

As Introduced

**128th General Assembly
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H. B. No. 120

Representative Batchelder

**Cosponsors: Representatives Adams, J., Amstutz, Bacon, Baker, Balderson,
Blair, Bubp, Burke, Combs, Daniels, Derickson, Evans, Gardner, Grossman,
Hottinger, Huffman, Jones, Jordan, Lehner, Maag, Martin, McClain,
McGregor, Mecklenborg, Morgan, Ruhl, Sears, Snitchler, Stebelton, Uecker,
Wachtmann, Zehringer**

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A B I L L

To amend sections 102.01, 103.13, 103.132, 103.143, 1
103.16, 103.17, 103.18, 103.20, 103.21, 103.23, 2
124.14, 126.02, 126.21, 3333.04, 3333.12, 3
3333.122, 3333.27, 3769.08, 3769.20, 4743.01, and 4
5120.51 and to enact sections 103.35 and 103.36 of 5
the Revised Code to establish the Legislative 6
Budget Committee and the Legislative Budget Office 7
of the Legislative Service Commission. 8

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

Section 1. That sections 102.01, 103.13, 103.132, 103.143, 9
103.16, 103.17, 103.18, 103.20, 103.21, 103.23, 124.14, 126.02, 10
126.21, 3333.04, 3333.12, 3333.122, 3333.27, 3769.08, 3769.20, 11
4743.01, and 5120.51 be amended and sections 103.35 and 103.36 of 12
the Revised Code be enacted to read as follows: 13

Sec. 102.01. As used in this chapter: 14

(A) "Compensation" means money, thing of value, or financial 15

benefit. "Compensation" does not include reimbursement for actual 16
and necessary expenses incurred in the performance of official 17
duties. 18

(B) "Public official or employee" means any person who is 19
elected or appointed to an office or is an employee of any public 20
agency. "Public official or employee" does not include a person 21
elected or appointed to the office of precinct, ward, or district 22
committee member under section 3517.03 of the Revised Code, any 23
presidential elector, or any delegate to a national convention. 24
"Public official or employee" does not include a person who is a 25
teacher, instructor, professor, or other kind of educator whose 26
position does not involve the performance of, or authority to 27
perform, administrative or supervisory functions. 28

(C) "Public agency" means the general assembly, all courts, 29
any department, division, institution, board, commission, 30
authority, bureau or other instrumentality of the state, a county, 31
city, village, or township, the five state retirement systems, or 32
any other governmental entity. "Public agency" does not include a 33
department, division, institution, board, commission, authority, 34
or other instrumentality of the state or a county, municipal 35
corporation, township, or other governmental entity that functions 36
exclusively for cultural, educational, historical, humanitarian, 37
advisory, or research purposes; that does not expend more than ten 38
thousand dollars per calendar year, excluding salaries and wages 39
of employees; and whose members are uncompensated. 40

(D) "Immediate family" means a spouse residing in the 41
person's household and any dependent child. 42

(E) "Income" includes gross income as defined and used in the 43
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as 44
amended, interest and dividends on obligations or securities of 45
any state or of any political subdivision or authority of any 46
state or political subdivision, and interest or dividends on 47

obligations of any authority, commission, or instrumentality of 48
the United States. 49

(F) Except as otherwise provided in division (A) of section 50
102.08 of the Revised Code, "appropriate ethics commission" means: 51

(1) For matters relating to members of the general assembly, 52
employees of the general assembly, employees of the legislative 53
service commission and legislative budget office of the 54
legislative service commission, and candidates for the office of 55
member of the general assembly, the joint legislative ethics 56
committee; 57

(2) For matters relating to judicial officers and employees, 58
and candidates for judicial office, the board of commissioners on 59
grievances and discipline of the supreme court; 60

(3) For matters relating to all other persons, the Ohio 61
ethics commission. 62

(G) "Anything of value" has the same meaning as provided in 63
section 1.03 of the Revised Code and includes, but is not limited 64
to, a contribution as defined in section 3517.01 of the Revised 65
Code. 66

(H) "Honorarium" means any payment made in consideration for 67
any speech given, article published, or attendance at any public 68
or private conference, convention, meeting, social event, meal, or 69
similar gathering. "Honorarium" does not include ceremonial gifts 70
or awards that have insignificant monetary value; unsolicited 71
gifts of nominal value or trivial items of informational value; or 72
earned income from any person, other than a legislative agent, for 73
personal services that are customarily provided in connection with 74
the practice of a bona fide business, if that business initially 75
began before the public official or employee conducting that 76
business was elected or appointed to the public official's or 77
employee's office or position of employment. 78

(I) "Employer" means any person who, directly or indirectly,
engages an executive agency lobbyist or legislative agent.

(J) "Executive agency decision," "executive agency lobbyist,"
and "executive agency lobbying activity" have the same meanings as
in section 121.60 of the Revised Code.

(K) "Legislation," "legislative agent," "financial
transaction," and "actively advocate" have the same meanings as in
section 101.70 of the Revised Code.

(L) "Expenditure" has the same meaning as in section 101.70
of the Revised Code when used in relation to activities of a
legislative agent, and the same meaning as in section 121.60 of
the Revised Code when used in relation to activities of an
executive agency lobbyist.

Sec. 103.13. The Ohio legislative service commission shall:

(A) Conduct research, make investigations, and secure
information or data on any subject and make reports thereon to the
general assembly;

~~(B) Ascertain facts and make reports concerning the state
budget, the revenues and expenditures of the state, and of the
organization and functions of the state, its departments,
subdivisions, and agencies;~~

~~(C)~~ Make surveys, investigations, and studies, and compile
data, information, and records on any question which may be
referred to it by either house of the general assembly or any
standing committee of the general assembly;

~~(D)~~(C) Assist and cooperate with any interim legislative
committee or other agency created by the general assembly;

~~(E)~~(D) Prepare or advise in the preparation of any bill or
resolution, when requested by any member of the general assembly;

~~(F)~~(E) Collect, classify, and index the documents of the 108
state which shall include executive and legislative documents and 109
departmental reports and keep on file all bills, resolutions, and 110
official journals printed by order of either house of the general 111
assembly; 112

~~(G)~~(F) Provide members of the general assembly with impartial 113
and accurate information and reports concerning legislative 114
problems in accordance with rules prescribed by the commission; 115

~~(H)~~ Annually collect the reports required by section 4743.01 116
of the Revised Code and prepare a report evaluating the extent to 117
which state boards and commissions which regulate occupations are 118
financially self-supporting. The report shall be presented to the 119
speaker and the minority leader of the house of representatives, 120
the president and the minority leader of the senate, and the 121
chairperson and ranking minority member of the finance committees 122
of both houses, on or before the thirty first day of December each 123
year. 124

~~(I)~~(G) Codify the rules of administrative agencies of the 125
state in accordance with the provisions of section 103.05 of the 126
Revised Code; 127

~~(J)~~(H) Publish the register of Ohio under section 103.051 of 128
the Revised Code; 129

~~(K)~~(I) Operate the electronic rule-filing system under 130
section 103.0511 of the Revised Code. 131

Sec. 103.132. The legislative budget office of the 132
legislative service commission, in conjunction with the 133
legislative information systems office, shall establish and 134
maintain an electronic database containing current and historical 135
revenue and expenditure data for each school district in the state 136
that is easy to use and readily accessible through the internet. 137

Sec. 103.143. In addition to its duties under section 103.14 138
of the Revised Code, the legislative budget office of the 139
legislative service commission shall, in accordance with this 140
section, review all bills assigned to a committee of the general 141
assembly, complete the appropriate local impact statements 142
required by this section, and compile and distribute these 143
statements as required by division (D) of this section. 144

(A) Subject to division (F) of this section, whenever any 145
bill is introduced into either house of the general assembly and 146
receives second consideration pursuant to the rules of that house, 147
the bill shall be reviewed immediately by the legislative budget 148
officer. Upon completing this review, the legislative budget 149
officer shall determine whether the bill could result in a net 150
additional cost to school districts, counties, townships, or 151
municipal corporations from any new or expanded program or service 152
that school districts, counties, townships, or municipal 153
corporations would be required to perform or administer under the 154
bill. If the legislative budget officer determines that it could 155
result in such a cost, the legislative ~~service commission~~ budget 156
office shall prepare a local impact statement in the manner 157
specified in this section. Immediately upon determining the 158
potential for a net additional cost, the legislative budget 159
officer shall notify the sponsor of the bill, the chairperson of 160
the committee to which the bill has been assigned, and the 161
presiding officer and minority leader of the house in which the 162
bill originates of the legislative budget officer's determination 163
by signing and dating a statement to be delivered to them. 164

If a local impact statement is required, the legislative 165
~~service commission~~ budget office shall, as soon as possible but no 166
later than thirty days after the date the bill is scheduled for a 167
first hearing in a committee in the house in which the bill was 168
introduced or no later than thirty days after being requested to 169

do so by the chairperson of such a committee, prepare a statement 170
containing the most accurate estimate possible, in dollars, of the 171
net additional costs, if any, that will be required of school 172
districts, counties, townships, or municipal corporations to 173
perform or administer a new or expanded program or service 174
required under the bill. Copies of this statement shall be sent to 175
the governor, the speaker of the house of representatives, the 176
president of the senate, the sponsor of the bill, the minority 177
leader in both houses, and the chairperson of the committee to 178
which the bill has been assigned. 179

No bill for which a local impact statement is required by 180
this section shall be voted out of committee until after the 181
committee members have received and considered the statement or, 182
if the bill was amended in committee, the revised statement, 183
unless the bill is voted out of committee by a two-thirds vote of 184
the membership of the committee. 185

(B) In preparing a local impact statement, the legislative 186
~~service commission~~ budget office may request any department, 187
division, institution, board, commission, authority, bureau, or 188
other instrumentality or officer of the state, a school district, 189
a county, a municipal corporation, or a township to provide any of 190
the following information: 191

(1) An estimate, in dollars, of the amount by which the bill 192
would increase or decrease the revenues received or expenditures 193
made by the instrumentality, officer, or entity; 194

(2) Any other information the legislative ~~service commission~~ 195
budget office considers necessary for it to understand or explain 196
the fiscal effect of the bill. 197

An instrumentality, officer, or entity shall comply with a 198
request as soon as reasonably possible, but not later than fifteen 199
days, after receiving it. The legislative ~~service commission~~ 200

budget office shall specify the manner of compliance in its request, and if necessary may specify a period of time longer than fifteen days for compliance. The legislative ~~service commission~~ budget office may consider any information provided under division (B)(1) or (2) of this section in preparing a local impact statement.

(C) Any time a bill is amended, the legislative ~~service commission~~ budget office shall, as soon as reasonably possible, revise the local impact statement to reflect changes made by amendment.

(D) The legislative ~~service commission~~ budget office shall annually compile the final local impact statements completed for all laws passed by both houses of the general assembly in the preceding year. It shall send a copy of this compilation as a draft report to associations or nonprofit organizations formed for the improvement of school districts or municipal, township, or county government or for their elected officials by the last day of July of each year. Upon receiving the draft report, these associations and organizations may comment about the actual fiscal impact of bills passed during the year covered by the report and forward those comments to the legislative ~~service commission~~ budget office by the last day of August. The legislative ~~service commission~~ budget office shall then prepare a final report consisting of the compiled local impact statements and all forwarded comments. The final report shall be completed by the last day of September and copies of the report shall be sent to the governor, the speaker of the house of representatives, and the president of the senate.

(E) As used in this section, "net additional cost" means any cost incurred or anticipated to be incurred by a school district, county, township, or municipal corporation in performing or administering a new or expanded program or service required by a

state law other than any of the following:	233
(1) A cost arising from the exercise of authority granted by a state law rather than from the performance of a duty or obligation imposed by a state law;	234 235 236
(2) New duties or obligations that create only a minimal cost for affected school districts, counties, townships, or municipal corporations. The legislative service commission <u>budget office</u> shall determine what constitutes such a minimal cost. Before making this determination, the legislative service commission <u>budget office</u> shall notify the state organizations that represent school districts, counties, townships, and municipal corporations regarding the proposed determination and provide a thirty-day period for these organizations and individual school districts, counties, townships, and municipal corporations to comment on it.	237 238 239 240 241 242 243 244 245 246
(3) A cost arising from a law passed as a result of a federal mandate.	247 248
The amounts described in division (E)(2) of this section include only the amounts remaining after subtracting from such costs any revenues received or receivable by the school district, county, township, or municipal corporation on account of the program or service, including the following:	249 250 251 252 253
(a) Fees charged to the recipients of the program or service;	254
(b) State or federal aid paid specifically or categorically in connection with the program or service;	255 256
(c) Any offsetting savings resulting from the diminution or elimination of any other program or service directly attributable to the performance or administration of the required program or service.	257 258 259 260
(F) This section does not apply to any of the following:	261
(1) The main biennial operating appropriations bill;	262

(2) The biennial operating appropriations bill for state agencies supported by motor fuel tax revenue;	263 264
(3) The biennial operating appropriations bill or bills for the bureau of workers' compensation and the industrial commission;	265 266
(4) Any other bill that makes the principal biennial operating appropriations for one or more state agencies;	267 268
(5) The bill that primarily contains corrections and supplemental appropriations to the biennial operating appropriations bills;	269 270 271
(6) The main biennial capital appropriations bill;	272
(7) The bill that primarily contains reappropriations from previous capital appropriations bills.	273 274
Sec. 103.16. The Ohio legislative service commission or any committee thereof <u>of the commission or under its direction</u> when so authorized by the commission is empowered to hold public hearings, at such times and places within the state as may be determined advisable or necessary to accomplish the purposes and intent of sections 103.11 to 103.22 of the Revised Code.	275 276 277 278 279 280
Sec. 103.17. In the discharge of any duties imposed by law, any member of the Ohio legislative service commission <u>or legislative budget committee</u> shall have the authority throughout the state to administer oaths, issue subpoenas compelling the attendance of witnesses and the production of any papers, books, accounts, and testimony; and to cause the deposition of witnesses either residing in or without the state. In case of disobedience on the part of any person to comply with a subpoena issued on behalf of the commission <u>or committee</u> , or on the refusal of any witness to testify to any matters regarding which he may be lawfully interrogated, it shall be the duty of the county prosecutor in any county, on application of the commission <u>or</u>	281 282 283 284 285 286 287 288 289 290 291 292

committee, to bring a proceeding for contempt. 293

Sec. 103.18. The Ohio legislative service commission or any 294
committee appointed by or under the direction of the commission 295
may call upon any state department, university, agency, or 296
officer, or agency of any political subdivision for such 297
facilities and data as may be available and state departments, 298
universities, agencies and officers, and agencies of political 299
subdivisions shall cooperate with the commission or any committee 300
appointed by or under the direction of the commission to the 301
fullest possible extent. 302

Sec. 103.20. The Ohio legislative service commission and the 303
legislative budget office of the legislative service commission 304
shall be provided with adequate office space in the state house. 305
The director of the Ohio legislative service commission or 306
legislative budget officer, with the approval of the commission, 307
may obtain office space elsewhere in Columbus if the space in the 308
state house is inadequate. 309

Sec. 103.21. (A) The compensation of the director, 310
legislative budget officer, and all officers and employees of the 311
Ohio legislative service commission and the legislative budget 312
office of the legislative service commission, the expenses of the 313
commission, and the expenses of the director and the employees of 314
the commission and budget office shall be paid out of 315
appropriations made for that purpose upon vouchers approved by the 316
director, budget officer, and the chairperson of the commission. 317

(B) The director of budget and management, upon the request 318
of the director of the legislative service commission or the 319
legislative budget officer and with the approval of the 320
chairperson and vice-chairperson of the commission, shall make 321
transfers of all or part of an appropriation within the commission 322

or from one fiscal year to another. 323

Sec. 103.23. The legislative service commission shall serve 324
as a legislative budget and program oversight commission and may 325
delegate to any committee it creates or has authority to direct 326
the responsibility to: 327

(A) Conduct program reviews of state agencies and departments 328
or programs and activities within such agencies and departments, 329
of the state's local assistance programs, and of state laws. As 330
used in this section "program review" means an examination and 331
review of any state agency, department, bureau, commission, or 332
institution, or any activity, program, or law of the state to 333
determine whether or to what extent the intent and goals of the 334
organization, activity, program, or law are being achieved and 335
whether funds appropriated have been efficiently and effectively 336
expended; 337

(B) Continually review and evaluate federal and state 338
government relationships and the fiscal, economic, and social 339
implications thereof; 340

(C) Annually prepare and update long-range fiscal plans for 341
the state; 342

(D) Provide staff to assist the controlling board in 343
performing its duties and exercising its powers. 344

If in a program review the commission cites the failure of a 345
program to meet intended goals, inadequate operating or 346
administrative procedures or controls, fiscal or program reporting 347
inaccuracies, waste, extravagance, unauthorized or unintended 348
activities or programs, or other deficiencies, the head of the 349
state department, agency, bureau, commission, or institution or 350
the official responsible for the program shall respond to the 351
report and inform the commission, at such times and in such manner 352

and form as the commission determines, of any corrective actions 353
that have been taken. The commission shall report the results of 354
all program reviews to the general assembly. 355

No official of a state agency, department, bureau, 356
commission, or institution shall refuse to provide or make 357
available to the legislative service commission any information or 358
records under its control or in its possession when requested to 359
provide such information as part of the exercise of the 360
commission's powers in this section and ~~section~~ sections 103.13 361
and 103.36 of the Revised Code unless the law dealing with the 362
information or records specifically states that the commission is 363
not authorized to review such information or records. No member or 364
employee of the commission shall use any confidential information 365
or record for any purpose except those authorized in this section 366
and ~~section~~ sections 103.13 and 103.36 of the Revised Code. 367

Sec. 103.35. (A) There is hereby created the legislative 368
budget committee under the direction of the legislative service 369
commission. The committee shall seek to attain improved state 370
financial and administrative management through the exercise of 371
continuous review and analysis of state revenues, expenditures, 372
and management practices. 373

(B) The committee shall consist of the following members: 374

(1) Four members of the legislative service commission, two 375
from each house of the general assembly and two from each 376
political party, appointed by the members of the commission; 377

(2) The chairperson and one member of the majority political 378
party from the senate committee handling finance and 379
appropriations, appointed by the president pro tempore of the 380
senate; 381

(3) Two members of the minority political party from the 382

senate committee handling finance and appropriations, appointed by 383
the president pro tempore of the senate; 384

(4) The chairperson and one member of the majority political 385
party from the house committee handling finance and 386
appropriations, appointed by the speaker of the house of 387
representatives; 388

(5) Two members of the minority political party from the 389
house committee handling finance and appropriations, appointed by 390
the speaker of the house of representatives. 391

Appointments shall be made not later than the effective date 392
of this section. The members of the committee shall serve during 393
their term as a member of the general assembly and until their 394
successors are appointed and qualified, notwithstanding the 395
adjournment of the general assembly of which they are members or 396
the expiration of their terms as members of such general assembly. 397
A vacancy in the office of any member of the commission shall be 398
filled for the unexpired term in the same manner as the original 399
appointment. Committee members may be reappointed. 400

The legislative budget committee shall select from its 401
members a chairperson and vice-chairperson. The offices of 402
chairperson and vice-chairperson shall alternate each session of 403
the general assembly between the members of the senate and the 404
house of representatives and between political parties. 405

(C) The legislative budget committee shall hold its first 406
meeting not later than thirty days after the effective date of 407
this section and shall meet at least once every sixty days 408
thereafter, or more frequently at the call of the chairperson. A 409
majority of members of the committee constitutes a quorum. 410

(D) The legislative budget committee shall establish 411
priorities respecting the work of the staff of the legislative 412
budget office created in section 103.36 of the Revised Code and 413

shall review the work of the legislative budget officer and staff. 414

(E) The members of the committee shall serve without 415
compensation but shall be reimbursed for their actual and 416
necessary expenses incurred in the performance of their official 417
duties. 418

Sec. 103.36. (A) There is hereby created the legislative 419
budget office of the legislative service commission under the 420
direction of the legislative budget committee. The legislative 421
budget office shall be administered by the legislative budget 422
officer appointed by the legislative budget committee. The 423
legislative budget officer shall report directly to the 424
legislative budget committee. 425

(B) The office shall employ professional staff and clerical 426
personnel as are necessary for its operations. The legislative 427
budget officer shall be responsible for recruiting, hiring, 428
dismissing, and supervising the staff of the legislative budget 429
office. 430

Professional staff shall be expected to develop specialized 431
knowledge in particular areas of governmental services and shall 432
be called on to provide research and other information in that 433
specialty to any member of the general assembly. 434

(C) The legislative budget office shall provide financial 435
oversight and continuous monitoring of state finances to the 436
general assembly. In addition to any duties specified elsewhere in 437
the Revised Code, the office shall provide the following services 438
to the legislative budget committee: 439

(1) Analyze and make reports to the legislative budget 440
committee concerning the state budget, revenues and expenditures 441
of the state, and organization and functions of the state, its 442
departments, subdivisions, and agencies; 443

(2) Review, as appropriate, compliance by state agencies with 444
legislative intent as established through the appropriation 445
process and inform the committee of deviations from legislative 446
intent; 447

(3) Advise the committee of any potential problems or issues 448
arising with regards to state finance, on the office's own 449
initiative and on request; 450

(4) Raise any questions regarding fiscal actions taken by the 451
governor or a state agency, on the office's own initiative and on 452
request; 453

(5) Annually collect the reports required by section 4743.01 454
of the Revised Code and prepare a report evaluating the extent to 455
which state boards and commissions which regulate occupations are 456
financially self-supporting. The report shall be presented to the 457
speaker and the minority leader of the house of representatives, 458
the president and the minority leader of the senate, and the 459
chairperson and ranking minority member of the finance committees 460
of both houses, on or before the thirty-first day of December each 461
year. 462

(6) Perform any other tasks related to state finance as 463
requested by a member of the legislative budget committee. 464

Sec. 124.14. (A)(1) The director of administrative services 465
shall establish, and may modify or rescind, by rule, a job 466
classification plan for all positions, offices, and employments 467
the salaries of which are paid in whole or in part by the state. 468
The director shall group jobs within a classification so that the 469
positions are similar enough in duties and responsibilities to be 470
described by the same title, to have the same pay assigned with 471
equity, and to have the same qualifications for selection applied. 472
The director shall, by rule, assign a classification title to each 473
classification within the classification plan. However, the 474

director shall consider in establishing classifications, including 475
classifications with parenthetical titles, and assigning pay 476
ranges such factors as duties performed only on one shift, special 477
skills in short supply in the labor market, recruitment problems, 478
separation rates, comparative salary rates, the amount of training 479
required, and other conditions affecting employment. The director 480
shall describe the duties and responsibilities of the class, 481
establish the qualifications for being employed in each position 482
in the class, and file with the secretary of state a copy of 483
specifications for all of the classifications. The director shall 484
file new, additional, or revised specifications with the secretary 485
of state before they are used. 486

The director shall, by rule, assign each classification, 487
either on a statewide basis or in particular counties or state 488
institutions, to a pay range established under section 124.15 or 489
section 124.152 of the Revised Code. The director may assign a 490
classification to a pay range on a temporary basis for a period of 491
six months. The director may establish, by rule adopted under 492
Chapter 119. of the Revised Code, experimental classification 493
plans for some or all employees paid directly by warrant of the 494
director of budget and management. The rule shall include 495
specifications for each classification within the plan and shall 496
specifically address compensation ranges, and methods for 497
advancing within the ranges, for the classifications, which may be 498
assigned to pay ranges other than the pay ranges established under 499
section 124.15 or 124.152 of the Revised Code. 500

(2) The director of administrative services may reassign to a 501
proper classification those positions that have been assigned to 502
an improper classification. If the compensation of an employee in 503
such a reassigned position exceeds the maximum rate of pay for the 504
employee's new classification, the employee shall be placed in pay 505
step X and shall not receive an increase in compensation until the 506

maximum rate of pay for that classification exceeds the employee's 507
compensation. 508

(3) The director may reassign an exempt employee, as defined 509
in section 124.152 of the Revised Code, to a bargaining unit 510
classification if the director determines that the bargaining unit 511
classification is the proper classification for that employee. 512
Notwithstanding Chapter 4117. of the Revised Code or instruments 513
and contracts negotiated under it, these placements are at the 514
director's discretion. 515

(4) The director shall, by rule, assign related 516
classifications, which form a career progression, to a 517
classification series. The director shall, by rule, assign each 518
classification in the classification plan a five-digit number, the 519
first four digits of which shall denote the classification series 520
to which the classification is assigned. When a career progression 521
encompasses more than ten classifications, the director shall, by 522
rule, identify the additional classifications belonging to a 523
classification series. The additional classifications shall be 524
part of the classification series, notwithstanding the fact that 525
the first four digits of the number assigned to the additional 526
classifications do not correspond to the first four digits of the 527
numbers assigned to other classifications in the classification 528
series. 529

(5) The director, in accordance with rules adopted under 530
Chapter 119. of the Revised Code, shall establish, and may modify 531
or rescind, a classification plan for county agencies that elect 532
not to use the services and facilities of a county personnel 533
department. The rules shall include a methodology for the 534
establishment of titles unique to county agencies, the use of 535
state classification titles and classification specifications for 536
common positions, the criteria for a county to meet in 537
establishing its own classification plan, and the establishment of 538

what constitutes a classification series for county agencies. 539

(B) Division (A) of this section and sections 124.15 and 540
124.152 of the Revised Code do not apply to the following persons, 541
positions, offices, and employments: 542

(1) Elected officials; 543

(2) Legislative employees, employees of the legislative 544
service commission, employees of the legislative budget office of 545
the legislative service commission, employees in the office of the 546
governor, employees who are in the unclassified civil service and 547
exempt from collective bargaining coverage in the office of the 548
secretary of state, auditor of state, treasurer of state, and 549
attorney general, and employees of the supreme court; 550

(3) Employees of a county children services board that 551
establishes compensation rates under section 5153.12 of the 552
Revised Code; 553

(4) Any position for which the authority to determine 554
compensation is given by law to another individual or entity; 555

(5) Employees of the bureau of workers' compensation whose 556
compensation the administrator of workers' compensation 557
establishes under division (B) of section 4121.121 of the Revised 558
Code. 559

(C) The director may employ a consulting agency to aid and 560
assist the director in carrying out this section. 561

(D)(1) When the director proposes to modify a classification 562
or the assignment of classes to appropriate pay ranges, the 563
director shall send written notice of the proposed rule to the 564
appointing authorities of the affected employees thirty days 565
before a hearing on the proposed rule. The appointing authorities 566
shall notify the affected employees regarding the proposed rule. 567
The director also shall send those appointing authorities notice 568

of any final rule that is adopted within ten days after adoption. 569

(2) When the director proposes to reclassify any employee so 570
that the employee is adversely affected, the director shall give 571
to the employee affected and to the employee's appointing 572
authority a written notice setting forth the proposed new 573
classification, pay range, and salary. Upon the request of any 574
classified employee who is not serving in a probationary period, 575
the director shall perform a job audit to review the 576
classification of the employee's position to determine whether the 577
position is properly classified. The director shall give to the 578
employee affected and to the employee's appointing authority a 579
written notice of the director's determination whether or not to 580
reclassify the position or to reassign the employee to another 581
classification. An employee or appointing authority desiring a 582
hearing shall file a written request for the hearing with the 583
state personnel board of review within thirty days after receiving 584
the notice. The board shall set the matter for a hearing and 585
notify the employee and appointing authority of the time and place 586
of the hearing. The employee, the appointing authority, or any 587
authorized representative of the employee who wishes to submit 588
facts for the consideration of the board shall be afforded 589
reasonable opportunity to do so. After the hearing, the board 590
shall consider anew the reclassification and may order the 591
reclassification of the employee and require the director to 592
assign the employee to such appropriate classification as the 593
facts and evidence warrant. As provided in division (A)(1) of 594
section 124.03 of the Revised Code, the board may determine the 595
most appropriate classification for the position of any employee 596
coming before the board, with or without a job audit. The board 597
shall disallow any reclassification or reassignment classification 598
of any employee when it finds that changes have been made in the 599
duties and responsibilities of any particular employee for 600
political, religious, or other unjust reasons. 601

(E)(1) Employees of each county department of job and family services shall be paid a salary or wage established by the board of county commissioners. The provisions of section 124.18 of the Revised Code concerning the standard work week apply to employees of county departments of job and family services. A board of county commissioners may do either of the following:

(a) Notwithstanding any other section of the Revised Code, supplement the sick leave, vacation leave, personal leave, and other benefits of any employee of the county department of job and family services of that county, if the employee is eligible for the supplement under a written policy providing for the supplement;

(b) Notwithstanding any other section of the Revised Code, establish alternative schedules of sick leave, vacation leave, personal leave, or other benefits for employees not inconsistent with the provisions of a collective bargaining agreement covering the affected employees.

(2) Division (E)(1) of this section does not apply to employees for whom the state employment relations board establishes appropriate bargaining units pursuant to section 4117.06 of the Revised Code, except in either of the following situations:

(a) The employees for whom the state employment relations board establishes appropriate bargaining units elect no representative in a board-conducted representation election.

(b) After the state employment relations board establishes appropriate bargaining units for such employees, all employee organizations withdraw from a representation election.

(F)(1) Notwithstanding any contrary provision of sections 124.01 to 124.64 of the Revised Code, the board of trustees of each state university or college, as defined in section 3345.12 of

the Revised Code, shall carry out all matters of governance 633
involving the officers and employees of the university or college, 634
including, but not limited to, the powers, duties, and functions 635
of the department of administrative services and the director of 636
administrative services specified in this chapter. Officers and 637
employees of a state university or college shall have the right of 638
appeal to the state personnel board of review as provided in this 639
chapter. 640

(2) Each board of trustees shall adopt rules under section 641
111.15 of the Revised Code to carry out the matters of governance 642
described in division (F)(1) of this section. Until the board of 643
trustees adopts those rules, a state university or college shall 644
continue to operate pursuant to the applicable rules adopted by 645
the director of administrative services under this chapter. 646

(G)(1) Each board of county commissioners may, by a 647
resolution adopted by a majority of its members, establish a 648
county personnel department to exercise the powers, duties, and 649
functions specified in division (G) of this section. As used in 650
division (G) of this section, "county personnel department" means 651
a county personnel department established by a board of county 652
commissioners under division (G)(1) of this section. 653

(2)(a) Each board of county commissioners, by a resolution 654
adopted by a majority of its members, may designate the county 655
personnel department of the county to exercise the powers, duties, 656
and functions of the department of administrative services and the 657
director of administrative services specified in sections 124.01 658
to 124.64 and Chapter 325. of the Revised Code, except for the 659
powers and duties of the state personnel board of review, which 660
powers and duties shall not be construed as having been modified 661
or diminished in any manner by division (G)(2) of this section, 662
with respect to the employees for whom the board of county 663
commissioners is the appointing authority or co-appointing 664

authority. The board of county commissioners shall deliver a 665
certified copy of the resolution to the director of administrative 666
services not later than ten working days after the resolution is 667
adopted, and the director shall inform the board in a writing sent 668
by certified mail of the date of receipt of the copy of the 669
resolution. 670

(b) Upon the director's receipt of the copy of the 671
resolution, the powers, duties, and functions referred to in 672
division (G)(2)(a) of this section that may be exercised shall be 673
vested in and assigned to the county personnel department with 674
respect to the employees for whom the board of county 675
commissioners is the appointing authority or co-appointing 676
authority. 677

(c) Nothing in division (G)(2) of this section shall be 678
construed to limit the right of any employee who possesses the 679
right of appeal to the state personnel board of review to continue 680
to possess that right of appeal. 681

(d) Any board of county commissioners that has established a 682
county personnel department may contract with the department of 683
administrative services, another political subdivision, or an 684
appropriate public or private entity to provide competitive 685
testing services or other appropriate services. 686

(3) After the county personnel department of a county has 687
assumed the powers, duties, and functions of the department of 688
administrative services and the director of administrative 689
services as described in division (G)(2) of this section, any 690
elected official, board, agency, or other appointing authority of 691
that county, upon written notification to the director, may elect 692
to use the services and facilities of the county personnel 693
department. Upon the acceptance by the director of that written 694
notification, the county personnel department shall exercise the 695
powers, duties, and functions of the department of administrative 696

services and the director as described in division (G)(2) of this 697
section with respect to the employees of that elected official, 698
board, agency, or other appointing authority. The director shall 699
inform the elected official, board, agency, or other appointing 700
authority in a writing sent by certified mail of the date of 701
acceptance of that written notification. Except for those 702
employees under the jurisdiction of the county personnel 703
department, the director shall continue to exercise these powers, 704
duties, and functions with respect to employees of the county. 705

(4) When at least two years have passed since the creation of 706
a county personnel department, a board of county commissioners, by 707
a resolution adopted by a majority of its members, may disband the 708
county personnel department and return to the department of 709
administrative services for the administration of sections 124.01 710
to 124.64 and Chapter 325. of the Revised Code. The board shall 711
deliver a certified copy of the resolution to the director of 712
administrative services not later than ten working days after the 713
resolution is adopted, and the director shall inform the board in 714
a writing sent by certified mail of the date of receipt of the 715
copy of the resolution. Upon the director's receipt of the copy of 716
the resolution, all powers, duties, and functions previously 717
vested in and assigned to the county personnel department shall 718
return to the director. 719

(5) When at least two years have passed since electing to use 720
the services and facilities of a county personnel department, an 721
elected official, board, agency, or appointing authority of a 722
county may return to the department of administrative services for 723
the administration of sections 124.01 to 124.64 and Chapter 325. 724
of the Revised Code. The elected official, board, agency, or 725
appointing authority shall send the director of administrative 726
services a certified copy of the resolution that states its 727
decision to return to the department of administrative services' 728

jurisdiction, and the director shall inform the elected official, 729
board, agency, or appointing authority in a writing sent by 730
certified mail of the date of receipt of the copy of the 731
resolution. Upon the director's receipt of the copy of the 732
resolution, all powers, duties, and functions previously vested in 733
and assigned to the county personnel department with respect to 734
the employees of that elected official, board, agency, or 735
appointing authority shall return to the director. 736

(6) The director of administrative services, by rule adopted 737
in accordance with Chapter 119. of the Revised Code, shall 738
prescribe criteria and procedures for granting to each county 739
personnel department the powers, duties, and functions of the 740
department of administrative services and the director as 741
described in division (G)(2) of this section with respect to the 742
employees of an elected official, board, agency, or other 743
appointing authority or co-appointing authority. The rules shall 744
cover the following criteria and procedures: 745

(a) The notification to the department of administrative 746
services that an elected official, board, agency, or other 747
appointing authority of a county has elected to use the services 748
and facilities of the county personnel department; 749

(b) A requirement that each county personnel department, in 750
carrying out its duties, adhere to merit system principles with 751
regard to employees of county departments of job and family 752
services, child support enforcement agencies, and public child 753
welfare agencies so that there is no threatened loss of federal 754
funding for these agencies, and a requirement that the county be 755
financially liable to the state for any loss of federal funds due 756
to the action or inaction of the county personnel department. The 757
costs associated with audits conducted to monitor compliance with 758
division (G)(6)(b) of this section shall be borne equally by the 759
department of administrative services and the county. 760

(c) The termination of services and facilities rendered by 761
the department of administrative services, to include rate 762
adjustments, time periods for termination, and other related 763
matters; 764

(d) Authorization for the director of administrative services 765
to conduct periodic audits and reviews of county personnel 766
departments to guarantee the uniform application of this granting 767
of the director's powers, duties, and functions. The costs of the 768
audits and reviews shall be borne equally by the department of 769
administrative services and the county for which the services are 770
performed. 771

(e) The dissemination of audit findings under division 772
(G)(6)(d) of this section, any appeals process relating to adverse 773
findings by the department, and the methods whereby the county 774
personnel program will revert to the authority of the director of 775
administrative services due to misuse or nonuniform application of 776
the authority granted to the county under division (G)(2) or (3) 777
of this section. 778

(H) The director of administrative services shall establish 779
the rate and method of compensation for all employees who are paid 780
directly by warrant of the director of budget and management and 781
who are serving in positions that the director of administrative 782
services has determined impracticable to include in the state job 783
classification plan. This division does not apply to elected 784
officials, legislative employees, employees of the legislative 785
service commission, employees who are in the unclassified civil 786
service and exempt from collective bargaining coverage in the 787
office of the secretary of state, auditor of state, treasurer of 788
state, and attorney general, employees of the courts, employees of 789
the bureau of workers' compensation whose compensation the 790
administrator of workers' compensation establishes under division 791
(B) of section 4121.121 of the Revised Code, or employees of an 792

appointing authority authorized by law to fix the compensation of 793
those employees. 794

(I) The director shall set the rate of compensation for all 795
intermittent, seasonal, temporary, emergency, and casual employees 796
in the service of the state who are not considered public 797
employees under section 4117.01 of the Revised Code. Those 798
employees are not entitled to receive employee benefits. This rate 799
of compensation shall be equitable in terms of the rate of 800
employees serving in the same or similar classifications. This 801
division does not apply to elected officials, legislative 802
employees, employees of the legislative service commission, 803
employees of the legislative budget office of the legislative 804
service commission, employees who are in the unclassified civil 805
service and exempt from collective bargaining coverage in the 806
office of the secretary of state, auditor of state, treasurer of 807
state, and attorney general, employees of the courts, employees of 808
the bureau of workers' compensation whose compensation the 809
administrator establishes under division (B) of section 4121.121 810
of the Revised Code, or employees of an appointing authority 811
authorized by law to fix the compensation of those employees. 812

Sec. 126.02. The director of budget and management shall 813
prepare and submit to the governor, biennially, not later than the 814
first day of January preceding the convening of the general 815
assembly, state budget estimates of revenues and expenditures for 816
each state fund and budget estimates for each state agency, except 817
such estimates as are required under section 126.022 of the 818
Revised Code. The budget estimates for each state agency for which 819
direct appropriations are proposed shall include the following 820
details: 821

(A) Estimates of the operating budget; 822

(B) Estimates of the subsidy appropriations necessary, 823

delineated by a distinct subsidy program; 824

(C) Estimates for special purposes, delineated by a distinct 825
special purpose program; 826

(D) Estimates of appropriations necessary from each fund in 827
reasonable detail to allow for adequate planning and oversight of 828
programs and activities. 829

In the preparation of state revenue and expenditure 830
estimates, the director of budget and management shall, not later 831
than the fifteenth day of September in the year preceding the 832
first regular session of the general assembly, distribute to all 833
affected state agencies the forms necessary for the preparation of 834
budget requests, which shall be in the form prescribed by the 835
director in consultation with legislative budget office of the 836
legislative service commission to procure information concerning 837
the revenues and expenditures for the preceding and current 838
bienniums, an estimate of the revenues and expenditures of the 839
current fiscal year, and an estimate of the revenues and proposed 840
expenditures for the respective agencies for the two succeeding 841
fiscal years for which appropriations have to be made. Each such 842
agency shall, not later than the first day of November, file with 843
the director its estimate of revenues and proposed expenditures 844
for the succeeding biennium. 845

Each such agency shall, not later than the first day of 846
December, file with the chairperson of the finance committees of 847
the senate and house of representatives and the legislative 848
~~service commission~~ budget office a duplicate copy of such budget 849
request. 850

The budget request shall be accompanied by a statement in 851
writing giving facts and explanation of reasons for the items 852
requested. The director and the legislative ~~service commission~~ 853
budget office may make further inquiry and investigation as to any 854

item desired. The director may approve, disapprove, or alter the 855
requests, excepting those for the legislative and judicial 856
branches of the state. The requests as revised by the director 857
constitute the state budget estimates of revenues and expenditures 858
which the director is required to submit to the governor. 859

The director shall determine a method to incorporate the 860
principles of zero-based budgeting into the forms prescribed in 861
this section. 862

Sec. 126.21. (A) The director of budget and management shall 863
do all of the following: 864

(1) Keep all necessary accounting records; 865

(2) Prescribe and maintain the accounting system of the state 866
and establish appropriate accounting procedures and charts of 867
accounts; 868

(3) Establish procedures for the use of written, electronic, 869
optical, or other communications media for approving and reviewing 870
payment vouchers; 871

(4) Reconcile, in the case of any variation between the 872
amount of any appropriation and the aggregate amount of items of 873
the appropriation, with the advice and assistance of the state 874
agency affected by it and the legislative budget office of the 875
legislative service commission, totals so as to correspond in the 876
aggregate with the total appropriation. In the case of a conflict 877
between the item and the total of which it is a part, the item 878
shall be considered the intended appropriation. 879

(5) Evaluate on an ongoing basis and, if necessary, recommend 880
improvements to the internal controls used in state agencies; 881

(6) Authorize the establishment of petty cash accounts. The 882
director may withdraw approval for any petty cash account and 883
require the officer in charge to return to the state treasury any 884

unexpended balance shown by the officer's accounts to be on hand. 885
Any officer who is issued a warrant for petty cash shall render a 886
detailed account of the expenditures of the petty cash and shall 887
report when requested the balance of petty cash on hand at any 888
time. 889

(7) Process orders, invoices, vouchers, claims, and payrolls 890
and prepare financial reports and statements; 891

(8) Perform extensions, reviews, and compliance checks prior 892
to or after approving a payment as the director considers 893
necessary; 894

(9) Issue the official comprehensive annual financial report 895
of the state. The report shall cover all funds of the state 896
reporting entity and shall include basic financial statements and 897
required supplementary information prepared in accordance with 898
generally accepted accounting principles and other information as 899
the director provides. All state agencies, authorities, 900
institutions, offices, retirement systems, and other component 901
units of the state reporting entity as determined by the director 902
shall furnish the director whatever financial statements and other 903
information the director requests for the report, in the form, at 904
the times, covering the periods, and with the attestation the 905
director prescribes. The information for state institutions of 906
higher education, as defined in section 3345.011 of the Revised 907
Code, shall be submitted to the chancellor by the Ohio board of 908
regents. The board shall establish a due date by which each such 909
institution shall submit the information to the board, but no such 910
date shall be later than one hundred twenty days after the end of 911
the state fiscal year unless a later date is approved by the 912
director. 913

(B) In addition to the director's duties under division (A) 914
of this section, the director may establish and administer one or 915
more state payment card programs that permit or require state 916

agencies to use a payment card to purchase equipment, materials, 917
supplies, or services in accordance with guidelines issued by the 918
director. The chief administrative officer of a state agency that 919
uses a payment card for such purposes shall ensure that purchases 920
made with the card are made in accordance with the guidelines 921
issued by the director and do not exceed the unexpended, 922
unencumbered, unobligated balance in the appropriation to be 923
charged for the purchase. State agencies may participate in only 924
those state payment card programs that the director establishes 925
pursuant to this section. 926

(C) In addition to the director's duties under divisions (A) 927
and (B) of this section, the director may enter into any contract 928
or agreement necessary for and incidental to the performance of 929
the director's duties or the duties of the office of budget and 930
management. 931

Sec. 3333.04. The chancellor of the Ohio board of regents 932
shall: 933

(A) Make studies of state policy in the field of higher 934
education and formulate a master plan for higher education for the 935
state, considering the needs of the people, the needs of the 936
state, and the role of individual public and private institutions 937
within the state in fulfilling these needs; 938

(B)(1) Report annually to the governor and the general 939
assembly on the findings from the chancellor's studies and the 940
master plan for higher education for the state; 941

(2) Report at least semiannually to the general assembly and 942
the governor the enrollment numbers at each state-assisted 943
institution of higher education. 944

(C) Approve or disapprove the establishment of new branches 945
or academic centers of state colleges and universities; 946

(D) Approve or disapprove the establishment of state 947
technical colleges or any other state institution of higher 948
education; 949

(E) Recommend the nature of the programs, undergraduate, 950
graduate, professional, state-financed research, and public 951
services which should be offered by the state colleges, 952
universities, and other state-assisted institutions of higher 953
education in order to utilize to the best advantage their 954
facilities and personnel; 955

(F) Recommend to the state colleges, universities, and other 956
state-assisted institutions of higher education graduate or 957
professional programs, including, but not limited to, doctor of 958
philosophy, doctor of education, and juris doctor programs, that 959
could be eliminated because they constitute unnecessary 960
duplication, as shall be determined using the process developed 961
pursuant to this division, or for other good and sufficient cause. 962
Prior to recommending a program for elimination, the chancellor 963
shall request the board of regents to hold at least one public 964
hearing on the matter and advise the chancellor on whether the 965
program should be recommended for elimination. The board shall 966
provide notice of each hearing within a reasonable amount of time 967
prior to its scheduled date. Following the hearing, the board 968
shall issue a recommendation to the chancellor. The chancellor 969
shall consider the board's recommendation but shall not be 970
required to accept it. 971

For purposes of determining the amounts of any state 972
instructional subsidies paid to state colleges, universities, and 973
other state-assisted institutions of higher education, the 974
chancellor may exclude students enrolled in any program that the 975
chancellor has recommended for elimination pursuant to this 976
division except that the chancellor shall not exclude any such 977
student who enrolled in the program prior to the date on which the 978

chancellor initially commences to exclude students under this 979
division. 980

The chancellor and state colleges, universities, and other 981
state-assisted institutions of higher education shall jointly 982
develop a process for determining which existing graduate or 983
professional programs constitute unnecessary duplication. 984

(G) Recommend to the state colleges, universities, and other 985
state-assisted institutions of higher education programs which 986
should be added to their present programs; 987

(H) Conduct studies for the state colleges, universities, and 988
other state-assisted institutions of higher education to assist 989
them in making the best and most efficient use of their existing 990
facilities and personnel; 991

(I) Make recommendations to the governor and general assembly 992
concerning the development of state-financed capital plans for 993
higher education; the establishment of new state colleges, 994
universities, and other state-assisted institutions of higher 995
education; and the establishment of new programs at the existing 996
state colleges, universities, and other institutions of higher 997
education; 998

(J) Review the appropriation requests of the public community 999
colleges and the state colleges and universities and submit to the 1000
office of budget and management and to the chairpersons of the 1001
finance committees of the house of representatives and of the 1002
senate the chancellor's recommendations in regard to the biennial 1003
higher education appropriation for the state, including 1004
appropriations for the individual state colleges and universities 1005
and public community colleges. For the purpose of determining the 1006
amounts of instructional subsidies to be paid to state-assisted 1007
colleges and universities, the chancellor shall define "full-time 1008
equivalent student" by program per academic year. The definition 1009

may take into account the establishment of minimum enrollment 1010
levels in technical education programs below which support 1011
allowances will not be paid. Except as otherwise provided in this 1012
section, the chancellor shall make no change in the definition of 1013
"full-time equivalent student" in effect on November 15, 1981, 1014
which would increase or decrease the number of subsidy-eligible 1015
full-time equivalent students, without first submitting a fiscal 1016
impact statement to the president of the senate, the speaker of 1017
the house of representatives, legislative budget office of the 1018
legislative service commission, and the director of budget and 1019
management. The chancellor shall work in close cooperation with 1020
the director of budget and management in this respect and in all 1021
other matters concerning the expenditures of appropriated funds by 1022
state colleges, universities, and other institutions of higher 1023
education. 1024

(K) Seek the cooperation and advice of the officers and 1025
trustees of both public and private colleges, universities, and 1026
other institutions of higher education in the state in performing 1027
the chancellor's duties and making the chancellor's plans, 1028
studies, and recommendations; 1029

(L) Appoint advisory committees consisting of persons 1030
associated with public or private secondary schools, members of 1031
the state board of education, or personnel of the state department 1032
of education; 1033

(M) Appoint advisory committees consisting of college and 1034
university personnel, or other persons knowledgeable in the field 1035
of higher education, or both, in order to obtain their advice and 1036
assistance in defining and suggesting solutions for the problems 1037
and needs of higher education in this state; 1038

(N) Approve or disapprove all new degrees and new degree 1039
programs at all state colleges, universities, and other 1040
state-assisted institutions of higher education; 1041

(O) Adopt such rules as are necessary to carry out the
chancellor's duties and responsibilities. The rules shall
prescribe procedures for the chancellor to follow when taking
actions associated with the chancellor's duties and
responsibilities and shall indicate which types of actions are
subject to those procedures. The procedures adopted under this
division shall be in addition to any other procedures prescribed
by law for such actions. However, if any other provision of the
Revised Code or rule adopted by the chancellor prescribes
different procedures for such an action, the procedures adopted
under this division shall not apply to that action to the extent
they conflict with the procedures otherwise prescribed by law. The
procedures adopted under this division shall include at least the
following:

(1) Provision for public notice of the proposed action;

(2) An opportunity for public comment on the proposed action,
which may include a public hearing on the action by the board of
regents;

(3) Methods for parties that may be affected by the proposed
action to submit comments during the public comment period;

(4) Submission of recommendations from the board of regents
regarding the proposed action, at the request of the chancellor;

(5) Written publication of the final action taken by the
chancellor and the chancellor's rationale for the action;

(6) A timeline for the process described in divisions (O)(1)
to (5) of this section.

(P) Establish and submit to the governor and the general
assembly a clear and measurable set of goals and timetables for
their achievement for each program under the chancellor's
supervision that is designed to accomplish any of the following:

(1) Increased access to higher education;	1072
(2) Job training;	1073
(3) Adult literacy;	1074
(4) Research;	1075
(5) Excellence in higher education;	1076
(6) Reduction in the number of graduate programs within the same subject area.	1077 1078
In July of each odd-numbered year, the chancellor shall submit to the governor and the general assembly a report on progress made toward these goals.	1079 1080 1081
(Q) Make recommendations to the governor and the general assembly regarding the design and funding of the student financial aid programs specified in sections 3333.12, 3333.122, 3333.21 to 3333.27, and 5910.02 of the Revised Code;	1082 1083 1084 1085
(R) Participate in education-related state or federal programs on behalf of the state and assume responsibility for the administration of such programs in accordance with applicable state or federal law;	1086 1087 1088 1089
(S) Adopt rules for student financial aid programs as required by sections 3333.12, 3333.122, 3333.21 to 3333.27, 3333.28, and 5910.02 of the Revised Code, and perform any other administrative functions assigned to the chancellor by those sections;	1090 1091 1092 1093 1094
(T) Conduct enrollment audits of state-supported institutions of higher education;	1095 1096
(U) Appoint consortia of college and university personnel to advise or participate in the development and operation of statewide collaborative efforts, including the Ohio supercomputer center, the Ohio academic resources network, OhioLink, and the Ohio learning network. For each consortium, the chancellor shall	1097 1098 1099 1100 1101

designate a college or university to serve as that consortium's 1102
fiscal agent, financial officer, and employer. Any funds 1103
appropriated for the consortia shall be distributed to the fiscal 1104
agents for the operation of the consortia. A consortium shall 1105
follow the rules of the college or university that serves as its 1106
fiscal agent. The chancellor may restructure existing consortia, 1107
appointed under this division, in accordance with procedures 1108
adopted under divisions (D)(1) to (6) of this section. 1109

(V) Adopt rules establishing advisory duties and 1110
responsibilities of the board of regents not otherwise prescribed 1111
by law; 1112

(W) Respond to requests for information about higher 1113
education from members of the general assembly and direct staff to 1114
conduct research or analysis as needed for this purpose. 1115

Sec. 3333.12. (A) As used in this section: 1116

(1) "Eligible student" means an undergraduate student who is: 1117

(a) An Ohio resident enrolled in an undergraduate program 1118
before the 2006-2007 academic year; 1119

(b) Enrolled in either of the following: 1120

(i) An accredited institution of higher education in this 1121
state that meets the requirements of Title VI of the Civil Rights 1122
Act of 1964 and is state-assisted, is nonprofit and has a 1123
certificate of authorization pursuant to Chapter 1713. of the 1124
Revised Code, has a certificate of registration from the state 1125
board of career colleges and schools and program authorization to 1126
award an associate or bachelor's degree, or is a private 1127
institution exempt from regulation under Chapter 3332. of the 1128
Revised Code as prescribed in section 3333.046 of the Revised 1129
Code. Students who attend an institution that holds a certificate 1130
of registration shall be enrolled in a program leading to an 1131

associate or bachelor's degree for which associate or bachelor's 1132
degree program the institution has program authorization issued 1133
under section 3332.05 of the Revised Code. 1134

(ii) A technical education program of at least two years 1135
duration sponsored by a private institution of higher education in 1136
this state that meets the requirements of Title VI of the Civil 1137
Rights Act of 1964. 1138

(c) Enrolled as a full-time student or enrolled as a less 1139
than full-time student for the term expected to be the student's 1140
final term of enrollment and is enrolled for the number of credit 1141
hours necessary to complete the requirements of the program in 1142
which the student is enrolled. 1143

(2) "Gross income" includes all taxable and nontaxable income 1144
of the parents, the student, and the student's spouse, except 1145
income derived from an Ohio academic scholarship, income earned by 1146
the student between the last day of the spring term and the first 1147
day of the fall term, and other income exclusions designated by 1148
the chancellor of the Ohio board of regents. Gross income may be 1149
verified to the chancellor by the institution in which the student 1150
is enrolled using the federal financial aid eligibility 1151
verification process or by other means satisfactory to the 1152
chancellor. 1153

(3) "Resident," "full-time student," "dependent," 1154
"financially independent," and "accredited" shall be defined by 1155
rules adopted by the chancellor. 1156

(B) The chancellor shall establish and administer an 1157
instructional grant program and may adopt rules to carry out this 1158
section. The general assembly shall support the instructional 1159
grant program by such sums and in such manner as it may provide, 1160
but the chancellor may also receive funds from other sources to 1161
support the program. If the amounts available for support of the 1162

program are inadequate to provide grants to all eligible students, 1163
preference in the payment of grants shall be given in terms of 1164
income, beginning with the lowest income category of gross income 1165
and proceeding upward by category to the highest gross income 1166
category. 1167

An instructional grant shall be paid to an eligible student 1168
through the institution in which the student is enrolled, except 1169
that no instructional grant shall be paid to any person serving a 1170
term of imprisonment. Applications for such grants shall be made 1171
as prescribed by the chancellor, and such applications may be made 1172
in conjunction with and upon the basis of information provided in 1173
conjunction with student assistance programs funded by agencies of 1174
the United States government or from financial resources of the 1175
institution of higher education. The institution shall certify 1176
that the student applicant meets the requirements set forth in 1177
divisions (A)(1)(b) and (c) of this section. Instructional grants 1178
shall be provided to an eligible student only as long as the 1179
student is making appropriate progress toward a nursing diploma or 1180
an associate or bachelor's degree. No student shall be eligible to 1181
receive a grant for more than ten semesters, fifteen quarters, or 1182
the equivalent of five academic years. A grant made to an eligible 1183
student on the basis of less than full-time enrollment shall be 1184
based on the number of credit hours for which the student is 1185
enrolled and shall be computed in accordance with a formula 1186
adopted by the chancellor. No student shall receive more than one 1187
grant on the basis of less than full-time enrollment. 1188

An instructional grant shall not exceed the total 1189
instructional and general charges of the institution. 1190

(C) The tables in this division prescribe the maximum grant 1191
amounts covering two semesters, three quarters, or a comparable 1192
portion of one academic year. Grant amounts for additional terms 1193
in the same academic year shall be determined under division (D) 1194

of this section. 1195

For a full-time student who is a dependent and enrolled in a 1196
 nonprofit educational institution that is not a state-assisted 1197
 institution and that has a certificate of authorization issued 1198
 pursuant to Chapter 1713. of the Revised Code, the amount of the 1199
 instructional grant for two semesters, three quarters, or a 1200
 comparable portion of the academic year shall be determined in 1201
 accordance with the following table: 1202

Private Institution 1203

Table of Grants 1204

Maximum Grant \$5,466 1205

Gross Income Number of Dependents 1206

	1	2	3	4	5 or more	
\$0 - \$15,000	\$5,466	\$5,466	\$5,466	\$5,466	\$5,466	1207
\$15,001 - \$16,000	4,920	5,466	5,466	5,466	5,466	1208
\$16,001 - \$17,000	4,362	4,920	5,466	5,466	5,466	1209
\$17,001 - \$18,000	3,828	4,362	4,920	5,466	5,466	1210
\$18,001 - \$19,000	3,288	3,828	4,362	4,920	5,466	1211
\$19,001 - \$22,000	2,736	3,288	3,828	4,362	4,920	1212
\$22,001 - \$25,000	2,178	2,736	3,288	3,828	4,362	1213
\$25,001 - \$28,000	1,626	2,178	2,736	3,288	3,828	1214
\$28,001 - \$31,000	1,344	1,626	2,178	2,736	3,288	1215
\$31,001 - \$32,000	1,080	1,344	1,626	2,178	2,736	1216
\$32,001 - \$33,000	984	1,080	1,344	1,626	2,178	1217
\$33,001 - \$34,000	888	984	1,080	1,344	1,626	1218
\$34,001 - \$35,000	444	888	984	1,080	1,344	1219
\$35,001 - \$36,000	--	444	888	984	1,080	1220
\$36,001 - \$37,000	--	--	444	888	984	1221
\$37,001 - \$38,000	--	--	--	444	888	1222
\$38,001 - \$39,000	--	--	--	--	444	1223

For a full-time student who is financially independent and 1224

enrolled in a nonprofit educational institution that is not a 1226
state-assisted institution and that has a certificate of 1227
authorization issued pursuant to Chapter 1713. of the Revised 1228
Code, the amount of the instructional grant for two semesters, 1229
three quarters, or a comparable portion of the academic year shall 1230
be determined in accordance with the following table: 1231

Private Institution 1232

Table of Grants 1233

Maximum Grant \$5,466 1234

Gross Income Number of Dependents 1235

	0	1	2	3	4	5 or more	
\$0 - \$4,800	\$5,466	\$5,466	\$5,466	\$5,466	\$5,466	\$5,466	1236
\$4,801 - \$5,300	4,920	5,466	5,466	5,466	5,466	5,466	1237
\$5,301 - \$5,800	4,362	5,196	5,466	5,466	5,466	5,466	1238
\$5,801 - \$6,300	3,828	4,914	5,196	5,466	5,466	5,466	1239
\$6,301 - \$6,800	3,288	4,650	4,914	5,196	5,466	5,466	1240
\$6,801 - \$7,300	2,736	4,380	4,650	4,914	5,196	5,466	1241
\$7,301 - \$8,300	2,178	4,104	4,380	4,650	4,914	5,196	1242
\$8,301 - \$9,300	1,626	3,822	4,104	4,380	4,650	4,914	1243
\$9,301 - \$10,300	1,344	3,546	3,822	4,104	4,380	4,650	1244
\$10,301 - \$11,800	1,080	3,408	3,546	3,822	4,104	4,380	1245
\$11,801 - \$13,300	984	3,276	3,408	3,546	3,822	4,104	1246
\$13,301 - \$14,800	888	3,228	3,276	3,408	3,546	3,822	1247
\$14,801 - \$16,300	444	2,904	3,228	3,276	3,408	3,546	1248
\$16,301 - \$19,300	--	2,136	2,628	2,952	3,276	3,408	1249
\$19,301 - \$22,300	--	1,368	1,866	2,358	2,676	3,000	1250
\$22,301 - \$25,300	--	1,092	1,368	1,866	2,358	2,676	1251
\$25,301 - \$30,300	--	816	1,092	1,368	1,866	2,358	1252
\$30,301 - \$35,300	--	492	540	672	816	1,314	1253

For a full-time student who is a dependent and enrolled in an 1255
educational institution that holds a certificate of registration 1256
from the state board of career colleges and schools or a private 1257

institution exempt from regulation under Chapter 3332. of the 1258
Revised Code as prescribed in section 3333.046 of the Revised 1259
Code, the amount of the instructional grant for two semesters, 1260
three quarters, or a comparable portion of the academic year shall 1261
be determined in accordance with the following table: 1262

Career Institution 1263

Table of Grants 1264

Maximum Grant \$4,632 1265

Gross Income Number of Dependents 1266

	1	2	3	4	5 or more	
\$0 - \$15,000	\$4,632	\$4,632	\$4,632	\$4,632	\$4,632	1267
\$15,001 - \$16,000	4,182	4,632	4,632	4,632	4,632	1268
\$16,001 - \$17,000	3,684	4,182	4,632	4,632	4,632	1269
\$17,001 - \$18,000	3,222	3,684	4,182	4,632	4,632	1270
\$18,001 - \$19,000	2,790	3,222	3,684	4,182	4,632	1271
\$19,001 - \$22,000	2,292	2,790	3,222	3,684	4,182	1272
\$22,001 - \$25,000	1,854	2,292	2,790	3,222	3,684	1273
\$25,001 - \$28,000	1,416	1,854	2,292	2,790	3,222	1274
\$28,001 - \$31,000	1,134	1,416	1,854	2,292	2,790	1275
\$31,001 - \$32,000	906	1,134	1,416	1,854	2,292	1276
\$32,001 - \$33,000	852	906	1,134	1,416	1,854	1277
\$33,001 - \$34,000	750	852	906	1,134	1,416	1278
\$34,001 - \$35,000	372	750	852	906	1,134	1279
\$35,001 - \$36,000	--	372	750	852	906	1280
\$36,001 - \$37,000	--	--	372	750	852	1281
\$37,001 - \$38,000	--	--	--	372	750	1282
\$38,001 - \$39,000	--	--	--	--	372	1283

For a full-time student who is financially independent and 1285
enrolled in an educational institution that holds a certificate of 1286
registration from the state board of career colleges and schools 1287
or a private institution exempt from regulation under Chapter 1288
3332. of the Revised Code as prescribed in section 3333.046 of the 1289

Revised Code, the amount of the instructional grant for two 1290
semesters, three quarters, or a comparable portion of the academic 1291
year shall be determined in accordance with the following table: 1292

Career Institution 1293

Table of Grants 1294

Maximum Grant \$4,632 1295

Gross Income Number of Dependents 1296

	0	1	2	3	4	5 or more	
\$0 - \$4,800	\$4,632	\$4,632	\$4,632	\$4,632	\$4,632	\$4,632	1297
\$4,801 - \$5,300	4,182	4,632	4,632	4,632	4,632	4,632	1298
\$5,301 - \$5,800	3,684	4,410	4,632	4,632	4,632	4,632	1299
\$5,801 - \$6,300	3,222	4,158	4,410	4,632	4,632	4,632	1300
\$6,301 - \$6,800	2,790	3,930	4,158	4,410	4,632	4,632	1301
\$6,801 - \$7,300	2,292	3,714	3,930	4,158	4,410	4,632	1302
\$7,301 - \$8,300	1,854	3,462	3,714	3,930	4,158	4,410	1303
\$8,301 - \$9,300	1,416	3,246	3,462	3,714	3,930	4,158	1304
\$9,301 - \$10,300	1,134	3,024	3,246	3,462	3,714	3,930	1305
\$10,301 - \$11,800	906	2,886	3,024	3,246	3,462	3,714	1306
\$11,801 - \$13,300	852	2,772	2,886	3,024	3,246	3,462	1307
\$13,301 - \$14,800	750	2,742	2,772	2,886	3,024	3,246	1308
\$14,801 - \$16,300	372	2,466	2,742	2,772	2,886	3,024	1309
\$16,301 - \$19,300	--	1,800	2,220	2,520	2,772	2,886	1310
\$19,301 - \$22,300	--	1,146	1,584	1,986	2,268	2,544	1311
\$22,301 - \$25,300	--	930	1,146	1,584	1,986	2,268	1312
\$25,301 - \$30,300	--	708	930	1,146	1,584	1,986	1313
\$30,301 - \$35,300	--	426	456	570	708	1,116	1314

For a full-time student who is a dependent and enrolled in a 1316
state-assisted educational institution, the amount of the 1317
instructional grant for two semesters, three quarters, or a 1318
comparable portion of the academic year shall be determined in 1319
accordance with the following table: 1320

	Public Institution					1321
	Table of Grants					1322
	Maximum Grant \$2,190					1323
Gross Income	Number of Dependents					1324
	1	2	3	4	5 or more	1325
\$0 - \$15,000	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	1326
\$15,001 - \$16,000	1,974	2,190	2,190	2,190	2,190	1327
\$16,001 - \$17,000	1,740	1,974	2,190	2,190	2,190	1328
\$17,001 - \$18,000	1,542	1,740	1,974	2,190	2,190	1329
\$18,001 - \$19,000	1,320	1,542	1,740	1,974	2,190	1330
\$19,001 - \$22,000	1,080	1,320	1,542	1,740	1,974	1331
\$22,001 - \$25,000	864	1,080	1,320	1,542	1,740	1332
\$25,001 - \$28,000	648	864	1,080	1,320	1,542	1333
\$28,001 - \$31,000	522	648	864	1,080	1,320	1334
\$31,001 - \$32,000	420	522	648	864	1,080	1335
\$32,001 - \$33,000	384	420	522	648	864	1336
\$33,001 - \$34,000	354	384	420	522	648	1337
\$34,001 - \$35,000	174	354	384	420	522	1338
\$35,001 - \$36,000	--	174	354	384	420	1339
\$36,001 - \$37,000	--	--	174	354	384	1340
\$37,001 - \$38,000	--	--	--	174	354	1341
\$38,001 - \$39,000	--	--	--	--	174	1342

For a full-time student who is financially independent and 1343
 enrolled in a state-assisted educational institution, the amount 1344
 of the instructional grant for two semesters, three quarters, or a 1345
 comparable portion of the academic year shall be determined in 1346
 accordance with the following table: 1347

	Public Institution					1348	
	Table of Grants					1349	
	Maximum Grant \$2,190					1350	
Gross Income	Number of Dependents					1351	
	0	1	2	3	4	5 or more	1352

						more	
\$0 - \$4,800	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	\$2,190	1353
\$4,801 - \$5,300	1,974	2,190	2,190	2,190	2,190	2,190	1354
\$5,301 - \$5,800	1,740	2,082	2,190	2,190	2,190	2,190	1355
\$5,801 - \$6,300	1,542	1,968	2,082	2,190	2,190	2,190	1356
\$6,301 - \$6,800	1,320	1,866	1,968	2,082	2,190	2,190	1357
\$6,801 - \$7,300	1,080	1,758	1,866	1,968	2,082	2,190	1358
\$7,301 - \$8,300	864	1,638	1,758	1,866	1,968	2,082	1359
\$8,301 - \$9,300	648	1,530	1,638	1,758	1,866	1,968	1360
\$9,301 - \$10,300	522	1,422	1,530	1,638	1,758	1,866	1361
\$10,301 - \$11,800	420	1,356	1,422	1,530	1,638	1,758	1362
\$11,801 - \$13,300	384	1,308	1,356	1,422	1,530	1,638	1363
\$13,301 - \$14,800	354	1,290	1,308	1,356	1,422	1,530	1364
\$14,801 - \$16,300	174	1,164	1,290	1,308	1,356	1,422	1365
\$16,301 - \$19,300	--	858	1,050	1,182	1,308	1,356	1366
\$19,301 - \$22,300	--	540	750	948	1,062	1,200	1367
\$22,301 - \$25,300	--	432	540	750	948	1,062	1368
\$25,301 - \$30,300	--	324	432	540	750	948	1369
\$30,301 - \$35,300	--	192	210	264	324	522	1370

(D) For a full-time student enrolled in an eligible institution for a semester or quarter in addition to the portion of the academic year covered by a grant determined under division (C) of this section, the maximum grant amount shall be a percentage of the maximum prescribed in the applicable table of that division. The maximum grant for a fourth quarter shall be one-third of the maximum amount prescribed under that division. The maximum grant for a third semester shall be one-half of the maximum amount prescribed under that division.

(E) No grant shall be made to any student in a course of study in theology, religion, or other field of preparation for a religious profession unless such course of study leads to an accredited bachelor of arts, bachelor of science, associate of arts, or associate of science degree.

(F)(1) Except as provided in division (F)(2) of this section, 1385
no grant shall be made to any student for enrollment during a 1386
fiscal year in an institution with a cohort default rate 1387
determined by the United States secretary of education pursuant to 1388
the "Higher Education Amendments of 1986," 100 Stat. 1278, 1408, 1389
20 U.S.C.A. 1085, as amended, as of the fifteenth day of June 1390
preceding the fiscal year, equal to or greater than thirty per 1391
cent for each of the preceding two fiscal years. 1392

(2) Division (F)(1) of this section does not apply to the 1393
following: 1394

(a) Any student enrolled in an institution that under the 1395
federal law appeals its loss of eligibility for federal financial 1396
aid and the United States secretary of education determines its 1397
cohort default rate after recalculation is lower than the rate 1398
specified in division (F)(1) of this section or the secretary 1399
determines due to mitigating circumstances the institution may 1400
continue to participate in federal financial aid programs. The 1401
chancellor shall adopt rules requiring institutions to provide 1402
information regarding an appeal to the chancellor. 1403

(b) Any student who has previously received a grant under 1404
this section who meets all other requirements of this section. 1405

(3) The chancellor shall adopt rules for the notification of 1406
all institutions whose students will be ineligible to participate 1407
in the grant program pursuant to division (F)(1) of this section. 1408

(4) A student's attendance at an institution whose students 1409
lose eligibility for grants under division (F)(1) of this section 1410
shall not affect that student's eligibility to receive a grant 1411
when enrolled in another institution. 1412

(G) Institutions of higher education that enroll students 1413
receiving instructional grants under this section shall report to 1414
the chancellor all students who have received instructional grants 1415

but are no longer eligible for all or part of such grants and 1416
shall refund any moneys due the state within thirty days after the 1417
beginning of the quarter or term immediately following the quarter 1418
or term in which the student was no longer eligible to receive all 1419
or part of the student's grant. There shall be an interest charge 1420
of one per cent per month on all moneys due and payable after such 1421
thirty-day period. The chancellor shall immediately notify the 1422
office of budget and management and legislative budget office of 1423
the legislative service commission of all refunds so received. 1424

Sec. 3333.122. (A) As used in this section: 1425

(1) "Eligible student" means a student who is: 1426

(a) An Ohio resident who first enrolls in an undergraduate 1427
program in the 2006-2007 academic year or thereafter; 1428

(b) If the student first enrolled in an undergraduate program 1429
in the 2006-2007 or 2007-2008 academic year, the student is 1430
enrolled in one of the following: 1431

(i) An accredited institution of higher education in this 1432
state that meets the requirements of Title VI of the Civil Rights 1433
Act of 1964 and is state-assisted, is nonprofit and has a 1434
certificate of authorization pursuant to Chapter 1713. of the 1435
Revised Code, has a certificate of registration from the state 1436
board of career colleges and schools and program authorization to 1437
award an associate or bachelor's degree, or is a private 1438
institution exempt from regulation under Chapter 3332. of the 1439
Revised Code as prescribed in section 3333.046 of the Revised 1440
Code. Students who attend an institution that holds a certificate 1441
of registration shall be enrolled in a program leading to an 1442
associate or bachelor's degree for which associate or bachelor's 1443
degree program the institution has program authorization issued 1444
under section 3332.05 of the Revised Code. 1445

(ii) A technical education program of at least two years 1446
duration sponsored by a private institution of higher education in 1447
this state that meets the requirements of Title VI of the Civil 1448
Rights Act of 1964; 1449

(iii) A nursing diploma program approved by the board of 1450
nursing under division (A)(5) of section 4723.06 of the Revised 1451
Code and that meets the requirements of Title VI of the Civil 1452
Rights Act of 1964. 1453

(c) If the student first enrolled in an undergraduate program 1454
after the 2007-2008 academic year, the student is enrolled in one 1455
of the following: 1456

(i) An accredited institution of higher education in this 1457
state that meets the requirements of Title VI of the Civil Rights 1458
Act of 1964 and is state-assisted, is nonprofit and has a 1459
certificate of authorization pursuant to Chapter 1713. of the 1460
Revised Code, or is a private institution exempt from regulation 1461
under Chapter 3332. of the Revised Code as prescribed in section 1462
3333.046 of the Revised Code; 1463

(ii) An education program of at least two years duration 1464
sponsored by a private institution of higher education in this 1465
state that meets the requirements of Title VI of the Civil Rights 1466
Act of 1964 and has a certificate of authorization pursuant to 1467
Chapter 1713. of the Revised Code; 1468

(iii) A nursing diploma program approved by the board of 1469
nursing under division (A)(5) of section 4723.06 of the Revised 1470
Code and that meets the requirements of Title VI of the Civil 1471
Rights Act of 1964. 1472

(2) A student who participated in either the early college 1473
high school program administered by the department of education or 1474
in the post-secondary enrollment options program pursuant to 1475
Chapter 3365. of the Revised Code before the 2006-2007 academic 1476

year shall not be excluded from eligibility for a needs-based 1477
financial aid grant under this section. 1478

(3) "Resident," "expected family contribution" or "EFC," 1479
"full-time student," "three-quarters-time student," "half-time 1480
student," "one-quarter-time student," and "accredited" shall be 1481
defined by rules adopted by the chancellor of the Ohio board of 1482
regents. 1483

(B) The chancellor shall establish and administer a 1484
needs-based financial aid program based on the United States 1485
department of education's method of determining financial need and 1486
may adopt rules to carry out this section. The program shall be 1487
known as the Ohio college opportunity grant program. The general 1488
assembly shall support the needs-based financial aid program by 1489
such sums and in such manner as it may provide, but the chancellor 1490
may also receive funds from other sources to support the program. 1491
If the amounts available for support of the program are inadequate 1492
to provide grants to all eligible students, preference in the 1493
payment of grants shall be given in terms of expected family 1494
contribution, beginning with the lowest expected family 1495
contribution category and proceeding upward by category to the 1496
highest expected family contribution category. 1497

A needs-based financial aid grant shall be paid to an 1498
eligible student through the institution in which the student is 1499
enrolled, except that no needs-based financial aid grant shall be 1500
paid to any person serving a term of imprisonment. Applications 1501
for such grants shall be made as prescribed by the chancellor, and 1502
such applications may be made in conjunction with and upon the 1503
basis of information provided in conjunction with student 1504
assistance programs funded by agencies of the United States 1505
government or from financial resources of the institution of 1506
higher education. The institution shall certify that the student 1507
applicant meets the requirements set forth in divisions (A)(1)(a) 1508

and (b) of this section. Needs-based financial aid grants shall be 1509
provided to an eligible student only as long as the student is 1510
making appropriate progress toward a nursing diploma or an 1511
associate or bachelor's degree. No student shall be eligible to 1512
receive a grant for more than ten semesters, fifteen quarters, or 1513
the equivalent of five academic years. A grant made to an eligible 1514
student on the basis of less than full-time enrollment shall be 1515
based on the number of credit hours for which the student is 1516
enrolled and shall be computed in accordance with a formula 1517
adopted by the chancellor. No student shall receive more than one 1518
grant on the basis of less than full-time enrollment. 1519

A needs-based financial aid grant shall not exceed the total 1520
instructional and general charges of the institution. 1521

(C) The tables in this division prescribe the maximum grant 1522
amounts covering two semesters, three quarters, or a comparable 1523
portion of one academic year. Grant amounts for additional terms 1524
in the same academic year shall be determined under division (D) 1525
of this section. 1526

As used in the tables in division (C) of this section: 1527

(1) "Private institution" means an institution that is 1528
nonprofit and has a certificate of authorization pursuant to 1529
Chapter 1713. of the Revised Code. 1530

(2) "Career college" means either an institution that holds a 1531
certificate of registration from the state board of career 1532
colleges and schools or a private institution exempt from 1533
regulation under Chapter 3332. of the Revised Code as prescribed 1534
in section 3333.046 of the Revised Code. 1535

Full-time students shall be eligible to receive awards 1536
according to the following table: 1537

Full-Time Enrollment 1538

If the EFC And if the If the If the If the 1539

is equal to or greater than:	EFC is no more than:	student attends a public institution, the annual award shall be:	student attends a private institution, the annual award shall be:	student attends a career college, the annual award shall be:	
\$2,101	\$2,190	\$300	\$600	\$480	1540
2,001	2,100	402	798	642	1541
1,901	2,000	498	1,002	798	1542
1,801	1,900	600	1,200	960	1543
1,701	1,800	702	1,398	1,122	1544
1,601	1,700	798	1,602	1,278	1545
1,501	1,600	900	1,800	1,440	1546
1,401	1,500	1,002	1,998	1,602	1547
1,301	1,400	1,098	2,202	1,758	1548
1,201	1,300	1,200	2,400	1,920	1549
1,101	1,200	1,302	2,598	2,082	1550
1,001	1,100	1,398	2,802	2,238	1551
901	1,000	1,500	3,000	2,400	1552
801	900	1,602	3,198	2,562	1553
701	800	1,698	3,402	2,718	1554
601	700	1,800	3,600	2,280	1555
501	600	1,902	3,798	3,042	1556
401	500	1,998	4,002	3,198	1557
301	400	2,100	4,200	3,360	1558
201	300	2,202	4,398	3,522	1559
101	200	2,298	4,602	3,678	1560
1	100	2,400	4,800	3,840	1561
0	0	2,496	4,992	3,996	1562

Three-quarters-time students shall be eligible to receive awards according to the following table: 1563
 Three-Quarters-Time Enrollment 1565

If the EFC is equal to or greater than:	And the EFC is no more than:	If the student attends a public institution, the annual award shall be:	If the student attends a private institution, the annual award shall be:	If the student attends a career college, the annual award shall be:	
\$2,101	\$2,190	\$228	\$450	\$360	1566
2,001	2,100	300	600	480	1568
1,901	2,000	372	750	600	1569
1,801	1,900	450	900	720	1570
1,701	1,800	528	1,050	840	1571
1,601	1,700	600	1,200	960	1572
1,501	1,600	678	1,350	1,080	1573
1,401	1,500	750	1,500	1,200	1574
1,301	1,400	822	1,650	1,320	1575
1,201	1,300	900	1,800	1,440	1576
1,101	1,200	978	1,950	1,560	1577
1,001	1,100	1,050	2,100	1,680	1578
901	1,000	1,128	2,250	1,800	1579
801	900	1,200	2,400	1,920	1580
701	800	1,272	2,550	2,040	1581
601	700	1,350	2,700	2,160	1582
501	600	1,428	2,850	2,280	1583
401	500	1,500	3,000	2,400	1584
301	400	1,578	3,150	2,520	1585
201	300	1,650	3,300	2,640	1586
101	200	1,722	3,450	2,760	1587
1	100	1,800	3,600	2,880	1588
0	0	1,872	3,744	3,000	1589

Half-time students shall be eligible to receive awards according to the following table: 1590
1591

Half-Time Enrollment					1592
If the EFC is equal to or greater than:	And if the EFC is no more than:	If the student attends a public institution, the annual award shall be:	If the student attends a private institution, the annual award shall be:	If the student attends a career college, the annual award shall be:	1593
\$2,101	\$2,190	\$150	\$300	\$240	1594
2,001	2,100	204	402	324	1595
1,901	2,000	252	504	402	1596
1,801	1,900	300	600	480	1597
1,701	1,800	354	702	564	1598
1,601	1,700	402	804	642	1599
1,501	1,600	450	900	720	1600
1,401	1,500	504	1,002	804	1601
1,301	1,400	552	1,104	882	1602
1,201	1,300	600	1,200	960	1603
1,101	1,200	654	1,302	1,044	1604
1,001	1,100	702	1,404	1,122	1605
901	1,000	750	1,500	1,200	1606
801	900	804	1,602	1,284	1607
701	800	852	1,704	1,362	1608
601	700	900	1,800	1,440	1609
501	600	954	1,902	1,524	1610
401	500	1,002	2,004	1,602	1611
301	400	1,050	2,100	1,680	1612
201	300	1,104	2,202	1,764	1613
101	200	1,152	2,304	1,842	1614
1	100	1,200	2,400	1,920	1615
0	0	1,248	2,496	1,998	1616
One-quarter-time students shall be eligible to receive awards					1617

according to the following table:					1618
One-Quarter-Time Enrollment					1619
If the EFC is equal to or greater than:	And if the EFC is no more than:	If the student attends a public institution, the annual award shall be:	If the student attends a private institution, the annual award shall be:	If the student attends a career college, the annual award shall be:	1620
\$2,101	\$2,190	\$78	\$150	\$120	1621
2,001	2,100	102	198	162	1622
1,901	2,000	126	252	198	1623
1,801	1,900	150	300	240	1624
1,701	1,800	174	348	282	1625
1,601	1,700	198	402	318	1626
1,501	1,600	228	450	360	1627
1,401	1,500	252	498	402	1628
1,301	1,400	276	552	438	1629
1,201	1,300	300	600	480	1630
1,101	1,200	324	648	522	1631
1,001	1,100	348	702	558	1632
901	1,000	378	750	600	1633
801	900	402	798	642	1634
701	800	426	852	678	1635
601	700	450	900	720	1636
501	600	474	948	762	1637
401	500	498	1,002	798	1638
301	400	528	1,050	840	1639
201	300	552	1,098	882	1640
101	200	576	1,152	918	1641
1	100	600	1,200	960	1642
0	0	624	1,248	1,002	1643

(D) For a full-time student enrolled in an eligible institution for a semester or quarter in addition to the portion of the academic year covered by a grant determined under division (C) of this section, the maximum grant amount shall be a percentage of the maximum prescribed in the applicable table of that division. The maximum grant for a fourth quarter shall be one-third of the maximum amount prescribed under that division. The maximum grant for a third semester shall be one-half of the maximum amount prescribed under that division.

(E) No grant shall be made to any student in a course of study in theology, religion, or other field of preparation for a religious profession unless such course of study leads to an accredited bachelor of arts, bachelor of science, associate of arts, or associate of science degree.

(F)(1) Except as provided in division (F)(2) of this section, no grant shall be made to any student for enrollment during a fiscal year in an institution with a cohort default rate determined by the United States secretary of education pursuant to the "Higher Education Amendments of 1986," 100 Stat. 1278, 1408, 20 U.S.C.A. 1085, as amended, as of the fifteenth day of June preceding the fiscal year, equal to or greater than thirty per cent for each of the preceding two fiscal years.

(2) Division (F)(1) of this section does not apply to the following:

(a) Any student enrolled in an institution that under the federal law appeals its loss of eligibility for federal financial aid and the United States secretary of education determines its cohort default rate after recalculation is lower than the rate specified in division (F)(1) of this section or the secretary determines due to mitigating circumstances the institution may continue to participate in federal financial aid programs. The chancellor shall adopt rules requiring institutions to provide

information regarding an appeal to the chancellor. 1676

(b) Any student who has previously received a grant under 1677
this section who meets all other requirements of this section. 1678

(3) The chancellor shall adopt rules for the notification of 1679
all institutions whose students will be ineligible to participate 1680
in the grant program pursuant to division (F)(1) of this section. 1681

(4) A student's attendance at an institution whose students 1682
lose eligibility for grants under division (F)(1) of this section 1683
shall not affect that student's eligibility to receive a grant 1684
when enrolled in another institution. 1685

(G) Institutions of higher education that enroll students 1686
receiving needs-based financial aid grants under this section 1687
shall report to the chancellor all students who have received 1688
needs-based financial aid grants but are no longer eligible for 1689
all or part of such grants and shall refund any moneys due the 1690
state within thirty days after the beginning of the quarter or 1691
term immediately following the quarter or term in which the 1692
student was no longer eligible to receive all or part of the 1693
student's grant. There shall be an interest charge of one per cent 1694
per month on all moneys due and payable after such thirty-day 1695
period. The chancellor shall immediately notify the office of 1696
budget and management and the legislative budget office of the 1697
legislative service commission of all refunds so received. 1698

Sec. 3333.27. As used in this section: 1699

(A) "Eligible institution" means a nonprofit Ohio institution 1700
of higher education that holds a certificate of authorization 1701
issued under section 1713.02 of the Revised Code and meets the 1702
requirements of Title VI of the Civil Rights Act of 1964. 1703

(B) "Resident" and "full-time student" have the meanings 1704
established for purposes of this section by rule of the chancellor 1705

of the Ohio board of regents. 1706

The chancellor shall establish and administer a student 1707
choice grant program and shall adopt rules for the administration 1708
of the program. 1709

The chancellor may make a grant to any resident of this state 1710
who is enrolled as a full-time student in a bachelor's degree 1711
program at an eligible institution and maintains an academic 1712
record that meets or exceeds the standard established pursuant to 1713
this section by rule of the chancellor, except that no grant shall 1714
be made to any individual who was enrolled as a student in an 1715
institution of higher education on or before July 1, 1984, or is 1716
serving a term of imprisonment. The grant shall not exceed the 1717
lesser of the total instructional and general charges of the 1718
institution in which the student is enrolled, or an amount equal 1719
to one-fourth of the total of any state instructional subsidy 1720
amount distributed by the chancellor in the second fiscal year of 1721
the preceding biennium for all full-time students enrolled in 1722
bachelor's degree programs at four-year state-assisted 1723
institutions of higher education divided by the sum of the actual 1724
number of full-time students enrolled in bachelor's degree 1725
programs at four-year state-assisted institutions of higher 1726
education reported to the chancellor for such year by the 1727
institutions to which the subsidy was distributed. 1728

The chancellor shall prescribe the form and manner of 1729
application for grants including the manner of certification by 1730
eligible institutions that each applicant from such institution is 1731
enrolled in a bachelor's degree program as a full-time student and 1732
has an academic record that meets or exceeds the standard 1733
established by the chancellor. 1734

A grant awarded to an eligible student shall be paid to the 1735
institution in which the student is enrolled, and the institution 1736
shall reduce the student's instructional and general charges by 1737

the amount of the grant. Each grant awarded shall be prorated and 1738
paid in equal installments at the time of enrollment for each term 1739
of the academic year for which the grant is awarded. No student 1740
shall be eligible to receive a grant for more than ten semesters, 1741
fifteen quarters, or the equivalent of five academic years. 1742

The receipt of an Ohio student choice grant shall not affect 1743
a student's eligibility for assistance, or the amount of such 1744
assistance, granted under section 3315.33, 3333.12, 3333.122, 1745
3333.22, 3333.26, 5910.03, 5910.032, or 5919.34 of the Revised 1746
Code. If a student receives assistance under one or more of such 1747
sections, the student choice grant made to the student shall not 1748
exceed the difference between the amount of assistance received 1749
under such sections and the total instructional and general 1750
charges of the institution in which the student is enrolled. 1751

The general assembly shall support the student choice grant 1752
program by such sums and in such manner as it may provide, but the 1753
chancellor may also receive funds from other sources to support 1754
the program. 1755

No grant shall be made to any student enrolled in a course of 1756
study leading to a degree in theology, religion, or other field of 1757
preparation for a religious profession unless the course of study 1758
leads to an accredited bachelor of arts or bachelor of science 1759
degree. 1760

Institutions of higher education that enroll students 1761
receiving grants under this section shall report to the chancellor 1762
the name of each student who has received such a grant but who is 1763
no longer eligible for all or part of such grant and shall refund 1764
all moneys due to the state within thirty days after the beginning 1765
of the term immediately following the term in which the student 1766
was no longer eligible to receive all or part of the grant. There 1767
shall be an interest charge of one per cent per month on all 1768
moneys due and payable after such thirty-day period. The 1769

chancellor shall immediately notify the office of budget and 1770
management and the legislative budget office of the legislative 1771
service commission of all refunds received. 1772

Sec. 3769.08. (A) Any person holding a permit to conduct a 1773
horse-racing meeting may provide a place in the race meeting 1774
grounds or enclosure at which the permit holder may conduct and 1775
supervise the pari-mutuel system of wagering by patrons of legal 1776
age on the live racing programs and simulcast racing programs 1777
conducted by the permit holder. 1778

The pari-mutuel method of wagering upon the live racing 1779
programs and simulcast racing programs held at or conducted within 1780
such race track, and at the time of such horse-racing meeting, or 1781
at other times authorized by the state racing commission, shall 1782
not be unlawful. No other place, except that provided and 1783
designated by the permit holder and except as provided in section 1784
3769.26 of the Revised Code, nor any other method or system of 1785
betting or wagering, except the pari-mutuel system, shall be used 1786
or permitted by the permit holder; nor, except as provided in 1787
section 3769.089 or 3769.26 of the Revised Code, shall the 1788
pari-mutuel system of wagering be conducted by the permit holder 1789
on any races except the races at the race track, grounds, or 1790
enclosure for which the person holds a permit. Each permit holder 1791
may retain as a commission an amount not to exceed eighteen per 1792
cent of the total of all moneys wagered. 1793

The pari-mutuel wagering authorized by this section is 1794
subject to sections 3769.25 to 3769.28 of the Revised Code. 1795

(B) At the close of each racing day, each permit holder 1796
authorized to conduct thoroughbred racing, out of the amount 1797
retained on that day by the permit holder, shall pay by check, 1798
draft, or money order to the tax commissioner, as a tax, a sum 1799
equal to the following percentages of the total of all moneys 1800

wagered on live racing programs on that day and shall separately 1801
compute and pay by check, draft, or money order to the tax 1802
commissioner, as a tax, a sum equal to the following percentages 1803
of the total of all money wagered on simulcast racing programs on 1804
that day: 1805

(1) One per cent of the first two hundred thousand dollars 1806
wagered, or any part of that amount; 1807

(2) Two per cent of the next one hundred thousand dollars 1808
wagered, or any part of that amount; 1809

(3) Three per cent of the next one hundred thousand dollars 1810
wagered, or any part of that amount; 1811

(4) Four per cent of all sums over four hundred thousand 1812
dollars wagered. 1813

Except as otherwise provided in section 3769.089 of the 1814
Revised Code, each permit holder authorized to conduct 1815
thoroughbred racing shall use for purse money a sum equal to fifty 1816
per cent of the pari-mutuel revenues retained by the permit holder 1817
as a commission after payment of the state tax. This fifty per 1818
cent payment shall be in addition to the purse distribution from 1819
breakage specified in this section. 1820

Subject to division (M) of this section, from the moneys paid 1821
to the tax commissioner by thoroughbred racing permit holders, 1822
one-half of one per cent of the total of all moneys so wagered on 1823
a racing day shall be paid into the Ohio fairs fund created by 1824
section 3769.082 of the Revised Code, one and one-eighth per cent 1825
of the total of all moneys so wagered on a racing day shall be 1826
paid into the Ohio thoroughbred race fund created by section 1827
3769.083 of the Revised Code, and one-quarter of one per cent of 1828
the total of all moneys wagered on a racing day by each permit 1829
holder shall be paid into the state racing commission operating 1830
fund created by section 3769.03 of the Revised Code. The required 1831

payment to the state racing commission operating fund does not 1832
apply to county and independent fairs and agricultural societies. 1833
The remaining moneys may be retained by the permit holder, except 1834
as provided in this section with respect to the odd cents 1835
redistribution. Amounts paid into the PASSPORT fund shall be used 1836
solely for the support of the PASSPORT program as determined in 1837
appropriations made by the general assembly. If the PASSPORT 1838
program is abolished, the amount that would have been paid to the 1839
PASSPORT fund under this chapter shall be paid to the general 1840
revenue fund of the state. As used in this chapter, "PASSPORT 1841
program" means the PASSPORT program created under section 173.40 1842
of the Revised Code. 1843

The total amount paid to the Ohio thoroughbred race fund 1844
under this section and division (A) of section 3769.087 of the 1845
Revised Code shall not exceed by more than six per cent the total 1846
amount paid to this fund under this section and that section 1847
during the immediately preceding calendar year. 1848

Each year, the total amount calculated for payment into the 1849
Ohio fairs fund under this division, division (C) of this section, 1850
and division (A) of section 3769.087 of the Revised Code shall be 1851
an amount calculated using the percentages specified in this 1852
division, division (C) of this section, and division (A) of 1853
section 3769.087 of the Revised Code. 1854

A permit holder may contract with a thoroughbred horsemen's 1855
organization for the organization to act as a representative of 1856
all thoroughbred owners and trainers participating in a 1857
horse-racing meeting conducted by the permit holder. A 1858
"thoroughbred horsemen's organization" is any corporation or 1859
association that represents, through membership or otherwise, more 1860
than one-half of the aggregate of all thoroughbred owners and 1861
trainers who were licensed and actively participated in racing 1862
within this state during the preceding calendar year. Except as 1863

otherwise provided in this paragraph, any moneys received by a 1864
thoroughbred horsemen's organization shall be used exclusively for 1865
the benefit of thoroughbred owners and trainers racing in this 1866
state through the administrative purposes of the organization, 1867
benevolent activities on behalf of the horsemen, promotion of the 1868
horsemen's rights and interests, and promotion of equine research. 1869
A thoroughbred horsemen's organization may expend not more than an 1870
aggregate of five per cent of its annual gross receipts, or a 1871
larger amount as approved by the organization, for dues, 1872
assessments, and other payments to all other local, national, or 1873
international organizations having as their primary purposes the 1874
promotion of thoroughbred horse racing, thoroughbred horsemen's 1875
rights, and equine research. 1876

(C) Except as otherwise provided in division (B) of this 1877
section, at the close of each racing day, each permit holder 1878
authorized to conduct harness or quarter horse racing, out of the 1879
amount retained that day by the permit holder, shall pay by check, 1880
draft, or money order to the tax commissioner, as a tax, a sum 1881
equal to the following percentages of the total of all moneys 1882
wagered on live racing programs and shall separately compute and 1883
pay by check, draft, or money order to the tax commissioner, as a 1884
tax, a sum equal to the following percentages of the total of all 1885
money wagered on simulcast racing programs on that day: 1886

(1) One per cent of the first two hundred thousand dollars 1887
wagered, or any part of that amount; 1888

(2) Two per cent of the next one hundred thousand dollars 1889
wagered, or any part of that amount; 1890

(3) Three per cent of the next one hundred thousand dollars 1891
wagered, or any part of that amount; 1892

(4) Four per cent of all sums over four hundred thousand 1893
dollars wagered. 1894

Except as otherwise provided in division (B) and subject to 1895
division (M) of this section, from the moneys paid to the tax 1896
commissioner by permit holders authorized to conduct harness or 1897
quarter horse racing, one-half of one per cent of all moneys 1898
wagered on that racing day shall be paid into the Ohio fairs fund; 1899
from the moneys paid to the tax commissioner by permit holders 1900
authorized to conduct harness racing, five-eighths of one per cent 1901
of all moneys wagered on that racing day shall be paid into the 1902
Ohio standardbred development fund; and from the moneys paid to 1903
the tax commissioner by permit holders authorized to conduct 1904
quarter horse racing, five-eighths of one per cent of all moneys 1905
wagered on that racing day shall be paid into the Ohio quarter 1906
horse development fund. 1907

(D) In addition, subject to division (M) of this section, 1908
beginning on January 1, 1996, from the money paid to the tax 1909
commissioner as a tax under this section and division (A) of 1910
section 3769.087 of the Revised Code by harness horse permit 1911
holders, one-half of one per cent of the amount wagered on a 1912
racing day shall be paid into the Ohio standardbred development 1913
fund. Beginning January 1, 1998, the payment to the Ohio 1914
standardbred development fund required under this division does 1915
not apply to county agricultural societies or independent 1916
agricultural societies. 1917

The total amount paid to the Ohio standardbred development 1918
fund under this division, division (C) of this section, and 1919
division (A) of section 3769.087 of the Revised Code and the total 1920
amount paid to the Ohio quarter horse development fund under this 1921
division and division (A) of that section shall not exceed by more 1922
than six per cent the total amount paid into the fund under this 1923
division, division (C) of this section, and division (A) of 1924
section 3769.087 of the Revised Code in the immediately preceding 1925
calendar year. 1926

(E) Subject to division (M) of this section, from the money 1927
paid as a tax under this chapter by harness and quarter horse 1928
permit holders, one-quarter of one per cent of the total of all 1929
moneys wagered on a racing day by each permit holder shall be paid 1930
into the state racing commission operating fund created by section 1931
3769.03 of the Revised Code. This division does not apply to 1932
county and independent fairs and agricultural societies. 1933

(F) Except as otherwise provided in section 3769.089 of the 1934
Revised Code, each permit holder authorized to conduct harness 1935
racing shall pay to the harness horsemen's purse pool a sum equal 1936
to fifty per cent of the pari-mutuel revenues retained by the 1937
permit holder as a commission after payment of the state tax. This 1938
fifty per cent payment is to be in addition to the purse 1939
distribution from breakage specified in this section. 1940

(G) In addition, each permit holder authorized to conduct 1941
harness racing shall be allowed to retain the odd cents of all 1942
redistribution to be made on all mutual contributions exceeding a 1943
sum equal to the next lowest multiple of ten. 1944

Forty per cent of that portion of that total sum of such odd 1945
cents shall be used by the permit holder for purse money for Ohio 1946
sired, bred, and owned colts, for purse money for Ohio bred 1947
horses, and for increased purse money for horse races. Upon the 1948
formation of the corporation described in section 3769.21 of the 1949
Revised Code to establish a harness horsemen's health and 1950
retirement fund, twenty-five per cent of that portion of that 1951
total sum of odd cents shall be paid at the close of each racing 1952
day by the permit holder to that corporation to establish and fund 1953
the health and retirement fund. Until that corporation is formed, 1954
that twenty-five per cent shall be paid at the close of each 1955
racing day by the permit holder to the tax commissioner or the tax 1956
commissioner's agent in the county seat of the county in which the 1957
permit holder operates race meetings. The remaining thirty-five 1958

per cent of that portion of that total sum of odd cents shall be 1959
retained by the permit holder. 1960

(H) In addition, each permit holder authorized to conduct 1961
thoroughbred racing shall be allowed to retain the odd cents of 1962
all redistribution to be made on all mutuel contributions 1963
exceeding a sum equal to the next lowest multiple of ten. Twenty 1964
per cent of that portion of that total sum of such odd cents shall 1965
be used by the permit holder for increased purse money for horse 1966
races. Upon the formation of the corporation described in section 1967
3769.21 of the Revised Code to establish a thoroughbred horsemen's 1968
health and retirement fund, forty-five per cent of that portion of 1969
that total sum of odd cents shall be paid at the close of each 1970
racing day by the permit holder to that corporation to establish 1971
and fund the health and retirement fund. Until that corporation is 1972
formed, that forty-five per cent shall be paid by the permit 1973
holder to the tax commissioner or the tax commissioner's agent in 1974
the county seat of the county in which the permit holder operates 1975
race meetings, at the close of each racing day. The remaining 1976
thirty-five per cent of that portion of that total sum of odd 1977
cents shall be retained by the permit holder. 1978

(I) In addition, each permit holder authorized to conduct 1979
quarter horse racing shall be allowed to retain the odd cents of 1980
all redistribution to be made on all mutuel contributions 1981
exceeding a sum equal to the next lowest multiple of ten, subject 1982
to a tax of twenty-five per cent on that portion of the total sum 1983
of such odd cents that is in excess of two thousand dollars during 1984
a calendar year, which tax shall be paid at the close of each 1985
racing day by the permit holder to the tax commissioner or the tax 1986
commissioner's agent in the county seat of the county within which 1987
the permit holder operates race meetings. Forty per cent of that 1988
portion of that total sum of such odd cents shall be used by the 1989
permit holder for increased purse money for horse races. The 1990

remaining thirty-five per cent of that portion of that total sum 1991
of odd cents shall be retained by the permit holder. 1992

(J)(1) To encourage the improvement of racing facilities for 1993
the benefit of the public, breeders, and horse owners, and to 1994
increase the revenue to the state from the increase in pari-mutuel 1995
wagering resulting from those improvements, the taxes paid by a 1996
permit holder to the state as provided for in this chapter shall 1997
be reduced by three-fourths of one per cent of the total amount 1998
wagered for those permit holders who make capital improvements to 1999
existing race tracks or construct new race tracks. The percentage 2000
of the reduction that may be taken each racing day shall equal 2001
seventy-five per cent of the taxes levied under divisions (B) and 2002
(C) of this section and section 3769.087 of the Revised Code, and 2003
division (F)(2) of section 3769.26 of the Revised Code, as 2004
applicable, divided by the calculated amount each fund should 2005
receive under divisions (B) and (C) of this section and section 2006
3769.087 of the Revised Code, and division (F)(2) of section 2007
3769.26 of the Revised Code and the reduction provided for in this 2008
division. If the resulting percentage is less than one, that 2009
percentage shall be multiplied by the amount of the reduction 2010
provided for in this division. Otherwise, the permit holder shall 2011
receive the full reduction provided for in this division. The 2012
amount of the allowable reduction not received shall be carried 2013
forward and applied against future tax liability. After any 2014
reductions expire, any reduction carried forward shall be treated 2015
as a reduction as provided for in this division. 2016

If more than one permit holder is authorized to conduct 2017
racing at the facility that is being built or improved, the cost 2018
of the new race track or capital improvement shall be allocated 2019
between or among all the permit holders in the ratio that the 2020
permit holders' number of racing days bears to the total number of 2021
racing days conducted at the facility. 2022

A reduction for a new race track or a capital improvement 2023
shall start from the day racing is first conducted following the 2024
date actual construction of the new race track or each capital 2025
improvement is completed and the construction cost has been 2026
approved by the racing commission, unless otherwise provided in 2027
this section. A reduction for a new race track or a capital 2028
improvement shall continue for a period of twenty-five years for 2029
new race tracks and for fifteen years for capital improvements if 2030
the construction of the capital improvement or new race track 2031
commenced prior to March 29, 1988, and for a period of ten years 2032
for new race tracks or capital improvements if the construction of 2033
the capital improvement or new race track commenced on or after 2034
March 29, 1988, but before ~~the effective date of this amendment~~ 2035
June 6, 2001, or until the total tax reduction reaches seventy per 2036
cent of the approved cost of the new race track or capital 2037
improvement, as allocated to each permit holder, whichever occurs 2038
first. A reduction for a new race track or a capital improvement 2039
approved after ~~the effective date of this amendment~~ June 6, 2001, 2040
shall continue until the total tax reduction reaches one hundred 2041
per cent of the approved cost of the new race track or capital 2042
improvement, as allocated to each permit holder. 2043

A reduction granted for a new race track or a capital 2044
improvement, the application for which was approved by the racing 2045
commission after March 29, 1988, but before ~~the effective date of~~ 2046
~~this amendment~~ June 6, 2001, shall not commence nor shall the 2047
ten-year period begin to run until all prior tax reductions with 2048
respect to the same race track have ended. The total tax reduction 2049
because of capital improvements shall not during any one year 2050
exceed for all permit holders using any one track three-fourths of 2051
one per cent of the total amount wagered, regardless of the number 2052
of capital improvements made. Several capital improvements to a 2053
race track may be consolidated in an application if the racing 2054
commission approved the application prior to March 29, 1988. No 2055

permit holder may receive a tax reduction for a capital 2056
improvement approved by the racing commission on or after March 2057
29, 1988, at a race track until all tax reductions have ended for 2058
all prior capital improvements approved by the racing commission 2059
under this section or section 3769.20 of the Revised Code at that 2060
race track. If there are two or more permit holders operating 2061
meetings at the same track, they may consolidate their 2062
applications. The racing commission shall notify the tax 2063
commissioner when the reduction of tax begins and when it ends. 2064

Each fiscal year the racing commission shall submit a report 2065
to the tax commissioner, the office of budget and management, and 2066
the legislative budget office of the legislative service 2067
commission. The report shall identify each capital improvement 2068
project undertaken under this division and in progress at each 2069
race track, indicate the total cost of each project, state the tax 2070
reduction that resulted from each project during the immediately 2071
preceding fiscal year, estimate the tax reduction that will result 2072
from each project during the current fiscal year, state the total 2073
tax reduction that resulted from all such projects at all race 2074
tracks during the immediately preceding fiscal year, and estimate 2075
the total tax reduction that will result from all such projects at 2076
all race tracks during the current fiscal year. 2077

(2) In order to qualify for the reduction in tax, a permit 2078
holder shall apply to the racing commission in such form as the 2079
commission may require and shall provide full details of the new 2080
race track or capital improvement, including a schedule for its 2081
construction and completion, and set forth the costs and expenses 2082
incurred in connection with it. The racing commission shall not 2083
approve an application unless the permit holder shows that a 2084
contract for the new race track or capital improvement has been 2085
let under an unrestricted competitive bidding procedure, unless 2086
the contract is exempted by the controlling board because of its 2087

unusual nature. In determining whether to approve an application, 2088
the racing commission shall consider whether the new race track or 2089
capital improvement will promote the safety, convenience, and 2090
comfort of the racing public and horse owners and generally tend 2091
towards the improvement of racing in this state. 2092

(3) If a new race track or capital improvement is approved by 2093
the racing commission and construction has started, the tax 2094
reduction may be authorized by the commission upon presentation of 2095
copies of paid bills in excess of one hundred thousand dollars or 2096
ten per cent of the approved cost, whichever is greater. After the 2097
initial authorization, the permit holder shall present copies of 2098
paid bills. If the permit holder is in substantial compliance with 2099
the schedule for construction and completion of the new race track 2100
or capital improvement, the racing commission may authorize the 2101
continuation of the tax reduction upon the presentation of the 2102
additional paid bills. The total amount of the tax reduction 2103
authorized shall not exceed the percentage of the approved cost of 2104
the new race track or capital improvement specified in division 2105
(J)(1) of this section. The racing commission may terminate any 2106
tax reduction immediately if a permit holder fails to complete the 2107
new race track or capital improvement, or to substantially comply 2108
with the schedule for construction and completion of the new race 2109
track or capital improvement. If a permit holder fails to complete 2110
a new race track or capital improvement, the racing commission 2111
shall order the permit holder to repay to the state the total 2112
amount of tax reduced. The normal tax paid by the permit holder 2113
shall be increased by three-fourths of one per cent of the total 2114
amount wagered until the total amount of the additional tax 2115
collected equals the total amount of tax reduced. 2116

(4) As used in this section: 2117

(a) "Capital improvement" means an addition, replacement, or 2118
remodeling of a structural unit of a race track facility costing 2119

at least one hundred thousand dollars, including, but not limited 2120
to, the construction of barns used exclusively for the race track 2121
facility, backstretch facilities for horsemen, paddock facilities, 2122
new pari-mutuel and totalizator equipment and appurtenances to 2123
that equipment purchased by the track, new access roads, new 2124
parking areas, the complete reconstruction, reshaping, and 2125
leveling of the racing surface and appurtenances, the installation 2126
of permanent new heating or air conditioning, roof replacement or 2127
restoration, installations of a permanent nature forming a part of 2128
the track structure, and construction of buildings that are 2129
located on a permit holder's premises. "Capital improvement" does 2130
not include the cost of replacement of equipment that is not 2131
permanently installed, ordinary repairs, painting, and maintenance 2132
required to keep a race track facility in ordinary operating 2133
condition. 2134

(b) "New race track" includes the reconstruction of a race 2135
track damaged by fire or other cause that has been declared by the 2136
racing commission, as a result of the damage, to be an inadequate 2137
facility for the safe operation of horse racing. 2138

(c) "Approved cost" includes all debt service and interest 2139
costs that are associated with a capital improvement or new race 2140
track and that the racing commission approves for a tax reduction 2141
under division (J) of this section. 2142

(5) The racing commission shall not approve an application 2143
for a tax reduction under this section if it has reasonable cause 2144
to believe that the actions or negligence of the permit holder 2145
substantially contributed to the damage suffered by the track due 2146
to fire or other cause. The racing commission shall obtain any 2147
data or information available from a fire marshal, law enforcement 2148
official, or insurance company concerning any fire or other damage 2149
suffered by a track, prior to approving an application for a tax 2150
reduction. 2151

(6) The approved cost to which a tax reduction applies shall 2152
be determined by generally accepted accounting principles and 2153
verified by an audit of the permit holder's records upon 2154
completion of the project by the racing commission, or by an 2155
independent certified public accountant selected by the permit 2156
holder and approved by the commission. 2157

(K) No other license or excise tax or fee, except as provided 2158
in sections 3769.01 to 3769.14 of the Revised Code, shall be 2159
assessed or collected from such licensee by any county, township, 2160
district, municipal corporation, or other body having power to 2161
assess or collect a tax or fee. That portion of the tax paid under 2162
this section by permit holders for racing conducted at and during 2163
the course of an agricultural exposition or fair, and that portion 2164
of the tax that would have been paid by eligible permit holders 2165
into the PASSPORT fund as a result of racing conducted at and 2166
during the course of an agricultural exposition or fair, shall be 2167
deposited into the state treasury to the credit of the horse 2168
racing tax fund, which is hereby created for the use of the 2169
agricultural societies of the several counties in which the taxes 2170
originate. The state racing commission shall determine eligible 2171
permit holders for purposes of the preceding sentence, taking into 2172
account the breed of horse, the racing dates, the geographic 2173
proximity to the fair, and the best interests of Ohio racing. On 2174
the first day of any month on which there is money in the fund, 2175
the tax commissioner shall provide for payment to the treasurer of 2176
each agricultural society the amount of the taxes collected under 2177
this section upon racing conducted at and during the course of any 2178
exposition or fair conducted by the society. 2179

(L) From the tax paid under this section by harness track 2180
permit holders, the tax commissioner shall pay into the Ohio 2181
thoroughbred race fund a sum equal to a percentage of the amount 2182
wagered upon which the tax is paid. The percentage shall be 2183

determined by the tax commissioner and shall be rounded to the nearest one-hundredth. The percentage shall be such that, when multiplied by the amount wagered upon which tax was paid by the harness track permit holders in the most recent year for which final figures are available, it results in a sum that substantially equals the same amount of tax paid by the tax commissioner during that year into the Ohio fairs fund from taxes paid by thoroughbred permit holders. This division does not apply to county and independent fairs and agricultural societies.

(M) Twenty-five per cent of the taxes levied on thoroughbred racing permit holders, harness racing permit holders, and quarter horse racing permit holders under this section, division (A) of section 3769.087 of the Revised Code, and division (F)(2) of section 3769.26 of the Revised Code shall be paid into the PASSPORT fund. The tax commissioner shall pay any money remaining, after the payment into the PASSPORT fund and the reductions provided for in division (J) of this section and in section 3769.20 of the Revised Code, into the Ohio fairs fund, Ohio thoroughbred race fund, Ohio standardbred development fund, Ohio quarter horse fund, and state racing commission operating fund as prescribed in this section and division (A) of section 3769.087 of the Revised Code. The tax commissioner shall thereafter use and apply the balance of the money paid as a tax by any permit holder to cover any shortage in the accounts of such funds resulting from an insufficient payment as a tax by any other permit holder. The moneys received by the tax commissioner shall be deposited weekly and paid by the tax commissioner into the funds to cover the total aggregate amount due from all permit holders to the funds, as calculated under this section and division (A) of section 3769.087 of the Revised Code, as applicable. If, after the payment into the PASSPORT fund, sufficient funds are not available from the tax deposited by the tax commissioner to pay the required amounts into the Ohio fairs fund, Ohio standardbred development fund, Ohio

thoroughbred race fund, Ohio quarter horse fund, and the state 2217
racing commission operating fund, the tax commissioner shall 2218
prorate on a proportional basis the amount paid to each of the 2219
funds. Any shortage to the funds as a result of a proration shall 2220
be applied against future deposits for the same calendar year when 2221
funds are available. After this application, the tax commissioner 2222
shall pay any remaining money paid as a tax by all permit holders 2223
into the PASSPORT fund. This division does not apply to permit 2224
holders conducting racing at the course of an agricultural 2225
exposition or fair as described in division (K) of this section. 2226

Sec. 3769.20. (A) To encourage the renovation of existing 2227
racing facilities for the benefit of the public, breeders, and 2228
horse owners and to increase the revenue to the state from the 2229
increase in pari-mutuel wagering resulting from such improvement, 2230
the taxes paid by a permit holder to the state, in excess of the 2231
amount paid into the PASSPORT fund, shall be reduced by one per 2232
cent of the total amount wagered for those permit holders who 2233
carry out a major capital improvement project. The percentage of 2234
the reduction that may be taken each racing day shall equal 2235
seventy-five per cent of the amount of the taxes levied under 2236
divisions (B) and (C) of section 3769.08, section 3769.087, and 2237
division (F)(2) of section 3769.26 of the Revised Code, as 2238
applicable, divided by the calculated amount each fund should 2239
receive under divisions (B) and (C) of section 3769.08, section 2240
3769.087, and division (F)(2) of section 3769.26 of the Revised 2241
Code and the reduction provided for in this section. If the 2242
resulting percentage is less than one, that percentage shall be 2243
multiplied by the amount of the reduction provided for in this 2244
section. Otherwise, the permit holder shall receive the full 2245
reduction provided for in this section. The amount of the 2246
allowable reduction not received shall be carried forward and 2247
added to any other reduction balance and applied against future 2248

tax liability. After any reductions expire, any reduction carried 2249
forward shall be treated as a reduction as provided for in this 2250
section. If the amount of allowable reduction exceeds the amount 2251
of taxes derived from a permit holder, the amount of the allowable 2252
reduction not used may be carried forward and applied against 2253
future tax liability. 2254

If more than one permit holder is authorized to conduct 2255
racing at the facility that is being improved, the cost of the 2256
major capital improvement project shall be allocated between or 2257
among all the permit holders in the ratio that each permit 2258
holder's number of racing days bears to the total number of racing 2259
days conducted at the facility. 2260

A reduction for a major capital improvement project shall 2261
start from the day racing is first conducted following the date on 2262
which the major capital improvement project is completed and the 2263
construction cost has been approved by the state racing 2264
commission, except as otherwise provided in division (E) of this 2265
section, and shall continue until the total tax reduction equals 2266
the cost of the major capital improvement project plus debt 2267
service applicable to the project. In no event, however, shall any 2268
tax reduction, excluding any reduction balances, be permitted 2269
under this section after December 31, 2014. The total tax 2270
reduction because of the major capital improvement project shall 2271
not during any one year exceed for all permit holders using any 2272
one track one per cent of the total amount wagered. The racing 2273
commission shall notify the tax commissioner when the reduction of 2274
tax begins and when it ends. 2275

(B) Each fiscal year, the racing commission shall submit a 2276
report to the tax commissioner, the office of budget and 2277
management, and the legislative budget office of the legislative 2278
service commission. The report shall identify each capital 2279

improvement project undertaken under this section and in progress 2280
at each race track, indicate the total cost of each project, state 2281
the tax reduction that resulted from each project during the 2282
immediately preceding fiscal year, estimate the tax reduction that 2283
will result from each project during the current fiscal year, 2284
state the total tax reduction that resulted from all such projects 2285
at all race tracks during the immediately preceding fiscal year, 2286
and estimate the total tax reduction that will result from all 2287
such projects at all race tracks during the current fiscal year. 2288

(C) The tax reduction granted pursuant to this section shall 2289
be in addition to any tax reductions for capital improvements and 2290
new race tracks provided for in section 3769.08 of the Revised 2291
Code and approved by the racing commission. 2292

(D) In order to qualify for the reduction in tax, a permit 2293
holder shall apply to the racing commission in such form as the 2294
commission may require and shall provide full details of the major 2295
capital improvement project, including plans and specifications, a 2296
schedule for the project's construction and completion, and a 2297
breakdown of proposed costs. In addition, the permit holder shall 2298
have commenced construction of the major capital improvement 2299
project or shall have had the application for the project approved 2300
by the racing commission prior to March 29, 1988. The racing 2301
commission shall not approve an application unless the permit 2302
holder shows that a contract for the major capital improvement 2303
project has been let under an unrestricted competitive bidding 2304
procedure, unless the contract is exempted by the controlling 2305
board because of its unusual nature. In determining whether to 2306
approve an application, the racing commission shall consider 2307
whether the major capital improvement project will promote the 2308
safety, convenience, and comfort of the racing public and horse 2309
owners and generally tend toward the improvement of racing in this 2310
state. 2311

(E) If the major capital improvement project is approved by 2312
the racing commission and construction has started, the tax 2313
reduction may be authorized by the commission upon presentation of 2314
copies of paid bills in excess of five hundred thousand dollars. 2315
After the initial authorization, the permit holder shall present 2316
copies of paid bills in the amount of not less than five hundred 2317
thousand dollars. If the permit holder is in substantial 2318
compliance with the schedule for construction and completion of 2319
the major capital improvement project, the racing commission may 2320
authorize the continuance of the tax reduction upon the 2321
presentation of the additional paid bills in increments of five 2322
hundred thousand dollars. The racing commission may terminate the 2323
tax reduction if a permit holder fails to complete the major 2324
capital improvement project or fails to comply substantially with 2325
the schedule for construction and completion of the major capital 2326
improvement project. If the time for completion of the major 2327
capital improvement project is delayed by acts of God, strikes, or 2328
the unavailability of labor or materials, the time for completion 2329
as set forth in the schedule shall be extended by the period of 2330
the delay. If a permit holder fails to complete the major capital 2331
improvement project, the racing commission shall order the permit 2332
holder to repay to the state the total amount of tax reduced, 2333
unless the permit holder has spent at least six million dollars on 2334
the project. The normal tax paid by the permit holder under 2335
section 3769.08 of the Revised Code shall be increased by one per 2336
cent of the total amount wagered until the total amount of the 2337
additional tax collected equals the total amount of tax reduced. 2338
Any action taken by the racing commission pursuant to this section 2339
in terminating the tax adjustment or requiring repayment of the 2340
amount of tax reduced shall be subject to Chapter 119. of the 2341
Revised Code. 2342

(F) As used in this section, "major capital improvement 2343
project" means the renovation, reconstruction, or remodeling, 2344

costing at least six million dollars, of a race track facility, 2345
including, but not limited to, the construction of barns used 2346
exclusively for that race track facility, backstretch facilities 2347
for horsemen, paddock facilities, pari-mutuel and totalizator 2348
equipment and appurtenances to that equipment purchased by the 2349
track, new access roads, new parking areas, the complete 2350
reconstruction, reshaping, and leveling of the racing surface and 2351
appurtenances, grandstand enclosure, installation of permanent new 2352
heating or air conditioning, roof replacement, and installations 2353
of a permanent nature forming a part of the track structure. 2354

(G) The cost and expenses to which the tax reduction granted 2355
under this section applies shall be determined by generally 2356
accepted accounting principles and be verified by an audit of the 2357
permit holder's records, upon completion of the major capital 2358
improvement project, either by the racing commission or by an 2359
independent certified public accountant selected by the permit 2360
holder and approved by the commission. 2361

(H) This section and section 3769.201 of the Revised Code 2362
govern any tax reduction granted to a permit holder for the cost 2363
to the permit holder of any cleanup, repair, or improvement 2364
required as a result of damage caused by the 1997 Ohio river flood 2365
to the place, track, or enclosure for which the permit is issued. 2366

Sec. 4743.01. Each board, commission, or agency created under 2367
or by virtue of Title XLVII of the Revised Code and such other 2368
boards, commissions, and agencies as the ~~director of the~~ 2369
~~legislative service commission~~ legislative budget officer 2370
determines are regulating occupations and professions shall, on 2371
the first day of September, make a report to the legislative 2372
budget office of the legislative service commission of its 2373
receipts and disbursements and of its official acts of the 2374
preceding fiscal year, in such form as the ~~commission~~ budget 2375

office may prescribe. The required report shall include an 2376
accounting of the fees such boards, commissions, and agencies 2377
charge and receive for examination, licensure, registration, 2378
certification, renewal of licensure, and providing of a duplicate 2379
copy of such certification or licensure; an accounting of fines 2380
charged by such boards, commissions, and agencies for violations 2381
of law and rules; the uses such boards, commissions, and agencies 2382
make of their revenue; the use of funds, as defined by section 2383
131.01 of the Revised Code, by such boards, commissions, and 2384
agencies; the date on which the last adjustment was made to the 2385
fee charged; the percentage of increase or decrease of the last 2386
adjustment of fees; the authority by which such adjustment was 2387
made; and the extent to which such boards, commissions, or 2388
agencies have authority to adjust fees. The ~~commission~~ budget 2389
office shall receive and consolidate the reports as required by 2390
division ~~(H)~~(C)(5) of section ~~103.13~~ 103.36 of the Revised Code. 2391

Sec. 5120.51. (A)(1) If the director of rehabilitation and 2392
correction determines that a bill introduced in the general 2393
assembly is likely to have a significant impact on the population 2394
of, or the cost of operating, any or all state correctional 2395
institutions under the administration of the department of 2396
rehabilitation and correction, the department shall prepare a 2397
population and cost impact statement for the bill, in accordance 2398
with division (A)(2) of this section. 2399

(2) A population and cost impact statement required for a 2400
bill shall estimate the increase or decrease in the correctional 2401
institution population that likely would result if the bill were 2402
enacted, shall estimate, in dollars, the amount by which revenues 2403
or expenditures likely would increase or decrease if the bill were 2404
enacted, and briefly shall explain each of the estimates. 2405

A population and cost impact statement required for a bill 2406

initially shall be prepared after the bill is referred to a 2407
committee of the general assembly in the house of origination but 2408
before the meeting of the committee at which the committee is 2409
scheduled to vote on whether to recommend the bill for passage. A 2410
copy of the statement shall be distributed to each member of the 2411
committee that is considering the bill and to the member of the 2412
general assembly who introduced it. If the bill is recommended for 2413
passage by the committee, the department shall update the 2414
statement before the bill is taken up for final consideration by 2415
the house of origination. A copy of the updated statement shall be 2416
distributed to each member of that house and to the member of the 2417
general assembly who introduced the bill. If the bill is passed by 2418
the house of origination and is introduced in the second house, 2419
the provisions of this division concerning the preparation, 2420
updating, and distribution of the statement in the house of 2421
origination also apply in the second house. 2422

(B) The governor or any member of the general assembly, at 2423
any time, may request the department to prepare a population and 2424
cost impact statement for any bill introduced in the general 2425
assembly. Upon receipt of a request, the department promptly shall 2426
prepare a statement that includes the estimates and explanations 2427
described in division (A)(2) of this section and present a copy of 2428
it to the governor or member who made the request. 2429

(C) In the preparation of a population and cost impact 2430
statement required by division (A) or (B) of this section, the 2431
department shall use a technologically sophisticated system 2432
capable of estimating future state correctional institution 2433
populations. The system shall have the capability to adjust its 2434
estimates based on actual and proposed changes in sentencing laws 2435
and trends, sentence durations, parole rates, crime rates, and any 2436
other data that affect state correctional institution populations. 2437
The department, in conjunction with the advisory committee 2438

appointed under division (E) of this section, shall review and 2439
update the data used in the system, not less than once every six 2440
months, to improve the accuracy of the system. 2441

(D) At least once every six months, the department shall 2442
provide to the correctional institution inspection committee a 2443
copy of the estimates of state correctional institution 2444
populations obtained through use of the system described in 2445
division (C) of this section and a description of the assumptions 2446
regarding sentencing laws and trends, sentence durations, parole 2447
rates, crime rates, and other relevant data that were made by the 2448
department to obtain the estimates. Additionally, a copy of the 2449
estimates and a description of the assumptions made to obtain them 2450
shall be provided, upon reasonable request, to other legislative 2451
staff, including the staff of the legislative service commission 2452
and the legislative budget office of the legislative service 2453
commission, to the office of budget and management, and to the 2454
division of criminal justice services in the department of public 2455
safety. 2456

(E) The correctional institution inspection committee shall 2457
appoint an advisory committee to review the operation of the 2458
system for estimating future state correctional institution 2459
populations that is used by the department in the preparation of 2460
population cost impact statements pursuant to this section and to 2461
join with the department in its reviews and updating of the data 2462
used in the system under division (C) of this section. The 2463
advisory committee shall be comprised of at least one prosecuting 2464
attorney, at least one common pleas court judge, at least one 2465
public defender, at least one person who is a member or staff 2466
employee of the committee, and at least one representative of the 2467
division of criminal justice services in the department of public 2468
safety. 2469

Section 2. That existing sections 102.01, 103.13, 103.132, 2470
103.143, 103.16, 103.17, 103.18, 103.20, 103.21, 103.23, 124.14, 2471
126.02, 126.21, 3333.04, 3333.12, 3333.122, 3333.27, 3769.08, 2472
3769.20, 4743.01, and 5120.51 of the Revised Code are hereby 2473
repealed. 2474

Section 3. It is the intent of the General Assembly that all 2475
individuals currently serving as fiscal staff of the Legislative 2476
Service Commission shall serve as employees of the Legislative 2477
Budget Office. 2478