

**As Reported by the House State Government Committee**

**128th General Assembly**

**Regular Session**

**2009-2010**

**Sub. H. B. No. 331**

**Representative Hagan**

**Cosponsors: Representatives Yuko, Stewart, Foley, Ujvagi, Boyd, Domenick,  
Koziura, Skindell, Phillips, Brown, Harris, Murray, Gerberry, Belcher, Lundy,  
Mallory**

—

**A B I L L**

To enact section 5101.87 of the Revised Code 1  
regarding annual reports about certain employers 2  
of public assistance recipients. 3

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

**Section 1.** That section 5101.87 of the Revised Code be 4  
enacted to read as follows: 5

**Sec. 5101.87.** (A) As used in this section: 6

(1) "Children's health insurance program" means the 7  
children's health insurance program parts I, II, and III provided 8  
for by sections 5101.50 to 5101.529 of the Revised Code. 9

(2) "Employer" means any individual, sole proprietorship, 10  
partnership, limited liability company, corporation, or any other 11  
entity that is doing business in this state. "Employer" also 12  
includes all entities or persons that are controlled by or 13  
affiliated with any such individual, sole proprietorship, 14  
partnership, limited liability company, corporation, or other 15  
entity. Whether an entity or person is controlled by or affiliated 16

with another shall be determined by applying the principles set 17  
forth on January 1, 1993, in subsections 414(b) and (c) of the 18  
"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 414, 19  
except that a voting power of fifty-one per cent shall be applied 20  
to the determination of control or affiliation. 21

(3) "Medicaid" means the medical assistance program provided 22  
for under Title XIX of the "Social Security Act of 1935," 42 23  
U.S.C. 1396 et seq. 24

(4) "Ohio works first" means the program provided for by 25  
Chapter 5107. of the Revised Code. 26

(5) "Supplemental nutrition assistance program" means the 27  
program provided for by the "Food and Nutrition Act of 2008," 28  
U.S.C. 2011 et seq. 29

(B) The director of job and family services shall annually 30  
complete a report that specifies all of the following: 31

(1) The name of each of the fifty employers that employed the 32  
most employees who were either of the following while employed by 33  
the employer in this state during the previous year: 34

(a) Recipients of the children's health insurance program, 35  
medicaid, Ohio works first, or supplemental nutrition assistance 36  
program; 37

(b) Individuals whose incomes were counted in determining 38  
eligibility for the children's health insurance program, medicaid, 39  
Ohio works first, or supplemental nutrition assistance program. 40

(2) The number of individuals described in divisions 41  
(B)(1)(a) and (b) of this section employed in the previous year by 42  
each employer specified in the report; 43

(3) The total cost to the state for the previous year of 44  
providing benefits under the children's health insurance program, 45  
medicaid, Ohio works first, or supplemental nutrition assistance 46

program to employees of each of the employers specified in the 47  
report, specified separately for each employer. 48

(C) The annual reports are a public record under section 49  
149.43 of the Revised Code. The reports shall not include any 50  
identifying information about any employee described in division 51  
(B)(1)(a) or (b) of this section. 52

(D) The director of job and family services shall provide a 53  
copy of the annual reports to all of the following: 54

(1) Each member of the general assembly; 55

(2) The director of development; 56

(3) The director of budget and management or, if the director 57  
designates an employee of the office of budget and management to 58  
serve on the controlling board in the director's place, the 59  
designated employee; 60

(4) Each member of the tax credit authority. 61

The director of development, members of the controlling 62  
board, and members of the tax credit authority shall consider the 63  
information included in the report when determining whether to 64  
grant an employer a contract, award, subsidy, or incentive or to 65  
approve such a contract, award, subsidy, or incentive. The 66  
director of development, controlling board, and tax credit 67  
authority shall notify the director of job and family services of 68  
the impact the report has on decisions regarding contracts, 69  
awards, subsidies, and incentives. 70

(E) Not later than one year after the effective date of this 71  
section, the director of job and family services shall make the 72  
annual reports available on a searchable internet web site. The 73  
internet web site shall include information provided to the 74  
director by the director of development, controlling board, and 75  
tax credit authority regarding the impact the report has on 76

decisions regarding contracts, awards, subsidies, and incentives.

77