

**As Introduced**

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

**S. B. No. 2**

**Senator Carey**

—

**A B I L L**

To provide for the distribution of moneys received by 1  
the state from the federal American Recovery and 2  
Reinvestment Act of 2009 by making appropriations 3  
and to declare an emergency. 4

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

**Section 1.** For all appropriations made in this act, those in 5  
the first column are for fiscal year 2008 and those in the second 6  
column are for fiscal year 2009. The appropriations made in this 7  
act are in addition to any other appropriations made for fiscal 8  
years 2008 and 2009. 9

**Section 2.** (A) The federal payments made to the state for the 10  
Weatherization Assistance Program under Title V of the American 11  
Recovery and Reinvestment Act of 2009 shall be deposited to the 12  
credit of the Federal Special Revenue Fund (Fund 3080). 13

(B) The item in this division is appropriated as designated 14  
out of any moneys in the state treasury to the credit of Fund 3080 15  
that are not otherwise appropriated. 16

Appropriations

DEV Department of Development 17

Federal Special Revenue Fund Group 18

3080 195670	Weatherization -	\$	0	\$	342,926,000	19
	Federal Stimulus					
TOTAL FED	Federal Special Revenue	\$	0	\$	342,926,000	20
Fund Group						
TOTAL ALL BUDGET FUND GROUPS		\$	0	\$	342,926,000	21

The foregoing appropriation item 195670, Weatherization - Federal Stimulus, shall be used for the same purposes and in the same manner as existing appropriation item 195605, Federal Projects, as that appropriation item is used to carry out the Home Weatherization Assistance Program, subject to any requirements of the American Recovery and Reinvestment Act of 2009 that apply to the money appropriated.

Any unexpended and unencumbered amounts remaining in appropriation item 195670, Weatherization - Federal Stimulus, on June 30, 2009, are reappropriated for the same purpose in fiscal year 2010. The reappropriations shall be reported to the Controlling Board.

Expenditures from the appropriations made in this division shall be accounted for as though made in the relevant main operating appropriations act. The appropriations made in this division are subject to all provisions of the relevant main operating appropriations act that are generally applicable to the appropriations.

**Section 3.** (A) The federal payments made to the state for highway infrastructure under Title XII of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Highway Operating Fund (Fund 7002), which is created in section 5735.291 of the Revised Code.

(B) The item in this division is appropriated as designated out of any moneys in the state treasury to the credit of Fund 7002 that are not otherwise appropriated.

				Appropriations	
DOT Department of Transportation					48
Highway Operating Fund Group					49
7002	772445	Highway Construction	\$	0 \$ 1,036,236,000	50
- Federal Stimulus					
TOTAL HOF	Highway Operating Fund		\$	0 \$ 1,036,236,000	51
Group					
TOTAL ALL BUDGET FUND GROUPS			\$	0 \$ 1,036,236,000	52

The foregoing appropriation item 772445, Highway Construction - Federal Stimulus, shall be used for the same purposes and in the same manner as existing appropriation item 772422, Highway Construction - Federal, subject to the requirements of the American Recovery and Reinvestment Act of 2009 that apply to the money appropriated.

Of the foregoing appropriation item 772445, Highway Construction - Federal Stimulus, not less than \$15,000,000 shall be allocated to each district of the Department of Transportation.

Any unexpended and unencumbered amounts remaining in appropriation item 772445, Highway Construction - Federal Stimulus, on June 30, 2009, are reappropriated for the same purpose in fiscal year 2010. The reappropriation shall be reported to the Controlling Board.

**Section 4.** (A) To the extent allowable by federal law, of the federal payments received by the state that are referred to in division (A) of Section 3 of this act, the Director of Budget and Management shall transfer \$200,000,000 in cash on the effective date of this act, or as soon as possible thereafter, from the Highway Operating Fund (Fund 7002) to the Local Transportation Improvement Program Fund (Fund 7052).

(B) The amounts transferred under division (A) of this section are appropriated for use in fiscal year 2009 for the

purposes specified in section 164.14 of the Revised Code. All 76  
 capital appropriations from Fund 7052 in this act remaining 77  
 unexpended and unencumbered as of June 30, 2009, are 78  
 reappropriated for use during the period July 1, 2009, through 79  
 June 30, 2010, for the same purposes. 80

**Section 5.** Expenditures from appropriations made in Sections 81  
 3 and 4 of this act shall be accounted for as though made in Am. 82  
 Sub. H.B. 67 of the 127th General Assembly. However, law contained 83  
 the relevant operating appropriations act that is generally 84  
 applicable to the appropriations made in that act also is 85  
 generally applicable to the appropriations made in Sections 3 and 86  
 4 of this act. 87

**Section 6.** (A) The federal payments made to the state for 88  
 school modernization, repair, and renovation under Title IX, and 89  
 particularly section 9301, of the American Recovery and 90  
 Reinvestment Act of 2009 shall be credited to the Federal School 91  
 Modernization Fund (Fund 3CY0), which is created. All investment 92  
 earnings of the fund shall be credited to the fund. 93

(B) The item in this division is appropriated as designated 94  
 out of any moneys in the state treasury to the credit of Fund 3CY0 95  
 that are not otherwise appropriated: 96

				Appropriations	
SFC School Facilities Commission					97
Federal Special Revenue Fund Group					98
3CY0	230630	School Facilities -	\$ 0	\$ 521,091,000	99
Federal Stimulus					
TOTAL FED	Federal Special Revenue		\$ 0	\$ 521,091,000	100
Fund Group					
TOTAL ALL BUDGET FUND GROUPS			\$ 0	\$ 521,091,000	101

The foregoing appropriation item 230630, School Facilities - 102

Federal Stimulus, shall be used for facilities constructed or 103  
renovated under Chapter 3318. of the Revised Code, subject to the 104  
requirements of the American Recovery and Reinvestment Act of 2009 105  
that apply to the money appropriated. 106

Any unexpended and unencumbered amounts remaining in 107  
appropriation item 230630, School Facilities - Federal Stimulus, 108  
on June 30, 2009, are reappropriated for the same purpose in 109  
fiscal year 2010. The reappropriations shall be reported to the 110  
Controlling Board. 111

Expenditures made from the appropriation made in this 112  
division shall be accounted for as though made in Am. Sub. H.B. 113  
562 of the 127th General Assembly. The appropriation made in this 114  
division is subject to all provisions of Am. Sub. H.B. 562 of the 115  
127th General Assembly that are generally applicable to the 116  
appropriation. 117

**Section 7.** (A) The federal payments made to the state to 118  
provide capitalization grants for the Clean Water State Revolving 119  
Fund under Title VIII of the American Recovery and Reinvestment 120  
Act of 2009 shall be credited to the Water Pollution Control Loan 121  
Fund, which is a custodial fund created in section 6111.036 of the 122  
Revised Code. 123

(B) Moneys received under this section shall be used and 124  
administered in accordance with section 6111.036 of the Revised 125  
Code, subject to the requirements of the American Recovery and 126  
Reinvestment Act of 2009 that apply to the money. 127

**Section 8.** (A) The federal payments made to the state to 128  
provide capitalization grants for the Drinking Water State 129  
Revolving Fund under Title VIII of the American Recovery and 130  
Reinvestment Act of 2009 shall be credited to the Drinking Water 131  
Assistance Fund, which is a custodial fund created in section 132

6109.22 of the Revised Code. 133

(B) Moneys received under this section shall be used and 134  
administered in accordance with section 6109.22 of the Revised 135  
Code, subject to the requirements of the American Recovery and 136  
Reinvestment Act of 2009 that apply to the money. 137

**Section 9.** Within the limits set forth in this act, the 138  
Director of Budget and Management shall establish accounts 139  
indicating the source and amount of funds for each appropriation 140  
made in this act, and shall determine the form and manner in which 141  
appropriation accounts shall be maintained. 142

**Section 10.** This act is hereby declared to be an emergency 143  
measure necessary for the immediate preservation of the public 144  
peace, health, and safety. The reason for such necessity is to 145  
allocate the moneys provided by the American Recovery and 146  
Reinvestment Act of 2009 expeditiously pursuant to applicable 147  
federal requirements and thereby to increase employment and job 148  
security in Ohio. Therefore, this act shall go into immediate 149  
effect. 150