

2
3
4

5 _____ moved to amend as follows:

6 Engross the bill as directed by the commands in the
7 amendments attached hereto, ignoring matter extraneous to those
8 commands

9 INDEX

10 The following amendments are attached hereto:

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11 The motion was _____ agreed to.

Am. Sub H.B. 1
As Passed by the Senate
CC-4297

_____ moved to amend as follows:

In line 335, after "1753.09," insert "1901.121,"; after 1
"1901.31," insert "1907.14," 2

Between lines 28540 and 28541, insert: 3

"Sec. 1901.121. (A) (1) (a) Subject to division (A) (2) of this 4
section and in accordance with the payment procedures specified in 5
division (B) of this section, a judge specified in division 6
(A) (1) (b) of this section is entitled, on a per diem basis, to the 7
compensation paid to the incumbent judge of the municipal court in 8
which the judge is appointed or designated to serve. If the 9
incumbent judge is compensated as described in division (A) (5) of 10
section 141.04 of the Revised Code, the appointed or designated 11
judge is entitled to compensation at that rate. If the incumbent 12
judge is compensated as described in division (A) (6) of section 13
141.04 of the Revised Code, the appointed or designated judge is 14
entitled to compensation at that rate. 15

(b) The following judges shall receive compensation as 16
described in division (A) (1) (a) of this section: 17

7 18

(i) An acting judge appointed pursuant to division (B) of 19
section 1901.10 of the Revised Code as a substitute judge because 20

of the volume of cases pending in the municipal court and the report of the chief justice of the supreme court that no judge of another municipal court or county court is available to serve by designation;

(ii) A judge of another municipal court or county court designated by the chief justice of the supreme court pursuant to division (B) of section 1901.10 of the Revised Code because of the volume of cases pending in the municipal court;

(iii) An acting judge authorized by division (B) of section 1901.12 of the Revised Code and appointed pursuant to division (A) (2) of section 1901.10 of the Revised Code as a substitute for the judge of a municipal court that has only one judge, who is on vacation;

(iv) An acting judge authorized by division (B) of section 1901.12 of the Revised Code and appointed by the presiding judge of the municipal court pursuant to that division as a substitute judge because an incumbent judge is on vacation or not in attendance;

(v) A retired judge who has been assigned to active duty on the municipal court.

(c) An acting judge appointed pursuant to division (A) (2) of section 1901.10 of the Revised Code as a substitute for a judge who is the judge of a municipal court that has only one judge and who is temporarily absent, incapacitated, or otherwise unavailable is entitled to compensation in an amount established by the incumbent judge pursuant to division (A) (2) of section 1901.10 of the Revised Code.

(2) Division (A) (1) of this section does not include any acting judge, judge, or retired judge who, at the time of the judge's appointment, designation, or assignment, is receiving

compensation under division (A) (5) or (6) of section 141.04 of the Revised Code, except that division (A) (1) of this section includes a judge who is receiving compensation under division (A) (6) of section 141.04 of the Revised Code and who is appointed or designated to serve in a municipal court in which the incumbent judge receives compensation as described in division (A) (5) of that section.

(B) Subject to reimbursement under division (C) of this section, the treasury of the county in which a county-operated municipal court or other municipal court is located shall pay, on a per diem basis, the compensation to which an acting judge, judge, or retired judge as described in division (A) (1) of this section is entitled.

(C) The treasurer of a county that, pursuant to division (B) of this section, is required to pay any compensation to which ~~the an acting judges judge, judges judge, or retired judges judge~~ described in division (A) (1) of this section are and appointed or designated by the chief justice is entitled under division (A) (5) or (6) of section 141.04 of the Revised Code, shall submit to the administrative director of the supreme court quarterly requests for reimbursements of the per diem amounts so paid. The reports shall include verifications of the payment of those amounts. The administrative director shall cause reimbursements of those amounts to be issued to the county if the administrative director verifies that those amounts were, in fact, so paid."

Between lines 29219 and 29220, insert:

"Sec. 1907.14. ~~(A)~~ A judge of a county court shall take an oath of office as provided in section 3.23 of the Revised Code, the office of judge of a county court is subject to forfeiture, and a judge may be removed from office, for the causes and by the

procedure provided in sections 3.07 to 3.10 of the Revised Code. 81

When a judge of a county court is temporarily absent, 82
 incapacitated, or otherwise unavailable, the judge may appoint a 83
 substitute having the qualifications required by section 1907.13 84
 of the Revised Code or may appoint a retired judge of a court of 85
 record in the state who is a qualified elector and a resident of 86
 the county court district. If the judge is unable to make the 87
 appointment, the administrative judge of the county court district 88
 or the administrative judge of the court of common pleas of the 89
 county shall appoint the substitute. The appointee shall serve 90
 during the absence, incapacity, or unavailability of the 91
 incumbent, shall have the jurisdiction and powers conferred upon 92
 the judge of the county court, and shall be styled "acting judge." 93
 During that term of service, the acting judge shall sign all 94
 process and records and perform all acts pertaining to the office 95
 except that of removal and appointment of officers of the court. 96
 All courts shall take judicial notice of the selection and powers 97
 of the acting judge. The incumbent judge shall establish the 98
 amount of the compensation of an acting judge on a per diem, 99
 hourly, or other basis, and the compensation shall not exceed the 100
 per diem compensation paid to the incumbent judge based upon a 101
 work year of one hundred thirty days. The compensation shall be 102
 payable in the same manner as the compensation paid to the 103
 incumbent judge during the same period. 104

~~(B) The treasurer of a county that, pursuant to division (A)~~ 105
~~of this section, is required to pay any compensation to which the~~ 106
~~acting judges, judges, or retired judges described in that~~ 107
~~division are entitled under division (A) (6) of section 141.04 of~~ 108
~~the Revised Code, shall submit to the administrative director of~~ 109
~~the supreme court quarterly requests for reimbursements of the per~~ 110
~~diem amounts so paid. The reports shall include verifications of~~ 111
~~the payment of those amounts. The administrative director shall~~ 112

cause reimbursements of those amounts to be issued to the county	113
if the administrative director verifies that those amounts were,	114
in fact, so paid.	115

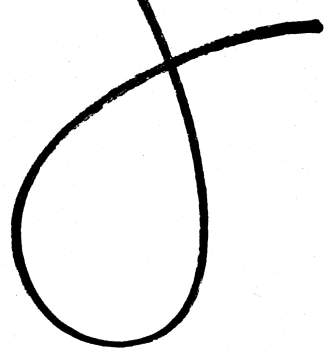
In line 90837, after "1753.09," insert "1901.121,"; after	116
"1901.31," insert "1907.14,"	117

In line 57 of the title, after "1753.09," insert "1901.121,";	118
after "1901.31," insert "1907.14,"	119

The motion was _____ agreed to.

SYNOPSIS

Reimbursement of Compensation of Substitute Judges in	120
Municipal and County Courts	121
R.C. 1901.121, 1907.14	122
Eliminates the requirement that the Supreme Court reimburse a	123
county for the compensation of a substitute municipal or county	124
court judge who is not appointed by the Chief Justice.	125



1 128HB1-CC4298.docx/ss

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Am. Sub. H. B. 1
As Passed by the Senate
CC-4298

5 _____ moved to amend as follows:

6 In line 103704, delete "301.20.50,"

7 Delete lines 103736a through 103771

8 In line 103793, delete "301.20.50,"

9 In line 103809, delete "Sections 201.30 and" and insert
10 "Section"

11 Delete lines 103812 through 103954a

12 In line 103988, delete "Sections 201.30 and" and insert
13 "Section"

14 In line 103990, delete "are" and insert "is"

15 Delete line 104262

16 In line 104263a, delete "19,511,287" and insert
17 "19,211,287"

18 In line 104481, reinsert:

19 "C371A9 Western Reserve Historical Society \$300,000"

20 In line 104572a, delete "42,309,834" and insert
21 "42,609,834"

22 In line 104573a, delete "42,309,834" and insert
23 "42,609,834"

24 In line 252 of the title, delete "301.20.50,"

25 In line 254 of the title, delete "201.30,"

26 The motion was _____ agreed to.

27 SYNOPSIS

28 **Cultural Facilities Commission and Cleveland State**
29 **University**

30 **Sections 610.10, 610.11, 610.14, 610.15, 610.30, and 610.50**

31 Removes the provisions that would have amended Am. Sub.
32 H.B. 496 and Am. Sub. H.B. 562 of the 127th General Assembly to
33 appropriate capital funds for the Western Reserve Historical
34 Society in Cleveland State University instead of the Cultural
35 Facilities Commission.

1 128HB1-CC4300.docx/ss

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4300

5 _____ moved to amend as follows:

6 Between lines 96616 and 96617, insert:

7 "Tobacco Master Settlement Agreement Fund Group

8 5BX0 440656 Tobacco Use Prevention \$6,000,000 \$6,000,000

9 TOTAL TSF Tobacco Master Settlement

10 Agreement Fund Group \$6,000,000 \$6,000,000"

11 In line 96617, add \$6,000,000 to each fiscal year

12 Between lines 96779 and 96780, insert:

13 "TOBACCO USE PREVENTION

14 The Department of Health shall seek Controlling Board
15 approval prior to expending any moneys from appropriation item
16 440656, Tobacco Use Prevention. The Department shall submit a
17 spending plan to the Controlling Board for each project for
18 which they seek expenditure approval."

19 The motion was _____ agreed to.

SYNOPSIS

20

21

Department of Health

22

Sections 289.10 and 289.20

23

24

25

26

27

Restores funding of \$6.0 million in each fiscal year in line item 440656, Tobacco Use Prevention (Tobacco Master Settlement Agreement Fund). Requires Controlling Board approval prior to expending any moneys in the line item, as well as a spending plan for the project for which the approval is sought.

5 _____ moved to amend as follows:

6 In line 19832, delete "The board of directors of" and
7 insert "Division (B)(2) of this section applies only to"

8 In line 19833, after "population" insert ", according to
9 the 2000 federal decennial census,"

10 In line 19834, after the first "hundred" insert "thirty-
11 five"; after the second "thousand" insert "and containing
12 entirely within its boundaries the territory of a municipal
13 corporation with a population according to that census of more
14 than fifty thousand. The board of directors of such a
15 convention facilities authority"

16 The motion was _____ agreed to.

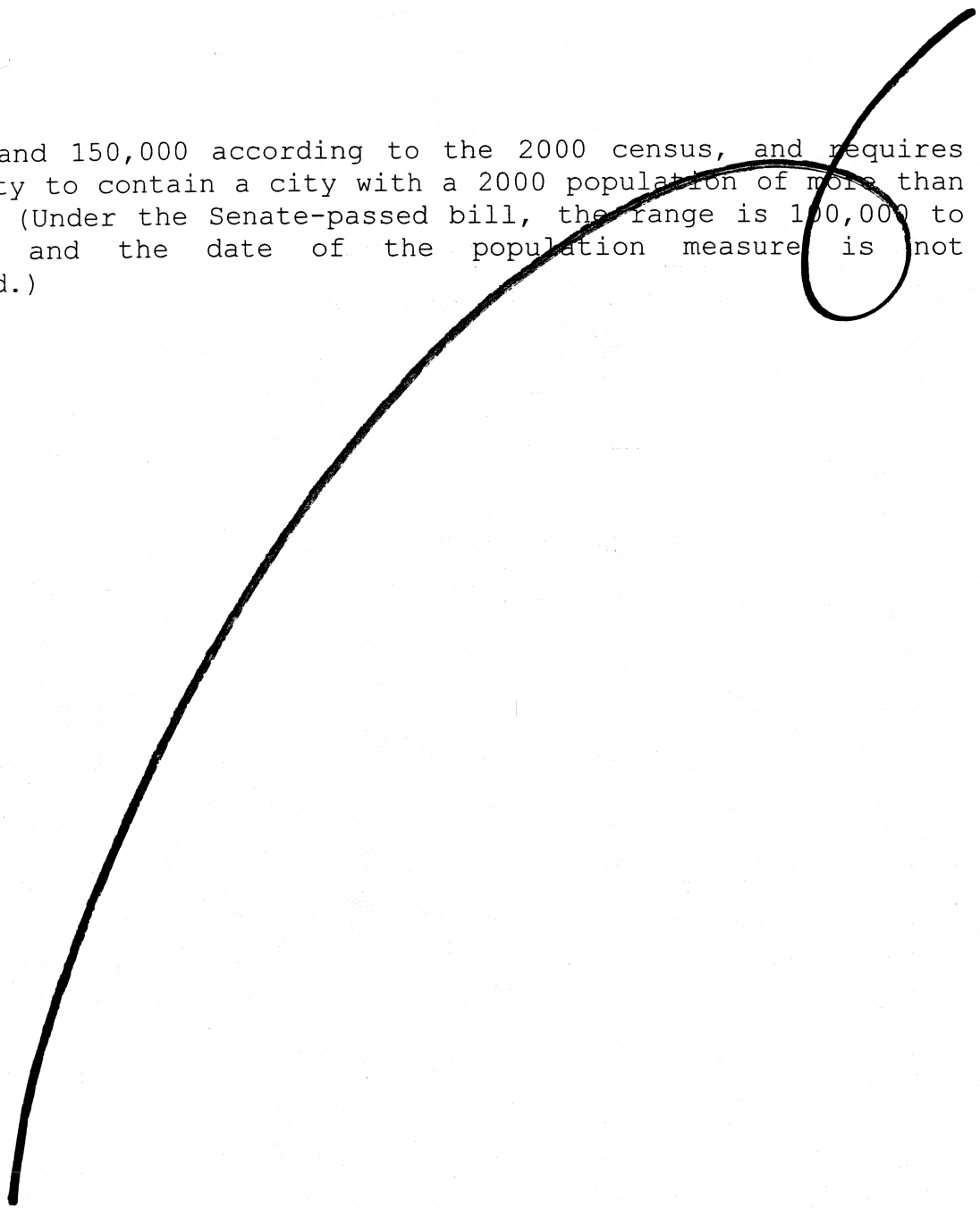
17 SYNOPSIS

18 **New Convention Facilities Authority Lodging Tax**

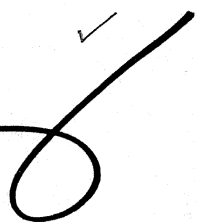
19 **R.C. 351.021**

20 Narrows the population range governing which counties would
21 be eligible under the bill to authorize the Convention
22 Facilities Authority to levy a lodging tax for convention,
23 entertainment, or sport facilities, to population between

24 135,000 and 150,000 according to the 2000 census, and requires
25 the county to contain a city with a 2000 population of more than
26 50,000. (Under the Senate-passed bill, the range is 100,000 to
27 150,000, and the date of the population measure is not
28 specified.)



Am. Sub H.B. 1
As Passed by the Senate
CC-4313-1



_____ moved to amend as follows:

In line 309, delete "175.04," 1

In line 374, after "3937.41," insert "3951.01," 2

In line 433, delete "175.33, 175.34, 175.35," 3

Delete lines 16850 through 16996 and insert: 4

"Sec. 175.01. As used in ~~this chapter~~ sections 175.01 to
175.13 of the Revised Code: 5
6

(A) "Bonds" means bonds, notes, debentures, refunding bonds,
refunding notes, and other obligations. 7
8

(B) "Down payment assistance" means monetary assistance for
down payment closing costs, and pre-paid expenses directly related
to the purchase of a home. 9
10
11

(C) "Financial assistance" means grants, loans, loan
guarantees, an equity position in a project, and loan subsidies. 12
13

~~(C)~~(D) "Grant" means funding for which repayment is not
required. 14
15

~~(D)~~(E) "Homeownership program" means any program for which
the Ohio housing finance agency provides financing, directly or
indirectly, for the purchase of housing for owner-occupancy. 16
17
18

(E) <u>(F)</u> "Housing" means housing for owner-occupancy and multifamily rental housing.	19 20
(F) <u>(G)</u> "Housing development fund" means the housing development fund created and administered pursuant to section 175.11 of the Revised Code.	21 22 23
(G) <u>(H)</u> "Housing finance agency personal services fund" means the housing finance agency personal services fund created and administered pursuant to section 175.051 of the Revised Code.	24 25 26
(H) <u>(I)</u> "Housing for owner-occupancy" means housing that is intended for occupancy by an owner as a principal residence. "Housing for owner-occupancy" may be any type of structure and may be owned in any form of ownership.	27 28 29 30
(I) <u>(J)</u> "Housing trust fund" means the low- and moderate-income housing trust fund created and administered pursuant to Chapter 174. of the Revised Code.	31 32 33
(J) <u>(K)</u> "Improvement" means any alteration, remodeling, addition, or repair that substantially protects or improves the basic habitability or energy efficiency of housing.	34 35 36
(K) <u>(L)</u> "Lending institution" means any financial institution qualified to conduct business in this state, a subsidiary corporation that is wholly owned by a financial institution qualified to conduct business in this state, and a mortgage lender whose regular business is originating, servicing, or brokering real estate loans and who is qualified to do business in this state.	37 38 39 40 41 42 43
(L) <u>(M)</u> "Loan" means any extension of credit or other form of financing or indebtedness extended directly or indirectly to a borrower with the expectation that it will be repaid in accordance with the terms of the underlying loan agreement or other pertinent document. "Loan" includes financing the Ohio housing finance	44 45 46 47 48

agency extends to lending institutions and indebtedness the agency 49
purchases from lending institutions. 50

~~(M)~~(N) "Loan guarantee" means any agreement in favor of a 51
lending institution, bondholder, or other lender in which the 52
credit and resources of the housing finance agency or the housing 53
trust fund are pledged to secure the payment or collection of 54
financing extended to a borrower for the acquisition, 55
construction, improvement, rehabilitation, or preservation of 56
housing or to refinance any financing previously extended for 57
those purposes. 58

~~(N)~~(O) "Loan subsidy" means any deposit of funds the Ohio 59
housing finance agency holds or administers into a lending 60
institution with the authorization or direction that the income or 61
revenues the deposit earns, or could have earned at competitive 62
rates, be applied directly or indirectly to the benefit of housing 63
assistance or financial assistance. 64

~~(O)~~(P) "Low- and moderate-income persons" means individuals 65
and families who qualify as low- and moderate-income persons 66
pursuant to guidelines the agency establishes. 67

~~(P)~~(Q) "Multifamily rental housing" means multiple unit 68
housing intended for rental occupancy. 69

~~(Q)~~(R) "Nonprofit organization" means a nonprofit 70
organization in good standing and qualified to conduct business in 71
this state including any corporation whose members are members of 72
a metropolitan housing authority. 73

~~(R)~~(S) "Owner" means any person who, jointly or severally, 74
has legal or equitable title to housing together with the right to 75
control or possess that housing. "Owner" includes a purchaser of 76
housing pursuant to a land installment contract if that contract 77
vests possession and maintenance responsibilities in the 78
purchaser, and a person who has care or control of housing as 79

executor, administrator, assignee, trustee, or guardian of the 80
estate of the owner of that housing. 81

~~(S)~~(T) "Security interest" means any lien, encumbrance, 82
pledge, assignment, mortgage, or other form of collateral the Ohio 83
housing finance agency holds as security for financial assistance 84
the agency extends or a loan the agency acquires." 85

Delete lines 17001 through 17202 and insert: 86

"Sec. 175.30. As used in sections 175.30 to 175.32 of the 87
Revised Code: 88

(A) "First home" or "home" means the first residential real 89
property located in this state to be purchased by a recipient who 90
has not owned or had an ownership interest in a principal 91
residence in the three years prior to the purchase. 92

(B) "Graduate" means an individual who has graduated from an 93
institution of higher education and who is eligible under division 94
(B) of section 175.31 of the Revised Code to apply for a grant, 95
financial assistance, or down payment assistance awarded under the 96
grants for grads program. 97

(C) "Institution of higher education" means a state 98
university or college located in this state, a private college or 99
university located in this state that possesses a certificate of 100
authorization issued by the Ohio board of regents under Chapter 101
1713. of the Revised Code, or an accredited college or university 102
located outside this state that is accredited by an accrediting 103
organization or professional accrediting association recognized by 104
the Ohio board of regents. 105

(D) "Ohio resident" means any of the following: 106

(1) An individual who was a resident of this state at the 107
time of the individual's graduation from an Ohio public or 108

nonpublic high school that is approved by the state board of 109
education, and who is a resident of this state at the time of 110
applying for the program; 111

(2) An individual who was a resident of this state at the 112
time of completing, through the twelfth-grade level, a home study 113
program approved by the state board of education, and who is a 114
resident of this state at the time of applying for the program; 115

(3) An individual whose parent was a resident of this state 116
at the time of the individual's graduation from high school, and 117
who graduated from either of the following: 118

(a) An out-of-state high school that was accredited by a 119
regional accrediting organization recognized by the United States 120
department of education and met standards at least equivalent to 121
those adopted by the state board of education for approval of 122
nonpublic schools in this state; 123

(b) A high school approved by the United States department of 124
defense. 125

(E) "Program" means the grants for grads program created 126
under section 175.31 of the Revised Code. 127

(F) "Recipient" means an individual who has been awarded a 128
grant or has received financial assistance or down payment 129
assistance under the program. 130

Sec. 175.31. (A) There is hereby created the grants for grads 131
program for the purpose of providing grants or other financial 132
assistance or down payment assistance to Ohio residents who have 133
received an associate, baccalaureate, master's, doctoral, or other 134
postgraduate degree, which grants or assistance shall be used by a 135
recipient to pay for the down payment or closing costs on the 136
purchase of a first home. The program shall be administered by the 137

Ohio housing finance agency using moneys available to it. The 138
program shall not be subject to the income limits established by 139
the agency under section 175.05 of the Revised Code. Participation 140
in the program shall require a graduate to be eligible under 141
division (B) of this section. 142

(B) (1) A graduate is eligible to participate in the program 143
if the graduate: 144

(a) Is an Ohio resident who has received an associate, 145
baccalaureate, master's, doctoral, or other postgraduate degree 146
from an institution of higher education within the eighteen months 147
immediately preceding the date of application for the program; 148

(b) Is able to provide to the agency evidence documenting the 149
graduate's Ohio residency and documenting graduation from a high 150
school and an institution of higher education; 151

(c) Intends to live and work in this state for at least five 152
years after the graduate's graduation or completion of a degree 153
described in division (B) (1) (a) of this section; and 154

(d) Intends to purchase a first home in this state. 155

(2) A graduate who is married to an individual who has 156
previously received a grant or financial assistance or downpayment 157
assistance under the program is ineligible to apply for a grant or 158
assistance under this section. 159

(C) A graduate who has been found by the state to be 160
delinquent in the payment of individual income taxes is ineligible 161
to receive a grant or other assistance under the program. 162

(D) A graduate who is eligible for the program shall receive 164
down payment assistance and a reduction in the interest rate of 165
the mortgage offered by the Ohio housing finance agency. 166

(E) The down payment assistance shall be provided to the recipient when the recipient obtains a qualifying mortgage loan through a participating lender in the agency's first time home buyer program. 167
168
169
170

Sec. 175.32. (A) (1) At the time a first home is purchased under the program, the Ohio housing finance agency shall secure the amount of the down payment assistance by a lien on the home for a period of five years. Such lien shall attach, and may be perfected, collected, and enforced in the same manner as a mortgage lien on the home, and shall otherwise have the same force and effect as a mortgage lien, except that it shall be subordinate to a mortgage lien securing any money loaned by a financial institution for the purchase of the home. 171
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(2) If the agency finds that a recipient failed to comply with the first home ownership criteria in division (A) of section 175.30 of the Revised Code, or otherwise used fraudulent information to obtain down payment assistance, the agency shall enforce the lien. 180
181
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184

(B) (1) If a recipient becomes a resident of another state and does not reside at least five years in a first home purchased with down payment assistance awarded under the program, the amount of the lien created in division (A) of this section that may be collected shall be determined as follows: 185
186
187
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189

<u>Months resided in first home</u>	<u>Collectable amount as per</u>	
	<u>cent of down payment</u>	
	<u>assistance</u>	
<u>Less than 12 months</u>	<u>100%</u>	191
<u>12 months and a day to 24 months</u>	<u>80%</u>	192
<u>24 months and a day to 36 months</u>	<u>60%</u>	193
<u>36 months and a day to 48 months</u>	<u>40%</u>	194
<u>48 months and a day to 60 months</u>	<u>20%</u>	195

The lien created under division (A) of this section shall be extinguished upon collection pursuant to this division. 196
197

(2) A lien created under division (A)(1) of this section shall be extinguished if the recipient, within the five-year period, moves to another residence located in this state." 198
199
200

Between lines 60630 and 60631, insert: 201

"Sec. 3951.01. As used in sections 3951.01 to 3951.09, inclusive, of the Revised Code: 202
203

(A) "Lending institution" means a lending institution, as 204
defined in division ~~(E)~~(L) of section 175.01 of the Revised Code, 205
that is not organized for the purpose of qualifying to do business 206
as a public insurance adjuster in this state, as determined by the 207
superintendent, and that has been engaged in business as a bona 208
fide lending institution for at least five years, and any member 209
of an affiliated group, as defined by division (B)(3)(e) of 210
section 5739.01 of the Revised Code, associated with a lending 211
institution, which member has been a member of the affiliated 212
group for at least five years and which member is not organized or 213
affiliated with the lending institution for the purpose of 214
qualifying to do business as a public insurance adjuster in this 215
state, as determined by the superintendent. 216

(B) "Public insurance adjuster" means any person, firm, 217
association, partnership, or corporation who, for compensation, 218
acts on behalf of or aids in any manner, an insurer or insured or 219
another in negotiating for, or effecting the settlement of a claim 220
or claims for loss or damage under any policy of insurance 221
covering real or personal property, and any person, firm, 222
association, partnership, or corporation who advertises, solicits 223
business, or holds itself out to the public as an adjuster of such 224
insurance claims, and any person who for compensation 225

investigates, settles, adjusts, advises, or assists an insurer or 226
insured with reference to claims for such losses, on behalf of any 227
such public insurance adjuster. 228

(C) "Public insurance adjuster agent" means any person who is 229
a bona fide employee of a public insurance adjuster and who aids 230
in the adjustment, investigation, and in securing of any contract 231
for the adjustment of a loss. 232

(D) "Superintendent" means the superintendent of insurance 233
acting as director of the department of insurance. 234

(E) Nothing contained in Chapter 3951. of the Revised Code 235
shall apply to the following: 236

(1) An attorney at law admitted to practice in this state who 237
adjusts insurance losses in the course of the practice of the 238
attorney's profession and who does not hold the attorney out by 239
sign, advertisement, or otherwise as offering such services to the 240
general public; 241

(2) An officer, agent, or regular salaried employee of an 242
insurer, or underwriter, or any attorney in fact of any reciprocal 243
insurer of ~~Lloyds~~ Lloyd's underwriter licensed to do business in 244
this state who adjusts losses arising under the employer's or 245
principal's own policies; or an underwriter by whom a policy of 246
insurance against loss or damage or other causes has been written 247
upon property within this state, in adjusting loss or damage under 248
such policy, nor to an agent or broker acting as adjuster for the 249
agent's or broker's own company; 250

(3) An adjustment bureau or association owned and maintained 251
by insurers to adjust or investigate losses of such insurers, or 252
any regularly salaried employee thereof who devotes substantially 253
all of the employee's time to the business of such bureau or 254
association; 255

(4) Any licensed agent or employee or officer of such agent 256
 or agency of an authorized insurer who adjusts losses for such 257
 insurer solely under policies issued through such agency; 258

(5) Any independent adjuster representing an insurer." 259

In line 90811, delete "175.04," 260

In line 90876, after "3937.41," insert "3951.01," 261

In line 23 of the title, delete "175.04," 262

In line 112 of the title, after "3937.41," insert "3951.01," 263

In line 191 of the title, delete "175.33," 264

In line 192 of the title, delete "175.34, 175.35," 265

The motion was _____ agreed to.

SYNOPSIS

Grants for Grads Program 266

R.C. 175.01, 175.30 to 175.32, and 3951.01 267

Retains the Grants for Grads program included in the As 268
 Passed by the Senate version of the bill, but makes the following 269
 modifications: 270

(1) Removes a requirement that the Ohio Housing Finance 271
 Agency (OHFA) prepare an annual report regarding the Grants for 272
 Grads program, a requirement that OHFA annually audit the program, 273
 and a requirement requiring OHFA to adopt rules specific to the 274
 implementation of this program. 275

(2) Replaces "grant" with "down payment assistance" (which 276
 the bill defines to mean monetary assistance for down payment 277
 closing costs, and pre-paid expenses directly related to a home 278

purchase), but retains use of the terms "grant" and "financial	279
assistance" with regards to certain portions of the program and	280
replaces "grantee" with "recipient" regarding the receipt of	281
grants or assistance.	282
(3) Provides that a graduate who is eligible for the program	283
is to receive down payment assistance and a reduction in the	284
graduate's mortgage interest rate offered by OHFA.	285
(4) Permits recovery of down payment assistance only and not	286
any other grant or financial assistance if the recipient leaves	287
the state less than five years after receiving assistance.	288
(5) Removes the application and recipient selection	289
requirements for the program.	290
(6) Removes details specifying grant amounts for the program.	291
(7) Removes the provisions creating the Grants for Grads fund	292
in the state treasury.	293

5 _____ moved to amend as follows:

6 In line 29667, after "and" insert ", subject to section
7 2505.122 of the Revised Code,"

8 In line 29691, after "shall" insert "simultaneously"

9 In line 29693, delete "such an amount as is determined by
10 the court" and insert "a sum that is equal to the cost of delay,
11 increased cost of construction, legal expenses, loss of
12 anticipated revenues, or the reasonable value of the matter at
13 issue in the final order, adjudication, or decision, including
14 any reasonable investment-backed expectations of the appellee"

15 The motion was _____ agreed to.

16 SYNOPSIS

17 **Appeals - Execution of Supersedeas Bond**

18 **R.C. 2505.09 and 2505.122**

19 Requires that an appellant who obtains a stay of execution
20 pending the appeal of a final order, adjudication, or decision
21 of any officer, tribunal, authority, board, bureau, commission,
22 department, or other division of any political subdivision of
23 the state, must *simultaneously* execute a supersedeas bond to the
24 appellee, with sufficient sureties and in a *sum that is equal to*

25 the cost of delay, increased cost of construction, legal
26 expenses, loss of anticipated revenues, or the reasonable value
27 of the matter at issue in the final order, adjudication, or
28 decision, including any reasonable investment-backed
29 expectations of the appellee; and provides that existing law
30 with respect to the amount of a supersedeas bond generally upon
31 an appeal is subject to the above provision.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4334
OBM-41

6 _____ moved to amend as follows:

7 Delete lines 103239 through 103244

8 The motion was _____ agreed to.

9

SYNOPSIS

10

GRF Spending Reductions

11

Section 521.45

12 Removes the requirement in the Senate-passed version that
13 the Director of Budget and Management reduce GRF expenditures in
14 account categories 510 (purchased personal services), 520
15 (supplies and maintenance), and 530 (equipment) by a minimum of
16 \$100 million per fiscal year while preserving critical services
17 of the state.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4336

5 _____ moved to amend as follows:

6 In line 93177, delete "\$40,000,000 \$40,000,000" and
7 insert "\$53,000,000 \$53,000,000"

8 In line 93179, add \$13,000,000 to each fiscal year

9 In line 93204, add \$13,000,000 to each fiscal year

10 The motion was _____ agreed to.

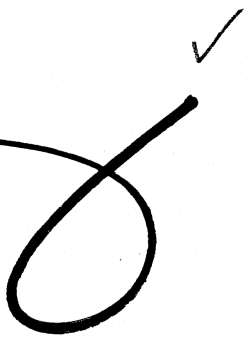
11 SYNOPSIS

12 **Department of Development**

13 **Section 259.10**

14 Restores Fund 6460 appropriation item 195638, Low- and
15 Moderate-Income Housing Trust Fund, in the Department of
16 Development to a level of \$53,000,000 in each fiscal year.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4337



_____ moved to amend as follows:

In line 416, after "5748.03," insert "5749.02," 1

Between lines 87403 and 87404, insert: 2

"Sec. 5749.02. (A) For the purpose of providing revenue to 3
administer the state's coal mining and reclamation regulatory 4
program, to meet the environmental and resource management needs 5
of this state, and to reclaim land affected by mining, an excise 6
tax is hereby levied on the privilege of engaging in the severance 7
of natural resources from the soil or water of this state. The tax 8
shall be imposed upon the severer and shall be: 9

(1) Ten cents per ton of coal; 10

(2) Four cents per ton of salt; 11

(3) Two cents per ton of limestone or dolomite; 12

(4) Two cents per ton of sand and gravel; 13

(5) Ten cents per barrel of oil; 14

(6) Two and one-half cents per thousand cubic feet of natural 15
gas; 16

(7) One cent per ton of clay, sandstone or conglomerate, 17
shale, gypsum, or quartzite; 18

(8) Except as otherwise provided in this division or in rules adopted by the reclamation forfeiture fund advisory board under section 1513.182 of the Revised Code, an additional fourteen cents per ton of coal produced from an area under a coal mining and reclamation permit issued under Chapter 1513. of the Revised Code for which the performance security is provided under division (C) (2) of section 1513.08 of the Revised Code. Beginning July 1, 2007, if at the end of a fiscal biennium the balance of the reclamation forfeiture fund created in section 1513.18 of the Revised Code is equal to or greater than ten million dollars, the rate levied shall be twelve cents per ton. Beginning July 1, 2007, if at the end of a fiscal biennium the balance of the fund is at least five million dollars, but less than ten million dollars, the rate levied shall be fourteen cents per ton. Beginning July 1, 2007, if at the end of a fiscal biennium the balance of the fund is less than five million dollars, the rate levied shall be sixteen cents per ton. Beginning July 1, 2009, not later than thirty days after the close of a fiscal biennium, the chief of the division of mineral resources management shall certify to the tax commissioner the amount of the balance of the reclamation forfeiture fund as of the close of the fiscal biennium. Any necessary adjustment of the rate levied shall take effect on the first day of the following January and shall remain in effect during the calendar biennium that begins on that date.

(9) An additional one and two-tenths cents per ton of coal mined by surface mining methods.

(B) Of the moneys received by the treasurer of state from the tax levied in division (A) (1) of this section, four and seventy-six-hundredths per cent shall be credited to the geological mapping fund created in section 1505.09 of the Revised Code, eighty and ninety-five-hundredths per cent shall be credited

to the coal mining administration and reclamation reserve fund 50
 created in section 1513.181 of the Revised Code, and fourteen and 51
 twenty-nine-hundredths per cent shall be credited to the 52
 unreclaimed lands fund created in section 1513.30 of the Revised 53
 Code. 54

~~Fifteen per cent of the moneys~~ The money received by the 55
 treasurer of state from the tax levied in division (A) (2) of this 56
 section shall be credited to the geological mapping fund ~~and the~~ 57
~~remainder shall be credited to the unreclaimed lands fund.~~ 58

Of the moneys received by the treasurer of state from the tax 59
 levied in divisions (A) (3) and (4) of this section, seven and 60
 five-tenths per cent shall be credited to the geological mapping 61
 fund, forty-two and five-tenths per cent shall be credited to the 62
 unreclaimed lands fund, and the remainder shall be credited to the 63
 surface mining fund created in section 1514.06 of the Revised 64
 Code. 65

Of the moneys received by the treasurer of state from the tax 66
 levied in divisions (A) (5) and (6) of this section, ninety per 67
 cent shall be credited to the oil and gas well fund created in 68
 section 1509.02 of the Revised Code and ten per cent shall be 69
 credited to the geological mapping fund. All of the moneys 70
 received by the treasurer of state from the tax levied in division 71
 (A) (7) of this section shall be credited to the surface mining 72
 fund. 73

All of the moneys received by the treasurer of state from the 74
 tax levied in division (A) (8) of this section shall be credited to 75
 the reclamation forfeiture fund. 76

All of the moneys received by the treasurer of state from the 77
 tax levied in division (A) (9) of this section shall be credited to 78
 the unreclaimed lands fund. 79

(C) When, at the close of any fiscal year, the chief finds 80
that the balance of the reclamation forfeiture fund, plus 81
estimated transfers to it from the coal mining administration and 82
reclamation reserve fund under section 1513.181 of the Revised 83
Code, plus the estimated revenues from the tax levied by division 84
(A) (8) of this section for the remainder of the calendar year that 85
includes the close of the fiscal year, are sufficient to complete 86
the reclamation of lands for which the performance security has 87
been provided under division (C) (2) of section 1513.08 of the 88
Revised Code, the purposes for which the tax under division (A) (8) 89
of this section is levied shall be deemed accomplished at the end 90
of that calendar year. The chief, within thirty days after the 91
close of the fiscal year, shall certify those findings to the tax 92
commissioner, and the tax levied under division (A) (8) of this 93
section shall cease to be imposed after the last day of that 94
calendar year on coal produced under a coal mining and reclamation 95
permit issued under Chapter 1513. of the Revised Code if the 96
permittee has made tax payments under division (A) (8) of this 97
section during each of the preceding five full calendar years. Not 98
later than thirty days after the close of a fiscal year, the chief 99
shall certify to the tax commissioner the identity of any 100
permittees who accordingly no longer are required to pay the tax 101
levied under division (A) (8) of this section." 102

In line 90918, after "5748.03," insert "5749.02," 103

In line 168 of the title, after "5748.03," insert "5749.02," 104

The motion was _____ agreed to.

SYNOPSIS

Salt Severance Tax Use

R.C. 5749.02(B)

Requires all salt severance tax revenue to be credited to the Geological Mapping Fund (GMF), which is used for purposes of performing necessary field, laboratory, and administrative tasks to map and make public reports on the geology and mineral resources of each county. Under current law, 15% of salt severance tax revenue is credited to the GMF and the remainder is credited to the Unreclaimed Lands Fund, which funds the reclamation of public or private land affected by mining or the control of mine drainage.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4338
DNR-30

6 _____ moved to amend as follows:

7 In line 332, delete "1533.12,"

8 Delete lines 26557 through 26649

9 In line 90834, delete "1533.12,"

10 In line 53 of the title, delete "1533.12,"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Free Hunting and Fishing Licenses for Members of Ohio**
14 **National Guard**

15 **R.C. 1533.12**

16 Removes the provision of the bill that requires the Chief
17 of the Division of Wildlife in the Department of Natural
18 Resources to adopt rules that require the Chief to issue annual
19 fishing licenses, hunting licenses, or a combination of those
20 licenses free of charge to members of the Ohio National Guard
21 when application is made to the Chief in the manner prescribed
22 by and on forms provided by the Chief.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4339-1
AGE-10

6 _____ moved to amend as follows:

7 In line 432, after "173.501," insert "173.70,"

8 Between lines 16638 and 16639, insert:

9 "Sec. 173.70. (A) The director of aging may enter into a
10 contract with any person under which the person operates a
11 program for the provision of outpatient prescription drug
12 discounts to any or all of the following:

- 13 (1) Individuals who are sixty years of age or older;
- 14 (2) Individuals whose family incomes do not exceed three
15 hundred per cent of the federal poverty guidelines, as revised
16 annually by the United States department of health and human
17 services in accordance with section 673(2) of the "Omnibus
18 Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C.
19 9902, as amended;

20 (3) Individuals who are persons with disabilities, as
21 defined in section 173.06 of the Revised Code.

22 (B) The director may disclose to the person under contract
23 information that identifies the individuals who participated in
24 and individuals who applied for participation in the Ohio's best

25 Rx program that was operated under former sections 173.71 to
26 173.91 of the Revised Code."

27 Delete lines 92102 through 92128 and insert:

28 "On and after the effective date of this section, the
29 Director of Aging may take any actions necessary to conclude the
30 operation of the Ohio's Best Rx Program and settle all accounts
31 with drug manufacturers and terminal distributors of dangerous
32 drugs that had program agreements in effect on the day before
33 the effective date of this section. As appropriate, the
34 Director's actions shall be taken in accordance with the
35 provisions of former sections 173.71 to 173.91 of the Revised
36 Code, as those sections existed on the day before the effective
37 date of this section. The Director shall make every effort to
38 conclude the program by the thirtieth day after the effective
39 date of this section, but any program accounts with drug
40 manufacturers and terminal distributors that remain open after
41 that date may be settled until October 1, 2009."

42 In line 92131, delete "January 1, 2010" and insert "the
43 thirty-first day after the effective date of this section"

44 In line 92134, after the period insert "Fund 5AA0 shall
45 remain open after the transfer to allow program accounts to be
46 settled with drug manufacturers and terminal distributors
47 pursuant to this section. On October 1, 2009, or as soon as
48 possible thereafter, the Director of Budget and Management shall

49 complete the final transfer of any cash balance in Fund 5AA0 to
50 the General Revenue Fund."

51 In line 106481, delete "173.99, 2921.13,"

52 In line 106482, delete the first comma

53 Delete lines 106497 through 106506

54 In line 106522, after "145.298," insert "173.70, 173.71,
55 173.72, 173.721, 173.722, 173.723, 173.724, 173.73, 173.731,
56 173.732, 173.74, 173.741, 173.742, 173.75, 173.751, 173.752,
57 173.753, 173.76, 173.77, 173.771, 173.772, 173.773, 173.78,
58 173.79, 173.791, 173.80, 173.801, 173.802, 173.803, 173.81,
59 173.811, 173.812, 173.813, 173.814, 173.815, 173.82, 173.83,
60 173.831, 173.832, 173.833, 173.84, 173.85, 173.86, 173.861,
61 173.87, 173.871, 173.872, 173.873, 173.874, 173.875, 173.876,
62 173.88, 173.89, 173.891, 173.892, 173.90, 173.91, 173.99,"

63 In line 106538, after "1541.03," insert "2921.13,"

64 Between lines 106588f and 106589, insert:

"127.16	The amendment to	All other amendments"
	division (D) (34)	

65 Delete lines 106596 through 106601

66 In line 191 of the title, after "173.501," insert "173.70,"

67 The motion was _____ agreed to.

68 SYNOPSIS

69 **Ohio's Best Rx Program**

70 **R.C. 173.70; R.C. 173.71 to 173.91 (repealed); R.C. 173.99**
71 **and 2921.13; Section 209.50**

72 Accelerates the termination of the Ohio's Best Rx Program
73 from January 1, 2010, to immediately when the bill becomes law.

74 Requires the Director of Aging to make efforts to conclude
75 the Best Rx Program's operation by the 30th day after the
76 effective date of this provision, but allows any remaining
77 accounts with drug manufacturers and pharmacies to be settled
78 until October 1, 2009.

79 Permits the Director of Aging to contract with any person
80 for the operation of a drug discount program similar to the Best
81 Rx Program and allows the Director to provide information to the
82 contractor regarding former Best Rx Program participants and
83 applicants.

84 **Department of Aging**

85 **Section 209.50**

86 Restores House language regarding the transfer of cash from
87 the Ohio's Best Rx Administration Fund (Fund 5AA0) and the
88 abolishment of the fund by: changing the transfer of cash to
89 the GRF on the 31st day after the effective date of this
90 provision, rather than January 1, 2010; keeping Fund 5AA0 open
91 to allow for any payments received from drug manufacturers and
92 payments to be made to or received from terminal distributors of
93 dangerous drugs to occur; and making a final transfer of cash to
94 the GRF from Fund 5AA0 on October 1, 2009, and abolishing the
95 fund on this date.

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Am. Sub. H.F. 1
As Passed by the Senate
CC-4340

5 _____ moved to amend as follows:

6 Delete lines 98761 through 98770

7 The motion was _____ agreed to.

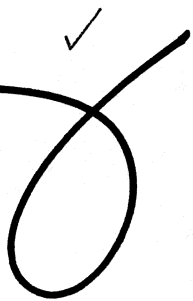
8 SYNOPSIS

9 **Cash transfers to General Revenue Fund**

10 **Section 311.10**

11 Eliminates requirement that Director of Budget and
12 Management transfer \$800,000 in each of fiscal years 2010 and
13 2011 from three funds used by the Department of Public Safety to
14 the General Revenue Fund to support appropriation item 018321.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4341



_____ moved to amend as follows:

In line 387, after "4582.33," insert "4709.12," 1

Between lines 68654 and 68655, insert: 2

"Sec. 4709.12. (A) The barber board shall charge and collect
the following fees: 3 4

(1) For the application to take the barber examination,
ninety dollars; 5 6

(2) For an application to retake any part of the barber
examination, forty-five dollars; 7 8

(3) For the initial issuance of a license to practice as a
barber, thirty dollars; 9 10

(4) For the biennial renewal of the license to practice as a
barber, one hundred ten dollars; 11 12

(5) For the restoration of an expired barber license, one
hundred dollars, and seventy-five dollars for each lapsed year,
provided that the total fee shall not exceed six hundred ninety
dollars; 13 14 15 16

(6) For the issuance of a duplicate barber or shop license,
forty-five dollars; 17 18

(7) For the inspection of a new barber shop, change of 19

ownership, or reopening of premises or facilities formerly	20
operated as a barber shop, and issuance of a shop license, one	21
hundred ten dollars;	22
(8) For the biennial renewal of a barber shop license,	23
seventy-five dollars;	24
(9) For the restoration of a barber shop license, one hundred	25
ten dollars;	26
(10) For each inspection of premises for location of a new	27
barber school, or each inspection of premises for relocation of a	28
currently licensed barber school, seven hundred fifty dollars;	29
(11) For the initial barber school license, one thousand	30
dollars, and one thousand dollars for the renewal of the license;	31
(12) For the restoration of a barber school license, one	32
thousand dollars;	33
(13) For the issuance of a student registration, forty	34
dollars;	35
(14) For the examination and issuance of a biennial teacher	36
license, one hundred eighty-five dollars;	37
(15) For the renewal of a biennial teacher license, one	38
hundred fifty dollars;	39
(16) For the restoration of an expired teacher license, two	40
hundred twenty-five dollars, and sixty dollars for each lapsed	41
year, provided that the total fee shall not exceed four hundred	42
fifty dollars;	43
(17) For the issuance of a barber license by reciprocity	44
pursuant to section 4709.08 of the Revised Code, three hundred	45
dollars;	46
(18) For providing licensure information concerning an	47
applicant, upon written request of the applicant, forty dollars.	48

(B) The board, subject to the approval of the controlling board, may establish fees in excess of the amounts provided in this section, provided that the fees do not exceed the amounts permitted by this section by more than fifty per cent.

(C) In addition to any other fee charged and collected under this section, the barber board shall ask each person renewing a license to practice as a barber whether the person wishes to make a two-dollar voluntary contribution to the Ed Jeffers barber museum. The board shall transmit any contributions to the treasurer of state for deposit into the occupational licensing fund."

In line 90889, after "4582.33," insert "4709.12,"

Between lines 92514 and 92516, insert:

"ED JEFFERS BARBER MUSEUM

On October 1, 2009, or as soon as possible thereafter, the Director of Budget and Management and the Executive Director of the Barber Board shall develop a plan to distribute the amounts collected under division (C) of section 4709.12 of the Revised Code to the Ed Jeffers Barber Museum."

In line 130 of the title, after "4582.33," insert "4907.12,"

The motion was _____ agreed to.

SYNOPSIS

Optional Charge During Barber License Renewal to Fund Barber Museum 69

R.C. 4709.12; Section 227.10 71

In addition to any other fee charged and collected, allow 72

the Barber Board to ask each person renewing a license to practice
as a barber whether the person wishes to make a \$2 voluntary
contribution to the Ed Jeffers Barber Museum.

Requires the Board to transmit any contributions to the
Treasurer of State for deposit into the Occupational Licensing
Fund.

On October 1, 2009, or as soon as possible thereafter,
requires the Director of Budget and Management and the Executive
Director of the Barber Board to develop a plan to distribute the
amounts collected to the Ed Jeffers Barber Museum.

Am. Sub. H.B. 1

As Passed by the Senate

CC-4342

_____ moved to amend as follows:

In line 412, after "5725.98," insert "5727.81," 1

Between lines 82822 and 82823, insert: 2

"Sec. 5727.81. (A) For the purpose of raising revenue for 3
public education and state and local government operations, an 4
excise tax is hereby levied and imposed on an electric 5
distribution company for all electricity distributed by such 6
company at the following rates per kilowatt hour of electricity 7
distributed in a thirty-day period by the company through a meter 8
of an end user in this state: 9

KILOWATT HOURS DISTRIBUTED	RATE PER	10
TO AN END USER	KILOWATT HOUR	11
For the first 2,000	\$.00465	12
For the next 2,001 to 15,000	\$.00419	13
For 15,001 and above	\$.00363	14

If no meter is used to measure the kilowatt hours of 15
electricity distributed by the company, the rates shall apply to 16
the estimated kilowatt hours of electricity distributed to an 17
unmetered location in this state. 18

The electric distribution company shall base the monthly tax 19
on the kilowatt hours of electricity distributed to an end user 20

through the meter of the end user that is not measured for a 21
thirty-day period by dividing the days in the measurement period 22
into the total kilowatt hours measured during the measurement 23
period to obtain a daily average usage. The tax shall be 24
determined by obtaining the sum of divisions (A) (1), (2), and (3) 25
of this section and multiplying that amount by the number of days 26
in the measurement period: 27

(1) Multiplying \$0.00465 per kilowatt hour for the first 28
sixty-seven kilowatt hours distributed using a daily average; 29

(2) Multiplying \$0.00419 for the next sixty-eight to five 30
hundred kilowatt hours distributed using a daily average; 31

(3) Multiplying \$0.00363 for the remaining kilowatt hours 32
distributed using a daily average. 33

Except as provided in division (C) of this section, the 34
electric distribution company shall pay the tax to the tax 35
commissioner in accordance with section 5727.82 of the Revised 36
Code, unless required to remit each tax payment by electronic 37
funds transfer to the treasurer of state in accordance with 38
section 5727.83 of the Revised Code. 39

Only the distribution of electricity through a meter of an 40
end user in this state shall be used by the electric distribution 41
company to compute the amount or estimated amount of tax due. In 42
the event a meter is not actually read for a measurement period, 43
the estimated kilowatt hours distributed by an electric 44
distribution company to bill for its distribution charges shall be 45
used. 46

(B) Except as provided in division (C) of this section, each 47
electric distribution company shall pay the tax imposed by this 48
section in all of the following circumstances: 49

(1) The electricity is distributed by the company through a 50

meter of an end user in this state;	51
(2) The company is distributing electricity through a meter located in another state, but the electricity is consumed in this state in the manner prescribed by the tax commissioner;	52 53 54
(3) The company is distributing electricity in this state without the use of a meter, but the electricity is consumed in this state as estimated and in the manner prescribed by the tax commissioner.	55 56 57 58
(C) (1) As used in division (C) of this section:	59
(a) "Total price of electricity" means the aggregate value in money of anything paid or transferred, or promised to be paid or transferred, to obtain electricity or electric service, including but not limited to the value paid or promised to be paid for the transmission or distribution of electricity and for transition costs as described in Chapter 4928. of the Revised Code.	60 61 62 63 64 65
(b) "Package" means the provision or the acquisition, at a combined price, of electricity with other services or products, or any combination thereof, such as natural gas or other fuels; energy management products, software, and services; machinery and equipment acquisition; and financing agreements.	66 67 68 69 70
(c) "Single location" means a facility located on contiguous property separated only by a roadway, railway, or waterway.	71 72
(2) Division (C) of this section applies to any commercial or industrial purchaser's receipt of electricity through a meter of an end user in this state or through more than one meter at a single location in this state in a quantity that exceeds forty-five million kilowatt hours of electricity over the course of the preceding calendar year, or any commercial or industrial purchaser that will consume more than forty-five million kilowatt hours of electricity over the course of the succeeding twelve	73 74 75 76 77 78 79 80

months as estimated by the tax commissioner. The tax commissioner shall make such an estimate upon the written request by an applicant for registration as a self-assessing purchaser under this division. ~~Such~~ For the meter reading period including July 1, 2008, through the meter reading period including December 31, 2010, such a purchaser may elect to self-assess the excise tax imposed by this section at the rate of \$.00075 per kilowatt hour on the first five hundred four million kilowatt hours distributed to that meter or location during the registration year, and a percentage of the total price of all electricity distributed to that meter or location equal to ~~four per cent through the meter reading period that includes June 30, 2008, and three and one-half per cent beginning for the meter reading period including July 1, 2008, and thereafter.~~ A For the meter reading period including January 1, 2011, and thereafter, such a purchaser may elect to self-assess the excise tax imposed by this section at the rate of \$.00257 per kilowatt hour for the first five hundred million kilowatt hours, and \$.001832 per kilowatt hour for each kilowatt hour in excess of five hundred million kilowatt hours, distributed to that meter or location during the registration year.

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A qualified end user that receives electricity through a meter of an end user in this state or through more than one meter at a single location in this state and that consumes, over the course of the previous calendar year, more than forty-five million kilowatt hours in other than its qualifying manufacturing process, may elect to self-assess the tax as allowed by this division with respect to the electricity used in other than its qualifying manufacturing process.

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Payment of the tax shall be made directly to the tax commissioner in accordance with divisions (A) (4) and (5) of section 5727.82 of the Revised Code, or the treasurer of state in

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accordance with section 5727.83 of the Revised Code. If the
electric distribution company serving the self-assessing purchaser
is a municipal electric utility and the purchaser is within the
municipal corporation's corporate limits, payment shall be made to
such municipal corporation's general fund and reports shall be
filed in accordance with divisions (A) (4) and (5) of section
5727.82 of the Revised Code, except that "municipal corporation"
shall be substituted for "treasurer of state" and "tax
commissioner." A self-assessing purchaser that pays the excise tax
as provided in this division shall not be required to pay the tax
to the electric distribution company from which its electricity is
distributed. If a self-assessing purchaser's receipt of
electricity is not subject to the tax as measured under this
division, the tax on the receipt of such electricity shall be
measured and paid as provided in division (A) of this section.

(3) In the case of the acquisition of a package, unless the
elements of the package are separately stated isolating the total
price of electricity from the price of the remaining elements of
the package, the tax imposed under this section applies to the
entire price of the package. If the elements of the package are
separately stated, the tax imposed under this section applies to
the total price of the electricity.

(4) Any electric supplier that sells electricity as part of a
package shall separately state to the purchaser the total price of
the electricity and, upon request by the tax commissioner, the
total price of each of the other elements of the package.

(5) The tax commissioner may adopt rules relating to the
computation of the total price of electricity with respect to
self-assessing purchasers, which may include rules to establish
the total price of electricity purchased as part of a package.

(6) An annual application for registration as a

self-assessing purchaser shall be made for each qualifying meter 144
or location on a form prescribed by the tax commissioner. The 145
registration year begins on the first day of May and ends on the 146
following thirtieth day of April. Persons may apply after the 147
first day of May for the remainder of the registration year. In 148
the case of an applicant applying on the basis of an estimated 149
consumption of forty-five million kilowatt hours over the course 150
of the succeeding twelve months, the applicant shall provide such 151
information as the tax commissioner considers to be necessary to 152
estimate such consumption. At the time of making the application 153
and by the first day of May of each year, a self-assessing 154
purchaser shall pay a fee of five hundred dollars to the tax 155
commissioner, or to the treasurer of state as provided in section 156
5727.83 of the Revised Code, for each qualifying meter or 157
location. The tax commissioner shall immediately pay to the 158
treasurer of state all amounts that the tax commissioner receives 159
under this section. The treasurer of state shall deposit such 160
amounts into the kilowatt hour excise tax administration fund, 161
which is hereby created in the state treasury. Money in the fund 162
shall be used to defray the tax commissioner's cost in 163
administering the tax owed under section 5727.81 of the Revised 164
Code by self-assessing purchasers. After the application is 165
approved by the tax commissioner, the registration shall remain in 166
effect for the current registration year, or until canceled by the 167
registrant upon written notification to the commissioner of the 168
election to pay the tax in accordance with division (A) of this 169
section, or until canceled by the tax commissioner for not paying 170
the tax or fee under division (C) of this section or for not 171
meeting the qualifications in division (C)(2) of this section. The 172
tax commissioner shall give written notice to the electric 173
distribution company from which electricity is delivered to a 174
self-assessing purchaser of the purchaser's self-assessing status, 175

and the electric distribution company is relieved of the 176
obligation to pay the tax imposed by division (A) of this section 177
for electricity distributed to that self-assessing purchaser until 178
it is notified by the tax commissioner that the self-assessing 179
purchaser's registration is canceled. Within fifteen days of 180
notification of the canceled registration, the electric 181
distribution company shall be responsible for payment of the tax 182
imposed by division (A) of this section on electricity distributed 183
to a purchaser that is no longer registered as a self-assessing 184
purchaser. A self-assessing purchaser with a canceled registration 185
must file a report and remit the tax imposed by division (A) of 186
this section on all electricity it receives for any measurement 187
period prior to the tax being reported and paid by the electric 188
distribution company. A self-assessing purchaser whose 189
registration is canceled by the tax commissioner is not eligible 190
to register as a self-assessing purchaser for two years after the 191
registration is canceled. 192

(7) If the tax commissioner cancels the self-assessing 193
registration of a purchaser registered on the basis of its 194
estimated consumption because the purchaser does not consume at 195
least forty-five million kilowatt hours of electricity over the 196
course of the twelve-month period for which the estimate was made, 197
the tax commissioner shall assess and collect from the purchaser 198
the difference between (a) the amount of tax that would have been 199
payable under division (A) of this section on the electricity 200
distributed to the purchaser during that period and (b) the amount 201
of tax paid by the purchaser on such electricity pursuant to 202
division (C) (2) ~~(a)~~ of this section. The assessment shall be paid 203
within sixty days after the tax commissioner issues it, regardless 204
of whether the purchaser files a petition for reassessment under 205
section 5727.89 of the Revised Code covering that period. If the 206
purchaser does not pay the assessment within the time prescribed, 207

the amount assessed is subject to the additional charge and the 208
interest prescribed by divisions (B) and (C) of section 5727.82 of 209
the Revised Code, and is subject to assessment under section 210
5727.89 of the Revised Code. If the purchaser is a qualified end 211
user, division (C)(7) of this section applies only to electricity 212
it consumes in other than its qualifying manufacturing process. 213

(D) The tax imposed by this section does not apply to the 214
distribution of any kilowatt hours of electricity to the federal 215
government, to an end user located at a federal facility that uses 216
electricity for the enrichment of uranium, to a qualified 217
regeneration meter, or to an end user for any day the end user is 218
a qualified end user. The exemption under this division for a 219
qualified end user only applies to the manufacturing location 220
where the qualified end user uses more than three million kilowatt 221
hours per day in a qualifying manufacturing process." 222

In line 90915, after "5725.98," insert "5727.81," 223

In line 163 of the title, after "5725.98," insert "5727.81," 224

The motion was _____ agreed to.

SYNOPSIS

Kilowatt Hour Tax: Self-Assessing Purchasers 225

R.C. 5727.81 226

Modifies the computation for determining the tax liability of 227
a commercial or industrial purchaser electing to self-assess the 228
Kilowatt Hour Tax, beginning January 1, 2011, from one based on 229
both a per-kilowatt hour rate and a percentage of the price paid, 230
to one based solely on a per-kilowatt hour rate. 231

Am. Sub. H.B. 1
As Passed by the Senate
CC-4343-2

_____ moved to amend as follows:

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- In line 325, delete "1515.14," 1
 - In line 332, delete "1739.05," 2
 - In line 2083, reinsert "under division"; delete "and shall
comply with divisions"; delete "(a)" 3
4
 - In line 2084, delete "and (c)" 5
 - In line 2088, strike through "under division" and insert "and
shall comply with divisions"; after "(2)" insert "(a) and (c)" 6
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 - In line 11374, delete "department of education who works at
the" 8
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 - In line 16591, delete the quotation marks 10
 - In line 17935, delete "worldwide" and insert "world wide" 11
 - Delete lines 23974 through 23998 12
 - Delete lines 27283 through 27314 13
 - In line 35587, delete "80.24" and insert "361.60 and 361.62" 14
 - In line 39414, after "Code" insert an underlined comma 15
 - In line 42967, after "sections" insert "3301.074 and"; delete
"and 3301.074" 16
17
 - In line 47879, delete "and providing" and insert "that" 18

<u>provides</u> "	19
In line 47881, delete " <u>providing</u> " and insert " <u>and that</u>	20
<u>provides</u> "	21
In line 47883, delete " <u>providing</u> " and insert " <u>that provides</u> "	22
In line 49097, delete " <u>operate</u> " and insert " <u>are operated</u> "	23
In line 49839, delete " <u>mental retardation</u> "	24
In line 49840, delete " <u>and</u> "	25
In line 49845, delete " <u>mental retardation and</u> "	26
In line 49852, delete " <u>mental</u> "	27
In line 49853, delete " <u>retardation and</u> "	28
In line 49858, delete " <u>mental retardation and</u> "	29
In line 55218, remove the extra spacing between "Code" and	30
the period	31
In line 70306, strike through "(F)" and insert " <u>(E)</u> "	32
In line 75715, delete " <u>mental retardation and</u> "	33
In line 78382, delete " <u>ODMR/DD</u> " and insert " <u>department of</u>	34
<u>developmental disabilities</u> "	35
In line 78392, delete " <u>mental</u> "	36
In line 78393, delete " <u>retardation and</u> "	37
In line 79401, delete " <u>mental retardation and</u> "	38
In line 79408, delete " <u>mental retardation</u> "	39
In line 79409, delete " <u>and</u> "	40
In line 79418, delete " <u>mental retardation and</u> "	41
In line 79571, delete " <u>mental retardation and</u> "	42
In line 79581, delete " <u>mental retardation and</u> "	43
In line 90827, delete "1515.14,"	44

In line 90834, delete "1739.05,"	45
In line 91393, delete "100417" and insert "100423"	46
In line 91393a, delete "-Federal"	47
Move lines 91393 and 91393a as amended to between lines 91396a and 91397	48 49
In line 94489, delete "mental"	50
In line 94490, delete "retardation and"	51
In line 94508, delete "mental retardation and"	52
In line 96634, delete "Mental Retardation and"	53
In line 96642, delete "Mental"	54
In line 96643, delete "Retardation and"	55
In line 97490, delete "Mental Retardation and"	56
In line 97540, delete "(A)" and insert "ASSET MANAGEMENT SERVICE STUDY	57 58
(A)"	59
In line 98035, delete "MENTAL RETARDATION AND"	60
In line 98039, delete "Mental"	61
In line 98040, delete "Retardation and"	62
In line 98049, delete "Mental"	63
In line 98050, delete "Retardation and"	64
In line 99151, delete "\$7,460,000" and insert "\$7,460,800"	65
In line 99289, delete "MENTAL RETARDATION AND"	66
In line 99336, delete "Mental Retardation and"	67
In line 99342, delete "Mental Retardation and"	68
In line 99353, delete "Mental Retardation and"	69

In line 99367, delete "Mental Retardation and"	70
In line 99373, delete "Mental"	71
In line 99374, delete "Retardation and"	72
In line 99393, delete "Mental Retardation and"	73
In line 99394, delete "mental retardation and"	74
In line 99408, delete "Mental Retardation and"	75
In line 99411, delete "mental retardation and"	76
In line 99419, delete "Mental Retardation and"	77
In line 99422, delete "Mental Retardation and"	78
In line 99436, delete "Mental Retardation and"	79
In line 99439, delete "mental retardation and"	80
In line 99457, delete "Mental"	81
In line 99458, delete "Retardation and"	82
In line 99465, delete "Services/Mental Retardation" and insert "Services"	83 84
In line 99466, delete "Mental Retardation and"	85
In line 99474, delete "Mental Retardation and"	86
In line 99487, delete "mental retardation and"	87
In line 99489, delete "Mental Retardation and"	88
In line 99490, delete "Mental Retardation and"	89
In line 99494, delete "Mental Retardation and"	90
In line 99496, delete "Mental"	91
In line 99497, delete "Retardation and"	92
In line 99505, delete "Mental Retardation and"	93
In line 99509, delete "Mental Retardation and"	94

In line 99516, delete "Mental Retardation"	95
In line 99517, delete "and"	96
In line 99524, delete "Mental Retardation and"	97
In line 99533, delete "Mental"	98
In line 99534, delete "Retardation and"	99
In line 99535, delete "Mental Retardation" and insert "Developmental Disabilities"	100 101
In line 99544, delete "Mental Retardation and"	102
In line 99555, delete "mental retardation and"	103
In line 100045, delete "Quarterhorse" and insert "Quarter Horse"	104 105
In line 101315, delete "SSI" and insert "State Share of Instruction"	106 107
In line 105615, delete "AND"	108
In line 105776, delete "Mental Retardation and"	109
In line 105777, delete "Mental Retardation and"	110
In line 105980, after "Disabilities" insert "(now the Department of Developmental Disabilities)"	111 112
In line 106000, delete "Mental Retardation and"	113
In line 106532, delete "1515.14,"	114
In line 106533, after "1521.04," insert "1521.06,"	115
In line 106560, delete "512.40,"	116
Delete lines 106590 through 106590b	117
Between lines 106591e and 106592, insert:	118
"3302.031 All amendments except those described in the right-hand division (A)"	The amendments to 119

column

Between lines 106592c and 106593, insert:		120
"3317.01	The amendments to division (B) All other amendments	121
3319.088	The amendments to the second paragraph of division (C) All other amendments"	122
In line 43 of the title, delete "1515.14,"		123
In line 54 of the title, delete "1739.05,"		124

The motion was _____ agreed to.

SYNOPSIS

LSC Technical	125
R.C. 109.57, 124.381, 173.434, 305.20, 1515.14, 1739.05,	126
3304.181, 3317.013, 3319.61, 3702.30, 3702.592, 3704.144, 3734.57,	127
4757.36, 5111.093, 5112.372, 5123.193, and 5126.054	128
Sections 207.10, 265.30.20, 289.20, 309.30.71, 309.30.72,	129
309.31.60, 309.31.70, 335.10, 337.10, 337.20.10, 337.30.10,	130
337.30.20, 337.30.30, 337.30.40, 337.30.50, 337.30.60, 337.30.70,	131
337.30.85, 337.30.90, 337.31.10, 337.31.20, 337.40.10, 337.40.20,	132
337.40.30, 367.10, 371.60.95, 751.10, 751.20, 753.40, and 812.30	133
Corrects technical and cross reference errors and replaces	134
anachronistic references to the Department of Mental Retardation	135
and Developmental Disabilities with references to the Department	136
of Developmental Disabilities.	137

Am. Sub. H.B. 1
As Passed by the Senate
CC-4349
DOH046

_____ moved to amend as follows:

In line 360, after "3705.03," insert "3705.24," 2

Between lines 49913 and 49914, insert: 3

"Sec. 3705.24. (A) (1) The public health council shall, in 4
accordance with section 111.15 of the Revised Code, adopt rules 5
prescribing fees for the following items or services provided by 6
the state office of vital statistics: 7

(a) Except as provided in division (A) (4) of this section: 8

(i) A certified copy of a vital record or a certification of 9
birth; 10

(ii) A search by the office of vital statistics of its files 11
and records pursuant to a request for information, regardless of 12
whether a copy of a record is provided; 13

(iii) A copy of a record provided pursuant to a request; 14

(b) Replacement of a birth certificate following an adoption, 15
legitimation, paternity determination or acknowledgement, or court 16
order; 17

(c) Filing of a delayed registration of a vital record; 18

(d) Amendment of a vital record that is requested later than 19

one year after the filing date of the vital record; 20

(e) Any other documents or services for which the public 21
health council considers the charging of a fee appropriate. 22

(2) Fees prescribed under division (A)(1)(a) of this section 23
shall not be less than ~~seven~~ twelve dollars. 24

(3) Fees prescribed under division (A)(1) of this section 25
shall be collected in addition to any fees required by sections 26
3109.14 and 3705.242 of the Revised Code. 27

(4) Fees prescribed under division (A) of this section shall 28
not apply to certifications issued under division (H) of this 29
section or copies provided under section 3705.241 of the Revised 30
Code. 31

(B) In addition to the fees prescribed under division (A) of 32
this section or section 3709.09 of the Revised Code, the office of 33
vital statistics or the board of health of a city or general 34
health district shall charge a five-dollar fee for each certified 35
copy of a vital record and each certification of birth. This fee 36
shall be deposited in the general operations fund created under 37
section 3701.83 of the Revised Code and be used to support the 38
operations, the modernization, and the automation of the vital 39
records program in this state. A board of health shall forward all 40
fees collected under this division to the department of health not 41
later than thirty days after the end of each calendar quarter. 42
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(C) Except as otherwise provided in division (H) of this 44
section, and except as provided in section 3705.241 of the Revised 45
Code, fees collected by the director of health under sections 46
3705.01 to 3705.29 of the Revised Code shall be paid into the 47
state treasury to the credit of the general operations fund 48
created by section 3701.83 of the Revised Code. Except as provided 49

in division (B) or (I) of this section, money generated by the fees shall be used only for administration and enforcement of this chapter and the rules adopted under it. Amounts submitted to the department of health for copies of vital records or services in excess of the fees imposed by this section shall be dealt with as follows:

(1) An overpayment of two dollars or less shall be retained by the department and deposited in the state treasury to the credit of the general operations fund created by section 3701.83 of the Revised Code.

(2) An overpayment in excess of two dollars shall be returned to the person who made the overpayment.

(D) If a local registrar is a salaried employee of a city or a general health district, any fees the local registrar receives pursuant to section 3705.23 of the Revised Code shall be paid into the general fund of the city or the health fund of the general health district.

Each local registrar of vital statistics, or each health district where the local registrar is a salaried employee of the district, shall be entitled to a fee for each birth, fetal death, death, or military service certificate properly and completely made out and registered with the local registrar or district and correctly copied and forwarded to the office of vital statistics in accordance with the population of the primary registration district at the last federal census. The fee for each birth, fetal death, death, or military service certificate shall be:

(1) In primary registration districts of over two hundred fifty thousand, twenty cents;

(2) In primary registration districts of over one hundred twenty-five thousand and less than two hundred fifty thousand,

sixty cents;	80
(3) In primary registration districts of over fifty thousand	81
and less than one hundred twenty-five thousand, eighty cents;	82
(4) In primary registration districts of less than fifty	83
thousand, one dollar.	84
(E) The director of health shall annually certify to the	85
county treasurers of the several counties the number of birth,	86
fetal death, death, and military service certificates registered	87
from their respective counties with the names of the local	88
registrars and the amounts due each registrar and health district	89
at the rates fixed in this section. Such amounts shall be paid by	90
the treasurer of the county in which the registration districts	91
are located. No fees shall be charged or collected by registrars	92
except as provided by this chapter and section 3109.14 of the	93
Revised Code.	94
(F) A probate judge shall be paid a fee of fifteen cents for	95
each certified abstract of marriage prepared and forwarded by the	96
probate judge to the department of health pursuant to section	97
3705.21 of the Revised Code. The fee shall be in addition to the	98
fee paid for a marriage license and shall be paid by the	99
applicants for the license.	100
(G) The clerk of a court of common pleas shall be paid a fee	101
of one dollar for each certificate of divorce, dissolution, and	102
annulment of marriage prepared and forwarded by the clerk to the	103
department pursuant to section 3705.21 of the Revised Code. The	104
fee for the certified abstract of divorce, dissolution, or	105
annulment of marriage shall be added to the court costs allowed in	106
these cases.	107
(H) The fee for an heirloom certification of birth issued	108
pursuant to division (B) (2) of section 3705.23 of the Revised Code	109

shall be an amount prescribed by rule by the director of health 110
 plus any fee required by section 3109.14 of the Revised Code. In 111
 setting the amount of the fee, the director shall establish a 112
 surcharge in addition to an amount necessary to offset the expense 113
 of processing heirloom certifications of birth. The fee prescribed 114
 by the director of health pursuant to this division shall be 115
 deposited into the state treasury to the credit of the heirloom 116
 certification of birth fund which is hereby created. Money 117
 credited to the fund shall be used by the office of vital 118
 statistics to offset the expense of processing heirloom 119
 certifications of birth. However, the money collected for the 120
 surcharge, subject to the approval of the controlling board, shall 121
 be used for the purposes specified by the family and children 122
 first council pursuant to section 121.37 of the Revised Code. 123

(I) Four dollars of each fee collected by the director of 124
health or the board of health of a city or general health district 125
for an item or service described in division (A) (1) (a) of this 126
section shall be transferred to the office of vital statistics not 127
later than thirty days after the end of each calendar quarter and 128
shall be used to support public health systems." 129

In line 90862, after "3705.03," insert "3705.24," 130

In line 92 of the title, after "3705.03," insert "3705.24," 131

The motion was _____ agreed to.

SYNOPSIS

Vital Statistics - Fees 132

R.C. 3705.24 133

Restores provisions from the House Passed version that do 134

both of the following:

(1) Increase to \$12 (from \$7) the minimum fee the Public Health Council would be required to prescribe for the following items or services provided by the State Office of Vital Statistics or a local board of health: (a) a certified copy of a vital record or certification of birth, (b) a search by the Office of its files and records pursuant to an information request, and (c) a copy of a record provided pursuant to an information request.

(2) Require the ODH Director and local boards of health to transfer \$4 of each minimum \$12 fee to the State Office of Vital Statistics.

Adds a provision specifying that each \$4 transferred must be used to support public health systems.

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Am. Sub. H.B. 1

As Passed by the Senate

CC-4357

OBM055

_____ moved to amend as follows:

In line 298, after "121.402," insert "122.011," 1

Between lines 6564 and 6565, insert: 2

"Sec. 122.011. (A) The department of development shall 3
develop and promote plans and programs designed to assure that 4
state resources are efficiently used, economic growth is properly 5
balanced, community growth is developed in an orderly manner, and 6
local governments are coordinated with each other and the state, 7
and for such purposes may do all of the following: 8

(1) Serve as a clearinghouse for information, data, and other 9
materials that may be helpful or necessary to persons or local 10
governments, as provided in section 122.07 of the Revised Code; 11

(2) Prepare and activate plans for the retention, 12
development, expansion, and use of the resources and commerce of 13
the state, as provided in section 122.04 of the Revised Code; 14

(3) Assist and cooperate with federal, state, and local 15
governments and agencies of federal, state, and local governments 16
in the coordination of programs to carry out the functions and 17
duties of the department; 18

(4) Encourage and foster research and development activities, 19

conduct studies related to the solution of community problems, and 20
develop recommendations for administrative or legislative actions, 21
as provided in section 122.03 of the Revised Code; 22

(5) Serve as the economic and community development planning 23
agency, which shall prepare and recommend plans and programs for 24
the orderly growth and development of this state and which shall 25
provide planning assistance, as provided in section 122.06 of the 26
Revised Code; 27

(6) Cooperate with and provide technical assistance to state 28
departments, political subdivisions, regional and local planning 29
commissions, tourist associations, councils of government, 30
community development groups, community action agencies, and other 31
appropriate organizations for carrying out the functions and 32
duties of the department or for the solution of community 33
problems; 34

(7) Coordinate the activities of state agencies that have an 35
impact on carrying out the functions and duties of the department; 36

(8) Encourage and assist the efforts of and cooperate with 37
local governments to develop mutual and cooperative solutions to 38
their common problems that relate to carrying out the purposes of 39
this section; 40

(9) Study existing structure, operations, and financing of 41
regional or local government and those state activities that 42
involve significant relations with regional or local governmental 43
units, recommend to the governor and to the general assembly such 44
changes in these provisions and activities as will improve the 45
operations of regional or local government, and conduct other 46
studies of legal provisions that affect problems related to 47
carrying out the purposes of this section; 48

(10) Create and operate a division of community development 49

to develop and administer programs and activities that are 50
authorized by federal statute or the Revised Code; 51

(11) Until October 15, 2007, establish fees and charges, in 52
consultation with the director of agriculture, for purchasing 53
loans from financial institutions and providing loan guarantees 54
under the family farm loan program created under sections 901.80 55
to 901.83 of the Revised Code; 56

(12) Provide loan servicing for the loans purchased and loan 57
guarantees provided under section 901.80 of the Revised Code as 58
that section existed prior to October 15, 2007; 59

(13) Until October 15, 2007, and upon approval by the 60
controlling board under division (A) (3) of section 901.82 of the 61
Revised Code of the release of money to be used for purchasing a 62
loan or providing a loan guarantee, request the release of that 63
money in accordance with division (B) of section 166.03 of the 64
Revised Code for use for the purposes of the fund created by 65
section 166.031 of the Revised Code. 66

(14) Allocate that portion of the national recovery zone 67
economic development bond limitation and that portion of the 68
national recovery zone facility bond limitation that has been 69
allocated to the state under section 1400U-1 of the Internal 70
Revenue Code, 26 U.S.C. 1400U-1. If any county or municipal 71
corporation waives any portion of an allocation it receives under 72
division (A) (14) of this section, the department may reallocate 73
that amount. Any allocation or reallocation shall be made in 74
accordance with this section and section 1400U-1 of the Internal 75
Revenue Code. 76

(B) The director of development may request the attorney 77
general to, and the attorney general, in accordance with section 78
109.02 of the Revised Code, shall bring a civil action in any 79
court of competent jurisdiction. The director may be sued in the 80

director's official capacity, in connection with this chapter, in accordance with Chapter 2743. of the Revised Code." 81
82

In line 90800, after "121.402," insert "122.011," 83

In line 106519, after "121.402," insert "122.011," 84

In line 8 of the title, after "121.402," insert "122.011," 85

The motion was _____ agreed to.

SYNOPSIS

Allocation of National Recovery Zone Bond Limitations 86

R.C. 122.011 87

Authorizes the Department of Development, pursuant to federal law, to allocate, among the counties and large municipalities, the portion of the national recovery zone economic development bond limitation and the national recovery zone facility bond limitation that has been allocated to the state. 88
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Am. Sub. H.B. 1
As Passed by the Senate
CC-4361
DAS102

6 _____ moved to amend as follows:

7 In line 11523, after "receive" insert "the lesser of
8 either"

9 In line 11524, after "a" insert "one-time"

10 In line 11526, after "moratorium" insert "established";
11 after "under" insert "either"

12 In line 11527, delete ", whichever is less" and insert "or
13 pursuant to a rule of the director of administrative services"

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Crediting of Additional Sick Leave in July 2011 to Certain**
17 **State Employees**

18 **R.C. 124.382**

19 Provides that the additional sick leave credit to be
20 granted to state employees under the Senate version of the bill
21 in July 2011, because of their participation in the moratorium
22 on the accrual of personal leave during fiscal years 2010 and
23 2011 applies to employees who accrue personal leave under a rule
24 of the Director of Administrative Services.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4363
LAS103

6 _____ moved to amend as follows:

7 In line 10778, after "section" insert "124.138 or"

8 In line 10784, after "receive" insert "the lesser of
9 either"

10 In line 10787, after "moratorium" insert "established";
11 after "under" insert "either"

12 In line 10788, delete ", whichever is less" and insert "or
13 pursuant to a rule of the director of administrative services"

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Crediting of Additional One-Time Pay Supplement in August**
17 **2011 to Certain State Employees**

18 **R.C. 124.183**

19 Provides that the additional one-time pay supplement to be
20 granted to state employees under the Senate version of the bill
21 in August 2011, because of their participation in the moratorium
22 on the accrual of personal leave during fiscal years 2010 and
23 2011 applies to firefighters and employees who accrue personal
24 leave under a rule of the Director of Administrative Services.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4364
OBM065

_____ moved to amend as follows:

In line 308, after "166.07," insert "166.11," 1

Between lines 15705 and 15706, insert: 2

"Sec. 166.11. (A) The aggregate principal amount of project 3
financing obligations that may be issued under section 166.08 of 4
the Revised Code is three hundred million dollars, plus the 5
principal amount of such project financing obligations retired by 6
payments. The aggregate principal amount of obligations, exclusive 7
of project financing obligations, that may be issued under section 8
166.08 of the Revised Code is six hundred thirty million dollars, 9
plus the principal amount of any such obligations retired by 10
payment, the amounts held or obligations pledged for the payment 11
of the principal amount of any such obligations outstanding, 12
amounts in special funds held as reserves to meet bond service 13
charges, and amounts of obligations issued to provide moneys 14
required to meet payments from the loan guarantee fund created in 15
section 166.06 of the Revised Code and the innovation Ohio loan 16
guarantee fund created in section 166.15 of the Revised Code. Of 17
that six hundred thirty million dollars, not more than eighty-four 18
million principal amount of obligations may be issued for eligible 19
advanced energy projects and not more than one hundred million 20

principal amount of obligations may be issued for eligible 21
logistics and distribution projects. The terms of the obligations 22
issued under section 166.08 of the Revised Code, other than 23
obligations issued to meet guarantees that cannot be satisfied 24
from amounts then held in the loan guarantee fund or the 25
innovation Ohio loan guarantee fund, shall be such that the 26
aggregate amount of moneys used from profit from the sale of 27
spirituous liquor, and not from other sources, in any fiscal year 28
shall not exceed sixty-three million dollars. For purposes of the 29
preceding sentence, "other sources" include the annual investment 30
income on special funds to the extent it will be available for 31
payment of any bond service charges in lieu of use of profit from 32
the sale of spirituous liquor, and shall be estimated on the basis 33
of the expected funding of those special funds and assumed 34
investment earnings thereon at a rate equal to the weighted 35
average yield on investments of those special funds determined as 36
of any date within sixty days immediately preceding the date of 37
issuance of the bonds in respect of which the determination is 38
being made. Amounts received in any fiscal year under section 6341 39
of the Internal Revenue Code, 26 U.S.C. 6341, shall not be 40
included when determining the sixty-three million dollar limit. 41
The determinations required by this division shall be made by the 42
treasurer of state at the time of issuance of an issue of 43
obligations and shall be conclusive for purposes of such issue of 44
obligations from and after their issuance and delivery. 45

(B) The aggregate amount of the guaranteed portion of the 46
unpaid principal of loans guaranteed under sections 166.06 and 47
166.15 of the Revised Code and the unpaid principal of loans made 48
under sections 166.07, 166.16, and 166.21 of the Revised Code may 49
not at any time exceed eight hundred million dollars. Of that 50
eight hundred million dollars, the aggregate amount of the 51
guaranteed portion of the unpaid principal of loans guaranteed 52

under sections 166.06 and 166.15 of the Revised Code shall not at 53
any time exceed two hundred million dollars. However, the 54
limitations established under this division do not apply to loans 55
made with proceeds from the issuance and sale of project financing 56
obligations." 57

In line 90810, after "166.07," insert "166.11," 58

In line 106522, after "145.298," insert "166.11," 59

In line 20 of the title, after "166.07," insert "166.11," 60

The motion was _____ agreed to.

SYNOPSIS

Disposition of Build America Bond Payments Related to Liquor 61
Profit Debt Service 62

R.C. 166.11 63

Provides that any amounts received by the state as part of 64
the federal Build America bond program are not to be included when 65
determining the annual \$63 million debt service limit on the 66
repayment of certain obligations with profits from the sale of 67
spirituous liquor. 68

Am. Sub. H.B. 1

As Passed by the Senate

CC-4378-1

EPA037

_____ moved to amend as follows:

In line 370, after "3737.71," insert "3745.015,"

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In line 23998, after "3714.073" insert "and division (A)(5) of section 3734.57"

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In line 55218, after "Code" insert ":

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(4) An additional one dollar per ton on and after August 1, 2009, through June 30, 2012, the proceeds of which shall be deposited in the state treasury to the credit of the environmental protection fund;

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(5) An additional twenty-five cents per ton on and after August 1, 2009, through June 30, 2012, the proceeds of which shall be deposited in the state treasury to the credit of the soil and water conservation district assistance fund created in section 1515.14 of the Revised Code"

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Between lines 56185 and 56186, insert:

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"Sec. 3745.015. There is hereby created in the state treasury the environmental protection fund consisting of money credited to the fund under ~~division~~ divisions (A)(3) and (4) of section 3734.57 of the Revised Code. The environmental protection agency shall use money in the fund to pay the agency's costs associated

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with administering and enforcing, or otherwise conducting 20
activities under, this chapter and Chapters 3704., 3734., 3746., 21
3747., 3748., 3750., 3751., 3752., 3753., 5709., 6101., 6103., 22
6105., 6109., 6111., 6112., 6113., 6115., 6117., and 6119. and 23
sections 122.65 and 1521.19 of the Revised Code." 24

In line 90872, after "3737.71," insert "3745.015," 25

In line 96281, delete "\$690,322 \$690,322" and insert 26
"\$741,000 \$741,000" 27

In line 96282, delete "\$1,026,369 \$1,026,369" and insert 28
"\$1,827,000 \$2,035,000" 29

In line 96283, delete "\$8,997,413 \$8,997,413" and insert 30
"\$13,034,000 \$13,198,000" 31

In line 96284, delete "\$1,093,741 \$1,093,741" and insert 32
"\$1,594,000 \$1,594,000" 33

In line 96285, delete "\$5,199,290 \$5,199,290" and insert 34
"\$7,269,000 \$7,607,000" 35

In line 96286, delete "\$2,550,250 \$2,550,250" and insert 36
"\$3,838,000 \$3,838,000" 37

In line 96287, delete "\$100,847 \$100,847" and insert 38
"\$116,000 \$116,000" 39

In line 96288, delete "\$700,302 \$700,302" and insert 40
"\$775,000 \$775,000" 41

In line 96289, delete "\$1,216,333 \$1,216,333" and insert 42
"\$1,454,000 \$1,454,000" 43

In line 96290, delete "\$1,179,775 \$1,179,775" and insert 44
"\$1,180,000 \$1,180,000" 45

In line 96307, delete "\$134,505,201 \$134,960,492" and insert 46
"\$143,578,559 \$144,743,850" 47

In line 96311, delete "\$190,359,657 \$188,987,875" and insert "48
 "\$199,433,014 \$198,771,232" 49

In line 99668, delete "\$15,104,906" and insert "\$18,104,906" 50

In line 99677, add \$3,000,000 to fiscal year 2011 51

In line 99708, add \$3,000,000 to fiscal year 2011 52

In line 106543, after "3718.03," insert "3745.015," 53

In line 106 of the title, after "3737.71," insert "3745.015," 54

The motion was _____ agreed to.

SYNOPSIS

New State Solid Waste Disposal Fees 55

R.C. 1515.14, 3734.57, and 3745.015 56

As in the House-passed version of the bill, establishes a new 57
 solid waste disposal fee of \$1 per ton from August 1, 2009, 58
 through June 30, 2012, the proceeds of which must be credited to 59
 the existing Environmental Protection Fund. 60

As in the House-passed version of the bill, establishes a new 61
 solid waste disposal fee of 25¢ per ton from August 1, 2009, 62
 through June 30, 2012, the proceeds of which must be credited to 63
 the existing Soil and Water Conservation District Assistance Fund. 64

Environmental Protection Agency 65

Section 277.10 66

Increases ten appropriation items from SSR Fund 5BC0, by \$9.1 67
 million in FY 2010 and \$9.8 million in FY 2011, to reflect 68
 increased revenues from the restoration of the solid waste 69
 generation fee increase. 70

Department of Natural Resources

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Section 343.10

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Increases Fund 5BVO appropriation item 725683, Soil and Water
Districts, to the "As Introduced" FY 2011 level of \$18,104,906.

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Am. Sub. H.F. 1
As Passed by the Senate
CC-4381
DAS082-01

6 _____ moved to amend as follows:

7 Between lines 96085a and 96086, insert:

8 "8140 995674 Cost Savings Days \$200,000,000 \$200,000,000"

9 In line 96086, add \$200,000,000 to each fiscal year

10 In line 96087, add \$200,000,000 to each fiscal year

11 Between lines 96159 and 96160, insert:

12 "COST SAVINGS DAYS

13 The foregoing appropriation item, 995674, Cost Savings
14 Days, shall be used by the Director of Budget and Management in
15 accordance with division (E) of section 124.392 of the Revised
16 Code to pay employees who participated in a mandatory cost
17 savings program, or to reimburse employees who did not fully
18 participate in a mandatory cost savings program by the close of
19 each fiscal year. Notwithstanding any provision of law to the
20 contrary, in fiscal year 2010 and fiscal year 2011, the Director
21 may transfer agency savings achieved from the use of a mandatory
22 cost savings program to the General Revenue Fund or any other
23 fund as deemed necessary by the Director. The Director may make
24 temporary transfers from the General Revenue Fund to ensure

25 sufficient balances in the Cost Savings Fund and may reimburse
26 the General Revenue Fund for such transfers. If the Director
27 determines that additional amounts are necessary for these
28 purposes, the amounts are hereby appropriated."

29 The motion was _____ agreed to.

30 SYNOPSIS

31 **Employee Benefits Funds**

32 **Section 271.10**

33 Appropriates \$200,000,000 in FY 2010 and FY 2011 to AGY
34 appropriation item 995674, Cost Savings Days within the Cost
35 Savings Days Fund (Fund 8140).

36 Requires that the appropriation be used to pay employees
37 who participated in a mandatory cost savings program.
38 Authorizes the Director of Budget and Management to: transfer
39 agency savings achieved from the programs to the General Revenue
40 Fund or any other fund as deemed necessary; make temporary
41 transfers from the General Revenue Fund to the Cost Savings
42 Fund; and reimburse the General Revenue Fund for such transfers.
43 Appropriates any additional amounts deemed necessary for this
44 purpose by the Director of Budget and Management.

6 _____ moved to amend as follows:

7 In line 91967, after "Health" insert "for training for
8 adult care facilities serving residents with mental illness"

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Departments of Aging and Mental Health**

12 **Section 209.30**

13 Specifies that the Residential State Supplement Fund (Fund
14 5CH0), used by the Department of Mental Health, that may receive
15 cash transfers from the Department of Aging, is for training for
16 adult care facilities serving residents with mental illness.

6 _____ moved to amend as follows:

7 In line 430, after "131.38," insert "133.022,"

8 Between lines 12810 and 12811, insert:

9 "Sec. 133.022. (A) As used in this section:

10 (1) "Large local educational agency" and "qualified
11 school construction bond" have the same meaning as in
12 section 54F of the Internal Revenue Code, 26 U.S.C. 54F.

13 (2) "National limit" means, as applicable, the
14 limitation on the aggregate amount of qualified school
15 construction bonds that may be issued by the states each
16 calendar year under section 54F of the Internal Revenue
17 Code.

18 (3) "State portion" means the portion of the national
19 limit allocated to this state pursuant to section 54F of
20 the Internal Revenue Code.

21 (B)(1) To provide for the orderly and prompt issuance
22 of qualified school construction bonds, the Ohio school
23 facilities commission, in consultation with the director of
24 budget and management, shall allocate the state portion

25 among those issuers authorized to issue qualified school
26 construction bonds. The Ohio school facilities commission
27 may also accept from any large local educational agency the
28 allocation received by that agency under section 54F(d)(2)
29 of the Internal Revenue Code and reallocate it to any
30 issuer or issuers authorized to issue obligations,
31 including any large local educational agency.

32 (2) The factors to be considered when making
33 allocations of the state portion or reallocations of any
34 amounts received by a large local educational agency
35 include the following:

36 (a) The interests of the state with regard to
37 education and economic development;

38 (b) The need and ability of each issuer to issue
39 obligations.

40 (3) The Ohio school facilities commission, in
41 consultation with the director of budget and management,
42 shall establish procedures for making allocations,
43 including those from any carryover of the state portion,
44 and shall adopt guidelines to carry out the purposes of
45 this section."

46 In line 106522, after "131.33," insert "133.022,"

47 In line 187 of the title, after "131.38," insert
48 "133.022,"

49 The motion was _____ agreed to.

50 SYNOPSIS

51 **Allocation of National School Construction Bond Limitation**

52 **R.C. 133.022**

53 Authorizes the Ohio School Facilities Commission, in
54 consultation with the Director of Budget and Management, to
55 (1) allocate the portion of the national qualified school
56 construction bond limitation that has been allocated to
57 Ohio, including any portion of such allocation that was
58 reallocated back to the state by a large local educational
59 agency, (2) establish procedures for making allocations,
60 and (3) to adopt guidelines to carry out the purposes of
61 the amendment.

6 _____ moved to amend as follows:

7 In line 103282, before "The" insert "(A)"; delete "Audit"
8 and insert "Auditing"

9 In line 103283, after "shall" insert ", in connection with
10 its duties under sections 126.45 to 126.48 of the Revised Code,"

11 In line 103285, delete "part of its duties under this"

12 In line 103286, delete "section" and insert "such"; delete
13 "Audit" and insert "Auditing"; delete "investigate" and insert
14 "review"

15 In line 103287, delete "are"; delete "and how the agency
16 spends the"

17 In line 103288, delete "funds" and insert "are spent";
18 delete "The" and insert "For purposes of this section, "state
19 agency" has the same meaning as in division (A) of section
20 126.45 of the Revised Code.

21 In addition to the reports required under section 126.47 of
22 the Revised Code, the"; delete "Audit" and insert "Auditing"

23 Between lines 103302 and 103303, insert:

24 "(B) When, as part of its compliance with the federal
25 American Recovery and Reinvestment Act of 2009 requirements to

26 monitor and measure the effectiveness of funds for which the
27 state of Ohio is the prime recipient, and for which reporting
28 authority has not been delegated to a sub-recipient, the Office
29 of Budget and Management submits quarterly reports to the
30 federal government, the Office of Budget and Management shall
31 also submit those reports to the President of the Senate,
32 Minority Leader of the Senate, Speaker of the House of
33 Representatives, Minority Leader of the House of
34 Representatives, and Chairs and ranking members of the
35 committees in the Senate and House of Representatives handling
36 finance and appropriations. The Office of Budget and Management
37 shall continue to submit quarterly reports to the legislature
38 for the duration of the period in which the state of Ohio is
39 required to make reports to the federal government concerning
40 Ohio's use of the federal American Recovery and Reinvestment Act
41 of 2009 funds."

42 The motion was _____ agreed to.

43 SYNOPSIS

44 **Oversight of Federal Stimulus Funds**

45 **Section 521.80**

46 Narrows the responsibility of the Office of Internal
47 Auditing (within the Office of Budget and Management) to monitor
48 the effectiveness of stimulus funds allocated to Ohio by stating
49 that the oversight is *in connection with its responsibility*
50 under current law to internally audit *specified state agencies*.

51 Requires the quarterly reports to monitor the effectiveness
52 of federal stimulus funds submitted to the federal government by
53 OBM to also be submitted to the President of the Senate,
54 Minority Leader of the Senate, Speaker of the House of
55 Representatives, Minority Leader of the House of
56 Representatives, and the Chairs and ranking members of the
57 committees in the Senate and House of Representatives handling
58 finance and appropriations.