

Am. Sub. H.B. 1
As Passed by the Senate
CC-4594-2

_____ moved to amend as follows:

In line 337, after "2923.125," insert "2923.1210,"; after 1
"2923.1213," insert "2923.16," 2

In line 2872, strike through "or" and insert "and an 3
application form that is to be used under section 2923.125 of the 4
Revised Code by a person who applies" 5

In line 2873, strike through "and that conforms" and insert 6
"both of which shall conform"; strike through "form" and insert 7
"forms" 8

In line 2932, strike through "commission" and insert 9
"attorney general"; strike through "make copies" and insert 10
"publish" 11

In line 2933, strike through "of"; strike through "available 12
to any person, public entity, or private" 13

Strike through lines 2934 through 2940 14

In line 2941, strike through everything before the period and 15
insert "on the web site of the attorney general and shall provide 16
the address of the web site to any person who requests the 17
pamphlet" 18

In line 18509, after "under" insert "division (B) of" 19

In line 18510, delete "and" and insert an underlined comma 20

In line 18511, after "Code" insert ", and thirty-five dollars
of each fee paid under division (F) of section 2923.125 of the
Revised Code"

In line 31451, strike through "a copy of" and insert "the web
site address at which"

In line 31452, after "Code" insert "may be found"

In line 31475, delete "fifty-five" and insert "sixty-seven"

In line 31477, delete "fifty-five" and insert "sixty-seven"

In line 31804, after the first "fee" insert "in an amount
determined pursuant to division (F)(4) of this section"

In line 31809, after "license" insert ", expired license"

Between lines 31848 and 31849, insert:

(3) A renewal application submitted pursuant to division (F)
of this section shall only require the licensee to list on the
application form information and matters occurring since the date
of the licensee's last application for a license pursuant to
division (B) or (F) of this section. A sheriff conducting the
criminal records check and the incompetency records check
described in section 311.41 of the Revised Code shall conduct the
check only from the date of the licensee's last application for a
license pursuant to division (B) or (F) of this section through
the date of the renewal application submitted pursuant to division
(F) of this section.

(4) An applicant for a renewal license to carry a concealed
handgun shall submit to the sheriff of the county in which the
applicant resides or to the sheriff of any county adjacent to the
county in which the applicant resides a nonrefundable license fee
as described in either of the following:

(a) For an applicant who has been a resident of this state

for five or more years, a fee of fifty dollars; 50

(b) For an applicant who has been a resident of this state 51
for less than five years, a fee of fifty dollars plus the actual 52
cost of having a background check performed by the federal bureau 53
of investigation." 54

In line 31852, strike through "a copy of" and insert "the web 55
site address at which" 56

In line 31855, after "matters" insert "may be found" 57

In line 31925, strike through "and a copy of the pamphlet" 58

Strike through line 31926 59

In line 31927, after "week" insert "and shall provide the web 60
site address at which the pamphlet described in division (B) of 61
section 109.731 of the Revised Code may be found at any time, upon 62
request" 63

Between lines 31930 and 31931, insert: 64

"Sec. 2923.1210. The application for a license to carry a 65
concealed handgun or for the renewal of a license of that nature 66
that is to be used under section 2923.125 of the Revised Code 67
shall conform substantially to the following ~~form~~ forms: 68

"Ohio Peace APPLICATION FOR A LICENSE TO 69
Officer CARRY A CONCEALED HANDGUN
Training
Commission

Please Type or Print in Ink 70

SECTION I. 71

This application will not be processed unless 72
all applicable questions have been answered and
until all required supporting documents as
described in division (B) or (F) of section

2923.125 of the Ohio Revised Code and, unless waived, a cashier's check, certified check, or money order in the amount of the applicable license fee or license renewal fee have been submitted. FEES ARE NONREFUNDABLE.

SECTION II. 73

Name: 74

Last First Middle 75

..... 76

Social Security Number: 77

Current Residence: 78

Street City State County Zip 79

..... 80

Mailing Address (If Different From Above): 81

Street City State Zip 82

..... 83

Date of Birth Place of Birth Sex Race Residence 84

Telephone

...../...../..... (.....)..... 85

SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO 86

(1) (a) Are you legally living in the United States? YES NO 87

(b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county? YES NO 88

(2) Are you at least twenty-one years of age? YES NO 89

(3) Are you a fugitive from justice? YES NO 90

(4) Are you under indictment for a felony, or, except for a conviction or guilty plea the YES NO 91

records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to a felony, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult?

(5) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of

..... YES NO 92

that nature if committed by an adult?

(6) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult? YES NO 93

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the YES NO 94

records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest?

(8) (a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 95

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or more times for committing assault or negligent assault within five years of the date of this application? YES NO 96

(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer? YES NO 97

(9) (a) Have you ever been adjudicated as a mental defective? YES NO 98

(b) Have you ever been committed to a mental institution? YES NO 99

(10) Are you currently subject to a civil protection order, a temporary protection YES NO 100

order, or a protection order issued by a court of another state?

(11) Are you currently subject to a suspension YES NO 101 imposed under division (A) (2) of section 2923.128 of the Revised Code of a license to carry a concealed handgun, or a temporary emergency license to carry a concealed handgun, that previously was issued to you?

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY 102 PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH 103 PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU 104 ATTAINED EIGHTEEN YEARS OF AGE AND UNTIL YOU COMMENCED YOUR 105 RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II OF THIS FORM, 106 AND THE DATES OF RESIDENCE AT EACH OF THOSE ADDRESSES. IF YOU NEED 107 MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT 108 INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT 109 AT THE END OF THIS SECTION. 110

Residence 1: 111 Street City State County Zip 112 113 Dates of residence at this address 114

Residence 2: 115 Street City State County Zip 116 117 Dates of residence at this address 118

Residence 3: 119 Street City State County Zip 120 121 Dates of residence at this address 122

Residence 4: 123 Street City State County Zip 124

..... 125

Dates of residence at this address 126

SECTION V. 127

YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE 128

QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS 129

"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU 130

NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT 131

INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT 132

AT THE END OF THIS SECTION. 133

(1) Have you previously applied in any county YES NO 134

in Ohio or in any other state for a license to

carry a concealed handgun or a temporary

emergency license to carry a concealed

handgun?

(2) If your answer to the question in part (1) of this section of 135

the application is "yes," you must complete this part by listing 136

each county in Ohio, and each other state, in which you previously 137

applied for either type of license and, to the best of your 138

knowledge, the date on which you made the application. 139

Previous application made in (insert name of Ohio 140

county or other state) on (insert date of 141

application.) 142

Previous application made in (insert name of Ohio 143

county or other state) on (insert date of 144

application.) 145

Previous application made in (insert name of Ohio 146

county or other state) on (insert date of 147

application.) 148

Previous application made in (insert name of Ohio 149

county or other state) on (insert date of 150

application.) 151

SECTION VI. 152

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 153
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 154
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 155
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 156
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 157

(1) I have ~~been furnished, and have read,~~ the pamphlet that 158
explains the Ohio firearms laws, that provides instruction in 159
dispute resolution and explains the Ohio laws related to that 160
matter, and that provides information regarding all aspects 161
of the use of deadly force with a firearm, and I am 162
knowledgeable of the provisions of those laws and of the 163
information on those matters. 164

(2) I desire a legal means to carry a concealed handgun for 165
defense of myself or a member of my family while engaged in 166
lawful activity. 167

(3) I have never been convicted of or pleaded guilty to a crime of 168
violence in the state of Ohio or elsewhere (if you have been 169
convicted of or pleaded guilty to such a crime, but the 170
records of that conviction or guilty plea have been sealed or 171
expunged by court order or a court has granted relief 172
pursuant to section 2923.14 of the Revised Code from the 173
disability imposed pursuant to section 2923.13 of the Revised 174
Code relative to that conviction or guilty plea, you may 175
treat the conviction or guilty plea for purposes of this 176
paragraph as if it never had occurred). I am of sound mind. I 177
hereby certify that the statements contained herein are true 178
and correct to the best of my knowledge and belief. I 179
understand that if I knowingly make any false statements 180
herein I am subject to penalties prescribed by law. I 181

authorize the sheriff or the sheriff's designee to inspect	182
only those records or documents relevant to information	183
required for this application.	184

(4) The information contained in this application and all attached	185
documents are true and correct to the best of my knowledge.	186

.....	187
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Signature of Applicant"	188
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"Ohio Peace	<u>APPLICATION TO RENEW A LICENSE</u>	189
Officer	<u>TO CARRY A CONCEALED HANDGUN</u>	
Training		
Commission		

<u>Please Type or Print in Ink</u>	190
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<u>SECTION I.</u>	191
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<u>This application will not be processed unless</u>	192
<u>all applicable questions have been answered and</u>	
<u>until all required supporting documents as</u>	
<u>described in division (B) or (F) of section</u>	
<u>2923.125 of the Ohio Revised Code and, unless</u>	
<u>waived, a cashier's check, certified check, or</u>	
<u>money order in the amount of the applicable</u>	
<u>license fee or license renewal fee have been</u>	
<u>submitted. FEES ARE NONREFUNDABLE.</u>	

<u>SECTION II.</u>	193
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Name:	194
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<u>Last</u>	<u>First</u>	<u>Middle</u>	195
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.....	196
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<u>Social Security Number:</u>	197
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<u>Current Residence:</u>	198
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<u>Street</u>	<u>City</u>	<u>State</u>	<u>County</u>	<u>Zip</u>	199
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.....	200
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Mailing Address (If Different From Above): 201

<u>Street</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	202
.....	203

<u>Date of Birth</u>	<u>Place of Birth</u>	<u>Sex</u>	<u>Race</u>	<u>Residence</u>	204
				<u>Telephone</u>	

...../...../.....	(.....).....	205
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SECTION III. THE FOLLOWING QUESTIONS ARE TO BE ANSWERED YES OR NO 206

(1) (a) Are you legally living in the United States? YES NO 207

(b) Have you been a resident of Ohio for at least forty-five days and have you been a resident for thirty days of the county with whose sheriff you are filing this application or of a county adjacent to that county? YES NO 208

(2) Are you at least twenty-one years of age? YES NO 209

(3) Are you a fugitive from justice? YES NO 210

(4) Are you under indictment for a felony, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to a felony, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be a felony if committed by an adult? 211

(5) Are you under indictment for or otherwise YES NO 212

charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of or pleaded guilty to, an offense under Chapter 2925., 3719., or 4729. of the Ohio Revised Code that involves the illegal possession, use, sale, administration, or distribution of or trafficking in a drug of abuse, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been adjudicated a delinquent child for committing an act that would be an offense of that nature if committed by an adult?

(6) Are you under indictment for or otherwise YES NO 213

charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within three years of the date of this application, a misdemeanor that is an offense of violence or the offense of possessing a revoked or suspended concealed handgun license, or, except for a delinquent child adjudication the records of which a

court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child within three years of the date of this application for committing an act that would be a misdemeanor of that nature if committed by an adult?

(7) Are you under indictment for or otherwise charged with, or, except for a conviction or guilty plea the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been convicted of or pleaded guilty to within ten years of the date of this application, resisting arrest, or, except for a delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you been adjudicated a delinquent child for committing, within ten years of the date of this application an act that if committed by an adult would be the offense of resisting arrest? YES NO 214

(8) (a) Are you under indictment for or otherwise charged with assault or negligent assault?

(8) (a) Are you under indictment for or otherwise charged with assault or negligent assault? YES NO 215

(b) Have you been convicted of, pleaded guilty to, or adjudicated a delinquent child two or YES NO 216

more times for committing assault or negligent assault within five years of the date of this application?

(c) Except for a conviction, guilty plea, or delinquent child adjudication the records of which a court has ordered sealed or expunged or relative to which a court has granted relief from disability pursuant to section 2923.14 of the Revised Code, have you ever been convicted of, pleaded guilty to, or adjudicated a delinquent child for assaulting a peace officer? YES NO 217

(9) (a) Have you ever been adjudicated as a mental defective? YES NO 218

(b) Have you ever been committed to a mental institution? YES NO 219

(10) Are you currently subject to a civil protection order, a temporary protection order, or a protection order issued by a court of another state? YES NO 220

(11) Are you currently subject to a suspension imposed under division (A) (2) of section 2923.128 of the Revised Code of a license to carry a concealed handgun, or a temporary emergency license to carry a concealed handgun, that previously was issued to you? YES NO 221

SECTION IV. YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY 222

PROVIDING, TO THE BEST OF YOUR KNOWLEDGE, THE ADDRESS OF EACH 223

PLACE OF RESIDENCE AT WHICH YOU RESIDED AT ANY TIME AFTER YOU LAST 224

APPLIED FOR AN OHIO CONCEALED HANDGUN LICENSE THROUGH THE TIME YOU 225

COMMENCED YOUR RESIDENCE AT THE LOCATION IDENTIFIED IN SECTION II 226

OF THIS FORM, AND THE DATES OF RESIDENCE AT EACH OF THOSE 227

ADDRESSES. IF YOU NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET 228
WITH THE RELEVANT INFORMATION, ATTACH IT TO THE APPLICATION, AND 229
NOTE THE ATTACHMENT AT THE END OF THIS SECTION. 230

Residence 1: 231
Street City State County Zip 232
..... 233
Dates of residence at this address 234

Residence 2: 235
Street City State County Zip 236
..... 237
Dates of residence at this address 238

Residence 3: 239
Street City State County Zip 240
..... 241
Dates of residence at this address 242

Residence 4: 243
Street City State County Zip 244
..... 245
Dates of residence at this address 246

SECTION V. 247

YOU MUST COMPLETE THIS SECTION OF THE APPLICATION BY ANSWERING THE 248
QUESTION POSED IN PART (1) AND, IF THE ANSWER TO THE QUESTION IS 249
"YES," BY PROVIDING IN PART (2) THE INFORMATION SPECIFIED. IF YOU 250
NEED MORE SPACE, COMPLETE AN ADDITIONAL SHEET WITH THE RELEVANT 251
INFORMATION, ATTACH IT TO THE APPLICATION, AND NOTE THE ATTACHMENT 252
AT THE END OF THIS SECTION. 253

(1) Have you previously applied in any county YES NO 254
in Ohio or in any other state for a license to
carry a concealed handgun or a temporary
emergency license to carry a concealed

handgun?

(2) If your answer to the question in part (1) of this section of 255
the application is "yes," you must complete this part by listing 256
each county in Ohio, and each other state, in which you previously 257
applied for either type of license and, to the best of your 258
knowledge, the date on which you made the application. 259

Previous application made in (insert name of Ohio 260
county or other state) on (insert date of 261
application.) 262

Previous application made in (insert name of Ohio 263
county or other state) on (insert date of 264
application.) 265

Previous application made in (insert name of Ohio 266
county or other state) on (insert date of 267
application.) 268

Previous application made in (insert name of Ohio 269
county or other state) on (insert date of 270
application.) 271

SECTION VI. 272

AN APPLICANT WHO KNOWINGLY GIVES A FALSE ANSWER TO ANY QUESTION OR 273
SUBMITS FALSE INFORMATION ON, OR A FALSE DOCUMENT WITH THE 274
APPLICATION MAY BE PROSECUTED FOR FALSIFICATION TO OBTAIN A 275
CONCEALED HANDGUN LICENSE, A FELONY OF THE FOURTH DEGREE, IN 276
VIOLATION OF SECTION 2921.13 OF THE OHIO REVISED CODE. 277

(1) I have read the pamphlet that explains the Ohio firearms laws, 278
that provides instruction in dispute resolution and explains 279
the Ohio laws related to that matter, and that provides 280
information regarding all aspects of the use of deadly force 281
with a firearm, and I am knowledgeable of the provisions of 282
those laws and of the information on those matters. 283

284

(2) I desire a legal means to carry a concealed handgun for 285
defense of myself or a member of my family while engaged in 286
lawful activity. 287

(3) I have never been convicted of or pleaded guilty to a crime of 288
violence in the state of Ohio or elsewhere (if you have been 289
convicted of or pleaded guilty to such a crime, but the 290
records of that conviction or guilty plea have been sealed or 291
expunged by court order or a court has granted relief 292
pursuant to section 2923.14 of the Revised Code from the 293
disability imposed pursuant to section 2923.13 of the Revised 294
Code relative to that conviction or guilty plea, you may 295
treat the conviction or guilty plea for purposes of this 296
paragraph as if it never had occurred). I am of sound mind. I 297
hereby certify that the statements contained herein are true 298
and correct to the best of my knowledge and belief. I 299
understand that if I knowingly make any false statements 300
herein I am subject to penalties prescribed by law. I 301
authorize the sheriff or the sheriff's designee to inspect 302
only those records or documents relevant to information 303
required for this application. 304

(4) The information contained in this application and all attached 305
documents are true and correct to the best of my knowledge. 306

..... 307

Signature of Applicant" 308

Between lines 32162 and 32163, insert: 309

"Sec. 2923.16. (A) No person shall knowingly discharge a 310
firearm while in or on a motor vehicle. 311

(B) No person shall knowingly transport or have a loaded 312
firearm in a motor vehicle in such a manner that the firearm is 313

accessible to the operator or any passenger without leaving the 314
vehicle. 315

(C) No person shall knowingly transport or have a firearm in 316
a motor vehicle, unless the person may lawfully possess that 317
firearm under applicable law of this state or the United States, 318
the firearm is unloaded, and the firearm is carried in one of the 319
following ways: 320

(1) In a closed package, box, or case; 321

(2) In a compartment that can be reached only by leaving the 322
vehicle; 323

(3) In plain sight and secured in a rack or holder made for 324
the purpose; 325

(4) If the firearm is at least twenty-four inches in overall 326
length as measured from the muzzle to the part of the stock 327
furthest from the muzzle and if the barrel is at least eighteen 328
inches in length, either in plain sight with the action open or 329
the weapon stripped, or, if the firearm is of a type on which the 330
action will not stay open or which cannot easily be stripped, in 331
plain sight. 332

(D) No person shall knowingly transport or have a loaded 333
handgun in a motor vehicle if, at the time of that transportation 334
or possession, any of the following applies: 335

(1) The person is under the influence of alcohol, a drug of 336
abuse, or a combination of them. 337

(2) The person's whole blood, blood serum or plasma, breath, 338
or urine contains a concentration of alcohol, a listed controlled 339
substance, or a listed metabolite of a controlled substance 340
prohibited for persons operating a vehicle, as specified in 341
division (A) of section 4511.19 of the Revised Code, regardless of 342
whether the person at the time of the transportation or possession 343

as described in this division is the operator of or a passenger in
the motor vehicle.

(E) No person who has been issued a license or temporary
emergency license to carry a concealed handgun under section
2923.125 or 2923.1213 of the Revised Code shall do any of the
following:

(1) Knowingly transport or have a loaded handgun in a motor
vehicle unless one of the following applies:

(a) The loaded handgun is in a holster on the person's
person.

(b) The loaded handgun is in a closed case, bag, box, or
other container that is in plain sight and that has a lid, a
cover, or a closing mechanism with a zipper, snap, or buckle,
which lid, cover, or closing mechanism must be opened for a person
to gain access to the handgun.

(c) The loaded handgun is securely encased by being stored in
a closed glove compartment or vehicle console or in a case that is
locked.

(2) If the person is transporting or has a loaded handgun in
a motor vehicle in a manner authorized under division (E)(1) of
this section, knowingly remove or attempt to remove the loaded
handgun from the holster, case, bag, box, container, or glove
compartment, knowingly grasp or hold the loaded handgun, or
knowingly have contact with the loaded handgun by touching it with
the person's hands or fingers while the motor vehicle is being
operated on a street, highway, or public property unless the
person removes, attempts to remove, grasps, holds, or has the
contact with the loaded handgun pursuant to and in accordance with
directions given by a law enforcement officer;

(3) If the person is the driver or an occupant of a motor

vehicle that is stopped as a result of a traffic stop or a stop 374
for another law enforcement purpose or is the driver or an 375
occupant of a commercial motor vehicle that is stopped by an 376
employee of the motor carrier enforcement unit for the purposes 377
defined in section 5503.34 of the Revised Code, and if the person 378
is transporting or has a loaded handgun in the motor vehicle or 379
commercial motor vehicle in any manner, fail to do any of the 380
following that is applicable: 381

(a) If the person is the driver or an occupant of a motor 382
vehicle stopped as a result of a traffic stop or a stop for 383
another law enforcement purpose, fail to promptly inform any law 384
enforcement officer who approaches the vehicle while stopped that 385
the person has been issued a license or temporary emergency 386
license to carry a concealed handgun and that the person then 387
possesses or has a loaded handgun in the motor vehicle; 388

(b) If the person is the driver or an occupant of a 389
commercial motor vehicle stopped by an employee of the motor 390
carrier enforcement unit for any of the defined purposes, fail to 391
promptly inform the employee of the unit who approaches the 392
vehicle while stopped that the person has been issued a license or 393
temporary emergency license to carry a concealed handgun and that 394
the person then possesses or has a loaded handgun in the 395
commercial motor vehicle. 396

(4) If the person is the driver or an occupant of a motor 397
vehicle that is stopped as a result of a traffic stop or a stop 398
for another law enforcement purpose and if the person is 399
transporting or has a loaded handgun in the motor vehicle in any 400
manner, knowingly fail to remain in the motor vehicle while 401
stopped or knowingly fail to keep the person's hands in plain 402
sight at any time after any law enforcement officer begins 403
approaching the person while stopped and before the law 404

enforcement officer leaves, unless the failure is pursuant to and 405
in accordance with directions given by a law enforcement officer; 406

(5) If the person is the driver or an occupant of a motor 407
vehicle that is stopped as a result of a traffic stop or a stop 408
for another law enforcement purpose, if the person is transporting 409
or has a loaded handgun in the motor vehicle in a manner 410
authorized under division (E)(1) of this section, and if the 411
person is approached by any law enforcement officer while stopped, 412
knowingly remove or attempt to remove the loaded handgun from the 413
holster, case, bag, box, container, or glove compartment, 414
knowingly grasp or hold the loaded handgun, or knowingly have 415
contact with the loaded handgun by touching it with the person's 416
hands or fingers in the motor vehicle at any time after the law 417
enforcement officer begins approaching and before the law 418
enforcement officer leaves, unless the person removes, attempts to 419
remove, grasps, holds, or has contact with the loaded handgun 420
pursuant to and in accordance with directions given by the law 421
enforcement officer; 422

(6) If the person is the driver or an occupant of a motor 423
vehicle that is stopped as a result of a traffic stop or a stop 424
for another law enforcement purpose and if the person is 425
transporting or has a loaded handgun in the motor vehicle in any 426
manner, knowingly disregard or fail to comply with any lawful 427
order of any law enforcement officer given while the motor vehicle 428
is stopped, including, but not limited to, a specific order to the 429
person to keep the person's hands in plain sight. 430

(F)(1) Divisions (A), (B), (C), and (E) of this section do 431
not apply to any of the following: 432

(a) An officer, agent, or employee of this or any other state 433
or the United States, or a law enforcement officer, when 434
authorized to carry or have loaded or accessible firearms in motor 435

vehicles and acting within the scope of the officer's, agent's, or
employee's duties;

(b) Any person who is employed in this state, who is
authorized to carry or have loaded or accessible firearms in motor
vehicles, and who is subject to and in compliance with the
requirements of section 109.801 of the Revised Code, unless the
appointing authority of the person has expressly specified that
the exemption provided in division (F)(1)(b) of this section does
not apply to the person.

(2) Division (A) of this section does not apply to a person
if all of the following circumstances apply:

(a) The person discharges a firearm from a motor vehicle at a
coyote or groundhog, the discharge is not during the deer gun
hunting season as set by the chief of the division of wildlife of
the department of natural resources, and the discharge at the
coyote or groundhog, but for the operation of this section, is
lawful.

(b) The motor vehicle from which the person discharges the
firearm is on real property that is located in an unincorporated
area of a township and that either is zoned for agriculture or is
used for agriculture.

(c) The person owns the real property described in division
(F)(2)(b) of this section, is the spouse or a child of another
person who owns that real property, is a tenant of another person
who owns that real property, or is the spouse or a child of a
tenant of another person who owns that real property.

(d) The person does not discharge the firearm in any of the
following manners:

(i) While under the influence of alcohol, a drug of abuse, or
alcohol and a drug of abuse;

- (ii) In the direction of a street, highway, or other public or private property used by the public for vehicular traffic or parking; 466
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- (iii) At or into an occupied structure that is a permanent or temporary habitation; 469
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- (iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another and that was committed by discharging a firearm from a motor vehicle. 471
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- (3) Division (A) of this section does not apply to a person if all of the following apply: 476
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- (a) The person possesses a valid electric-powered all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife. 478
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- (b) The person discharges a firearm at a wild quadruped or game bird as defined in section 1531.01 of the Revised Code during the open hunting season for the applicable wild quadruped or game bird. 481
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- (c) The person discharges a firearm from a stationary electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign. 485
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490
- (d) The person does not discharge the firearm in any of the following manners: 491
492
- (i) While under the influence of alcohol, a drug of abuse, or alcohol and a drug of abuse; 493
494

(ii) In the direction of a street, a highway, or other public or private property that is used by the public for vehicular traffic or parking;	495 496 497
(iii) At or into an occupied structure that is a permanent or temporary habitation;	498 499
(iv) In the commission of any violation of law, including, but not limited to, a felony that includes, as an essential element, purposely or knowingly causing or attempting to cause the death of or physical harm to another and that was committed by discharging a firearm from a motor vehicle.	500 501 502 503 504
(4) Divisions (B) and (C) of this section do not apply to a person if all of the following circumstances apply:	505 506
(a) At the time of the alleged violation of either of those divisions, the person is the operator of or a passenger in a motor vehicle.	507 508 509
(b) The motor vehicle is on real property that is located in an unincorporated area of a township and that either is zoned for agriculture or is used for agriculture.	510 511 512
(c) The person owns the real property described in division (D) (4) (b) of this section, is the spouse or a child of another person who owns that real property, is a tenant of another person who owns that real property, or is the spouse or a child of a tenant of another person who owns that real property.	513 514 515 516 517
(d) The person, prior to arriving at the real property described in division (D) (4) (b) of this section, did not transport or possess a firearm in the motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic or parking.	518 519 520 521 522 523 524

(5) Divisions (B) and (C) of this section do not apply to a person who transports or possesses a handgun in a motor vehicle if, at the time of that transportation or possession, all of the following apply:

(a) The person transporting or possessing the handgun is carrying a valid license or temporary emergency license to carry a concealed handgun issued to the person under section 2923.125 or 2923.1213 of the Revised Code or a license to carry a concealed handgun that was issued by another state with which the attorney general has entered into a reciprocity agreement under section 109.69 of the Revised Code.

(b) The person transporting or possessing the handgun is not knowingly in a place described in division (B) of section 2923.126 of the Revised Code.

(c) One of the following applies:

(i) The handgun is in a holster on the person's person.

(ii) The handgun is in a closed case, bag, box, or other container that is in plain sight and that has a lid, a cover, or a closing mechanism with a zipper, snap, or buckle, which lid, cover, or closing mechanism must be opened for a person to gain access to the handgun.

(iii) The handgun is securely encased by being stored in a closed glove compartment or vehicle console or in a case that is locked.

(6) Divisions (B) and (C) of this section do not apply to a person if all of the following apply:

(a) The person possesses a valid electric-powered all-purpose vehicle permit issued under section 1533.103 of the Revised Code by the chief of the division of wildlife.

(b) The person is on or in an electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle during the open hunting season for a wild quadruped or game bird.

(c) The person is on or in an electric-powered all-purpose vehicle as defined in section 1531.01 of the Revised Code or a motor vehicle that is parked on a road that is owned or administered by the division of wildlife, provided that the road is identified by an electric-powered all-purpose vehicle sign.

(G) (1) The affirmative defenses authorized in divisions (D) (1) and (2) of section 2923.12 of the Revised Code are affirmative defenses to a charge under division (B) or (C) of this section that involves a firearm other than a handgun.

(2) It is an affirmative defense to a charge under division (B) or (C) of this section of improperly handling firearms in a motor vehicle that the actor transported or had the firearm in the motor vehicle for any lawful purpose and while the motor vehicle was on the actor's own property, provided that this affirmative defense is not available unless the person, immediately prior to arriving at the actor's own property, did not transport or possess the firearm in a motor vehicle in a manner prohibited by division (B) or (C) of this section while the motor vehicle was being operated on a street, highway, or other public or private property used by the public for vehicular traffic.

(H) No person who is charged with a violation of division (B), (C), or (D) of this section shall be required to obtain a license or temporary emergency license to carry a concealed handgun under section 2923.125 or 2923.1213 of the Revised Code as a condition for the dismissal of the charge.

(I) Whoever violates this section is guilty of improperly handling firearms in a motor vehicle. Violation of division (A) of

this section is a felony of the fourth degree. Violation of 585
division (C) of this section is a misdemeanor of the fourth 586
degree. A violation of division (D) of this section is a felony of 587
the fifth degree or, if the loaded handgun is concealed on the 588
person's person, a felony of the fourth degree. Except as 589
otherwise provided in this division, a violation of division 590
(E) (3) of this section is a misdemeanor of the first degree, and, 591
in addition to any other penalty or sanction imposed for the 592
violation, the offender's license or temporary emergency license 593
to carry a concealed handgun shall be suspended pursuant to 594
division (A) (2) of section 2923.128 of the Revised Code. If at the 595
time of the stop of the offender for a traffic stop, for another 596
law enforcement purpose, or for a purpose defined in section 597
5503.34 of the Revised Code that was the basis of the violation 598
any law enforcement officer involved with the stop or the employee 599
of the motor carrier enforcement unit who made the stop had actual 600
knowledge of the offender's status as a licensee, a violation of 601
division (E) (3) of this section is a minor misdemeanor, and the 602
offender's license or temporary emergency license to carry a 603
concealed handgun shall not be suspended pursuant to division 604
(A) (2) of section 2923.128 of the Revised Code. A violation of 605
division (E) (1), (2), or (5) of this section is a felony of the 606
fifth degree. A violation of division (E) (4) or (6) of this 607
section is a misdemeanor of the first degree or, if the offender 608
previously has been convicted of or pleaded guilty to a violation 609
of division (E) (4) or (6) of this section, a felony of the fifth 610
degree. In addition to any other penalty or sanction imposed for a 611
misdemeanor violation of division (E) (4) or (6) of this section, 612
the offender's license or temporary emergency license to carry a 613
concealed handgun shall be suspended pursuant to division (A) (2) 614
of section 2923.128 of the Revised Code. A violation of division 615
(B) of this section is whichever of the following is applicable: 616

617
(1) If, at the time of the transportation or possession in 618
violation of division (B) of this section, the offender was 619
carrying a valid license or temporary emergency license to carry a 620
concealed handgun issued to the offender under section 2923.125 or 621
2923.1213 of the Revised Code or a license to carry a concealed 622
handgun that was issued by another state with which the attorney 623
general has entered into a reciprocity agreement under section 624
109.69 of the Revised Code and the offender was not knowingly in a 625
place described in division (B) of section 2923.126 of the Revised 626
Code, the violation is a misdemeanor of the first degree or, if 627
the offender previously has been convicted of or pleaded guilty to 628
a violation of division (B) of this section, a felony of the 629
fourth degree. 630

(2) If division (I)(1) of this section does not apply, a 631
felony of the fourth degree. 632

(J) If a law enforcement officer stops a motor vehicle for a 633
traffic stop or any other purpose, if any person in the motor 634
vehicle surrenders a firearm to the officer, either voluntarily or 635
pursuant to a request or demand of the officer, and if the officer 636
does not charge the person with a violation of this section or 637
arrest the person for any offense, the person is not otherwise 638
prohibited by law from possessing the firearm, and the firearm is 639
not contraband, the officer shall return the firearm to the person 640
at the termination of the stop. If a court orders a law 641
enforcement officer to return a firearm to a person pursuant to 642
the requirement set forth in this division, division (B) of 643
section 2923.163 of the Revised Code applies. 644

(K) As used in this section: 645

(1) "Motor vehicle," "street," and "highway" have the same 646
meanings as in section 4511.01 of the Revised Code. 647

(2) "Occupied structure" has the same meaning as in section 2909.01 of the Revised Code. 648
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(3) "Agriculture" has the same meaning as in section 519.01 of the Revised Code. 650
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(4) "Tenant" has the same meaning as in section 1531.01 of the Revised Code. 652
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(5) "Unloaded" means any of the following: 654

(a) No ammunition is in the firearm in question, and no ammunition is loaded into a magazine or speed loader that may be used with the firearm in question and that is located anywhere within the vehicle in question, without regard to where ammunition otherwise is located within the vehicle in question. For the purposes of division (K)(5)(a) of this section, ammunition held in stripper-clips or in en-bloc clips is not considered ammunition that is loaded into a magazine or speed loader. 655
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(b) With respect to a firearm employing a percussion cap, flintlock, or other obsolete ignition system, when the weapon is uncapped or when the priming charge is removed from the pan. 663
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(6) "Commercial motor vehicle" has the same meaning as in division (A) of section 4506.25 of the Revised Code. 666
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(7) "Motor carrier enforcement unit" means the motor carrier enforcement unit in the department of public safety, division of state highway patrol, that is created by section 5503.34 of the Revised Code." 668
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In line 90839, after "2923.125," insert "2923.1210,"; after "2923.1213," insert "2923.16," 672
673

Between lines 106635 and 106636, insert: 674

"Section 2923.16 of the Revised Code as amended by Sub. S.B. 184 and Sub. S.B. 209, both of the 127th General Assembly." 675
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In line 61 of the title, after "2923.125," insert	677
"2923.1210,"; after "2923.1213," insert "2923.16,"	678

The motion was _____ agreed to.

SYNOPSIS

Concealed Carry License Fee	679
R.C. 109.731, 311.42, 2923.125, 2923.1210, 2923.16	680
The amendment does the following:	681
(1) Increases the fee for a five-year license to carry a concealed handgun to \$67.	682 683
(2) Decreases the fee for a renewal license to carry a concealed handgun to \$50, \$35 of which must be retained in the sheriff's concealed handgun license issuance expense fund.	684 685 686
(3) Modifies the definition of "unloaded" in R.C. 2923.16.	687
(4) Provides that a renewal application to carry a concealed handgun shall only require the licensee to list on the application form information and matters occurring since the date of the licensee's last application for a renewal license or a five-year license to carry a concealed handgun, and provides that a sheriff conducting the criminal records check and the incompetency records check described in R.C. 311.41 of the Revised Code shall conduct the check only from the date of the licensee's last application for a renewal or five-year license to carry a concealed handgun through the date of the renewal application.	688 689 690 691 692 693 694 695 696 697
(5) Creates an application form for a renewal license to carry a concealed handgun.	698 699
(6) Provides that an expired license is prima-facie evidence	700

that the licensee at one time had a competency certification of
the kind described in R.C.2923.125(B)(3), for purposes of renewal.

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(7) Eliminates the requirement that the Ohio Peace Officer
Training Commission make copies of the firearms pamphlet described
in R.C. 109.731(B) available to specified persons and instead
requires the Attorney General to publish the pamphlet on their web
site and provide the website address to anyone who requests it;
also requires a sheriff, upon request, to provide to a concealed
carry applicant the web site address at which the pamphlet may be
found.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4595
JFS-78

_____ moved to amend as follows:

Between lines 98221 and 98222, insert:

"Section ____ . MEDICAID NONEMERGENCY MEDICAL TRANSPORTATION
MANAGEMENT PILOT PROGRAM

(A) The Department of Job and Family Services shall establish
a Medicaid nonemergency medical transportation management pilot
program. The pilot program shall be operated for two years.

(B) A county department of job and family services serving a
county with a population greater than two hundred thousand persons
may participate in the pilot program. A county department
participating in the pilot program shall identify which groups of
Medicaid recipients residing in the county shall be required to
participate in the pilot program. The county department shall also
contract with one or more medical transportation management
organizations to have the organizations manage nonemergency
medical transportation services provided under the Medicaid
program to the groups required to participate in the pilot
program. To be eligible to contract with a county department, a
medical transportation management organization must have
experience in coordinating nonemergency medical transportation
services.

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(C) A medical transportation management organization that 21
 contracts with a county department shall report monthly to the 22
 county department. Each report shall contain all of the following 23
 information: 24

(1) A description of the transportation services provided to 25
 Medicaid recipients participating in the pilot program, including 26
 details on the varying modes of transportation used in providing 27
 the services and the frequency at which the services were 28
 provided; 29

(2) The number of times nonemergency medical transportation 30
 providers failed to arrive for an appointment to transport a 31
 participant in the pilot program; 32

(3) The number of times nonemergency medical transportation 33
 providers were late for an appointment to transport a participant 34
 in the pilot program and the lengths of the delays; 35

(4) The cost of the nonemergency medical transportation 36
 services provided to participants in the pilot program; 37

(5) Other indicators of the quality of nonemergency 38
 transportation services provided to participants in the pilot 39
 program that the county department requests to be included in the 40
 reports. 41

(D) On conclusion of the pilot program, the Department, with 42
 assistance from each county department that participated in the 43
 pilot program, shall submit a report regarding the pilot program 44
 to the Governor, and in accordance with section 101.68 of the 45
 Revised Code, the General Assembly. The report shall specify the 46
 amount of savings, if any, the Medicaid program realized as a 47
 result of the pilot program." 48

The motion was _____ agreed to.

SYNOPSIS

Nonemergency Medical Transportation Management 49

Section _____ 50

Restores the provision from the House's version of the bill 51
that requires ODJFS to establish a two-year pilot program under 52
which certain county departments of job and family services may 53
contract with nonemergency medical transportation management 54
organizations to manage nonemergency medical transportation 55
services provided to groups of Medicaid recipients the county 56
department includes in the pilot program, but lowers from 400,000 57
to 200,000 the minimum population that a county must have to be 58
able to participate in the pilot program. 59

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4604

5 _____ moved to amend as follows:

6 Between lines 106234 and 106235, insert:

7 **"Section 753.____.** The Governor is hereby authorized to
8 execute a deed in the name of the state conveying to the City of
9 Cincinnati ("grantee"), its successors and assigns, all of the
10 state's right, title, and interest in the following described
11 real estate:

12 Situated in Section 6, Town 3 Fractional Range 2, of the
13 Miami Purchase, Mill Creek Township in the City of Cincinnati,
14 Hamilton County, State of Ohio, being more particularly
15 described as follows:

16 Commencing in the center of Seymour Avenue at the southeast
17 corner to Lot 1 of the Hannah A. Sandburn's subdivision recorded
18 in Plat Book, Page 263 at the Hamilton County Records records
19 in Cincinnati, Ohio:

20 Thence along centerline of Seymour Avenue 88°41'02" West a
21 distance of 60.00 feet;

22 Thence along a line parallel to Lot 1 and Lot 2 of Hannah
23 A. Sandburn's Subdivision North 01°06'58" East a distance of

24 42.01 feet at a set cross-notch in the north right of way line
25 of Seymour Avenue at the common corner to Domicile, Inc. (OR
26 6940, PG 1715) and being the true POINT OF BEGINNING to this
27 description;

28 Thence along the right of way line of Seymour Avenue the
29 following three (3) courses:

30 North $.86^{\circ}49'13''$ West a distance of 151.95 feet to a point;

31 North $88^{\circ}57'41''$ West a distance of 197.14 feet to a point;

32 Along a curve to the right having a radius of 1633 20 feet,
33 an arc distance of 254.86 feet and whose chord bears North
34 $84^{\circ}29'29''$ West a distance of 254.60 feet to a set cross-notch,
35 common corner to the Ohio Department of Transportation;

36 Thence leaving said right of way and along the line of the
37 Ohio Department of Transportation the following three (3)
38 courses:

39 North $03^{\circ}21'39''$ West a distance of 468 28 feet to a set
40 $5/8''$ steel rebar with plastic cap stamped "J.G.K. S-8227";

41 North $03^{\circ}47'08''$ East a distance of 313.70 feet to a set
42 $5/8''$ steel rebar with plastic cap stamped "J.G.K. S-8227";

43 North $04^{\circ}59'33''$ East a distance. of 153.84 feet to a set
44 $5/8''$ steel rebar with plastic cap stamped "J.G.K. S-8227";

45 Thence leaving said common line and with a new division
46 line through the lands of State of Ohio and along a curve to the
47 left having a radius of 598.66 feet, an arc distance of 798.59

48 feet and whose chord bears South 72°43'03" East a distance of
49 740.68 feet to a set 5/8" steel rebar with plastic cap stamped
50 "J.G.K. S-8227";

51 Thence South 03°00'59" West, passing a recovered 5/8" steel
52 rebar (PLS #6670) at 10.3 feet, corner to the United States of
53 America (OR 6308, PG 3023), a total distance of 637.68 feet to a
54 set 5/8" steel rebar with plastic cap stamped "J.G.K. S-8227"
55 corner to the same;

56 Thence along the line of the United States of America the
57 following two (2) calls

58 North 87°35'48" West a distance of 33.54 feet to a set 5/8"
59 steel rebar with plastic cap stamped "J.G.K. S-8227";

60 South 01°06'58" West a distance of 33.30 feet to a set 5/8"
61 steel rebar with plastic cap stamped "J.G.K. S-8227" at a corner
62 to Domicile, Inc.;

63 Thence with the line of Domicile, Inc. the following two
64 (2) calls;

65 North 88°53'02" West a distance of 60.00 feet to a set 5/8"
66 steel rebar with plastic cap stamped "J.G.K. S-8227";

67 South 01°06'58" West a distance of 157.78 feet to the POINT
68 OF BEGINNING.

69 Containing 12.956 acres and being subject to all easements
70 and restrictions of record.

71 Being a part of the property conveyed to the State of Ohio
72 in Official Record Book 2279, Page 583 of the Hamilton County
73 Clerks records in Cincinnati, Ohio.

74 Said herein description being the result of a survey
75 performed by Cardinal Engineering Corporation in September, 2008
76 under the direct supervision of Joseph G. Kramer, P.L.S.
77 #S-8227. The bearings of this description are based on a survey
78 performed by the Army Corps of Engineers dated 1957.

79 Consideration for conveyance of the real estate described
80 in this section is \$1,230,000.

81 The grantee shall not use, develop, or sell the real estate
82 described in this section such that it will interfere with the
83 quiet enjoyment of the adjacent state-owned land.

84 The real estate described in this section shall be sold as
85 an entire tract and not in parcels.

86 Upon payment of the purchase price, the Auditor of State,
87 with the assistance of the Attorney General, shall prepare a
88 Governor's Deed to the real estate described in this section.
89 The Governor's Deed shall state the consideration and the
90 condition. The deed shall be executed by the Governor in the
91 name of the State, countersigned by the Secretary of State,
92 sealed with the Great Seal of the State, presented in the Office
93 of the Auditor of State for recording, and delivered to the

94 grantee. The grantee shall present the deed for recording in the
95 Office of the Hamilton County Recorder.

96 The grantee shall pay all costs associated with the
97 purchase and conveyance of the real estate described in this
98 section, including deed recordation costs.

99 The net proceeds of the sale of the real estate described
100 in this section shall be deposited in the State Treasury to the
101 credit of the Department of Mental Health Trust Fund under
102 section 5119.18 of the Revised Code.

103 This section expires two years after its effective date."

104 The motion was _____ agreed to.

105 SYNOPSIS

106 **Land Conveyance-Hamilton County**

107 **Section 753.** _____

108 Authorizes the Governor to execute a deed in the name of
109 the state conveying to the City of Cincinnati, its successors
110 and assigns, all of the state's right, title, and interest in
111 certain real estate located in Hamilton County.

112 States the consideration for the conveyance is \$1,230,000.

113 Prohibits the City of Cincinnati from using, developing, or
114 selling the real estate in a way that it will interfere with the
115 quiet enjoyment of the adjacent state-owned land.

116 Requires the Auditor of State, with the assistance of the
117 Attorney General, to prepare a Governor's Deed to the real
118 estate.

119 Requires the City of Cincinnati to present the prepared
120 deed for recording in the Office of the Hamilton County
121 Recorder.

122 Requires the grantee to pay all costs associated with the
123 purchase and conveyance of the real estate.

124 States that the net proceeds of the sale of the real estate
125 must be deposited in the State Treasury to the credit of the
126 Department of Mental Health Trust Fund.

127 States that the section authorizing the land conveyance
128 expires two years after its effective date.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4611-1



_____ moved to amend as follows:

In line 416, after "5751.013," insert "5751.02," 1

Between lines 88247 and 88248, insert: 2

"Sec. 5751.02. (A) For the purpose of funding the needs of 3
this state and its local governments beginning with the tax period 4
that commences July 1, 2005, and continuing for every tax period 5
thereafter, there is hereby levied a commercial activity tax on 6
each person with taxable gross receipts for the privilege of doing 7
business in this state. For the purposes of this chapter, "doing 8
business" means engaging in any activity, whether legal or 9
illegal, that is conducted for, or results in, gain, profit, or 10
income, at any time during the calendar year. Persons on which the 11
commercial activity tax is levied include, but are not limited to, 12
persons with substantial nexus with this state. The tax imposed 13
under this section is not a transactional tax and is not subject 14
to Public Law No. 86-272, 73 Stat. 555. The tax imposed under this 15
section is in addition to any other taxes or fees imposed under 16
the Revised Code. The tax levied under this section is imposed on 17
the person receiving the gross receipts and is not a tax imposed 18
directly on a purchaser. The tax imposed by this section is an 19
annual privilege tax for the calendar year that, in the case of 20
calendar year taxpayers, is the annual tax period and, in the case 21

of calendar quarter taxpayers, contains all quarterly tax periods 22
 in the calendar year. A taxpayer is subject to the annual 23
 privilege tax for doing business during any portion of such 24
 calendar year. 25

(B) The tax imposed by this section is a tax on the taxpayer 26
 and, shall not be billed or invoiced to another person. Even if 27
 the tax or any portion thereof is billed or invoiced and 28
 separately stated, such amounts remain part of the price for 29
 purposes of the sales and use taxes levied under Chapters 5739. 30
 and 5741. of the Revised Code. Nothing in division (B) of this 31
 section prohibits a: 32

(1) A person from including in the price charged for a good 33
 or service an amount sufficient to recover the tax imposed by this 34
 section; or 35

(2) A lessor from including an amount sufficient to recover 36
 the tax imposed by this section in a lease payment charged, or 37
 from including such an amount on a billing or invoice pursuant to 38
 the terms of a written lease agreement providing for the recovery 39
 of the lessor's tax costs. The recovery of such costs shall be 40
 based on an estimate of the total tax cost of the lessor during 41
 the tax period, as the tax liability of the lessor cannot be 42
 calculated until the end of that period." 43

In line 90919, after "5751.013," insert "5751.02," 44

Between lines 106460 and 106461, insert: 45

"Section 803.____. The amendment by this act of division (B) 46
 of section 5751.02 of the Revised Code is to clarify the General 47
 Assembly's intent of that section when it was enacted by Am. Sub. 48
 H.B. 66 of the 126th General Assembly." 49

In line 169 of the title, after "5751.013," insert "5751.02," 50

The motion was _____ agreed to.

SYNOPSIS

CAT: Billing Tax to Lessees	51
R.C. 5751.02; Section _____	52
Authorizes a lessor to bill or invoice a lessee for the commercial activity tax under a written lease agreement. Under current law a taxpayer is prohibited from billing or invoicing another person for the tax. The Senate-passed version of the bill authorizes the Tax Commissioner to impose a civil fine of up to \$500 the first time a taxpayer violates the prohibition and requires the Commissioner to impose the fine for each subsequent violation.	53 54 55 56 57 58 59 60

Am. Sub. H.B. 1
As Passed by the Senate
CC-4614
MIS-7

_____ moved to amend as follows:

In line 104239, delete "and"; after "235.10" insert ", and
701.20" 1
2

Between lines 104409 and 104410, insert: 3

"Sec. 701.20. (A) The Ohio Commission on Local Government 4
Reform and Collaboration shall develop recommendations on ways to 5
increase the efficiency and effectiveness of local government 6
operations, to achieve cost savings for taxpayers, and to 7
facilitate economic development in this state. In developing the 8
recommendations, the commission shall consider, but is not limited 9
to, the following: 10

(1) Restructuring and streamlining local government offices 11
to achieve efficiencies and cost savings for taxpayers and to 12
facilitate local economic development; 13

(2) Restructuring and streamlining special taxing districts 14
and local government authorities authorized by the constitution or 15
the laws of this state to levy a tax of any kind or to have a tax 16
of any kind levied on its behalf, and of local government units, 17
including schools and libraries, to reduce overhead and 18
administrative expenses; 19

(3) Restructuring, streamlining, and finding ways to collaborate on the delivery of services, functions, or authorities of local government to achieve cost savings for taxpayers;

(4) Examining the relationship of services provided by the state to services provided by local government and the possible realignment of state and local services to increase efficiency and improve accountability; and

(5) Ways of reforming or restructuring constitutional, statutory, and administrative laws to facilitate collaboration for local economic development, to increase the efficiency and effectiveness of local government operations, to identify duplication of services, and to achieve costs savings for taxpayers;

(6) Making annual financial reporting across local governments consistent for ease of comparison; and

(7) Aligning regional planning units across state agencies.

(B) (1) There is hereby created the Ohio Commission on Local Government Reform and Collaboration, consisting of fifteen voting members. The President of the Senate shall appoint three members, one of whom may be a person who is recommended by the Minority Leader of the Senate. The Speaker of the House of Representatives shall appoint three members, one of whom may be a person who is recommended by the Minority Leader of the House of Representatives. The Governor shall appoint three members. One member shall be appointed by, and shall represent, each of the following organizations: the Ohio Municipal League, the Ohio Township Association, the Ohio School Boards Association, the County Commissioners' Association of Ohio, the Ohio Library Council, and the Ohio Association of Regional Councils. The initial appointments shall be made not later than ninety days

after the effective date of this section. Vacancies shall be 51
 filled in the manner provided for original appointments. Members 52
 are not entitled to compensation for their services. 53

(2) The initial meeting of the commission shall be called by 54
 the Governor within forty-five days after the initial appointments 55
 to the commission are complete. The commission shall elect two of 56
 its members to serve as co-chairpersons of the commission. 57

(C) The commission may create an advisory council consisting 58
 of interested parties representing taxing authorities and 59
 political subdivisions that are not taxing authorities. The 60
 appointment of members to the advisory council is a matter of the 61
 commission's discretion. The commission may direct the advisory 62
 council to provide relevant information to the commission. 63
 Advisory council members are not members of the commission, and 64
 may not vote on commission business. 65

(D) The commission may consult with and obtain assistance 66
 from state institutions of higher education (as defined in section 67
 3345.011 of the Revised Code) and from business organizations for 68
 research and data gathering related to its mission. State 69
 institutions of higher education and business organizations shall 70
 cooperate with the commission. 71

(E) The commission shall issue a report of its findings and 72
 recommendations to the President of the Senate, the Speaker of the 73
 House of Representatives, and the Governor not later than July 1, 74
 2010. The commission ceases to exist upon submitting its report." 75

In line 104411, delete "and"; after "235.10" insert ", and 76
 701.20" 77

In line 259 of the title, delete "and"; after "235.10" insert 78
 ", and 701.20" 79

The motion was _____ agreed to.

SYNOPSIS

Ohio Commission on Local Government Reform and Collaboration	80
Sections 610.30 and 610.31	81
In developing its recommendations, adds that the Ohio	82
Commission on Local Government Reform and Collaboration must	83
consider making annual financial reporting across local	84
governments consistent for ease of comparison and aligning	85
regional planning units across state agencies.	86



1 128HB1-CC4615.docx/ar

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4615
MIS-16

6 _____ moved to amend as follows:

7 In line 435, delete "1545.073,"

8 Delete lines 26766 through 26787

9 In line 194 of the title, delete "1545.073,"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Park District Establishment of Building Departments**

13 **R.C. 1545.073**

14 Removes the authorization for a board of park commissioners
15 of a park district to create a building department to enforce
16 the state nonresidential building code regarding buildings on
17 park district property, with the result of maintaining existing
18 law.

6 _____ moved to amend as follows:

7 Between lines 105801 and 105802, insert:

8 **"Section 751. ____.** PROMPT PAYMENT POLICY WORKGROUP

9 (A) There is hereby created the Prompt Payment Policy
10 Workgroup. The Workgroup shall consist of the following
11 members:

12 (1) One representative of the Office of Budget and
13 Management, appointed by the Director of Budget and Management;

14 (2) Three representatives of the Department of Insurance,
15 appointed by the Superintendent of Insurance;

16 (3) Four representatives of the Office of Ohio Health Plans
17 in the Department of Job and Family Services, appointed by the
18 Director of Job and Family Services;

19 (4) Two representatives of Ohio's Medicaid managed care
20 plans, appointed by the Executive Director of Ohio's Care
21 Coordination Plans;

22 (5) Two representatives from the community of provider
23 associations, one appointed by the Speaker of the House of

24 Representatives and one appointed by the President of the
25 Senate;

26 (6) Two members of the Ohio House of Representatives, one
27 appointed by the Speaker of the House of Representatives and one
28 appointed by the Minority Leader;

29 (7) Two members of the Ohio Senate, one appointed by the
30 President of the Senate and one appointed by the Minority
31 Leader.

32 (B) The Director of the Department of Job and Family
33 Services, or the Director's designee, shall serve as chairperson
34 of the Workgroup.

35 (C) Members of the Workgroup shall serve without
36 compensation, except to the extent that serving on the Workgroup
37 is considered part of the members' regular employment duties.

38 (D) The Workgroup shall do all of the following:

39 (1) Recommend one set of regulations to govern prompt
40 payment policies for Medicaid managed care plans;

41 (2) Research and analyze prompt payment policies related to
42 aged medical claims within the health insurance industry and the
43 Medicaid program;

44 (3) Review general payment rules, payment policies related
45 to electronic and paper claims, definitions of clean and unclean
46 claims, late payment penalties, auditing requirements, and any

47 other issues related to Medicaid prompt payment policy
48 identified by the Workgroup;

49 (4) Review statistical data on the compliance rates of
50 current policies.

51 (E) Not later than February 1, 2010, the Workgroup shall
52 submit a report to the Governor and the majority and minority
53 leadership in both Houses of the Ohio General Assembly. The
54 report shall contain prompt payment policy recommendations for
55 Ohio's Medicaid program.

56 (F) The Workgroup shall cease to exist February 28, 2010."

57 The motion was _____ agreed to.

58 SYNOPSIS

59 **Prompt Payment Policy Workgroup**

60 **Section ____.**

61 Creates the Prompt Payment Policy Workgroup to research and
62 make policy recommendations by February 1, 2010, concerning
63 prompt payment policy for Ohio's Medicaid program.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4617
DOH-32

_____ moved to amend as follows:

In line 443, after "3375.79," insert "3701.0211," 1

Between lines 47272 and 47273, insert: 2

"Sec. 3701.0211. (A) There is hereby created the hemophilia 3
advisory council in the department of health. The council shall 4
consist of the following members: 5

(1) The following nonvoting members: 6

(a) The director of health or the director's designee; 7

(b) The superintendent of insurance or the superintendent's 8
designee; 9

(c) A representative of the department of job and family 10
services. 11

(2) The following voting members, to be appointed by the 12
governor with the advice and consent of the senate: 13

(a) Two individuals authorized under Chapter 4731. of the 14
Revised Code to practice medicine and surgery or osteopathic 15
medicine and surgery who are currently treating patients with 16
hemophilia or related bleeding disorders, one of whom specializes 17
in pediatrics and one of whom specializes in the treatment of 18

- adults; 19
- (b) An individual licensed under Chapter 4723. of the Revised Code to practice nursing who is currently treating patients with hemophilia or related bleeding disorders; 20
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- (c) An individual licensed under Chapter 4757. of the Revised Code as an independent social worker or social worker who is currently treating patients with hemophilia or related bleeding disorders; 23
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- (d) A representative of a federally funded hemophilia treatment center; 27
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- (e) A representative of a health insuring corporation that holds a certificate of authority issued under Chapter 1751. of the Revised Code or a company authorized under Chapter 3923. of the Revised Code to do the business of sickness and accident insurance in this state; 29
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- (f) A representative of an Ohio chapter of the national hemophilia foundation that serves the community of persons with hemophilia and related bleeding disorders; 34
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- (g) An adult with hemophilia or caregiver of an adult with hemophilia; 37
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- (h) A caregiver of a minor with hemophilia; 39
- (i) A person with a bleeding disorder other than hemophilia or caregiver of a person with a bleeding disorder other than hemophilia; 40
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- (j) A person with hemophilia who is a member of the Amish sect or a health professional currently treating persons with hemophilia who are members of the Amish sect. 43
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- (B) Not later than ninety days after the effective date of this section, the governor shall make initial appointments to the 46
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council. Of the initial appointments, four shall be for terms 48
ending two years after the effective date of this section, four 49
shall be for terms ending three years after that date, and three 50
shall be for terms ending four years after that date. Thereafter, 51
terms of office shall be two years, with each term ending on the 52
same day of the same month as the term it succeeds. Each member 53
shall hold office from the date of appointment until the end of 54
the term for which the member was appointed. Members may be 55
reappointed. 56

Vacancies shall be filled in the same manner as original 57
appointments. Any member appointed to fill a vacancy occurring 58
prior to the expiration of the term for which the member's 59
predecessor was appointed shall hold office for the remainder of 60
that term. A member shall continue in office subsequent to the 61
expiration date of the member's term until the member's successor 62
takes office or until a period of sixty days has elapsed, 63
whichever occurs first. 64

(C) The voting members shall elect from among the council's 65
members a chairperson who shall serve a one-year term. The council 66
shall meet at the call of the chairperson, but not less than four 67
times each year. A majority of the members of the council 68
constitutes a quorum. 69

(D) Members shall serve without compensation, but may be 70
reimbursed for actual and necessary expenses incurred in the 71
performance of their duties. 72

(E) The council shall advise the director of health on all of 73
the following: 74

(1) Reviewing the impact of changes to both of the following: 75

(a) Existing programs for persons with hemophilia and related 76
bleeding disorders; 77

(b) Existing policies for persons with hemophilia and related bleeding disorders. 78
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(2) Developing standards of care and standards of treatment for persons with hemophilia and related bleeding disorders; 80
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(3) Developing programs of care and programs of treatment for persons with hemophilia and related bleeding disorders, including self-administration of medication, home care, medical and dental procedures, and techniques designed to provide maximum control over bleeding episodes; 82
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(4) Reviewing data and making recommendations regarding the ability of persons with hemophilia and related bleeding disorders to obtain appropriate health insurance coverage and access to appropriate care; 87
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(5) Coordinating with other state agencies and private organizations to develop community-based initiatives to increase awareness of hemophilia and related bleeding disorders. 91
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(F) The council shall annually submit to the governor and general assembly a report with recommendations on increasing access to care and treatment and obtaining appropriate health insurance coverage for persons with hemophilia and related bleeding disorders." 94
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In line 203 of the title, after "3375.79," insert 99
"3701.0211," 100

The motion was _____ agreed to.

SYNOPSIS

Hemophilia Advisory Council

R.C. 3701.0211

Restores the House-passed provisions of the bill creating the Hemophilia Advisory Council within the Department of Health to advise the Director of Health on issues pertaining to persons with hemophilia and other bleeding disorders.

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2 Am. Sub. H.B. 1
3 As Passed by the Senate
4 CC-4618
5 DOH-44

6 _____ moved to amend as follows:

7 In line 355, delete "3701.021,"

8 In line 400, delete "5111.081,"

9 In line 443, delete "3701.0212,"

10 Delete lines 47215 through 47281

11 Delete lines 75534 through 75558

12 In line 90857, delete "3701.021,"

13 In line 90903, delete "5111.081,"

14 In line 85 of the title, delete "3701.021,"

15 In line 148 of the title, delete "5111.081,"

16 In line 203 of the title, delete "3701.0212,"

17 The motion was _____ agreed to.

18 SYNOPSIS

19 **Bureau for Children with Medical Handicaps Drug Rebate**
20 **Program**

21 **R.C. 3701.021, 3701.0212, and 5111.081**

22 Removes a provision that would have allowed the Director of
23 Health to establish the Drug Rebate Program for Medically

24 Handicapped Children and required the Program to be
25 substantially similar to the Medicaid Supplemental Drug Rebate
26 Program. If the Director established the program, the Director
27 was to consult with drug manufacturers regarding the
28 implementation of the program.

29 Removes a provision that would have allowed the Director of
30 Health and the Director of job and Family Services to cooperate
31 in obtaining rebates for all drug products that are covered by
32 both programs, and authorized the Department of Job and Family
33 Services to act as the administrative agent for collection of
34 rebates for the program for medically handicapped children.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4619
CD# DOH-38

_____ moved to amend as follows:

In line 443, after "3701.0212," insert "3701.136," 1

Between lines 47381 and 47382, insert: 2

"Sec. 3701.136. (A) There is hereby created the sickle cell anemia advisory committee. The committee shall assist the director of health in fulfilling the director's duties under section 3701.131 of the Revised Code. 3
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(B) The director shall appoint five members to the committee who are familiar with sickle cell anemia, including researchers, health care professionals, and persons personally affected by sickle cell anemia. 7
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Not later than ninety days after the effective date of this section, the director shall make initial appointments to the committee. Of the initial appointments, one shall be for a term ending one year after the effective date of this section, two shall be for terms ending two years after that date, and two shall be for terms ending three years after that date. Thereafter, terms of office shall be three years, with each term ending on the same day of the same month as did the term that it succeeds. Each member shall hold office from the date of appointment until the 11
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end of the term for which the member was appointed. Members may be reappointed. 20
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Vacancies shall be filled in the same manner as original appointments. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which the member's predecessor was appointed shall hold office for the remainder of that term. A member shall continue in office subsequent to the expiration date of the member's term until the member's successor takes office or until a period of sixty days has elapsed, whichever occurs first. 22
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Members of the committee shall serve without compensation, but may be reimbursed for actual and necessary expenses incurred in the performance of their duties. 30
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(C) The committee shall annually select from among its members a chairperson. The committee shall meet at the call of the chairperson, but not less than twice each year. A majority of the members of the committee constitutes a quorum." 33
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In line 203 of the title, after "3701.0212," insert "3701.136," 37
38

The motion was _____ agreed to

SYNOPSIS

Sickle Cell Anemia Advisory Committee 39

R.C. 3701.136 and 3701.131 (not in bill) 40

Creates the Sickle Cell Anemia Advisory Committee within the Department of Health to assist the Director of Health in fulfilling the Director's duties regarding sickle cell disease. 41
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Am. Sub. H.B. 1
As Passed by the Senate
CC-4620
DOH-39

✓

_____ moved to amend as follows:

In line 360, after "3707.26," insert "3712.01," 1

Between lines 50264 and 50265, insert: 2

"Sec. 3712.01. As used in this chapter: 3

(A) "Hospice care program" means a coordinated program of 4
home, outpatient, and inpatient care and services that is operated 5
by a person or public agency and that provides the following care 6
and services to hospice patients, including services as indicated 7
below to hospice patients' families, through a medically directed 8
interdisciplinary team, under interdisciplinary plans of care 9
established pursuant to section 3712.06 of the Revised Code, in 10
order to meet the physical, psychological, social, spiritual, and 11
other special needs that are experienced during the final stages 12
of illness, dying, and bereavement: 13

(1) Nursing care by or under the supervision of a registered 14
nurse; 15

(2) Physical, occupational, or speech or language therapy, 16
unless waived by the department of health pursuant to rules 17
adopted under division (A) of section 3712.03 of the Revised Code; 18

(3) Medical social services by a social worker under the 19

direction of a physician;	20
(4) Services of a home health aide;	21
(5) Medical supplies, including drugs and biologicals, and the use of medical appliances;	22 23
(6) Physician's services;	24
(7) Short-term inpatient care, including both palliative and respite care and procedures;	25 26
(8) Counseling for hospice patients and hospice patients' families;	27 28
(9) Services of volunteers under the direction of the provider of the hospice care program;	29 30
(10) Bereavement services for hospice patients' families.	31
(B) "Hospice patient" means a patient who has been diagnosed as terminally ill, has an anticipated life expectancy of six months or less, and has voluntarily requested and is receiving care from a person or public agency licensed under this chapter to provide a hospice care program.	32 33 34 35 36
(C) "Hospice patient's family" means a hospice patient's immediate family members, including a spouse, brother, sister, child, or parent, and any other relative or individual who has significant personal ties to the patient and who is designated as a member of the patient's family by mutual agreement of the patient, the relative or individual, and the patient's interdisciplinary team.	37 38 39 40 41 42 43
(D) "Interdisciplinary team" means a working unit composed of professional and lay persons that includes at least a physician, a registered nurse, a social worker, a member of the clergy or a counselor, and a volunteer.	44 45 46 47
(E) "Palliative care" means treatment <u>for a patient with a</u>	48

serious or life-threatening illness directed at controlling pain, 49
relieving other symptoms, and ~~focusing on the special needs~~ 50
enhancing the quality of life of a hospice ~~the~~ patient and the 51
hospice patient's family as ~~they experience the stress of the~~ 52
~~dying process~~ rather than treatment aimed at investigation and 53
~~intervention~~ for the purpose of cure or prolongation of life. 54
Nothing in this section shall be interpreted to mean that 55
palliative care can be provided only as a component of a hospice 56
care program. 57

(F) "Physician" means a person authorized under Chapter 4731. 58
of the Revised Code to practice medicine and surgery or 59
osteopathic medicine and surgery. 60

(G) "Attending physician" means the physician identified by 61
the hospice patient or the hospice patient's family as having 62
primary responsibility for the hospice patient's medical care. 63

(H) "Registered nurse" means a person registered under 64
Chapter 4723. of the Revised Code to practice professional 65
nursing. 66

(I) "Social worker" means a person licensed under Chapter 67
4757. of the Revised Code to practice as a social worker or 68
independent social worker." 69

In line 90862, after "3707.26," insert "3712.01," 70

In line 92 of the title, after "3707.26," insert "3712.01," 71

The motion was _____ agreed to.

SYNOPSIS

Palliative Care in Hospice Programs

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R.C. 3712.01

Revises the definition of "palliative care," for purposes of hospice care programs, to mean "treatment for a patient with a serious or life-threatening illness directed at controlling pain, relieving other symptoms, and enhancing the quality of life of the patient and the patient's family rather than treatment for the purpose of cure."

Specifies that nothing in the definition of "palliative care" is to be interpreted as meaning that the care can be provided only as a component of a hospice care program.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4621
SJS-107

6 _____ moved to amend as follows:

7 In line 449, delete "5111.0211,"

8 In line 74601, reinsert "If sufficient funds are
9 appropriated for the medicaid"

10 In line 74602, reinsert "program, the"; delete "The";
11 reinsert "may"; delete "shall not"

12 In line 74605, delete the underlined comma

13 Delete lines 74606 through 74610

14 In line 74611, delete "group"

15 Delete lines 74813 through 74821

16 In line 212, delete "5111.0211,"

17 The motion was _____ agreed to.

18 SYNOPSIS

19 **Medicaid Coverage of Optional Groups and Services**

20 **R.C. 5111.01 and 5111.0211**

21 Removes a provision that would have prohibited the Medicaid
22 program from covering a group of persons or a service designated
23 by federal law as a group or service that a state, at its
24 option, may cover under its Medicaid program unless the group or
25 service was covered on the effective date of the amendment or
26 Ohio law enacted after that date expressly authorized the group
27 or service to be covered.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4622
JFS-87

✓

_____ moved to amend as follows:

Delete lines 74647 through 74662 and insert:

1

"Sec. 5111.0121. A parent eligible for the medicaid program pursuant to section 5111.0120 of the Revised Code shall not be required to undergo a redetermination of eligibility for the medicaid program more often than once every twelve months unless there are reasonable grounds to believe that circumstances have changed that may affect the parent's eligibility."

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The motion was _____ agreed to.

SYNOPSIS

Annual Medicaid Eligibility Redeterminations for Parents

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R.C. 5111.0121

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Revises the bill's provision regarding annual Medicaid eligibility redeterminations for parents with family income not exceeding 90% of the federal poverty guidelines by restoring the House-passed version under which the provision applies statewide, in place of the Senate-passed version that would have permitted

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county departments of job and family services to implement the
policy subject to Ohio receiving any needed federal Medicaid
waiver.

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1 128HB1-CC4623.docx/ss

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Am. Sub. H.B. 1
As Passed by the Senate
CC 4623
JFS-8

6 _____ moved to amend as follows:

7 In line 75484, strike through "The" and insert "In the case
8 of a provider described in division (D)(12) of this section,
9 the"

10 In line 75485, after the period insert "In the case of a
11 provider described in division (D)(13) of this section, the
12 notice shall be sent by certified mail."

13 The motion was _____ agreed to.

14 SYNOPSIS

15 **Notice of Medicaid Provider Agreement Termination**

16 **R.C. 5111.06**

17 Restores the bill's House-passed provision specifying that
18 if a Medicaid provider fails to provide to the Department of Job
19 and Family Services the National Provider Identifier assigned to
20 the provider, the Department may deny, terminate, or not renew a
21 provider agreement by sending notice to the provider by
22 certified mail (rather than regular mail).

1 128HB1-CC4624.docx/ss

2 Am. Sub. H.B. 1
3 As Passed by the Senate
4 CC-4624
5 JFS-108

6 _____ moved to amend as follows:

7 Delete lines 92081 through 92100

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Medicaid Managed Care Long-Term Care Report**

11 **Section 209.45**

12 Removes the bill's provision requiring the Directors of Job
13 and Family Services and Aging to issue a report on the
14 feasibility of including in the Medicaid managed care program
15 certain aged, blind, and disabled Medicaid recipients who are
16 excluded by current law from the program.

1 128HB1-CC4625.docx/ss

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4625
JFS-105

6 _____ moved to amend as follows:

7 Delete lines 97540 through 97572

8 The motion was _____ agreed to.

9

SYNOPSIS

10 **Durable Medical Mobility Equipment Study**

11 **Section 309.30.72**

12 Removes a provision that would have required the Department
13 of Job and Family Services to study the potential use of an
14 asset management service in the Medicaid Program for the
15 reallocation and re-use of wheelchairs.

✓

1 128HB1-CC4626.docx/ss

2 Am. Sub. H.B. 1
3 As Passed by the Senate
4 CC-4626
5 JFS-115

6 _____ moved to amend as follows:

7 Delete lines 98111 through 98121

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Prior Authorization Study**

11 **Section 309.32.50**

12 Removes a provision that would have required the Department
13 of Job and Family Services to study the issue of requiring prior
14 authorization for all services and goods available under the
15 fee-for-service component of the Medicaid program and to submit
16 a report of the study to the General Assembly not later than
17 October 1, 2009.



1 128HB1-CC4628.docx/ar

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4628
COM-34

6 _____ moved to amend as follows:

7 Delete lines 92705 through 92712

8 The motion was _____ agreed to.

9

SYNOPSIS

10 **Financial Institutions Funds Transfers**

11 **Section 241.10**

12 Removes a provision (1) prohibiting the Director of Budget
13 and Management and the Controlling Board from transferring
14 moneys in the Financial Institutions Fund (Fund 4X20), the Banks
15 Fund (Fund 5440), the Savings Institution Fund (Fund 5450) or
16 the Credit Unions Fund (Fund 552) to any other fund, and (2)
17 requiring interest earned on the moneys in those funds to be
18 credited to each respective fund.

✓

128HB1-CC4629/HLB

Am. Sub. H.B. 1
As Passed by the Senate
CC-4629
DAS-29

_____ moved to amend as follows:

Between lines 91610 and 91611, insert: 1

"Section 207.20.70. INFORMATION TECHNOLOGY ASSESSMENT 2

The Director of Administrative Services, with the approval of 3
the Director of Budget and Management, may establish an 4
information technology assessment for the purpose of recovering 5
the cost of selected infrastructure and statewide programs. The 6
information technology assessment shall be charged to all 7
organized bodies, offices, or agencies established by the laws of 8
the state for the exercise of any function of state government 9
except for the General Assembly, any legislative agency, the 10
Supreme Court, the other courts of record in Ohio, or any judicial 11
agency, the Adjutant General, the Bureau of Workers' Compensation, 12
and institutions administered by a board of trustees. Any 13
state-entity exempted by this section may use the infrastructure 14
or statewide program by participating in the information 15
technology assessment. All charges for the information technology 16
assessment shall be deposited to the credit of the IT Governance 17
Fund (Fund 2290)." 18

The motion was _____ agreed to.

SYNOPSIS

Department of Administrative Services 19

Section 207.20.70 20

Restores uncodified law authorizing the Department of 21
Administrative Services to establish an information technology 22
assessment to be charged to state agencies for the purpose of 23
recovering the cost of selected infrastructure and statewide 24
programs. 25

Am. Sub. H.B. 1
As Passed by the Senate
CC-4630
DAS-28

_____ moved to amend as follows:

Between lines 91419 and 91420, insert:

"2290 100640 Leveraged Enterprise Purchases \$10,000,000
\$10,000,000"

In line 91430, delete "\$203,027,807 \$197,881,871" and insert
"\$213,027,807 \$207,881,871"

In line 91431, delete "\$373,268,602 \$369,081,768" and insert
"\$383,268,602 \$379,081,768"

Between lines 91610 and 91611, insert:

" **Section 207.20.60. LEVERAGED ENTERPRISE PURCHASE PROGRAM**
FUNDING

The foregoing appropriation item 100640, Leveraged Enterprise
Purchases, may be used by the Director of Administrative Services
to operate a Leveraged Enterprise Purchases Program to make
enterprise-wide information technology purchases. The Director of
Administrative Services may recover the cost of operating such a
program from all participating government entities through
intrastate transfer voucher billings for each applicable
procurement, or the Director may use any pass-through billing
method agreed to by the Director of Administrative Services, the

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Director of Budget and Management, and the participating 20
government entities that will receive the applicable procurement. 21
If the Director of Administrative Services chooses to recover the 22
costs through intrastate transfer voucher billings, the 23
participating government entities shall process the intrastate 24
transfer vouchers to pay for the cost. 25

Amounts received under this section for the Leveraged 26
Enterprise Purchases Program shall be deposited to the credit of 27
the IT Governance Fund (Fund 2290)." 28

The motion was _____ agreed to.

SYNOPSIS

Department of Administrative Services 29

Section 207.20.60 30

Restores GSF appropriation item 100640, Leveraged Enterprise 31
Purchases, in the amount of \$10,000,000 in each fiscal year and 32
associated uncodified law authorizing the Director of 33
Administrative Services to use the appropriation to make 34
enterprise-wide information technology purchases. 35

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4635
ADJ-5

6 _____ moved to amend as follows:

7 In line 90950, delete "and"; after "5123.23" insert ", and
8 5923.141"

9 In line 243 of the title, delete "and"

10 In line 244 of the title, after "5123.23" insert ", and
11 5923.141"

12 The motion was _____ agreed to.

13 SYNOPSIS

14 **Payment of Adjutant General's Workers' Compensation Costs**

15 **R.C. 5923.141**

16 Repeals Ohio law that, upon receipt of a certification from
17 the Administrator of the Bureau of Workers' Compensation,
18 requires the Adjutant General to request from the Controlling
19 Board the amount certified and to request the Director of Budget
20 and Management to provide for payment to the State Insurance
21 Fund of a sum equal to the amount transferred by the Controlling
22 Board.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4636
DNR-2

6 _____ moved to amend as follows:

7 In line 331, delete "1531.01,"; delete "1533.10,"

8 Delete lines 25967 through 26260

9 Delete lines 26390 through 26505

10 In line 90833, delete "1531.01,"; delete "1533.10,"

11 In line 52 of the title, delete "1531.01,"; delete
12 "1533.10,"

13 The motion was _____ agreed to.

14 SYNOPSIS

15 **Hunting by Landowners' Grandchildren; Definitions of**
16 **"Children" and "Grandchildren" in Division of Wildlife and**
17 **Hunting and Fishing Laws**

18 **R.C. 1531.01 and 1533.10**

19 Restores the requirement in current law that a landowner's
20 grandchildren be under 18 years of age, rather than any age as
21 in the bill, to hunt on the landowner's land without a hunting
22 license; and removes the provision in the bill that defines
23 "children" to mean the biological or adopted sons or daughters
24 and adopted stepsons and stepdaughters and "grandchildren" to
25 mean the children of one's child for purposes of the Division of
26 Wildlife Law and the Hunting and Fishing Law.

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Am. Sub. H.F. 1
As Passed by the Senate
CC-4637
EPA-6

6 _____ moved to amend as follows:

7 In line 56039, strike through everything after "Expend"

8 In line 56040, strike through "during each fiscal year" and
9 insert "amounts determined necessary by the director"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Cap on Scrap Tire Management Expenditures**

13 **R.C. 3734.82**

14 Restores a provision from the House-passed version of the
15 bill that eliminates the \$750,000 cap established in current law
16 on the amount of money in the Scrap Tire Management Fund that
17 the Director of Environmental Protection may use in each fiscal
18 year to administer the scrap tire management program and that
19 instead authorizes the Director to spend amounts that the
20 Director determines are necessary for that purpose.

✓

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4638
JSC-16

6 _____ moved to amend as follows:

- 7 In line 28658, after "(2)" delete the balance of the line
- 8 Delete lines 28659 through 28663
- 9 In line 28664, delete "(3)"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Special Projects Fund**

13 **R.C. 1901.26**

14 Removes from the bill the provision that allows a municipal
15 court to disburse moneys deposited into either a general special
16 projects fund or a fund established for a specific special
17 project to a county program that is not operated by the court
18 and that addresses issues of domestic violence.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4639
CD # DOH-8

_____ moved to amend as follows:

In line 321, after "1332.25," insert "1347.08," 1

In line 366, after "3721.02," insert "3721.23," 2

Between lines 22542 and 22543, insert: 3

"Sec. 1347.08. (A) Every state or local agency that maintains 4
a personal information system, upon the request and the proper 5
identification of any person who is the subject of personal 6
information in the system, shall: 7

(1) Inform the person of the existence of any personal 8
information in the system of which the person is the subject; 9

(2) Except as provided in divisions (C) and (E)(2) of this 10
section, permit the person, the person's legal guardian, or an 11
attorney who presents a signed written authorization made by the 12
person, to inspect all personal information in the system of which 13
the person is the subject; 14

(3) Inform the person about the types of uses made of the 15
personal information, including the identity of any users usually 16
granted access to the system. 17

(B) Any person who wishes to exercise a right provided by 18

this section may be accompanied by another individual of the 19
person's choice. 20

(C) (1) A state or local agency, upon request, shall disclose 21
medical, psychiatric, or psychological information to a person who 22
is the subject of the information or to the person's legal 23
guardian, unless a physician, psychiatrist, or psychologist 24
determines for the agency that the disclosure of the information 25
is likely to have an adverse effect on the person, in which case 26
the information shall be released to a physician, psychiatrist, or 27
psychologist who is designated by the person or by the person's 28
legal guardian. 29

(2) Upon the signed written request of either a licensed 30
attorney at law or a licensed physician designated by the inmate, 31
together with the signed written request of an inmate of a 32
correctional institution under the administration of the 33
department of rehabilitation and correction, the department shall 34
disclose medical information to the designated attorney or 35
physician as provided in division (C) of section 5120.21 of the 36
Revised Code. 37

(D) If an individual who is authorized to inspect personal 38
information that is maintained in a personal information system 39
requests the state or local agency that maintains the system to 40
provide a copy of any personal information that the individual is 41
authorized to inspect, the agency shall provide a copy of the 42
personal information to the individual. Each state and local 43
agency may establish reasonable fees for the service of copying, 44
upon request, personal information that is maintained by the 45
agency. 46

(E) (1) This section regulates access to personal information 47
that is maintained in a personal information system by persons who 48
are the subject of the information, but does not limit the 49

authority of any person, including a person who is the subject of
personal information maintained in a personal information system,
to inspect or have copied, pursuant to section 149.43 of the
Revised Code, a public record as defined in that section.

(2) This section does not provide a person who is the subject
of personal information maintained in a personal information
system, the person's legal guardian, or an attorney authorized by
the person, with a right to inspect or have copied, or require an
agency that maintains a personal information system to permit the
inspection of or to copy, a confidential law enforcement
investigatory record or trial preparation record, as defined in
divisions (A) (2) and (4) of section 149.43 of the Revised Code.

(F) This section does not apply to any of the following:

(1) The contents of an adoption file maintained by the
department of health under section 3705.12 of the Revised Code;

(2) Information contained in the putative father registry
established by section 3107.062 of the Revised Code, regardless of
whether the information is held by the department of job and
family services or, pursuant to section 3111.69 of the Revised
Code, the office of child support in the department or a child
support enforcement agency;

(3) Papers, records, and books that pertain to an adoption
and that are subject to inspection in accordance with section
3107.17 of the Revised Code;

(4) Records listed in division (A) of section 3107.42 of the
Revised Code or specified in division (A) of section 3107.52 of
the Revised Code;

(5) Records that identify an individual described in division
(A) (1) of section 3721.031 of the Revised Code, or that would tend
to identify such an individual;

(6) Files and records that have been expunged under division 80
(D) (1) or (2) of section 3721.23 of the Revised Code; 81

(7) Records that identify an individual described in division 82
(A) (1) of section 3721.25 of the Revised Code, or that would tend 83
to identify such an individual; 84

(8) Records that identify an individual described in division 85
(A) (1) of section 5111.61 of the Revised Code, or that would tend 86
to identify such an individual; 87

(9) Test materials, examinations, or evaluation tools used in 88
an examination for licensure as a nursing home administrator that 89
the board of examiners of nursing home administrators administers 90
under section 4751.04 of the Revised Code or contracts under that 91
section with a private or government entity to administer; 92

(10) Information contained in a database established and 93
maintained pursuant to section 5101.13 of the Revised Code." 94

Between lines 52726 and 52727, insert: 95

"Sec. 3721.23. (A) The director of health shall receive, 96
review, and investigate allegations of abuse or neglect of a 97
resident or misappropriation of the property of a resident by any 98
individual used by a long-term care facility or residential care 99
facility to provide services to residents. 100

(B) The director shall make findings regarding alleged abuse, 101
neglect, or misappropriation of property after doing both of the 102
following: 103

(1) Investigating the allegation and determining that there 104
is a reasonable basis for it; 105

(2) Giving notice to the individual named in the allegation 106
and affording the individual a reasonable opportunity for a 107
hearing. 108

Notice to the person named in an allegation shall be given 109
and the hearing shall be conducted pursuant to rules adopted by 110
the director under section 3721.26 of the Revised Code. For 111
purposes of conducting a hearing under this section, the director 112
may issue subpoenas compelling attendance of witnesses or 113
production of documents. The subpoenas shall be served in the same 114
manner as subpoenas and subpoenas duces tecum issued for a trial 115
of a civil action in a court of common pleas. If a person who is 116
served a subpoena fails to attend a hearing or to produce 117
documents, or refuses to be sworn or to answer any questions, the 118
director may apply to the common pleas court of the county in 119
which the person resides, or the county in which the long-term 120
care facility or residential care facility is located, for a 121
contempt order, as in the case of a failure of a person who is 122
served a subpoena issued by the court to attend or to produce 123
documents or a refusal of such person to testify. 124

(C) (1) If the director finds that an individual used by a 125
long-term care facility or residential care facility has neglected 126
or abused a resident or misappropriated property of a resident, 127
the director shall notify the individual, the facility using the 128
individual, and the attorney general, county prosecutor, or other 129
appropriate law enforcement official. The director also shall do 130
the following: 131

(a) If the individual is used by a long-term care facility as 132
a nurse aide, the director shall, in accordance with section 133
3721.32 of the Revised Code, include in the nurse aide registry 134
established under that section a statement detailing the findings 135
pertaining to the individual. 136

(b) If the individual is a licensed health professional used 137
by a long-term care facility or residential care facility to 138
provide services to residents, the director shall notify the 139

appropriate professional licensing authority established under 140
Title XLVII of the Revised Code. 141

(c) If the individual is used by a long-term care facility 142
and is neither a nurse aide nor a licensed health professional, or 143
is used by a residential care facility and is not a licensed 144
health professional, the director shall, in accordance with 145
section 3721.32 of the Revised Code, include in the nurse aide 146
registry a statement detailing the findings pertaining to the 147
individual. 148

(2) A nurse aide or other individual about whom a statement 149
is required by this division to be included in the nurse aide 150
registry may provide the director with a statement disputing the 151
director's findings and explaining the circumstances of the 152
allegation. The statement shall be included in the nurse aide 153
registry with the director's findings. 154

(D) (1) If the director finds that alleged neglect or abuse of 155
a resident or misappropriation of property of a resident cannot be 156
substantiated, the director shall notify the individual and 157
expunge all files and records of the investigation and the hearing 158
by doing all of the following: 159

(a) Removing and destroying the files and records, originals 160
and copies, and deleting all index references; 161

(b) Reporting to the individual the nature and extent of any 162
information about the individual transmitted to any other person 163
or government entity by the director of health; 164

(c) Otherwise ensuring that any examination of files and 165
records in question show no record whatever with respect to the 166
individual. 167

(2) (a) If, in accordance with division (C) (1) (a) or (c) of 168
this section, the director includes in the nurse aide registry a 169

statement of a finding of neglect, the individual found to have 170
neglected a resident may, not earlier than one year after the date 171
of the finding, petition the director to rescind the finding and 172
remove the statement and any accompanying information from the 173
nurse aide registry. The director shall consider the petition. If, 174
in the judgment of the director, the neglect was a singular 175
occurrence and the employment and personal history of the 176
individual does not evidence abuse or any other incident of 177
neglect of residents, the director shall notify the individual and 178
remove the statement and any accompanying information from the 179
nurse aide registry. The director shall expunge all files and 180
records of the investigation and the hearing, except the petition 181
for rescission of the finding of neglect and the director's notice 182
that the rescission has been approved. 183

(b) A petition for rescission of a finding of neglect and the 184
director's notice that the rescission has been approved are not 185
public records for the purposes of section 149.43 of the Revised 186
Code. 187

(3) When files and records have been expunged under division 188
(D) (1) or (2) of this section, all rights and privileges are 189
restored, and the individual, the director, and any other person 190
or government entity may properly reply to an inquiry that no such 191
record exists as to the matter expunged." 192

In line 90823, after "1332.25," insert "1347.08," 193

In line 90868, after "3721.02," insert "3721.23," 194

In line 38 of the title, after "1332.25," insert "1347.08," 195

In line 100 of the title, after "3721.02," insert "3721.23," 196

The motion was _____ agreed to.



SYNOPSIS

Nurse Aide Registry	197
R.C. 1347.08 and 3721.23	198
Restores a provision from the Executive version of the bill	199
that allows a statement of neglect added to the nurse aide	200
registry to be removed if the neglect was a singular occurrence	201
and the employment and work history of the person does not reflect	202
a pattern of abuse or neglect.	203

Am. Sub. H.B. 1
As Passed by the Senate
CC-4640
COS-4



_____ moved to amend as follows:

In line 387, after "4582.33," insert "4713.32," 1

Between lines 68654 and 68655, insert: 2

"Sec. 4713.32. When determining the total hours of 3
instruction received by an applicant for a license under section 4
4713.28, 4713.30, or 4713.31 of the Revised Code, the state board 5
of cosmetology shall not take into account more than ~~eight~~ ten 6
hours of instruction per day. The board shall take into account 7
instruction received more than five years prior to the date of 8
application for the license in accordance with rules adopted under 9
section 4713.08 of the Revised Code." 10

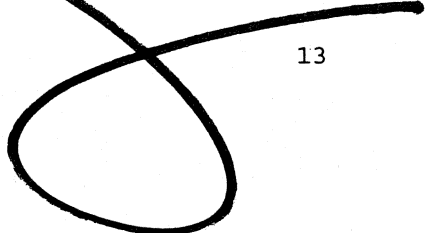
In line 90889, after "4582.33," insert "4713.32," 11

In line 130 of the title, after "4582.33," insert "4713.32," 12

The motion was _____ agreed to.

SYNOPSIS

Cosmetologist Classroom Instruction



R.C. 4713.32

Raises the maximum number of daily hours of instruction the 14
State Board of Cosmetology may consider in determining an 15
applicant's total hours of instruction for licensing purposes from 16
eight to ten. 17
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Am. Sub. H.B. 1
As Passed by the Senate
CC-4641
DPS-56

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_____ moved to amend as follows:

In line 386, after "4519.04," insert "4519.44," 1

In line 68202, reinsert "an"; delete "a snowmobile,
off-highway motorcycle, or" 2
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In line 68203, reinsert "five" 4

In line 68204, delete "six" 5

In line 68205, delete "snowmobile," 6

In line 68206, delete "off-highway motorcycle, or" 7

Between lines 68209 and 68210, insert: 8

"Sec. 4519.44. (A) No person who does not hold a valid, 9
current motor vehicle driver's or commercial driver's license, 10
motorcycle operator's endorsement, or probationary license, issued 11
under Chapter 4506. or 4507. of the Revised Code or a valid, 12
current driver's license issued by another jurisdiction, shall 13
operate a snowmobile, off-highway motorcycle, or all-purpose 14
vehicle on any street or highway in this state, on any portion of 15
the right-of-way thereof, or on any public land or waters. 16

(B) No person who is less than sixteen years of age shall 17
operate a snowmobile, off-highway motorcycle, or all-purpose 18

vehicle on any land or waters other than private property or 19
 waters owned by or leased to the person's parent or guardian, 20
 unless accompanied by another person who is eighteen years of age, 21
 or older, and who holds a license as provided in division (A) of 22
 this section, except that the department of natural resources may 23
 permit such operation on state controlled land under its 24
 jurisdiction when such person is less than sixteen years of age 25
~~but is twelve years of age or older~~ and is accompanied by a parent 26
 or guardian who is a licensed driver eighteen years of age or 27
 older. 28

(C) Whoever violates this section shall be fined not less 29
 than fifty nor more than five hundred dollars, imprisoned not less 30
 than three nor more than thirty days, or both." 31

In line 90888, after "4519.04," insert "4519.44," 32

In line 128 of the title, after "4519.04," insert "4519.44," 33

The motion was _____ agreed to.

SYNOPSIS

Registration Fee and Age of Operators of Snowmobiles, 34
 Off-Highway Motorcycles, and All-Purpose Vehicles on DNR Land 35

R.C. 4519.04 and 4519.44 36

Restores current law, which requires the Registrar of Motor 37
 Vehicles to retain not more than \$5 of each \$31.25 fee collected 38
 for the registration of an all-purpose vehicle to pay for the 39
 licensing and registration costs the Bureau of Motor Vehicles 40
 incurs in registering the all-purpose vehicle, by eliminating new 41
 language that requires the Registrar to retain not more than \$6 of 42
 every \$31.25 fee collected for the registration of a snowmobile or 43

off-highway motorcycle (or all-purpose vehicle) to pay for the licensing and registration costs the Bureau of Motor Vehicles incurs in registering the snowmobile or off-highway motorcycle (or all-purpose vehicle).

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Eliminates the requirement that a minor must be at least 12 years of age in order to be eligible to operate a snowmobile, off-highway motorcycle, or all-purpose vehicle on state-controlled land under the jurisdiction of the Department of Natural Resources if accompanied by a parent or guardian who is a licensed driver 18 years of age or older.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4642
DPS-61

_____ moved to amend as follows:

In line 378, after "4503.19," insert "4503.191," 1

Between lines 63188 and 63189, insert: 2

"Sec. 4503.191. (A) (1) The identification license plate shall 3
be issued for a multi-year period as determined by the director of 4
public safety, and shall be accompanied by a validation sticker, 5
to be attached to the license plate. Except as provided in 6
division (A) (2) of this section, the validation sticker shall 7
indicate the expiration of the registration period to which the 8
motor vehicle for which the license plate is issued is assigned, 9
in accordance with rules adopted by the registrar of motor 10
vehicles. During each succeeding year of the multi-year period 11
following the issuance of the plate and validation sticker, upon 12
the filing of an application for registration and the payment of 13
the tax therefor, a validation sticker alone shall be issued. The 14
validation stickers required under this section shall be of 15
different colors or shades each year, the new colors or shades to 16
be selected by the director. 17

(2) (a) Not later than October 1, 2009, the director shall 18
develop a universal validation sticker that may be issued to any 19
owner of two hundred fifty or more passenger vehicles, so that a 20

sticker issued to the owner may be placed on any passenger vehicle 21
 in that owner's fleet. The director may establish and charge an 22
 additional fee of not more than one dollar per registration to 23
 compensate for necessary costs of the universal validation sticker 24
 program. The additional fee shall be credited to the state bureau 25
 of motor vehicles fund created in section 4501.25 of the Revised 26
 Code. 27

(b) A validation sticker issued for an all-purpose vehicle 28
that is registered under Chapter 4519. of the Revised Code or for 29
a trailer or semitrailer that is registered under division 30
(A) (1) (a) (ii) of section 4503.103 of the Revised Code for a period 31
of not more than five succeeding registration years may indicate 32
the expiration of the registration period by any manner determined 33
by the registrar by rule. 34

(B) Identification license plates shall be produced by Ohio 35
 penal industries. Validation stickers and county identification 36
 stickers shall be produced by Ohio penal industries unless the 37
 registrar adopts rules that permit the registrar or deputy 38
 registrars to print or otherwise produce them in house." 39

In line 90880, after "4503.19," insert "4503.191," 40

In line 117 of the title, after "4503.19," insert "4503.191," 41

The motion was _____ agreed to

SYNOPSIS

Multi-Year Vehicle Registration Validation Stickers 42
 R.C. 4503.191 43
 Allows the Registrar of Motor Vehicles to determine by rule 44
 the manner to use to indicate the expiration of a validation 45

sticker issued for an all-purpose vehicle (three-year registration
period) or for a commercial trailer or semitrailer (up to a
five-year registration period).

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4643
DPS-60

_____ moved to amend as follows:

In line 386, after "4519.02," insert "4519.03," 1

Between lines 68152 and 68153, insert: 2

"Sec. 4519.03. (A) The owner of every snowmobile, off-highway 3
motorcycle, and all-purpose vehicle required to be registered 4
under section 4519.02 of the Revised Code shall file an 5
application for registration with the registrar of motor vehicles 6
or a deputy registrar, on blanks furnished by the registrar for 7
that purpose and containing all of the following information: 8

(1) A brief description of the snowmobile, off-highway 10
motorcycle, or all-purpose vehicle, including the year, make, 11
model, and the vehicle identification number; 12

(2) The name, residence, and business address of the owner; 13

(3) A statement that the snowmobile, off-highway motorcycle, 14
or all-purpose vehicle is equipped as required by section 4519.20 15
of the Revised Code and any rule adopted under that section. The 16
statement shall include a check list of the required equipment 17
items in the form the registrar shall prescribe. 18

The application shall be signed by the owner of the 19

snowmobile, off-highway motorcycle, or all-purpose vehicle and 20
shall be accompanied by a fee as provided in division (C) of 21
section 4519.04 of the Revised Code. 22

If the application is not in proper form, or if the vehicle 23
for which registration is sought does not appear to be equipped as 24
required by section 4519.20 of the Revised Code or any rule 25
adopted under that section, the registration shall be refused, and 26
no registration sticker, license plate, or validation sticker 27
shall be issued. 28

(B) ~~On and after July 1, 1999, no~~ Except as provided in this 29
division, no certificate of registration or renewal of a 30
certificate of registration shall be issued for an off-highway 31
motorcycle or all-purpose vehicle required to be registered under 32
section 4519.02 of the Revised Code, and no certificate of 33
registration issued under this chapter for an off-highway 34
motorcycle or all-purpose vehicle that is sold or otherwise 35
transferred shall be transferred to the new owner of the 36
off-highway motorcycle or all-purpose vehicle as permitted by 37
division (B) of section 4519.05 of the Revised Code, unless a 38
certificate of title has been issued under this chapter for the 39
motorcycle or vehicle, and the owner or new owner, as the case may 40
be, presents a physical certificate of title or memorandum 41
certificate of title for inspection at the time the owner or new 42
owner first submits a registration application, registration 43
renewal application, or registration transfer application for the 44
motorcycle or vehicle ~~on or after July 1, 1999,~~ if a physical 45
certificate of title or memorandum certificate has been issued by 46
a clerk of a court of common pleas. If, under sections 4519.512 47
and 4519.58 of the Revised Code, a clerk instead has issued an 48
electronic certificate of title for the applicant's off-highway 49
motorcycle or all-purpose vehicle, that certificate may be 50

presented for inspection at the time of first registration in a 51
manner prescribed by rules adopted by the registrar. In the case 52
of an off-highway motorcycle or all-purpose vehicle that was 53
purchased prior to October 1, 2005, and for which a certificate of 54
title has not been issued, the owner shall not be required to 55
present a physical certificate of title or memorandum certificate 56
of title or an electronic certificate of title for the motorcycle 57
or vehicle but instead may present a signed affidavit of ownership 58
in a form prescribed by the registrar. The affidavit shall 59
include, at a minimum, the date of purchase, make, model, and 60
vehicle identification number of the motorcycle or vehicle. If no 61
vehicle identification number has been assigned to the off-highway 62
motorcycle or all-purpose vehicle, then the serial number of the 63
motorcycle or vehicle shall be presented at the time of 64
application. 65

(C) When the owner of an off-highway motorcycle or 66
all-purpose vehicle first registers it in the owner's name, and a 67
certificate of title has been issued for the motorcycle or 68
vehicle, the owner shall present for inspection a physical 69
certificate of title or memorandum certificate of title showing 70
title to the off-highway motorcycle or all-purpose vehicle in the 71
name of the owner if a physical certificate of title or memorandum 72
certificate has been issued by a clerk of a court of common pleas. 73
If, under sections 4519.512 and 4519.58 of the Revised Code, a 74
clerk instead has issued an electronic certificate of title for 75
the applicant's off-highway motorcycle or all-purpose vehicle, 76
that certificate may be presented for inspection at the time of 77
first registration in a manner prescribed by rules adopted by the 78
registrar. In the case of an off-highway motorcycle or all-purpose 79
vehicle that was purchased prior to October 1, 2005, and for which 80
a certificate of title has not been issued, the owner shall not be 81
required to present a physical certificate of title or memorandum 82

certificate of title or an electronic certificate of title for the 83
motorcycle or vehicle but instead may present a signed affidavit 84
of ownership in a form prescribed by the registrar. The affidavit 85
shall include, at a minimum, the date of purchase, make, model, 86
and vehicle identification number of the motorcycle or vehicle. If 87
no vehicle identification number has been assigned to the 88
off-highway motorcycle or all-purpose vehicle, then the serial 89
number of the motorcycle or vehicle shall be presented at the time 90
of application. If, when the owner of such an off-highway 91
motorcycle or all-purpose vehicle first makes application to 92
register it in the owner's name, the application is not in proper 93
form or the certificate of title or memorandum certificate of 94
title does not accompany the registration or, in the case of an 95
electronic certificate of title or ownership affidavit, it is not 96
presented in a manner prescribed by the registrar, the 97
registration shall be refused, and neither a certificate of 98
registration nor a registration sticker, license plate, or 99
validation sticker shall be issued. When a certificate of 100
registration and registration sticker, license plate, or 101
validation sticker are issued upon the first registration of an 102
off-highway motorcycle or all-purpose vehicle by or on behalf of 103
the owner, the official issuing them shall indicate the issuance 104
with a stamp on the certificate of title ~~or~~, memorandum 105
certificate of title, or affidavit, or, in the case of an 106
electronic certificate of title, an electronic stamp or other 107
notation as specified in rules adopted by the registrar. 108

(D) Each deputy registrar shall be allowed a fee of three 109
dollars and fifty cents for each application or renewal 110
application received by the deputy registrar, which shall be for 111
the purpose of compensating the deputy registrar for services, and 112
office and rental expense, as may be necessary for the proper 113
discharge of the deputy registrar's duties in the receiving of 114

applications and the issuing of certificates of registration. 115

Each deputy registrar, upon receipt of any application for registration, together with the registration fee, shall transmit the fee, together with the original and duplicate copy of the application, to the registrar in the manner and at the times the registrar, subject to the approval of the director of public safety and the treasurer of state, shall prescribe by rule." 116-121

In line 90888, after "4519.02," insert "4519.03," 122

In line 128 of the title, after "4519.02," insert "4519.03," 123

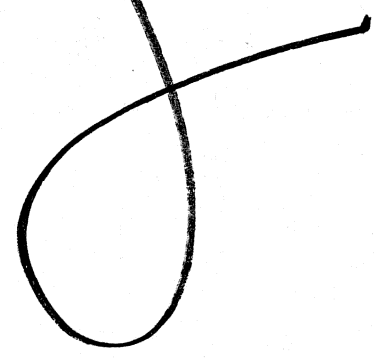
The motion was _____ agreed to.

SYNOPSIS

Off-Highway Motorcycle or All-Purpose Vehicle Affidavit 124

R.C. 4519.03 125

Permits the owner of an off-highway motorcycle or all-purpose vehicle that was purchased prior to October 1, 2005, and for which a certificate of title has not been issued, to register the motorcycle or vehicle by presenting an affidavit of ownership rather than requiring the owner to obtain first a certificate of title for the off-highway motorcycle or all-purpose vehicle. 126-131



Am. Sub. H.B. 1
As Passed by the Senate
CC-4645
CD-AGR-3



_____ moved to amend as follows:

In line 435, after "901.041," insert "901.91," 1

Between lines 20279 and 20280, insert: 2

"Sec. 901.91. The director of agriculture may assess the 3
operating funds of the department of agriculture to pay a share of 4
the department's central support and administrative costs. The 5
assessments shall be based on a plan that the director develops 6
and submits to the director of budget and management not later 7
than the fifteenth day of July of the fiscal year in which the 8
assessments are to be made. If the director of budget and 9
management determines that the assessments proposed in the plan 10
are appropriate, the director shall approve the plan. Assessments 11
shall be paid from the funds designated in the plan and credited 12
by means of intrastate transfer voucher to the department of 13
agriculture central support indirect costs fund, which is hereby 14
created in the state treasury. The fund shall be administered by 15
the director of agriculture and used to pay central support and 16
administrative costs of the department of agriculture." 17

Between lines 92156b and 92157, insert: 18

"5GH0700655 Central Support \$ 5,713,404 \$ 5,713,404" 19
Indirect Cost

In line 92157, add \$5,713,404 to each fiscal year 20

In line 92192, add \$5,713,404 to each fiscal year 21

In line 106523, after "901.20," insert "901.91," 22

In line 194 of the title, after "901.041," insert "901.91," 23

The motion was _____ agreed to.

SYNOPSIS

Department of Agriculture Central Support Indirect Costs Fund 24

R.C. 901.91; Section 211.10 25

Generally as in the House-passed version of the bill, 26

authorizes the Director of Agriculture, based on a plan developed 27

by the Director of Agriculture and approved by the Director of 28

Budget and Management, to assess the operating funds of the 29

Department of Agriculture to pay a share of the Department's 30

central support and administrative costs, requires assessments to 31

be paid from the funds designated in the plan and credited to the 32

Department of Agriculture Central Support Indirect Costs Fund 33

created by the amendment, and requires that Fund to be used to pay 34

central support and administrative costs of the Department. 35

Restores GSF line item 700655, Central Support Indirect Cost, 36

within the Department of Agriculture Central Support Indirect 37

Costs Fund (Fund 5GH0) with an appropriation of \$5,713,404 in each 38

fiscal year. 39

5 _____ moved to amend as follows:

6 Delete line 92329

7 In line 92332, subtract \$100,000 from each fiscal year

8 In line 92375, subtract \$100,000 from each fiscal year

9 Between lines 98788a and 98789, insert:

10 "GRF 005406 Law-Related Education \$200,000 \$200,000"

11 In line 98790, add \$200,000 to each fiscal year

12 In line 98802, add \$200,000 to each fiscal year

13 Between lines 98802 and 98803, insert:

14 "LAW-RELATED EDUCATION

15 The foregoing appropriation item 005406, Law-Related
16 Education, shall be distributed directly to the Ohio Center for
17 Law-Related Education for the purposes of providing continuing
18 citizenship education activities to primary and secondary
19 students, expanding delinquency prevention programs, increasing
20 activities for at-risk youth, and accessing additional public
21 and private money for new programs."

22 The motion was _____ agreed to

23 SYNOPSIS

24 **Attorney General**

25 **Section 223.10**

26 Removes GRF appropriation item 055405, Law-Related
27 Education, and related appropriation of \$100,000 in each fiscal
28 year.

29 **The Judiciary/Supreme Court**

30 **Section 313.10**

31 Restores GRF appropriation item 005406, Law-Related
32 Education, related appropriation of \$200,000 in each fiscal
33 year, and temporary law earmarking provision.

5 _____ moved to amend as follows:

6 In line 105455, after the period, insert: "However the
7 Superintendent may approve additions, deletions, substitutions,
8 or other changes to one or more of the investment options
9 offered by an entity already designated by the Superintendent to
10 provide investment options under alternative retirement plans
11 prior to the effective date of this section."

12 The motion was _____ agreed to.

13 SYNOPSIS

14 **Designation of Entities to Provide Alternative Investment**
15 **Options Under Alternative Retirement Plans**

16 **Section 739.10**

17 Clarifies that the bill's proposed requirement that the
18 Superintendent of Insurance withhold from designating additional
19 providers of investment options under alternative retirement
20 plans established by public institutions of higher education
21 does not apply to additions, deletions, substitutions, or other
22 changes to one or more of the investment options offered by an
23 entity already designated by the Superintendent.

Am. Sub. H.B. 1

As Passed by the Senate

CC-4650-2

_____ moved to amend as follows:

- In line 293, delete "9.03," 1
- In line 312, delete "307.12," 2
- In line 434, delete "307.121," 3
- Delete lines 530 through 590 4
- Delete lines 17954 through 18216 5
- In line 90795, delete "9.03," 6
- In line 90814, delete "307.12," 7
- Between lines 105303 and 105304, insert: 8
- "Section 703.____. (A) The board of county commissioners of a 9
county with a population of not less than 800,000 and not more 10
than 900,000 as determined by the most recent federal decennial 11
census shall conduct a pilot project authorizing commercial 12
advertising on county web sites in accordance with this section. 13
- (B) The board of county commissioners, by resolution adopted 14
by a majority of the board's members, shall authorize commercial 15
advertising on a county web site under this section. The 16
resolution shall include all of the following: 17
- (1) A statement authorizing county officials to place 18
commercial advertisements on web sites of county offices under 19

those county officials; 20

(2) Requirements and procedures for making requests for 21
proposals under this section; 22

(3) Any other requirements or limitations necessary to 23
authorize under this section commercial advertising on county web 24
sites. 25

(C) The board of county commissioners shall send a copy of 26
the resolution to each county official. After receiving the 27
resolution, the county official shall determine if the official 28
intends to implement the resolution. The county official may make 29
requests for proposals in the manner specified by the resolution 30
for the purpose of identifying advertisers who, and whose 31
advertisements will, meet any criteria specified in the request 32
for proposals and any requirements and limitations specified in 33
the resolution. The county official may enter into a contract with 34
such an advertiser whereby the advertiser places an advertisement 35
on the office's web site and pays a fee in consideration to the 36
county general fund. Any contract entered into under this section 37
shall be concluded not later than December 31, 2011. 38

(D) A county web site on which commercial advertising is 40
placed under this section shall be used exclusively to provide 41
information from a county office to the public, and shall not be 42
used as a public forum. 43

(E) The pilot project conducted under this section shall 44
conclude on December 31, 2011. Not later than 30 days after the 45
conclusion of the pilot project, the board of county commissioners 46
shall submit a report to the Governor, the Speaker and Minority 47
Leader of the House of Representatives, and the President and 48
Minority Leader of the Senate regarding the operation of the pilot 49
project. The report shall include the board's recommendations on 50

whether commercial advertising on county web sites should be 51
continued and expanded to other counties. 52

(F) As used in this section: 53

(1) "Advertising" means internet advertising, including 54
banners and icons that may contain links to commercial internet 55
web sites. "Advertising" does not include "spyware," "malware," or 56
any viruses or programs considered to be malicious. 57

(2) "County official" includes the county auditor, county 58
treasurer, county engineer, county recorder, county prosecuting 59
attorney, county sheriff, county coroner, board of county 60
commissioners, clerk of the probate court, clerk of the juvenile 61
court, clerk of court for all divisions of the court of common 62
pleas, clerk of a county-operated municipal court, and clerk of a 63
county court. 64

(3) "County web site" means any web site, internet page, or 65
web page of a county office, with respective internet addresses or 66
subdomains, that are intended to provide to the public information 67
about services offered by the county office, including relevant 68
forms and searchable data." 69

In line 1 of the title, delete "9.03," 70

In line 27 of the title, delete "307.12," 71

In line 193 of the title, delete "307.121," 72

The motion was _____ agreed to.

SYNOPSIS

Commercial Advertisements on County Web Sites 73

R.C. 9.03, 307.12, and 307.121; Section 703. 74

Removes a provision of the bill that would permit boards of county commissioners to authorize commercial advertising on a county web site and instead establishes a pilot project for such advertising in counties with a population of between 800,000 and 900,000 people (Hamilton County). Concludes the pilot project on December 31, 2011, and requires the board of county commissioners to report to the Governor and legislative leaders on the project not later than 30 days after the project's conclusion.

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Am. Sub. H.F. 1
As Passed by the Senate
CC-4651

5 _____ moved to amend as follows:

6 In line 11217, after "124.392" insert "or 124.393"

7 The motion was _____ agreed to.

8

SYNOPSIS

9 **Furloughs of County Exempt Employees**

10 **R.C. 124.34**

11 Provides that the furlough of a county exempt employee
12 under the Senate version of the bill is not a modification or a
13 reduction in pay that can be appealed to the State Personnel
14 Board of Review if the employee is in the classified civil
15 service.

1 128HB1-CC4652.docx/ar

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4652

5 _____ moved to amend as follows:

6 In line 52852, delete "granted" and insert "constructed
7 pursuant to"; after "need" insert "granted"

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Nursing Home Franchise Permit Fee**

11 **R.C. 3721.511**

12 Revises the bill's provision that establishes conditions a
13 nursing home with a written affiliation agreement with a
14 university for education and research related to Alzheimer's
15 disease must meet to qualify for a reduction in its franchise
16 permit fee (if the federal government grants Ohio a waiver for
17 this purpose) by requiring that the nursing home have been
18 constructed pursuant to a certificate of need granted under a
19 provision of legislation from the 116th General Assembly, rather
20 than requiring that the nursing home have been granted the
21 certificate of need.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4654-1
EPA-10

_____ moved to amend as follows:

In line 370, after "3737.71," insert "3745.015," 1

In line 23998, after "3714.073" insert "and division (A) (5)
of section 3734.57" 2
3

In line 55218, after "Code" insert "; 4

(4) An additional one dollar per ton on and after August 1, 5
2009, through June 30, 2012, the proceeds of which shall be 6
deposited in the state treasury to the credit of the environmental 7
protection fund. The fee established in division (A) (4) of this 8
section does not apply to a solid waste transfer facility or solid 9
waste disposal facility if the facility is located in a county 10
that has a population equal to or greater than four hundred 11
thousand according to the most recent decennial federal census and 12
the property boundary of the facility is located within fifteen 13
miles of the property boundary of a solid waste disposal facility 14
in another state. 15

(5) An additional twenty-five cents per ton on and after 16
August 1, 2009, through June 30, 2012, the proceeds of which shall 17
be deposited in the state treasury to the credit of the soil and 18
water conservation district assistance fund created in section 19
1515.14 of the Revised Code. The fee established in division 20

(A) (5) of this section does not apply to a solid waste transfer facility or solid waste disposal facility if the facility is located in a county that has a population equal to or greater than four hundred thousand according to the most recent decennial federal census and the property boundary of the facility is located within fifteen miles of the property boundary of a solid waste disposal facility in another state.

Between lines 56185 and 56186, insert:

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

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

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

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

The motion was _____ agreed to.

SYNOPSIS

New Solid Waste Disposal Fees; Exemption from New Solid Waste Disposal Fees 42
 R.C. 1515.14, 3734.57, and 3745.015 44

Restores from the House-passed version of the bill a new \$1 per-ton fee on the disposal of solid waste on and after August 1, 2009, through June 30, 2012, the proceeds of which are required to be credited to the existing Environmental Protection Fund, and exempts a solid waste transfer facility or solid waste disposal facility that is located in a county that has a population that is equal to or greater than 400,000 and that is within 15 miles of a solid waste disposal facility located in another state from the new fee.

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Restores from the House-passed version of the bill a new 25¢ per-ton fee on the disposal of solid waste on and after August 1, 2009, through June 30, 2012, the proceeds of which are required to be credited to the existing Soil and Water Conservation District Assistance Fund, and exempts a solid waste transfer facility or solid waste disposal facility that is located in a county that has a population that is equal to or greater than 400,000 and that is within 15 miles of a solid waste disposal facility located in another state from the new fee.

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Am. Sub. H.B.
As Passed by the Senate
S-4656
DOT-63

6 _____ moved to amend as follows:

7 In line 102696, after the period insert "On July 1, 2009,
8 and on the first day of the month for each month thereafter, the
9 Treasurer of State, before making any of the distributions
10 specified in sections 5735.23, 5735.26, 5735.291, and 5735.30 of
11 the Revised Code, shall deposit the first 2 per cent of the
12 amount of motor fuel tax received for the preceding calendar
13 month to the credit of the Highway Operating Fund (Fund 7002)."

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Motor Fuel Tax Revenue Distribution**

17 **Section 506.20**

18 Restores the requirement in the House-passed version that
19 the first 2% of monthly motor fuel tax receipts be deposited to
20 the credit of the Highway Operating Fund (Fund 7002).

1 128HB1-CC4657.docx/ar

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4657
JFS-121

6 _____ moved to amend as follows:

7 Delete lines 97147 through 97158

8 The motion was _____ agreed to.

9

SYNOPSIS

10 **Medicaid Cost Management**

11 **Section 309.30.11**

12 Removes the requirement for the Department of Job and
13 Family Services to achieve the cost savings specified in the
14 Department's Quarterly Cost Management Report.

1 128HB1-CC4658.docx/jc

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Am. Sub H.B. 1
As Passed by the Senate
CC-4658
AIR-5

6 _____ moved to amend as follows:

7 In line 103327, after the period, insert "The Executive
8 Director of the Air Quality Development Authority may certify to
9 the Director of Budget and Management that a need exists to fund
10 additional advanced energy projects. If the Director of Budget
11 and Management determines that investment earnings of the
12 Advanced Energy Research and Development Taxable Fund (Fund
13 7004) and the Advanced Energy Research and Development Fund
14 (Fund 7005) are available to fund additional projects, the
15 Director may authorize additional expenditures from Fund 7004 or
16 Fund 7005, subject to the approval of the Controlling Board. If
17 approved by the Controlling Board, such amounts are hereby
18 appropriated.

19 (D) Notwithstanding any contrary provision of law, upon the
20 request of the Executive Director of the Air Quality Development
21 Authority, the Director of Budget and Management may transfer
22 cash between Funds 7004 and 7005. Any such transfers shall be
23 requested from and approved by the Controlling Board. Amounts
24 transferred are hereby appropriated."

25 In line 103328, delete "(D)" and insert "(E)"

26 The motion was _____ agreed to.

27 SYNOPSIS

28 **Air Quality Development Authority**

29 **Section 523.10**

30 Restores a provision that was in the House-passed version
31 that allows the Director of Budget and Management to authorize
32 additional expenditures if the Executive Director of the Air
33 Quality Development Authority certifies that a need exists for
34 additional funding for advanced energy projects and if the
35 Director determines that investment earnings for the Advanced
36 Energy Research and Development Taxable Fund (Fund 7004) and the
37 Advanced Energy Research and Development Fund (Fund 7005) are
38 available to fund such projects, and appropriates such amounts
39 upon the approval of the Controlling Board. Also restores the
40 Director's authority to transfer cash between Funds 7004 and
41 7005, provided such transfer has been approved by the
42 Controlling Board.



1 128HB1-CC4659.docx/ar

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4659
SOS-4

6 _____ moved to amend as follows:

7 Delete lines 101943 through 102046

8 The motion was _____ agreed to.

9

SYNOPSIS

10 **Secretary of State**

11 **Section 387.10**

12 Removes the allocation of \$2,645,076 from the 2005 HAVA
13 Voting Machine Fund (Fund 3AS0) to each county in amounts
14 specified in the bill.

1 128HB1-CC4660.docx/ar

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4660
AUD-4

6 _____ moved to amend as follows:

7 Delete lines 92500 through 92504

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Auditor of State**

11 **Section 225.10**

12 Removes the provision that allows for an automatic
13 appropriation increase, if needed, in AOS appropriation item
14 070602, Public Audit Expense - Local Government.



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Am. Sub. H.B. 1
As Passed by the Senate
CC-4661
DMH-21

6 _____ moved to amend as follows:

7 In line 427, delete "121.376,"

8 Delete lines 6207 through 6219

9 In line 183 of the title, delete "121.376,"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Ohio Family and Children First Cabinet Council**

13 **R.C. 121.376**

14 Removes the provision adopted by the Senate that (1)
15 requires each public children services agency to annually report
16 to the Ohio Family and Children First Cabinet Council the number
17 of times during the previous calendar year that a parent,
18 guardian, or legal custodian voluntarily surrendered custody of
19 a mentally ill child for the sole purpose of qualifying the
20 child for government funded mental health services, and (2)
21 requires the Council to submit an annual report of the results
22 to the President of the Senate and the Speaker of the House of
23 Representatives.

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Am. Sub. H.B. 1
As Passed by the Senate
CC-4662
PUB-10

6 _____ moved to amend as follows:

7 In line 297, delete "120.03, 120.04,"

8 Delete lines 4934 through 5187

9 In line 90799, delete "120.03, 120.04,"

10 In line 6 of the title, delete "120.03, 120.04,"

11 The motion was _____ agreed to.

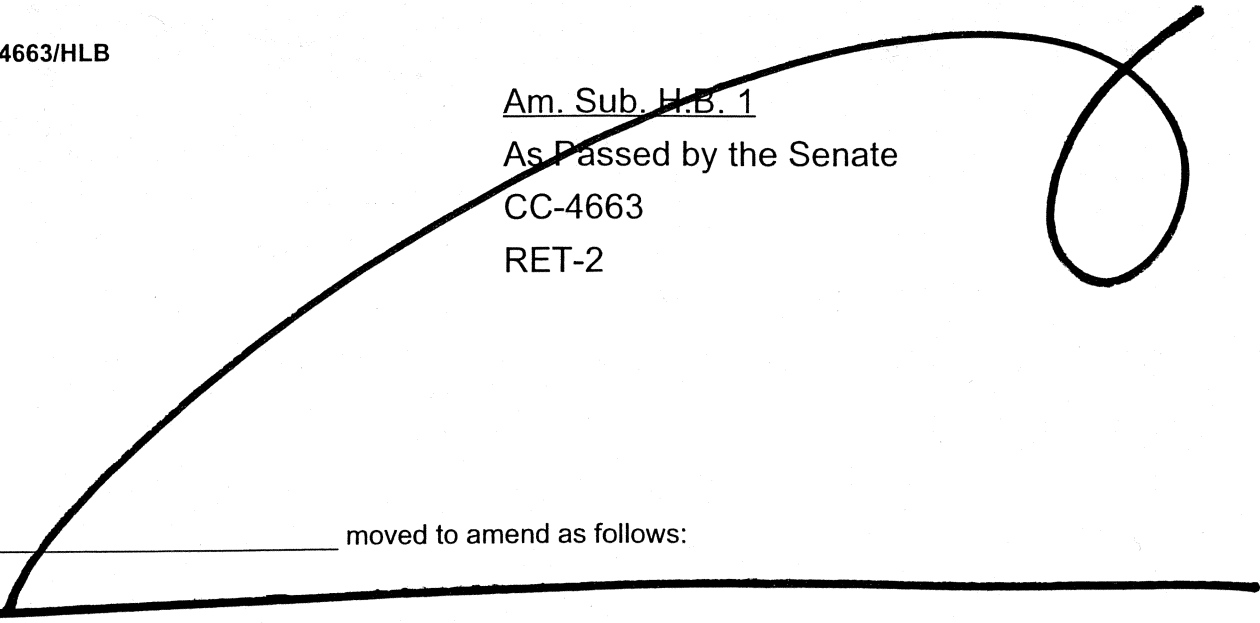
12 SYNOPSIS

13 **Reimbursement of Counties for Volunteer Guardian Ad Litem**
14 **Programs**

15 **R.C. 120.03 and 120.04**

16 Removes requirement that the State Public Defender provide
17 reimbursement to counties for costs associated with programs
18 providing training and support for persons serving as qualified
19 volunteer guardian ad litem and court appointed special
20 advocates.

Am. Sub. H.B. 1
As Passed by the Senate
CC-4663
RET-2



_____ moved to amend as follows:

In line 409, after "5502.15," insert "5505.15," 1

In line 454, after "5155.38," insert "5505.152," 2

Between lines 80305 and 80306, insert: 3

"Sec. 5505.15. (A) (1) A member of the state highway patrol 4
retirement system shall contribute ten per cent of the member's 5
annual salary to the state highway patrol retirement fund. The 6
amount shall be deducted by the employer from the employee's 7
salary for each payroll period. 8

(2) The total contributions arising from deductions made 9
prior to January 1, 1966, from the salaries of members in the 10
employ of the state highway patrol and standing to the credit of 11
their individual accounts in the retirement fund shall be 12
transferred and credited to their respective individual accounts 13
in the employees' savings fund. 14

(B) The state shall annually pay into the employer 15
accumulation fund, in monthly or less frequent installments as the 16
state highway patrol retirement board requires, ~~an amount that~~ 17
~~shall be a certain percentage of the total salaries paid~~ 18
~~contributing members and shall be known as the "employer~~ 19

contribution." The employer contribution shall be an amount equal 20
to twenty-six and one-half per cent of the total salaries paid 21
contributing members. If a member severs connection with the 22
patrol or is dismissed, the employer contribution shall remain in 23
the retirement system. 24

The rate percentage of the employer contribution shall be 25
certified by the board to the director of budget and management 26
and shall not be lower than nine per cent of the total salaries 27
paid contributing members and shall not exceed three times the 28
rate percentage being deducted from the annual salaries of 29
contributing members. The board shall prepare and submit to the 30
director, on or before the first day of November of each 31
even-numbered year, an estimate of the amounts necessary to pay 32
the state's obligations accruing during the biennium beginning the 33
first day of July of the following year. Such amounts shall be 34
included in the budget and allocated as certified by the board. 35

Sec. 5505.152. (A) As used in this section, "entry age normal 36
actuarial cost method" means an actuarial cost method under which 37
the actuarial present value of the projected benefits of each 38
individual included in the valuation is allocated on a level basis 39
over the earnings or service of the individual between the entry 40
age and the assumed exit age, with the portion of the actuarial 41
present value that is allocated to the valuation year to be the 42
normal cost and the portion of the actuarial present value not 43
provided for at the valuation date by the actuarial present value 44
of future normal costs to be the actuarial accrued liability. 45
Under this method, the actuarial gains or losses are reflected as 46
they occur in a decrease or increase in the unfunded actuarial 47
accrued liability. 48

(B) The Ohio retirement study council shall annually review 49
the adequacy of the contribution rates provided under divisions 50

(A) and (B) of section 5505.15 of the Revised Code and the 51
contribution rates recommended in a report by the actuary of the 52
state highway patrol retirement system for the forthcoming year. 53

The actuarial calculations used by the actuary shall be based 54
on the entry age normal actuarial cost method, and the adequacy of 55
the contribution rates shall be reported on the basis of that 56
method. The Ohio retirement study council shall make 57
recommendations to the general assembly that it finds necessary 58
for the proper financing of the benefits of the state highway 59
patrol retirement system." 60

In line 90911, after "5502.15," insert "5505.15," 61

In line 158 of the title, after "5502.15," insert "5505.15," 62

In line 217 of the title, after "5155.38," insert "5505.152," 63

The motion was _____ agreed to

SYNOPSIS

SHPRS Contribution Rates 64

R.C. 5505.15 and 5505.152 65

Restores the bill's House-passed provisions that do the 66
following: (1) provide that the employer contribution rate under 67
the State Highway Patrol Retirement System (SHPRS) is to be 26.5% 68
of members' salaries, in place of existing law's requirement that 69
the employer contribution be a "certain percentage" of members' 70
salaries, and (2) require the Ohio Retirement Study Council to 71
annually review (a) the adequacy of SHPRS employee and employer 72
contribution rates and (b) the contribution rates recommended in a 73
report prepared by the SHPRS actuary for the upcoming year. 74

Am. Sub. H.B. 1
As Passed by the Senate
CC-4664-2

_____ moved to amend as follows:

In line 371, after "3745.31," insert "3748.01, 3748.04,
3748.07, 3748.12, 3748.13,"

Between lines 57468 and 57469, insert:

"Sec. 3748.01. As used in this chapter:

(A) "Byproduct material" means either of the following:

(1) Any radioactive material, except special nuclear material, yielded in or made radioactive by exposure to radiation incident to the process of producing or utilizing special nuclear material;

(2) The tailings or wastes produced by the extraction or concentration of uranium or thorium from any ore processed primarily for its source material content.

(B) "Certified radiation expert" means an individual who has complied with all of the following:

(1) Applied to the director of health for certification as a radiation expert under section 3748.12 of the Revised Code;

(2) Met minimum education and experience requirements established in rules adopted under division (C) of section 3748.04 of the Revised Code;

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(3) Been granted a certificate as a radiation expert by the 20
director under section 3748.12 of the Revised Code. 21

(C) "Closure" or "site closure" refers to a facility for the 22
disposal of low-level radioactive waste or a byproduct material 23
site, as "byproduct material" is defined in division (A)(2) of 24
this section, and means all activities performed at a licensed 25
operation, such as stabilization and contouring, to ensure that 26
the site where the operation occurred is in a stable condition so 27
that only minor custodial care, surveillance, and monitoring are 28
necessary at the site following the termination of the licensed 29
operation. 30

(D) "Decommissioning" means to safely remove any licensed 31
operation from service and reduce residual radioactivity to a 32
level that permits release of the licensee's property for 33
unrestricted use. With regard to a facility for the disposal of 34
low-level radioactive waste or a byproduct material site, as 35
"byproduct material" is defined in division (A)(2) of this 36
section, "decommissioning" does not include the reduction of 37
residual radioactivity to a level that permits release of the 38
facility for unrestricted use. 39

(E) "Director of health" includes a designee or authorized 40
representative of the director. 41

(F) "Disposal," with regard to low-level radioactive waste, 42
means the permanent isolation of that waste in accordance with 43
requirements established by the United States nuclear regulatory 44
commission or the licensing agreement state. 45

(G) "Disposal site" means that portion of a facility that is 46
used for the disposal of low-level radioactive waste and that 47
consists of disposal units and a buffer zone. "Disposal unit" 48
means a discrete portion of such a facility into which low-level 49
radioactive waste is placed for disposal. 50

- (H) (1) Except as provided in division (H) (2) of this section, "facility" means the state, any political subdivision, person, public or private institution, or group, or any unit of one of those entities, but does not include the federal government or any of its agencies. 51-55
- (2) For the purposes of the disposal of low-level radioactive waste, "facility" has the same meaning as in section 3747.01 of the Revised Code. 56-58
- (I) "Handle" means receive, possess, use, store, transfer, install, service, or dispose of sources of radiation unless possession is solely for the purpose of transportation. 59-61
- (J) "Handler" means a facility that handles sources of radiation unless possession is solely for the purpose of transportation. 62-64
- (K) "Inspection" means an official review, examination, or observation, including, without limitation, tests, surveys, and monitoring, that is used to determine compliance with rules, orders, requirements, and conditions of the department of health and that is conducted by the director of health. 65-69
- (L) "Low-level radioactive waste" has the same meaning as in section 3747.01 of the Revised Code with regard to the disposal of low-level radioactive waste. In regard to regulatory control at locations other than a disposal facility, "low-level radioactive waste" has the same meaning as in 42 U.S.C.A. 2021b. 70-74
- (M) "Quality assurance program" means a program providing for verification by written procedures such as testing, auditing, and inspection to ensure that deficiencies, deviations, defective equipment, or unsafe practices, or a combination thereof, relating to the use, disposal, management, or manufacture of radiation sources are identified, promptly corrected, and reported to the 75-80

appropriate regulatory authorities. 81

(N) "Radiation" means ionizing and nonionizing radiation. 82

(1) "Ionizing radiation" means gamma rays and X-rays, alpha and beta particles, high-speed electrons, neutrons, protons, and other nuclear particles, but does not include sound or radio waves or visible, infrared, or ultraviolet light. 83
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(2) "Nonionizing radiation" means any electromagnetic radiation, other than ionizing electromagnetic radiation, or any sonic, ultrasonic, or infrasonic wave. 87
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(O) "Radioactive material" means any solid, liquid, or gaseous material that emits ionizing radiation spontaneously. 90
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"Radioactive material" includes accelerator-produced and naturally occurring materials and byproduct, source, and special nuclear material. 92
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(P) "Radiation-generating equipment" means any manufactured product or device, or component of such a product or device, or any machine or system that during operation can generate or emit radiation, except those that emit radiation only from radioactive material. "Radiation-generating equipment" does not include either of the following: 95
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(1) Diathermy machines; 101

(2) Microwave ovens, including food service microwave ovens used for commercial and industrial uses, television receivers, electric lamps, and other household appliances and products that generate very low levels of radiation. 102
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(Q) "Source material" means uranium, thorium, or any combination thereof in any physical or chemical form, or any ores that contain by weight at least one-twentieth of one per cent of uranium, thorium, or any combination thereof. "Source material" does not include special nuclear material. 106
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(R) "Source of radiation" means radioactive material or	111
radiation-generating equipment.	112
(S) "Special nuclear material" means either of the following:	113
(1) Plutonium, uranium 233, uranium enriched in the isotope	114
233 or in the isotope 235, and any other material that the United	115
States nuclear regulatory commission determines to be special	116
nuclear material, but does not include source material pursuant to	117
section 51 of the "Atomic Energy Act of 1954," 68 Stat. 919, 42	118
U.S.C.A. 2071."	119
(2) Except for any source material, any material artificially	120
enriched by any of the materials identified in division (S)(1) of	121
this section.	122
(T) "Storage" means the retention of radioactive materials,	123
including low-level radioactive waste, prior to disposal in a	124
manner that allows for surveillance, control, and subsequent	125
retrieval.	126
(U) <u>"Medical practitioner" means a person who is authorized</u>	127
<u>pursuant to Chapter 4715. of the Revised Code to practice</u>	128
<u>dentistry; pursuant to Chapter 4731. of the Revised Code to</u>	129
<u>practice medicine and surgery, osteopathic medicine and surgery,</u>	130
<u>or podiatric medicine and surgery; or pursuant to Chapter 4734. of</u>	131
<u>the Revised Code to practice chiropractic.</u>	132
(V) <u>"Medical-practitioner group" means a corporation,</u>	133
<u>partnership, or other business entity, other than a hospital as</u>	134
<u>defined in section 3727.01 of the Revised Code, consisting of</u>	135
<u>medical practitioners.</u>	136
Sec. 3748.04. The public health council, in accordance with	137
Chapter 119. of the Revised Code, shall adopt and may amend or	138
rescind rules doing all of the following:	139

(A) Listing types of radioactive material for which licensure	140
by its handler is required and types of radiation-generating	141
equipment for which registration by its handler is required, and	142
establishing requirements governing them. Rules adopted under	143
division (A) of this section shall be compatible with applicable	144
federal regulations and shall establish all of the following,	145
without limitation:	146
(1) Requirements governing both of the following:	147
(a) The licensing and inspection of handlers of radioactive	148
material. Standards established in rules adopted under division	149
(A) (1) (a) of this section regarding byproduct material or any	150
activity that results in the production of that material, to the	151
extent practicable, shall be equivalent to or more stringent than	152
applicable standards established by the United States nuclear	153
regulatory commission.	154
(b) The registration and inspection of handlers of	155
radiation-generating equipment. Standards established in rules	156
adopted under division (A) (1) (b) of this section, to the extent	157
practicable, shall be equivalent to applicable standards	158
established by the food and drug administration in the United	159
States department of health and human services.	160
(2) Identification of and requirements governing possession	161
and use of specifically licensed and generally licensed quantities	162
of radioactive material as either sealed sources or unsealed	163
sources;	164
(3) A procedure for the issuance of and the frequency of	165
renewal of the licenses of handlers of radioactive material, other	166
than a license for a facility for the disposal of low-level	167
radioactive waste, and of the certificates of registration of	168
handlers of radiation-generating equipment;	169

(4) Procedures for suspending and revoking the licenses of handlers of radioactive material and the certificates of registration of handlers of radiation-generating equipment;	170 171 172
(5) Criteria to be used by the director of health in amending the license of a handler of radioactive material or the certificate of registration of a handler of radiation-generating equipment subsequent to its issuance;	173 174 175 176
(6) Criteria for achieving and maintaining compliance with this chapter and rules adopted under it by licensees and registrants;	177 178 179
(7) Criteria governing environmental monitoring of licensed and registered activities to assess compliance with this chapter and rules adopted under it;	180 181 182
(8) Except as otherwise provided in division (A)(8) of this section, fees <u>Fees for the both of the following:</u>	183 184
(a) The licensing of handlers of radioactive material, other than a facility <u>facilities for the disposal of low-level radioactive waste, and the of radioactive material;</u>	185 186 187
(b) The registration of handlers, other than facilities that are, or are operated by, medical practitioners or medical-practitioner groups, <u>of radiation-generating equipment and a.</u>	188 189 190 191
(9) A fee schedule for their <u>both of the following that includes fees for reviews, conducted during an inspection, of shielding plans or the adequacy of shielding:</u>	192 193 194
(a) The inspection of handlers of radioactive material;	195
(b) The inspection of handlers, other than facilities that are, or are operated by, medical practitioners or medical-practitioner groups, <u>of radiation-generating equipment.</u>	196 197 198

~~Rules adopted under division (A) (8) of this section shall not~~ 199
~~revise any fees established in section 3748.07 or 3748.13 of the~~ 200
~~Revised Code to be paid by any handler of radiation generating~~ 201
~~equipment that is a medical practitioner or a corporation,~~ 202
~~partnership, or other business entity consisting of medical~~ 203
~~practitioners, other than a hospital as defined in section 3727.01~~ 204
~~of the Revised Code.~~ 205

~~As used in division (A) (8) of this section, "medical~~ 206
~~practitioner" means a person who is authorized to practice~~ 207
~~dentistry pursuant to Chapter 4715. of the Revised Code; medicine~~ 208
~~and surgery, osteopathic medicine and surgery, or podiatry~~ 209
~~pursuant to Chapter 4731. of the Revised Code; or chiropractic~~ 210
~~pursuant to Chapter 4734. of the Revised Code.~~ 211

(B) (1) Identifying sources of radiation, circumstances of 212
possession, use, or disposal of sources of radiation, and levels 213
of radiation that constitute an unreasonable or unnecessary risk 214
to human health or the environment; 215

(2) Establishing requirements for the achievement and 216
maintenance of compliance with standards for the receipt, 217
possession, use, storage, installation, transfer, servicing, and 218
disposal of sources of radiation to prevent levels of radiation 219
that constitute an unreasonable or unnecessary risk to human 220
health or the environment; 221

(3) Requiring the maintenance of records on the receipt, use, 222
storage, transfer, and disposal of radioactive material and on the 223
radiological safety aspects of the use and maintenance of 224
radiation-generating equipment. 225

In adopting rules under divisions (A) and (B) of this 226
section, the council shall use standards no less stringent than 227
the "suggested state regulations for control of radiation" 228
prepared by the conference of radiation control program directors, 229

inc., and regulations adopted by the United States nuclear	230
regulatory commission, the United States environmental protection	231
agency, and the United States department of health and human	232
services and shall consider reports of the national council on	233
radiation protection and measurement and the relevant standards of	234
the American national standards institute.	235
(C) Establishing fees, procedures, and requirements for	236
certification as a radiation expert, including all of the	237
following, without limitation:	238
(1) Minimum training and experience requirements;	239
(2) Procedures for applying for certification;	240
(3) Procedures for review of applications and issuance of	241
certificates;	242
(4) Procedures for suspending and revoking certification.	243
(D) Establishing a schedule for inspection of sources of	244
radiation and their shielding and surroundings;	245
(E) Establishing the responsibilities of a radiation expert;	246
(F) Establishing criteria for quality assurance programs for	247
licensees of radioactive material and registrants of	248
radiation-generating equipment;	249
(G) Establishing fees to be paid by any facility that, on	250
September 8, 1995, holds a license from the United States nuclear	251
regulatory commission in order to provide moneys necessary for the	252
transfer of licensing and other regulatory authority from the	253
commission to the state pursuant to section 3748.03 of the Revised	254
Code. Rules adopted under this division shall stipulate that fees	255
so established do not apply to any functions dealing specifically	256
with a facility for the disposal of low-level radioactive waste.	257
Fees collected under this division shall be deposited into the	258

state treasury to the credit of the general operations fund 259
 created in section 3701.83 of the Revised Code. The fees shall be 260
 used solely to administer and enforce this chapter and rules 261
 adopted under it. 262

(H) Establishing fees to be collected annually from 263
 generators of low-level radioactive waste, which shall be based 264
 upon the volume and radioactivity of the waste generated and the 265
 costs of administering low-level radioactive waste management 266
 activities under this chapter and rules adopted under it. All fees 267
 collected under this division shall be deposited into the state 268
 treasury to the credit of the general operations fund created in 269
 section 3701.83 of the Revised Code. The fees shall be used solely 270
 to administer and enforce this chapter and rules adopted under it. 271
 Any fee required under this division that has not been paid within 272
 ninety days after the invoice date shall be assessed at two times 273
 the original invoiced fee. Any fee that has not been paid within 274
 one hundred eighty days after the invoice date shall be assessed 275
 at five times the original invoiced fee. 276

(I) Establishing requirements governing closure, 277
 decontamination, decommissioning, reclamation, and long-term 278
 surveillance and care of a facility licensed under this chapter 279
 and rules adopted under it. Rules adopted under division (I) of 280
 this section shall include, without limitation, all of the 281
 following: 282

(1) Standards and procedures to ensure that a licensee 283
 prepares a decommissioning funding plan that provides an adequate 284
 financial guaranty to permit the completion of all requirements 285
 governing the closure, decontamination, decommissioning, and 286
 reclamation of sites, structures, and equipment used in 287
 conjunction with a licensed activity; 288

(2) For licensed activities where radioactive material that 289

will require surveillance or care is likely to remain at the site 290
 after the licensed activities cease, as indicated in the 291
 application for the license submitted under section 3748.07 of the 292
 Revised Code, standards and procedures to ensure that the licensee 293
 prepares an additional decommissioning funding plan for long-term 294
 surveillance and care, before termination of the license, that 295
 provides an additional adequate financial guaranty as necessary to 296
 provide for that surveillance and care; 297

(3) For the purposes of the decommissioning funding plans 298
 required in rules adopted under divisions (I) (1) and (2) of this 299
 section, the types of acceptable financial guaranties, which shall 300
 include bonds issued by fidelity or surety companies authorized to 301
 do business in the state, certificates of deposit, deposits of 302
 government securities, irrevocable letters or lines of credit, 303
 trust funds, escrow accounts, or other similar types of 304
 arrangements, but shall not include any arrangement that 305
 constitutes self-insurance; 306

(4) A requirement that the decommissioning funding plans 307
 required in rules adopted under divisions (I) (1) and (2) of this 308
 section contain financial guaranties in amounts sufficient to 309
 ensure compliance with any standards established by the United 310
 States nuclear regulatory commission, or by the state if it has 311
 become an agreement state pursuant to section 3748.03 of the 312
 Revised Code, pertaining to closure, decontamination, 313
 decommissioning, reclamation, and long-term surveillance and care 314
 of licensed activities and sites of licensees. 315

Standards established in rules adopted under division (I) of 316
 this section regarding any activity that resulted in the 317
 production of byproduct material, as defined in division (A) (2) of 318
 section 3748.01 of the Revised Code, to the extent practicable, 319
 shall be equivalent to or more stringent than standards 320

established by the United States nuclear regulatory commission for 321
 sites at which ores were processed primarily for their source 322
 material content and at which byproduct material, as defined in 323
 division (A) (2) of section 3748.01 of the Revised Code, is 324
 deposited. 325

(J) Establishing criteria governing inspections of a facility 326
 for the disposal of low-level radioactive waste, including, 327
 without limitation, the establishment of a resident inspector 328
 program at such a facility; 329

(K) Establishing requirements and procedures governing the 330
 filing of complaints under section 3748.16 of the Revised Code, 331
 including, without limitation, those governing intervention in a 332
 hearing held under division (B) (3) of that section. 333

Sec. 3748.07. (A) Every facility that proposes to handle 334
 radioactive material or radiation-generating equipment for which 335
 licensure or registration, respectively, by its handler is 336
 required shall apply in writing to the director of health on forms 337
 prescribed and provided by the director for licensure or 338
 registration. Terms and conditions of licenses and certificates of 339
 registration may be amended in accordance with rules adopted under 340
 section 3748.04 of the Revised Code or orders issued by the 341
 director pursuant to section 3748.05 of the Revised Code. 342

(B) ~~Until rules are adopted under section 3748.04 of the~~ 343
~~Revised Code, an application~~ 344

(1) An applicant proposing to handle radioactive material 345
shall pay for a license or renewal of a license the appropriate 346
fee specified in rules adopted under section 3748.04 of the 347
Revised Code and listed on an invoice provided by the director. 348
The applicant shall pay the fee on receipt of the invoice. 349

(2) (a) Except as provided in division (B) (2) (b) of this 350

128HB1-CC4664X2

section, until fees are established in rules adopted under 351
division (A)(8)(b) of section 3748.04 of the Revised Code, an 352
applicant proposing to handle radiation-generating equipment shall 353
pay for a certificate of registration or renewal of a certificate 354
a biennial registration fee of two hundred sixty-two dollars. 355

Except as provided in division (B)(2)(b) of this section, on 356
and after the effective date of the rules in which fees are 357
established under division (A)(8)(b) of section 3748.04 of the 358
Revised Code, an applicant proposing to handle 359
radiation-generating equipment shall pay for a certificate of 360
registration or renewal of a certificate the appropriate fee 361
established in those rules. 362

The applicant shall pay the fees described in division 363
(B)(2)(a) of this section at the time of applying for a 364
certificate of registration or renewal of a certificate. 365

(b) An applicant that is, or is operated by, a medical 366
practitioner or medical-practitioner group and proposes to handle 367
radiation-generating equipment shall pay for a certificate of 368
registration shall be accompanied by or renewal of a certificate a 369
biennial registration fee of two hundred eighteen sixty-two 370
dollars. ~~On and after the effective date of those rules, an~~ 371
~~applicant for a license, registration certificate, or renewal of~~ 372
~~either shall pay the appropriate fee established in those rules~~ 373
The applicant shall pay the fee at the time of applying for a 374
certificate of registration or renewal of the certificate. 375

(C) All fees collected under this section shall be deposited 376
in the state treasury to the credit of the general operations fund 377
created in section 3701.83 of the Revised Code. The fees shall be 378
used solely to administer and enforce this chapter and rules 379
adopted under it. 380

(D) Any fee required under this section that has not been 381

paid within ninety days after the invoice date shall be assessed 382
 at two times the original invoiced fee. Any fee that has not been 383
 paid within one hundred eighty days after the invoice date shall 384
 be assessed at five times the original invoiced fee. 385

~~(C)~~(E) The director shall grant a license or registration to 386
 any applicant who has paid the required fee and is in compliance 387
 with this chapter and rules adopted under it. 388

~~Until rules are adopted under section 3748.04 of the Revised~~ 389
~~Code, certificates of registration shall be effective for two~~ 390
~~years from the date of issuance. On and after the effective date~~ 391
~~of those rules (F) Except as provided in division (B) (2) of this~~ 392
~~section, licenses and certificates of registration shall be~~ 393
~~effective for the applicable period established in those rules~~ 394
~~adopted under section 3748.04 of the Revised Code. Licenses and~~ 395
~~certificates of registration shall be renewed in accordance with~~ 396
~~the standard renewal procedure established in Chapter 4745. rules~~ 397
~~adopted under section 3748.04 of the Revised Code.~~ 398

Sec. 3748.12. The director of health shall certify radiation 399
 experts pursuant to rules adopted under division (C) of section 400
 3748.04 of the Revised Code. The director shall issue a 401
 certificate to each person certified under this section. An 402
 individual certified by the director is qualified to develop, 403
 provide periodic review of, and conduct audits of the quality 404
 assurance program for sources of radiation for which such a 405
 program is required under division (A) of section 3748.13 of the 406
 Revised Code. 407

The public health council shall establish an application fee 408
 for applying for certification and a biennial certification 409
 renewal fee in rules adopted under division (C) of section 3748.04 410
 of the Revised Code. ~~Until those rules are adopted, the~~ 411
~~application fee for initial certification shall be fifty dollars~~ 412

~~plus an additional twenty five dollars for each type of~~ 413
~~radiation generating equipment listed in division (B) of section~~ 414
~~3748.13 of the Revised Code for which application is being made.~~ 415
~~The certification renewal fee shall be one hundred fifteen~~ 416
~~dollars.~~ A certificate issued under this section shall expire two 417
years after the date of its issuance. To maintain certification, a 418
radiation expert shall apply to the director for renewal of 419
certification in accordance with the standard renewal procedures 420
established in Chapter 4745. of the Revised Code. The 421
certification renewal fee is not required for initial 422
certification, but shall be paid for every renewal of 423
certification. Fees collected under this section shall be 424
deposited into the state treasury to the credit of the general 425
operations fund created in section 3701.83 of the Revised Code. 426
The fees shall be used solely to administer and enforce this 427
chapter and rules adopted under it. Any fee required under this 428
section that has not been paid within ninety days after the 429
invoice date shall be assessed at two times the original invoiced 430
fee. Any fee that has not been paid within one hundred eighty days 431
after the invoice date shall be assessed at five times the 432
original invoiced fee. 433

Sec. 3748.13. (A) The director of health shall inspect 434
sources of radiation for which licensure or registration by the 435
handler is required, and the sources' shielding and surroundings, 436
according to the schedule established in rules adopted under 437
division (D) of section 3748.04 of the Revised Code. In accordance 438
with rules adopted under ~~that~~ section 3748.04 of the Revised Code, 439
the director shall inspect all records and operating procedures of 440
handlers that install or service sources of radiation and all 441
sources of radiation for which licensure of radioactive material 442
or registration of radiation-generating equipment by the handler 443

is required. The director may make other inspections upon 444
 receiving complaints or other evidence of a violation of this 445
 chapter or rules adopted under it. 446

The director shall require any hospital registered under 447
 division (A) of section 3701.07 of the Revised Code to develop and 448
 maintain a quality assurance program for all sources of 449
 radiation-generating equipment. A certified radiation expert shall 450
 conduct oversight and maintenance of the program and shall file a 451
 report of audits of the program with the director on forms 452
 prescribed by the director. The audit reports shall become part of 453
 the inspection record. 454

~~(B) Until rules are adopted under division (A) (8) of section 455
 3748.04 of the Revised Code (1) Except as provided in division 456
 (B) (2) of this section, a facility shall pay inspection fees for 457
 radioactive material and radiation-generating equipment according 458
 to the following schedule and categories established in rules 459
 adopted under division (A) (9) of section 3748.04 of the Revised 460
 Code. 461~~

(2) A facility that is, or is operated by, a medical 462
 practitioner or medical-practitioner group shall pay inspection 463
 fees for radiation-generating equipment according to the following 464
 schedule and categories: 465

First dental x-ray tube	\$ 129.00 <u>155.00</u>	466
Each additional dental x-ray tube	\$ 64.00 <u>77.00</u>	467
at the same location		
First medical x-ray tube	\$ 256.00 <u>307.00</u>	468
Each additional medical x-ray tube	\$ 136.00 <u>163.00</u>	469
at the same location		
Each unit of ionizing	\$ 508.00 <u>610.00</u>	470
radiation-generating equipment		
capable of operating at or above		

250 kilovoltage peak			
First nonionizing	\$ 256.00	<u>307.00</u>	471
radiation-generating equipment of any kind			
Each additional nonionizing	\$ 136.00	<u>163.00</u>	472
radiation-generating equipment of any kind at the same location			
Assembler-maintainer inspection	\$ 317.00		473
consisting of an inspection of records and operating procedures of handlers that install sources of radiation			
Until rules are adopted under division (A) (8) of section			474
3748.04 of the Revised Code, the fee for an inspection to			475
determine whether violations cited in a previous inspection have			476
been corrected is fifty per cent of the fee applicable under the			477
schedule in this division. Until these rules are adopted (C) (1)			478
Except as provided in division (C) (2) of this section, the fee for			479
the inspection of a facility that <u>proposes to handle radioactive</u>			480
<u>material or radiation-generating equipment and</u> is not licensed or			481
registered, and for which no license or registration application			482
is pending at the time of inspection, is <u>three four</u> hundred			483
<u>ninety five seventy-four</u> dollars <u>plus the applicable fee specified</u>			484
<u>in rules adopted under division (A) (9) of section 3748.04 of the</u>			485
<u>Revised Code.</u>			486
(2) For a facility that is, or is operated by, a medical			487
<u>practitioner or medical-practitioner group and proposes to handle</u>			488
<u>radiation-generating equipment, the fee for an inspection if the</u>			489
<u>facility is not licensed or registered, and no license or</u>			490
<u>registration is pending at the time of inspection, is four hundred</u>			491
<u>seventy-four dollars</u> plus the fee applicable under the schedule in			492
<u>this division (B) (2) of this section.</u>			493

(D) (1) Except as provided in division (D) (2) of this section, 494
for a facility that handles radioactive material or 495
radiation-generating equipment, the fee for an inspection to 496
determine whether violations cited in a previous inspection have 497
been corrected is the amount specified in rules adopted under 498
division (A) (9) of section 3748.04 of the Revised Code. 499

(2) For a facility that is, or is operated by, a medical 500
practitioner or medical-practitioner group and handles 501
radiation-generating equipment, the fee for an inspection to 502
determine whether violations cited in a previous inspection have 503
been corrected is fifty per cent of the applicable fee under the 504
schedule in division (B) (2) of this section. 505

(E) The director may conduct a review of shielding plans or 506
the adequacy of shielding on the request of a licensee or 507
registrant or an applicant for licensure or registration or during 508
an inspection when the director considers a review to be 509
necessary. ~~Until rules are adopted under division (A) (8) of~~ 510
~~section 3748.04 of the Revised Code~~ 511

(1) Except as provided in division (E) (2) of this section, 512
the fee for the review is ~~six~~ the applicable amount specified in 513
rules adopted under division (A) (9) of section 3748.04 of the 514
Revised Code. 515

(2) For a facility that is, or is operated by, a medical 516
practitioner or medical-practitioner group and handles or proposes 517
to handle radiation-generating equipment, the fee for the review 518
is ~~seven~~ hundred thirty five sixty-two dollars for each room where 519
a source of radiation is used and is in addition to any other fee 520
applicable under the schedule in ~~this~~ division (B) (2) of this 521
section. 522

(F) All fees shall be paid to the department of health no 523
later than thirty days after the invoice for the fee is mailed. 524

Fees shall be deposited in the general operations fund created in 525
 section 3701.83 of the Revised Code. The fees shall be used solely 526
 to administer and enforce this chapter and rules adopted under it. 527

(G) Any fee required under this section that has not been 528
 paid within ninety days after the invoice date shall be assessed 529
 at two times the original invoiced fee. Any fee that has not been 530
 paid within one hundred eighty days after the invoice date shall 531
 be assessed at five times the original invoiced fee. 532

~~(E)~~(H) If the director determines that a board of health of a 533
 city or general health district is qualified to conduct 534
 inspections of radiation-generating equipment, the director may 535
 delegate to the board, by contract, the authority to conduct such 536
 inspections. In making a determination of the qualifications of a 537
 board of health to conduct those inspections, the director shall 538
 evaluate the credentials of the individuals who are to conduct the 539
 inspections of radiation-generating equipment and the radiation 540
 detection and measuring equipment available to them for that 541
 purpose. If a contract is entered into, the board shall have the 542
 same authority to make inspections of radiation-generating 543
 equipment as the director has under this chapter and rules adopted 544
 under it. The contract shall stipulate that only individuals 545
 approved by the director as qualified shall be permitted to 546
 inspect radiation-generating equipment under the contract's 547
 provisions. The contract shall provide for such compensation for 548
 services as is agreed to by the director and the board of health 549
 of the contracting health district. The director may reevaluate 550
 the credentials of the inspection personnel and their radiation 551
 detecting and measuring equipment as often as the director 552
 considers necessary and may terminate any contract with the board 553
 of health of any health district that, in the director's opinion, 554
 is not satisfactorily performing the terms of the contract. 555

~~(D)~~(I) The director may enter at all reasonable times upon any public or private property to determine compliance with this chapter and rules adopted under it." 556
557
558

In line 90873, after "3745.31," insert "3748.01, 3748.04, 3748.07, 3748.12, 3748.13," 559
560

In line 106543, after "3718.03," insert "3748.01, 3748.04, 3748.07, 3748.12, 3748.13," 561
562

In line 107 of the title, after "3745.31," insert "3748.01, 3748.04, 3748.07, 3748.12, 3748.13," 563
564

The motion was _____ agreed to.

SYNOPSIS

Fees for Radiation Control 565

R.C. 3748.01, 3748.04, 3748.07, 3748.12, and 3748.13 566

Restores the following provisions from the Executive and House versions: 567
568

(1) Clarifies the following existing requirements: 569

(a) That handlers of radioactive material pay licensure and inspection fees established by rule of the Ohio Public Health Council; 570
571
572

(b) That handlers, other than medical practitioners, of radiation-generating equipment pay inspection fees established by rule of the Council; 573
574
575

(c) That medical-practitioner handlers of radiation-generating equipment pay registration and inspection fees specified in statute; 576
577
578

(d) That radiation experts pay certification fees established by rule of the Council. 579
580

(2) Raises the registration and inspection fees to be paid by medical-practitioner handlers of radiation-generating equipment by 20%. 581
582
583

Requires that handlers, other than medical practitioners of radiation-generating equipment pay registration fees established by rule of the Council when those fees are established and raises the statutory registration fee to be paid until then from \$218 to \$262. 584
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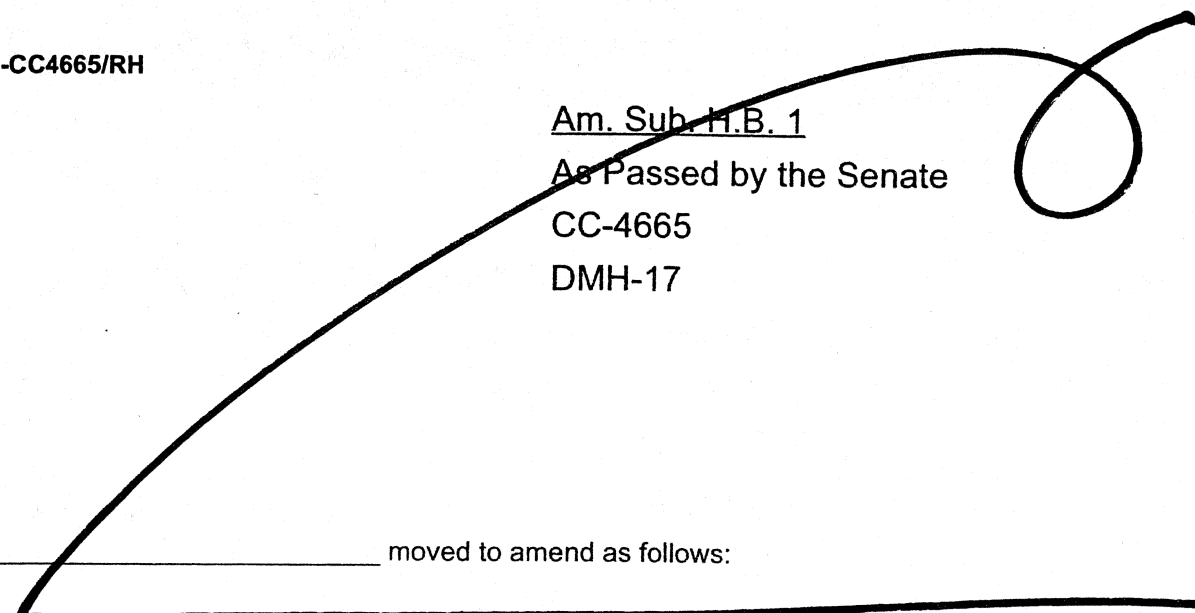
Requires that handlers of radioactive material pay licensure fees on receipt of an invoice rather than at the time of application. 589
590
591

Removes from statute the fee amount for assembler-maintainer inspections. 592
593

Requires the Director of Health to inspect records and operating procedures of facilities that service sources of radiation. 594
595
596

Am. Sub. H.B. 1
As Passed by the Senate
CC-4665
DMH-17

✓



_____ moved to amend as follows:

In line 6179, after "(A)" insert "As used in this section:" 1

"At-risk individual" means an individual at great risk of not 2
being able to access available health and social services due to 3
barriers such as poverty, inadequate transportation, culture, and 4
priorities of basic survival. 5

"Care coordination agency" means a person or government 6
entity that assists at-risk individuals access available health 7
and social services the at-risk individuals need. 8

(B)" 9

In line 6196, delete "(B)" and insert "(C)" 10

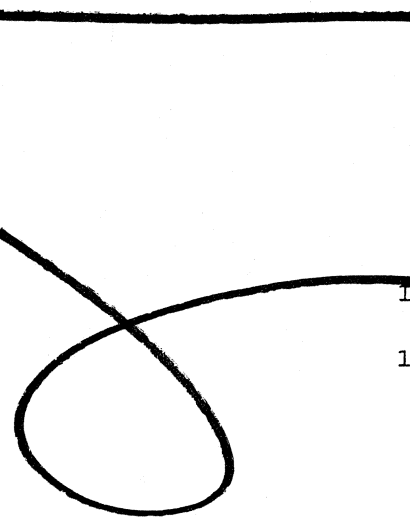
Delete lines 6203 through 6206 11

The motion was _____ agreed to.

SYNOPSIS

Care Coordination Information 12

R.C. 121.375 13



Restores the House-passed provision that defines the terms 14
"at-risk individual" and "care coordination agency" in statute for 15
purposes of the bill's provision that permits a care coordination 16
agency to provide information to the Ohio Family and Children 17
First Cabinet Council regarding care coordination for at-risk 18
individuals, in place of the Senate-passed provision that requires 19
the Council to adopt rules defining the terms. 20