

AN ACT

To make operating appropriations for the period beginning
July 8, 2009, and ending July 14, 2009.

Be it enacted by the General Assembly of the State of Ohio:

SECTION 1. Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained.

SECTION 2. Except as provided in divisions (C) and (D) of this section, there is hereby appropriated for the period July 8, 2009, through July 14, 2009, to each agency, board, commission, department, office, authority, or other organization for which an appropriation was made by the 127th General Assembly, out of money in the state treasury to the credit of the respective funds of the state from which appropriations were made for the 2009 fiscal year, for each specific item for which an appropriation was made by the 127th General Assembly, taking into account Controlling Board actions and executive budget reductions, an amount equal to the following:

(A) For General Revenue Fund appropriation items, seventy per cent of one fifty-second of each item's adjusted spending levels for the 2009 fiscal year as adjusted by all budget directives issued by the Office of Budget and Management pursuant to Executive Order 2008-01S.

(B) For federal special revenue, state special revenue, or proprietary appropriation items, one hundred per cent of one fifty-second of each item's adjusted spending levels for the 2009 fiscal year as adjusted by all budget directives issued by the Office of Budget and Management pursuant to Executive Order 2008-01S.

(C) It is expressly provided as follows:

(1) There is hereby appropriated from the money in the state treasury an amount equal to one hundred per cent of spending levels equal to the second foundation payment made in June of 2009 for appropriation item 200550, Foundation Funding. Foundation funding shall be based on the formula used to calculate the second foundation payment made in June of 2009.

(2) There is hereby appropriated from the money in the state treasury an amount equal to one-twelfth of spending levels for the 2009 fiscal year for appropriation item 235501, State Share of Instruction. State share of instruction subsidy payments shall be based on the formula in existence on June 30, 2009.

(3) There is hereby appropriated to those agencies mentioned in Section 3 of this act those moneys received from the federal government pursuant to the American Reinvestment and Recovery Act.

(4) There is hereby appropriated those amounts necessary for expenses incurred in appropriation item 600525 for Medicaid. Rates reimbursed for providers for the period from July 8, 2009, through July 14, 2009, shall be the same as rates on June 29, 2009.

(5) No money is appropriated for programs or agencies that were terminated by action of law, other than the expiration of an appropriation item, prior to June 30, 2009.

(6) No money shall be spent by any state agency for any program that is new or to the extent it has been expanded other than by operation of law.

(7) No money is appropriated for any purpose for which appropriations are made elsewhere in this act.

(8) No money is appropriated for capital purposes other than by reappropriation of unexpended balances of existing appropriations.

(9) No money is appropriated for purposes that have full fiscal year 2010 appropriations by another act of the General Assembly.

(D) There is hereby appropriated for the period July 8, 2009, through July 14, 2009, to the legislative and judicial branches and their respective agencies seventy per cent of one-fifty second of those agencies' adjusted spending levels for the 2009 fiscal year as adjusted by all budget directives issued by the Office of Budget and Management pursuant to the Executive Order 2008-01S.

(E) Where additional amounts are necessary to pay the wages, benefits, and other payroll-related expenses of state employees who are paid directly by warrant of the Director of Budget and Management, including elected state officials, those additional amounts are hereby appropriated.

The Director of Budget and Management shall make any determinations necessary to decide which provision applies from this section. All appropriations contained in this act shall be cumulative with any subsequent appropriation act of the 128th General Assembly, and the Director of Budget and Management shall account for expenditures from appropriations contained in this act accordingly.

SECTION 3. FEDERAL STABILIZATION APPROPRIATIONS

There is hereby appropriated in anticipation of receiving federal stabilization funds from the American Recovery and Reinvestment Act, Title XIV for the following items:

(A) Board of Regents appropriation item 235644, State Share of Instruction - Federal Stimulus – Education, \$5,959,116;

(B) Department of Education appropriation item 200551 Foundation Funding - Federal Stimulus, \$7,453,537; and

(C) Department of Rehabilitation and Corrections appropriation item 501620 Institutional Operations-Federal Stimulus, \$638,881.

SECTION 4. Any general financial provision of H.B. 16 of the 128th General Assembly that applies to appropriations and expenditures under that act applies also to appropriations and expenditures under this act.

SECTION 5. The sections of law contained in this act are exempt from the referendum because they are or relate to an appropriation for current expenses within the meaning of Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, and therefore take effect immediately when this act becomes law.

H. B. No. 245

128th G.A.

Speaker _____ *of the House of Representatives.*

President _____ *of the Senate.*

Passed _____, 20____

Approved _____, 20____

Governor.

H. B. No. 245

128th G.A.

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code.

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the ___ day of _____, A. D. 20____.

Secretary of State.

File No. _____ Effective Date _____