

**As Introduced**

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

**H. B. No. 282**

**Representative Snitchler**

**Cosponsors: Representatives Evans, Jordan, Boose, Sears, Adams, J.,  
Morgan, Domenick, Combs, Oelslager, Derickson, Blair, Mecklenborg,  
Bacon, Stautberg**

—

**A BILL**

To amend section 125.112; to amend, for the purpose 1  
of adopting a new section number as indicated in 2  
parentheses, section 125.112 (126.18); and to 3  
enact sections 126.181, 126.182, and 126.183 of 4  
the Revised Code to transfer the responsibility of 5  
maintaining a state awards web site from the 6  
Department of Administrative Services to the 7  
Office of Budget and Management, to alter and 8  
expand the information to be included on the web 9  
site, and to repeal the Attorney General's 10  
responsibility to monitor state award compliance. 11

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

**Section 1.** That section 125.112 be amended, section 125.112 12  
(126.18) be amended for the purpose of adopting a new section 13  
number as indicated in parentheses, and sections 126.181, 126.182, 14  
and 126.183 of the Revised Code be enacted to read as follows: 15

**Sec. ~~125.112~~ 126.18.** (A) As used in ~~this section~~ sections 17

126.18 to 126.183 of the Revised Code: 18

~~(1)(A)~~ "Agency" means ~~a department created under section~~ 19  
~~121.02 of the Revised Code~~ any department, office, bureau, board, 20  
division, commission, institution, college, or university 21  
established by the laws of this state and the programs and 22  
activities of those bodies. "Agency" includes the offices of the 23  
governor, lieutenant governor, secretary of state, auditor of 24  
state, treasurer of state, attorney general, and members of the 25  
general assembly. 26

~~(2)(B)(1)~~ "Entity" means, ~~whether~~ the following: 27

(a) Whether for profit or nonprofit, a corporation, 28  
association, partnership, limited liability company, sole 29  
proprietorship, union, or other business entity. ~~"Entity";~~ 30

(b) Any county, township, municipal corporation, or other 31  
local government body of this state. 32

(2) "Entity" does not include an individual who receives 33  
state assistance that is not related to the individual's business. 34

35

~~(3)(a)(C)(1)~~ "State award" means ~~a contract awarded by the~~ 36  
~~state costing over twenty five thousand dollars.~~ expenditures in 37  
any of the following forms: 38

(a) Grants, subgrants, loans, awards, cooperative agreements, 39  
or other similar form of financial assistance; 40

(b) Contracts, subcontracts, purchase orders, task orders, 41  
delivery orders, or other similar type of transaction. 42

~~(b)(2)~~ "State award" does not include compensation received 43  
as an employee of the state ~~or any state financial assistance and~~ 44  
~~expenditure received from the general assembly or any legislative~~ 45  
~~agency, any court or judicial agency, the secretary of state,~~ 46  
~~auditor of state, treasurer of state, or attorney general and~~ 47

~~their respective offices. 48~~

~~(B) The department of administrative services shall establish 49  
and maintain a single searchable web site, accessible by the 50  
public at no cost, that includes all of the following information 51  
for each state award: 52~~

~~(1) The name of the entity receiving the award; 53~~

~~(2) The amount of the award; 54~~

~~(3) Information on the award, the agency or other 55  
instrumentality of the state that is providing the award, and the 56  
commodity code; 57~~

~~(4) Any other relevant information determined by the 58  
department of administrative services. 59~~

~~(C) The department of administrative services may consult 60  
with other state agencies in the development, establishment, 61  
operation, and support of the web site required by division (B) of 62  
this section. State awards shall be posted on the web site within 63  
thirty days after being made. The department of administrative 64  
services shall provide an opportunity for public comment as to the 65  
utility of the web site required by division (B) of this section 66  
and any suggested improvements. 67~~

~~(D) The web site required by division (B) of this section 68  
shall be fully operational not later than one year after the 69  
effective date of this section and shall include information on 70  
state awards made in fiscal year 2008 and thereafter. It shall 71  
also provide an electronic link to the daily journals of the 72  
senate and house of representatives. 73~~

~~(E) The director of administrative services shall submit to 74  
the general assembly an annual report regarding the implementation 75  
of the web site established pursuant to division (B) of this 76  
section. The report shall include data regarding the usage of the 77~~

~~web site and any public comments on the utility of the site, 78  
including recommendations for improving data quality and 79  
collection. The director shall post each report on the web site. 80~~

~~(F) Each agency awarding a grant to an entity in fiscal year 82  
2008 and thereafter shall establish and maintain a separate web 83  
site listing the name of the entity receiving each grant, the 84  
grant amount, information on each grant, and any other relevant 85  
information determined by the department of administrative 86  
services. Each agency shall provide the link to such a web site to 87  
the department of administrative services within a reasonable time 88  
after the effective date of this section and shall thereafter 89  
update its web site within thirty days of awarding a new grant. 90  
Not later than one year after the effective date of this section, 91  
the department of administrative services shall establish and 92  
maintain a separate web site, accessible to the public at no cost, 93  
which contains the links to the agency web sites required by this 94  
division. 95~~

~~(G) The attorney general shall monitor the compliance of an 96  
entity with the terms and conditions, including performance 97  
metrics, if any, of a state award for economic development 98  
received by that entity. As necessary, the agency that makes and 99  
administers the state award for economic development shall assist 100  
the attorney general with that monitoring. The attorney general 101  
shall submit to the general assembly pursuant to section 101.68 of 102  
the Revised Code an annual report regarding the level of 103  
compliance of such entities with the terms and conditions, 104  
including any performance metrics, of their state awards for 105  
economic development. When the attorney general determines 106  
appropriate and to the extent that an entity that receives or has 107  
received a state award for economic development does not comply 108  
with a performance metric that is specified in the terms and 109~~

~~conditions of the award, the attorney general shall pursue against 110  
and from that entity such remedies and recoveries as are available 111  
under law. For purposes of this division, "state award for 112  
economic development" means state financial assistance and 113  
expenditure in any of the following forms: grants, subgrants, 114  
loans, awards, cooperative agreements, or other similar and 115  
related forms of financial assistance and contracts, subcontracts, 116  
purchase orders, task orders, delivery orders, or other similar 117  
and related transactions. "State award for economic development" 118  
does not include compensation received as an employee of the state 119  
or any state financial assistance and expenditure received from 120  
the general assembly or any legislative agency, any court or 121  
judicial agency, the secretary of state, auditor of state, 122  
treasurer of state, or attorney general and their respective 123  
offices. 124~~

~~(H) Nothing in this section shall be construed as requiring 125  
the disclosure of information that is not a public record under 126  
section 149.43 of the Revised Code. 127~~

Sec. 126.181. (A) The office of budget and management shall 128  
establish and maintain a single searchable web site, accessible by 129  
the public at no cost, that includes all of the following 130  
information for each state award: 131

(1) The name of the entity receiving the award; 132

(2) The amount of the award; 133

(3) Information on the award, including the type of 134  
transaction being funded, the purpose of the award, the funding 135  
source of the award, and the agency that is providing the award; 136

(4) The location of the entity receiving the award, which 137  
information shall include both the political subdivision of the 138  
state and the state house of representatives and senate districts; 139

140

(5) Reports submitted to the general assembly by the director of the office of budget and management pursuant to section 126.183 of the Revised Code and documents from audits, as defined in section 117.01 of the Revised Code, that relate to the award;

141

142

143

144

(6) Any other relevant information determined by the office.

145

(B) The office may consult with other agencies in the development, establishment, operation, and support of the web site and shall provide guidance to other agencies to ensure compliance with this section. State awards shall be posted on the web site within thirty days after being made. The office shall provide an opportunity for public comment as to the utility of the web site and any suggested improvements.

146

147

148

149

150

151

152

(C) The web site shall be fully operational not later than one year after the effective date of this section and shall include information on state awards made in fiscal year 2009 and thereafter.

153

154

155

156

**Sec. 126.182.** Each agency that has a web site shall include on its homepage a link to the web site required by section 126.181 of the Revised Code.

157

158

159

**Sec. 126.183.** The director of budget and management shall submit to the general assembly an annual report regarding the implementation of the web site required by section 126.181 of the Revised Code. The report shall include data regarding the usage of the web site and any public comments on the utility of the site, including recommendations for improving data quality and collection. The director shall post each report on the web site.

160

161

162

163

164

165

166

**Section 2.** That existing section 125.112 of the Revised Code is hereby repealed.

167

168