |
|            | Special License Plates for Recreational Vehicles  | 759         |
|            | Commercial Driver's License Exemption for SWAT Vehicles   | 760         |
|            | Federal Criminal Justice Grants   | 761         |
|            | Homeland Security Funds   | 762         |
|            | Individual and Households Grants State Match  | 763         |
|            | Ohio Task Force One - Urban Search and Rescue Unit  | 763         |
|            | Back-Up Power Generation Devices  | 763         |
|            | Transfer of the Office of Criminal Justice Services to the Department of Public Safety          | 764         |
|            | Transfer of Family Violence Prevention Center   | 764         |
|            | State Fire Marshal's Fund Cash Transfers for Public Safety Services                             | 765         |
|            | Utility Radiological Safety Board Assessments   | 766         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
|            | Consolidation of Regulatory Boards   | 767         |
|            | Federal Mitigation Program   | 768         |
| <b>PUC</b> | Payment of Annual Assessment   | 769         |
|            | Call Center for Consumer Complaints  | 770         |
|            | Increase in Railroad and Public Utility Forfeitures  | 771         |
|            | Increase in Maximum Forfeiture for Gas Pipeline Safety Violations  | 772         |
|            | Commercial Vehicle Information Systems and Networks Project  | 773         |
|            | Enhanced and Wireless Enhanced 9-1-1   | 773         |
|            | Utility Radiological Safety Board Assessments  | 774         |
| <b>PWC</b> | Conservation General Obligation Debt Service   | 775         |
|            | State Capital Improvements General Obligation Debt Service   | 776         |
|            | Reimbursement to the General Revenue Fund  | 777         |
|            | Clean Ohio Operating Expenses  | 777         |
| <b>BOR</b> | Local Administration Competency Certification Program  | 778         |
|            | Study on the Feasibility of Multiple Life and Medical Plans  | 778         |
|            | State Fleet Management Law Changes   | 780         |
|            | Allowing Specified Public Authorities to Award Single-prime Contracts  | 781         |
|            | Fees for Degree Authorization and Annual Report Reviews  | 781         |
|            | Financial Aid Audits   | 782         |
|            | Ohio Instructional Grants  | 783         |
|            | State Need-based Financial Aid Reconciliation Fund   | 784         |
|            | Ohio College Opportunity Grant   | 785         |
|            | Ohio College Opportunity Grant--Priority for Students who Demonstrate High Academic Performance in Primary and Secondary Schools | 786         |
|            | Transfer of Career-Technical Education Coursework to State Institutions of Higher Education                                      | 786         |



| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
| <b>BOR</b> | Nurse Education Assistance Program  | 787         |
|            | Kent State University's Columbus Program in Intergovernmental Issues                | 788         |
|            | The Ohio State University Board of Trustees   | 788         |
|            | Award of Printing Contracts by State Colleges and Universities Pursuant to Buy Ohio | 789         |
|            | University Enrollment Caps  | 789         |
|            | Sinclair Community College and Warren County  | 790         |
|            | Insurance for Treasurer of Shawnee State University                                 | 791         |
|            | Real Property Tax Exemption for Certain Buildings and Lands of a State University   | 792         |
|            | National Guard Scholarship Reserve Fund   | 793         |
|            | People Working Cooperatively  | 794         |
|            | Operating Expenses  | 794         |
|            | Lease Rental Payments   | 795         |
|            | Sea Grants  | 795         |
|            | Articulation and Transfer   | 796         |
|            | Midwest Higher Education Compact  | 796         |
|            | State Grants and Scholarship Administration   | 797         |
|            | Information System  | 797         |
|            | Jobs Challenge  | 798         |
|            | Ohio Learning Network   | 799         |
|            | Access Challenge  | 799         |
|            | Central State Supplement  | 800         |
|            | Success Challenge   | 801         |
|            | Appalachian New Economy Partnership   | 802         |
|            | Economic Growth Challenge   | 802         |
|            | College Readiness and Access  | 804         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
|            | Teacher Improvement Initiatives  | 805         |
|            | Eminent Scholars   | 806         |
|            | EnterpriseOhio Network   | 807         |
|            | Area Health Education Centers  | 807         |
|            | SSI–Lower Division Fee Differential  | 808         |
|            | State Share of Instruction (SSI)   | 808         |
|            | SSI–Core Subsidy Entitlements  | 809         |
|            | SSI–Aggregate Expenditure  | 809         |
|            | SSI–Medical School Enrollment  | 810         |
|            | SSI–Plant Operation and Maintenance (POM)  | 810         |
|            | SSI–Doctoral Reserve   | 811         |
|            | SSI–Innovation Incentive Program   | 812         |
|            | SSI–Annual Stop Loss   | 813         |
|            | SSI–Reduction in Earnings  | 813         |
|            | SSI–Exceptional Circumstances  | 814         |
|            | SSI–Capital Component Deduction  | 814         |
|            | SSI–Mid-year Appropriation Reductions  | 815         |
|            | SSI–Distribution   | 815         |
|            | SSI–Law School Subsidy   | 816         |
|            | SSI--Funds Requiring Controlling Board Approval                                  | 816         |
|            | SSI Formula Revision / Higher Education Funding Study Council                    | 817         |
|            | Higher Education–Board of Trustees and Instructional and General Fee Limitations | 818         |
|            | Student Support Services   | 820         |
|            | Ohio Instructional Grants  | 821         |
|            | OhioLINK   | 822         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> | <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|------------|--|-------------|
| <b>BOR</b> | Air Force Institute of Technology                      | 822         |            | Ohio College Opportunity Grant   | 840         |
|            | War Orphans Scholarships                               | 822         |            | The Ohio State University Clinic Support   | 840         |
|            | Cooperative Extension Service                          | 824         |            | Urban University Program   | 841         |
|            | Ohio Supercomputer Center                              | 824         |            | Rural University Projects  | 843         |
|            | Ohio University Voinovich Center                       | 825         |            | Hazardous Materials Program  | 844         |
|            | Performance Standards for Medical Education            | 826         |            | National Guard Scholarship Program   | 844         |
|            | Case Western Reserve University School of Medicine     | 826         |            | Pledge of Fees   | 845         |
|            | Capitol Scholarship Program                            | 827         |            | Higher Education General Obligation Debt Service   | 845         |
|            | Family Practice and Primary Care Residencies           | 827         |            | Sales and Services   | 846         |
|            | Shawnee State Supplement                               | 828         |            | Ohio Higher Educational Facility Commission Support  | 846         |
|            | The Ohio State University Glenn Institute              | 829         |            | Physician Loan Repayment   | 847         |
|            | Police and Fire Protection                             | 829         |            | Nursing Loan Program   | 847         |
|            | Ohio Aerospace Institute                               | 830         |            | Science and Technology Collaboration   | 848         |
|            | Geriatric Medicine                                     | 830         |            | Veterans' Preferences  | 850         |
|            | Academic Scholarships                                  | 831         |            | Repayment of Research Facility Investment Fund Moneys  | 850         |
|            | Student Choice Grants                                  | 831         |            | State Need-based Financial Aid Reconciliation  | 851         |
|            | Student Workforce Development Grants                   | 832         |            | Study on Distributing SSI Funds Based on Campus<br>Administrative and Operational Efficiency               | 851         |
|            | Ohio Agricultural Research and Development Center      | 832         |            | Study on Distributing SSI Funds Based on the Number of<br>Degrees and Certificates Awarded                 | 852         |
|            | Clinical Teaching Support / Medical Support            | 833         |            | Study on Providing Incentives for Certificates and Associate<br>Degrees                                    | 852         |
|            | School of International Business                       | 835         |            | Capital Appropriation Item Transfer  | 853         |
|            | Capital Component                                      | 836         |            | Capital Appropriation Item Transfer  | 853         |
|            | Part-time Student Instructional Grants                 | 836         |            | Montgomery County Port Authority   | 854         |
|            | Dayton Area Graduate Studies Institute                 | 837         |            | <b>DRC</b> Private Operation of State or Local Correctional Facility -<br>Amount of Savings to be Realized | 855         |
|            | Priorities in Collaborative Graduate Education         | 838         |            | Payments for Medical Care of Inmates of State Correctional<br>Institutions                                 | 856         |
|            | Ohio Academic Resources Network (OARNet)               | 838         |            |  |             |
|            | Long-term Care Research                                | 839         |            |  |             |
|            | Bowling Green State University Canadian Studies Center | 839         |            |  |             |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <b>DRC</b> | Active Global Positioning System Monitoring of Sexually Violent Predators  | 857         |
|            | Medical Hardship Releases and Medical Hardship Prisoner Release Commission | 858         |
|            | Consolidated Prescription Drug Purchasing Program                          | 860         |
|            | Ohio Building Authority Lease Payments                                     | 861         |
|            | Prisoner Compensation  | 862         |
|            | Location and Tracking Technology   | 863         |
|            | Correction Officer to Inmate Ratio   | 863         |
|            | Halfway House Transfers  | 864         |
|            | Correctional Faith-Based Initiatives Task Force                            | 865         |
|            | Conveyance of Real Estate in Athens County                                 | 867         |
| <b>RSC</b> | Disability Determination Consolidation Study                               | 868         |
|            | Independent Living Council   | 869         |
|            | Services to Mutually Eligible Clients                                      | 869         |
|            | Assistive Technology   | 870         |
|            | Office for People with Brain Injury  | 870         |
|            | Services for the Deaf  | 871         |
|            | Services for the Elderly   | 871         |
|            | Program Management Expenses  | 872         |
|            | Independent Living Services  | 872         |
|            | Independent Living/Vocational Rehabilitation Programs                      | 873         |
|            | Social Security Reimbursement Funds  | 873         |
|            | Pilot Program for Vocational Rehabilitation                                | 875         |
|            | Consumer Advisory Committee  | 876         |
| <b>RCB</b> | Convenience Fees for Electronically Renewing a License                     | 877         |
|            | Consolidation of Regulatory Boards   | 878         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <b>RET</b> | Office of Information Technology                                       | 879         |
|            | Municipal Public Safety Directors - Includes PERS - LE                 | 879         |
|            | Elimination of State Contribution to Ohio Police and Fire Pension Fund | 880         |
| <b>RDF</b> | Additional Appropriations  | 881         |
|            | Local Government Property Tax Replacement - Business                   | 883         |
|            | Small Township and Village Relief Fund                                 | 884         |
| <b>SAN</b> | Notification of Sanitarian Continuing Education Courses                | 885         |
|            | Sanitarian Registration Fee Increase                                   | 885         |
|            | Consolidation of Regulatory Boards                                     | 887         |
| <b>OSB</b> | Student Activity and Work-Study Fund                                   | 888         |
|            | Administration of Donations and Federal Funds                          | 888         |
|            | Student Account Fund   | 889         |
|            | Capital Appropriation Line Item Number Change                          | 890         |
| <b>OSD</b> | Educational Program Expenses Fund                                      | 891         |
|            | Administration of Donations and Federal Funds                          | 891         |
|            | Student Account Fund   | 892         |
|            | Equipment  | 893         |
| <b>SFC</b> | Half-Mill Maintenance Equalization                                     | 894         |
|            | Investment Earnings of Education Facilities Trust Fund                 | 896         |
|            | Career-Technical School Building Assistance Loan Program               | 897         |
|            | Lease Rental Payments  | 899         |
|            | Common Schools General Obligation Debt Service                         | 899         |
|            | Operating Expenses   | 900         |
|            | School Facilities Encumbrances and Reappropriation                     | 901         |
|            | Extreme Environmental Contamination of School Facilities               | 902         |
|            | Canton City School District Project                                    | 902         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
| <b>SFC</b> | GRF Transfer to Public School Building Fund (Fund 021)  | 903         |
|            | ODOT Notification   | 903         |
| <b>SOS</b> | Office of Information Technology  | 904         |
|            | Notary Public Registration  | 905         |
|            | Prohibitions on Duplicate Candidacy   | 906         |
|            | Secretary of State's Appointment Authority for Railroad Company and Hospital Police Officers        | 906         |
|            | Board of Voting Machine Examiners   | 907         |
|            | Holding Account Redistribution Group  | 907         |
|            | 2005 HAVA Voting Machines   | 908         |
|            | Corporate and UCC Filing Fund Transfer to GRF   | 909         |
| <b>SEN</b> | Operating Expenses  | 910         |
| <b>CSF</b> | Debt Service Costs  | 911         |
|            | Commissioner of the Sinking Fund Highway Bond Transfer Authorization                                | 911         |
| <b>SPE</b> | License to Practice Audiology   | 912         |
|            | The Consolidation of Regulatory Boards  | 913         |
| <b>TPR</b> | Venture capital tax credits for dealers in intangibles and public utilities                         | 914         |
|            | Permits a County to Operate or Support a Facility that Encourages Study of Science                  | 915         |
|            | Eliminate the 10% Rollback for Class II Real Property   | 916         |
|            | Increase in Real Property Transfer Fee  | 917         |
|            | Accelerated Phase-Out of State Reimbursement for \$10,000 Business Property Exemption               | 917         |
|            | County Auditors Authorized to Use Moneys in Real Estate Assessment Funds for Estate Tax Enforcement | 918         |
|            | Municipal Corporation and School District Shared Income Tax   | 918         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
|            | Revision of laws governing the sale, distribution and taxation of cigarettes                    | 919         |
|            | Transportation Improvement Districts, Tax Increment Financing, and Areawide TIFs                | 920         |
|            | Tax rate increases for alcoholic beverages  | 922         |
|            | Military Injury Relief Fund   | 923         |
|            | School District Property Tax to Offset Charge-off Increases                                     | 924         |
|            | School Districts Levies Not Subject to H.B. 920 Tax Reduction Factors                           | 925         |
|            | Real Property Tax Exemption for Certain Buildings and Lands of a State University               | 926         |
|            | Taxation of Oil and Gas Production Property   | 927         |
|            | Property Tax Exemption for Performing Arts Centers  | 928         |
|            | Phase Out Tax on Some Tangible Personal Property  | 929         |
|            | Dealers in Intangibles -- Activities of DIT; procedures to review penalties; clarify definition | 930         |
|            | Changes Real Property Tax Equalization Procedure  | 931         |
|            | Job creation tax credit for insurance companies   | 932         |
|            | End Personal Property Tax Exemption of Electric Utilities' Drawings and Reduce Assessment Rates | 933         |
|            | Increase in Kilowatt Hour Tax Rates   | 934         |
|            | Kilowatt Hour Tax and Municipal Electric Companies  | 936         |
|            | Change in Distribution of Kilowatt Hour Tax Receipts  | 937         |
|            | Shortfall in Receipts from the Natural Gas Consumption Tax and GRF Transfer                     | 939         |
|            | Motor Fuel Use Tax  | 940         |
|            | Estate Tax  | 941         |
|            | Phase-out of the corporate franchise tax  | 943         |
|            | Limited Liability Companies   | 944         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|
| <b>TPR</b> | Corporation Franchise Tax: Recycling and Litter Prevention Fund   | 944         |
|            | Manufacturing Machinery and Equipment Tax Credits.  | 945         |
|            | Phase-out of the Grain Handling Tax   | 946         |
|            | Sales and use tax changes from the Streamlined Sales and Use Tax Agreement                                  | 946         |
|            | Sales and use tax rate changes  | 948         |
|            | Sales and Use Tax -- Repeal of the exemption for sale of investment coins                                   | 949         |
|            | Levy Taxes to Build and Equip Convention Centers  | 950         |
|            | SSTP -- County license fee reimbursement  | 951         |
|            | Sales and Use Tax: Vendor discount kept at 0.9%   | 951         |
|            | Use tax exemption for cigarettes valued at \$300 or less monthly  | 952         |
|            | Cigarette Tax -- prohibitions against trafficking in unstamped cigarettes                                   | 952         |
|            | Cigarette Tax -- enforcement and shipment within the state; other changes to the administration of the tax. | 953         |
|            | Increases in tax rates for tobacco products   | 954         |
|            | Transportation of untaxed cigarettes  | 955         |
|            | Deduction for Qualified Tuition and Fees Eliminated   | 956         |
|            | Trust Tax Made Permanent  | 957         |
|            | Income Tax: Meaning of "Indirectly" Owned   | 958         |
|            | Pre-Income Tax Trusts   | 959         |
|            | Pass-through entity tax   | 960         |
|            | Inflation Adjustments for Personal Income Tax Brackets Delayed  | 961         |
|            | Personal Income Tax Rate Adjustment   | 961         |
|            | Disallowance of the Credit for Out-of-State Income  | 962         |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
|            | Tax Credit for Low-Income Taxpayers  | 963         |
|            | Income Tax: Treatment of Sale of an Interest in a Business                         | 964         |
|            | School District Income Taxes   | 965         |
|            | CAT - The Commercial Activity Tax  | 966         |
|            | CAT - Calculation of Taxable Gross Receipts  | 969         |
|            | CAT ---Tax Credits   | 973         |
|            | CAT - Taxpayers and Taxpayer Groups  | 976         |
|            | CAT- Situsing Gross Receipts to Ohio   | 980         |
|            | Income Tax Distribution to Counties  | 982         |
|            | Refund of Motor Fuel Tax   | 982         |
|            | Telephone Company Tax Credit for Tax Year 2005                                     | 983         |
|            | Cigarette inventory tax collection procedures                                      | 984         |
|            | Cigarette Floor Tax  | 984         |
|            | First tax return under the Commercial Activity Tax                                 | 985         |
|            | Fuel Excise Tax Discounts  | 986         |
|            | Telecommunications Personal Property Tax Study Committee                           | 987         |
| <b>TAX</b> | Exemption for Property in Nature Preserves From Special Assessments                | 988         |
|            | Transmission of Sales and Use Taxes Collected by Clerks of Court                   | 989         |
|            | Public Utility Property Taxes and School Aid Computations                          | 990         |
|            | Tire Tax Administration  | 991         |
|            | Taxation of Railroad Tracks  | 991         |
|            | Authorization to Require Identifying Information from Persons Filing Tax Documents | 992         |
|            | Criminal Penalties Under the Tax Code  | 993         |

| <b>CAS</b> | <b>Subject</b>  | <b>Page</b> | <b>CAS</b> | <b>Subject</b>  | <b>Page</b> |
|------------|---|-------------|------------|---|-------------|
| <b>TAX</b> | Interest Rate on Estate Tax and Personal Property Tax Overpayments and Underpayments Changed, Penalty for Late Estate Tax Payments and Filings Changed, and County Auditors Authorized to Forgive Estate Tax Penalties for Good Cause | 993         |            | Transfer of Tobacco Master Settlement Agreement Dollars to ODJFS                            | 1010        |
|            | Taxpayer Audits   | 994         |            | Transfer of Tobacco Master Settlement Agreement Dollars to the Department of Mental Health  | 1011        |
|            | Changes Computation of Transfers to the Property Tax Administration Fund  | 995         |            | Transfer from the Tobacco Master Settlement Agreement Fund to the Department of Development | 1012        |
|            | Tax Commissioner Quarterly Reports on Tourism-related Tax Revenues  | 996         |            | Transfer to the Education Facilities Trust Fund   | 1012        |
|            | General Administration of Department of Taxation  | 997         | <b>DOT</b> | County, Township, Municipal, and Department of Transportation Force Account Limits          | 1014        |
|            | Centralized Tax Filing and Payment Fund   | 999         |            | Ohio School Facilities Commission Project Plans   | 1015        |
|            | Homestead Exemption, Property Tax Rollback, and Tangible Tax Exemption  | 999         |            | Aircraft License Fee  | 1016        |
|            | International Registration Plan Audit   | 1000        |            | Transportation Improvement District Bond Refunding Through the State Infrastructure Bank    | 1017        |
|            | Litter Control Tax Administration Fund  | 1000        |            | Rail Transload Initiative   | 1018        |
|            | Municipal Income Tax  | 1001        |            | Elderly and Disabled Fare Assistance  | 1019        |
|            | Tax Reform Implementation Fund  | 1001        |            | Aviation Lease Payments   | 1020        |
|            | Travel Expenses for the Streamlined Sales Tax Project   | 1002        |            | Preventive Maintenance  | 1021        |
|            | Tax Refunds   | 1002        |            | Maintenance of State Park Roads   | 1022        |
|            | Commercial Activity Tax Administration  | 1003        | <b>TOS</b> | Elimination of State Contribution to Ohio Police and Fire Pension Fund                      | 1023        |
|            | Small Township and Village Relief Fund  | 1003        |            | Office of Information Technology  | 1023        |
|            | Tax Amnesty Program   | 1004        |            | Office of the Sinking Fund  | 1024        |
|            | Joint Legislative Tax Reform Impact Study Committee   | 1005        |            | Police and Fire Death Benefit   | 1024        |
| <b>TUP</b> | Automobile Emissions Test   | 1006        |            | Tax Refunds   | 1025        |
|            | Transfer of Tobacco Master Settlement Dollars to the Department of Health   | 1007        |            | Debt Service Payments   | 1025        |
|            | Aged, Blind, and Disabled Managed Care  | 1008        |            | Authorization for Treasurer of State and OBM to Effectuate Certain Debt Service Payments    | 1026        |
|            | Transfer from the Tobacco Master Settlement Agreement Fund to the General Revenue Fund  | 1009        | <b>TTA</b> | Change in Tuition Trust Terminology   | 1027        |
|            |   |             |            | Changes in Tuition Trust Refund Procedures  | 1027        |



| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
| <b>TTA</b> | Index Operating Fund   | 1029        |
| <b>OVH</b> | Ohio's Veterans' Homes Rental, Service, and Medicare Reimbursement Fund                      | 1030        |
| <b>VET</b> | Release of Funds   | 1031        |
|            | Central Ohio United Services Organization  | 1031        |
|            | Veterans' Organizations Service Officer Expenses   | 1032        |
|            | Veterans Service Commission Education  | 1032        |
| <b>DVM</b> | Veterinary Student Loan Program  | 1033        |
|            | Consolidation of Regulatory Boards   | 1034        |
| <b>BWC</b> | Financial Disclosure Statements  | 1035        |
|            | Breach of Fiduciary Responsibilities and Rights to Legal Counsel                             | 1036        |
|            | Licensing Requirements and Duties of the Division of Securities                              | 1037        |
|            | Limitations on Campaign Contributions  | 1040        |
|            | Membership of the Workers' Compensation Oversight Commission                                 | 1041        |
|            | Investment Objectives, Policies, and Criteria  | 1042        |
|            | Attorney General as Legal Advisor  | 1043        |
|            | Independent Audit of BWC's Investment Program  | 1043        |
|            | Trustees of the State Insurance Fund and Conflicts of Interest                               | 1044        |
|            | Bureau of Workers' Compensation Chief Investment Officer                                     | 1046        |
|            | Criminal Background Checks   | 1047        |
|            | Annual Certified Public Audits of all Funds  | 1049        |
|            | Inspector General Independent Fiduciary Review   | 1050        |
|            | Consolidated Prescription Drug Purchasing Program  | 1051        |
| <b>DYS</b> | Payment of Maintenance and Other Expenses of District Detention Facilities                   | 1053        |
|            | Referral of Children by the Department of Youth Services to Community Corrections Facilities | 1054        |

| <b>CAS</b> | <b>Subject</b>   | <b>Page</b> |
|------------|--|-------------|
|            | Consolidated Prescription Drug Purchasing Program  | 1055        |
|            | RECLAIM Ohio   | 1056        |
|            | Ohio Building Authority Lease Payments   | 1057        |
|            | Education Reimbursement  | 1058        |
|            | Employee Food Service and Equipment  | 1059        |
|            | Partnerships for Success   | 1060        |
|            | Federal Juvenile Justice Program Transfer from the Office of Criminal Justice Services to the Department of Youth Services | 1061        |
|            | Correctional Faith-Based Initiatives Task Force  | 1062        |
| <b>MIS</b> | Submission of Legislative Reports Via Electronic Means   | 1064        |
|            | Free Clinics' Medical Malpractice Insurance Premiums   | 1064        |
|            | Ohio Water Development Authority Competitive Bidding   | 1065        |
|            | Satisfaction of Judgments and Settlements Against the State  | 1066        |