

As Introduced

**129th General Assembly
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H. B. No. 368

Representatives Roegner, Hagan, C.

**Cosponsors: Representatives Huffman, Grossman, Newbold, Derickson,
Buchy, Duffey, Wachtmann, Terhar, Stebelton, McGregor, Thompson, Bulp,
Adams, J., Blessing, Uecker, Gonzales, Slaby, Hill, Brenner, McClain,
Gardner, Henne, Yuko, Patmon, Hayes Speaker Batchelder
Representatives Milkovich, Sears, Anielski, Barnes, Stinziano, Slesnick**

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A B I L L

To amend sections 101.82 and 103.13 and to enact 1
sections 103.35 to 103.39 and 107.036 of the 2
Revised Code to create the Long-range Financial 3
Outlook Council for the purpose of informing the 4
public and the General Assembly about the 5
financial status of the state by studying 6
financial and other conditions and issuing an 7
annual long-range financial outlook report. 8

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

Section 1. That sections 101.82 and 103.13 be amended and 9
sections 103.35, 103.36, 103.37, 103.38, 103.39, and 107.036 of 10
the Revised Code be enacted to read as follows: 11

Sec. 101.82. As used in sections 101.82 to 101.87 of the 12
Revised Code: 13

(A) "Agency" means any board, commission, committee, or 14
council, or any other similar state public body required to be 15

established pursuant to state statutes for the exercise of any 16
function of state government and to which members are appointed or 17
elected. "Agency" does not include the following: 18

(1) The general assembly, or any commission, committee, or 19
other body composed entirely of members of the general assembly; 20

(2) Any court; 21

(3) Any public body created by or directly pursuant to the 22
constitution of this state; 23

(4) The board of trustees of any institution of higher 24
education financially supported in whole or in part by the state; 25

(5) Any public body that has the authority to issue bonds or 26
notes or that has issued bonds or notes that have not been fully 27
repaid; 28

(6) The public utilities commission of Ohio; 29

(7) The consumers' counsel governing board; 30

(8) The Ohio board of regents; 31

(9) Any state board or commission that has the authority to 32
issue any final adjudicatory order that may be appealed to the 33
court of common pleas under Chapter 119. of the Revised Code; 34

(10) Any board of elections; 35

(11) The board of directors of the Ohio insurance guaranty 36
association and the board of governors of the Ohio fair plan 37
underwriting association; 38

(12) The Ohio public employees deferred compensation board; 39

(13) The Ohio retirement study council; 40

(14) The board of trustees of the Ohio police and fire 41
pension fund, public employees retirement board, school employees 42
retirement board, state highway patrol retirement board, and state 43
teachers retirement board; 44

(15) The industrial commission;	45
(16) The parole board;	46
(17) The board of tax appeals;	47
(18) The controlling board;	48
(19) The release authority of department of youth services;	49
(20) The environmental review appeals commission;	50
(21) The Ohio ethics commission;	51
(22) The Ohio public works commission;	52
(23) The self-insuring employers evaluation board;	53
(24) The state board of deposit;	54
(25) The state employment relations board;	55
<u>(26) The long-range financial outlook council.</u>	56
(B) "Abolish" means to repeal the statutes creating and empowering an agency, remove its personnel, and transfer its records to the department of administrative services pursuant to division (E) of section 149.331 of the Revised Code.	57 58 59 60
(C) "Terminate" means to amend or repeal the statutes creating and empowering an agency, remove its personnel, and reassign its functions and records to another agency or officer designated by the general assembly.	61 62 63 64
(D) "Transfer" means to amend the statutes creating and empowering an agency so that its functions, records, and personnel are conveyed to another agency or officer.	65 66 67
(E) "Renew" means to continue an agency, and may include amendment of the statutes creating and empowering the agency, or recommendations for changes in agency operation or personnel.	68 69 70
Sec. 103.13. The Ohio legislative service commission shall:	71

(A) Conduct research, make investigations, and secure	72
information or data on any subject and make reports thereon to the	73
general assembly;	74
(B) Ascertain facts and make reports concerning the state	75
budget, the revenues and expenditures of the state, and of the	76
organization and functions of the state, its departments,	77
subdivisions, and agencies;	78
(C) Make surveys, investigations, and studies, and compile	79
data, information, and records on any question which may be	80
referred to it by either house of the general assembly or any	81
standing committee of the general assembly;	82
(D) Assist and cooperate with any interim legislative	83
committee or other agency created by the general assembly;	84
(E) Prepare or advise in the preparation of any bill or	85
resolution, when requested by any member of the general assembly;	86
(F) Collect, classify, and index the documents of the state	87
which shall include executive and legislative documents and	88
departmental reports and keep on file all bills, resolutions, and	89
official journals printed by order of either house of the general	90
assembly;	91
(G) Provide members of the general assembly with impartial	92
and accurate information and reports concerning legislative	93
problems in accordance with rules prescribed by the commission;	94
(H) Annually collect the reports required by section 4743.01	95
of the Revised Code and prepare a report evaluating the extent to	96
which state boards and commissions which regulate occupations are	97
financially self-supporting. The report shall be presented to the	98
speaker and the minority leader of the house of representatives,	99
the president and the minority leader of the senate, and the	100
chairperson and ranking minority member of the finance committees	101
of both houses, on or before the thirty-first day of December each	102

year.	103
(I) Codify the rules of administrative agencies of the state in accordance with the provisions of section 103.05 of the Revised Code;	104 105 106
(J) Publish the register of Ohio under section 103.051 of the Revised Code;	107 108
(K) Operate the electronic rule-filing system under section 103.0511 of the Revised Code;	109 110
<u>(L) Conduct research and provide staffing and technical assistance to the long-range financial outlook council under sections 103.35 to 103.39 of the Revised Code.</u>	111 112 113
<u>Sec. 103.35. (A) There is hereby created the long-range financial outlook council consisting of at least fifteen but not more than twenty-one members. The members of the council shall be residents of the state and shall include individuals with expertise in financial institutions and financial services. Not more than one-half plus one of the members shall be members of the same political party. No member of the general assembly shall serve as a member of the council. Members shall be appointed as follows:</u>	114 115 116 117 118 119 120 121 122
<u>(1) One member appointed by the chairperson of the Ohio legislative service commission, who shall serve as the council chairperson;</u>	123 124 125
<u>(2) Two members appointed by the director of budget and management;</u>	126 127
<u>(3) At least six, but not more than nine, members appointed by the speaker of the house of representatives, which appointments shall include at least one certified public accountant, at least one certified financial analyst, at least one economist, and at least one banker;</u>	128 129 130 131 132

(4) At least six, but not more than nine, members appointed 133
by the president of the senate, which appointments shall include 134
at least one certified public accountant, at least one certified 135
financial analyst, at least one economist, and at least one 136
banker. 137

(B) Appointments to the council shall be made not later than 138
March 1, 2012. Of the initial appointments made by the speaker of 139
the house of representatives, at least two, but not more than 140
three, shall be for terms ending March 1, 2013, at least one, but 141
not more than two, shall be for terms ending March 1, 2014, at 142
least one, but not more than two, shall be for terms ending March 143
1, 2015, and two shall be for terms ending March 1, 2016. Of the 144
initial appointments made by the president of the senate, at least 145
two, but not more than three, shall be for terms ending March 1, 146
2013, at least one, but not more than two, shall be for terms 147
ending March 1, 2014, at least one, but not more than two, shall 148
be for terms ending March 1, 2015, and two shall be for terms 149
ending March 1, 2016. The initial appointments made by the 150
director shall be for terms ending March 1, 2016. The initial 151
appointment made by the commission chairperson shall be for a term 152
ending March 1, 2014. Thereafter, except for the term of office 153
for the council chairperson, terms of office shall be for four 154
years, with each term ending on the same day of the same month as 155
the term that it succeeds. The term of office for the council 156
chairperson shall be for two years, with the term ending on the 157
same day of the same month as the term it succeeds. 158

Each member of the council shall hold office from the date of 159
appointment until the end of the term for which the member was 160
appointed. Members may be reappointed. Vacancies shall be filled 161
in the manner provided for original appointments. Any member 162
appointed to fill a vacancy occurring prior to the expiration date 163
of the term for which the member's predecessor was appointed shall 164

hold office as a member for the remainder of that term. A member 165
shall continue in office subsequent to the expiration date of the 166
term until the member's successor takes office or until a period 167
of sixty days has elapsed, whichever occurs first. 168

(C) Members of the council shall serve without compensation 169
but shall be reimbursed for the actual and necessary expenses 170
incurred in the performance of their official duties. 171

Sec. 103.36. (A) The long-range financial outlook council 172
annually shall: 173

(1) Conduct regular reviews of the current fiscal position of 174
the state, including the state debt and debt service, and 175
establish a method for a long-range financial projection at the 176
state level in order to help maintain the state's financial 177
stability between fiscal years and avoid future budget problems; 178

(2) Integrate baseline projections of the budget requirements 179
of the major programs comprising the state's budget with revenue 180
estimates for the state based on current law; 181

(3) Analyze the state's long-range financial outlook for the 182
purpose of providing impartial, accurate information to assist the 183
general assembly in establishing the state's biennial budget; 184

(4) Study economic forecasts for the state; 185

(5) Review the demographics of the state; 186

(6) Request information from state agencies about their 187
financial status and projections for the next four fiscal years; 188

(7) Determine the accuracy of financial projections in 189
previous long-range financial outlook reports issued pursuant to 190
section 103.38 of the Revised Code. 191

(B) State agencies, including the office of budget and 192
management, shall cooperate with the council and provide 193

information based on current law to the council as requested. 194

(C) The council may study other issues that the council 195
determines have the potential to temporarily or permanently affect 196
the financial outlook of the state. 197

Sec. 103.37. The long-range financial outlook council shall 198
meet at the call of the chairperson and shall conduct public 199
hearings at which interested parties, including state agency 200
representatives, may submit testimony about the financial outlook 201
of the state. 202

Sec. 103.38. (A) Upon completion of the review and analysis 203
required under section 103.36 of the Revised Code, but not later 204
than September 1, 2012, and the first of September annually 205
thereafter, the long-range financial outlook council shall issue a 206
long-range financial outlook report, including an executive 207
summary, of its findings. The report shall include, but shall not 208
be limited to, the following information agreed to by council 209
consensus and based on current law and demographic and other 210
factors as specified by the council: 211

(1) Projections of future financial needs of the state for 212
the next four fiscal years; 213

(2) Projections of future resources of the state; 214

(3) Actual revenues for the previous three fiscal years and 215
revenue estimates for the next four fiscal years; 216

(4) A review of both revenue estimates and projections for 217
the budget requirements and expenditures of major state-funded 218
programs; 219

(5) Per agency workload estimates for state agencies. 220

(B) The Ohio legislative service commission shall conduct 221
research and provide staffing and technical assistance for the 222

council. 223

(C) Upon request of the commission, the office of budget and 224
management and all other state agencies shall provide all readily 225
available information based on current law to the commission. 226

(D) Each year upon the adoption of the report by a majority 227
of the council members, the council shall do the following: 228

(1) Publish the latest report on the web sites of the general 229
assembly, the commission, and the office of budget and management; 230

(2) Submit the report to the general assembly and the 231
executive summary of the report to the clerk of the house of 232
representatives. 233

Sec. 103.39. Beginning in 2013 and annually thereafter, the 234
general assembly shall meet in joint convention, not later than 235
January 31, for the purpose of receiving the most recent 236
long-range financial outlook report issued by the long-range 237
financial outlook council pursuant to section 103.38 of the 238
Revised Code. The clerk of the house of representatives or a 239
person designated by the clerk shall read the executive summary of 240
the report at the joint convention. 241

Sec. 107.036. As part of the governor's executive budget 242
proposal submitted biennially to the general assembly pursuant to 243
section 107.03 of the Revised Code, the governor shall include a 244
review of the most recent long-range financial outlook report 245
adopted by the long-range financial outlook council along with 246
recommendations for revisions to the report. 247

Section 2. That existing sections 101.82 and 103.13 are 248
hereby repealed. 249