

As Passed by the Senate

**128th General Assembly
Regular Session
2009-2010**

H. B. No. 245

Representative Sykes

**Cosponsors: Representatives Brown, Chandler, DeBose, Domenick, Letson,
Luckie, Pryor, Williams, B., Winburn, Yates
Senators Carey, Harris**

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A B I L L

To make operating appropriations for the period 1
beginning July 8, 2009, and ending July 14, 2009. 2

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

Section 1. Within the limits set forth in this act, the 3
Director of Budget and Management shall establish accounts 4
indicating the source and amount of funds for each appropriation 5
made in this act, and shall determine the form and manner in which 6
appropriation accounts shall be maintained. 7

Section 2. Except as provided in divisions (C) and (D) of 8
this section, there is hereby appropriated for the period July 8, 9
2009, through July 14, 2009, to each agency, board, commission, 10
department, office, authority, or other organization for which an 11
appropriation was made by the 127th General Assembly, out of money 12
in the state treasury to the credit of the respective funds of the 13
state from which appropriations were made for the 2009 fiscal 14
year, for each specific item for which an appropriation was made 15
by the 127th General Assembly, taking into account Controlling 16
Board actions and executive budget reductions, an amount equal to 17

the following: 18

(A) For General Revenue Fund appropriation items, seventy per 19
cent of one fifty-second of each item's adjusted spending levels 20
for the 2009 fiscal year as adjusted by all budget directives 21
issued by the Office of Budget and Management pursuant to 22
Executive Order 2008-01S. 23

(B) For federal special revenue, state special revenue, or 24
proprietary appropriation items, one hundred per cent of one 25
fifty-second of each item's adjusted spending levels for the 2009 26
fiscal year as adjusted by all budget directives issued by the 27
Office of Budget and Management pursuant to Executive Order 28
2008-01S. 29

(C) It is expressly provided as follows: 30

(1) There is hereby appropriated from the money in the state 31
treasury an amount equal to one hundred per cent of spending 32
levels equal to the second foundation payment made in June of 2009 33
for appropriation item 200550, Foundation Funding. Foundation 34
funding shall be based on the formula used to calculate the second 35
foundation payment made in June of 2009. 36

(2) There is hereby appropriated from the money in the state 37
treasury an amount equal to one-twelfth of spending levels for the 38
2009 fiscal year for appropriation item 235501, State Share of 39
Instruction. State share of instruction subsidy payments shall be 40
based on the formula in existence on June 30, 2009. 41

(3) There is hereby appropriated to those agencies mentioned 42
in Section 3 of this act those moneys received from the federal 43
government pursuant to the American Reinvestment and Recovery Act. 44

(4) There is hereby appropriated those amounts necessary for 45
expenses incurred in appropriation item 600525 for Medicaid. Rates 46
reimbursed for providers for the period from July 8, 2009, through 47
July 14, 2009, shall be the same as rates on June 29, 2009. 48

(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 80
accordingly. 81

Section 3. FEDERAL STABILIZATION APPROPRIATIONS 82

There is hereby appropriated in anticipation of receiving 83
federal stabilization funds from the American Recovery and 84
Reinvestment Act, Title XIV for the following items: 85

(A) Board of Regents appropriation item 235644, State Share 86
of Instruction - Federal Stimulus - Education, \$5,959,116; 87

(B) Department of Education appropriation item 200551 88
Foundation Funding - Federal Stimulus, \$7,453,537; and 89

(C) Department of Rehabilitation and Corrections 90
appropriation item 501620 Institutional Operations-Federal 91
Stimulus, \$638,881. 92

Section 4. Any general financial provision of H.B. 16 of the 93
128th General Assembly that applies to appropriations and 94
expenditures under that act applies also to appropriations and 95
expenditures under this act. 96

Section 5. The sections of law contained in this act are 97
exempt from the referendum because they are or relate to an 98
appropriation for current expenses within the meaning of Ohio 99
Constitution, Article II, Section 1d and section 1.471 of the 100
Revised Code, and therefore take effect immediately when this act 101
becomes law. 102