

**As Introduced**

**129th General Assembly  
Regular Session  
2011-2012**

**H. B. No. 47**

**Representative Hagan**

**Cosponsors: Representatives Gerberry, Foley, Weddington, Patmon, Pillich,  
Murray, Yuko, Lundy, Boyd, Antonio**

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**A B I L L**

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

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

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

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

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

(2) "Employer" means any individual, sole proprietorship, 10  
partnership, limited liability company, corporation, or any other 11  
entity that is doing business in this state. "Employer" also 12  
includes all entities or persons that are controlled by or 13  
affiliated with any such individual, sole proprietorship, 14  
partnership, limited liability company, corporation, or other 15  
entity. Whether an entity or person is controlled by or affiliated 16  
with another shall be determined by applying the principles set 17  
forth on January 1, 1993, in subsections 414(b) and (c) of the 18

"Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 414, 19  
except that a voting power of fifty-one per cent shall be applied 20  
to the determination of control or affiliation. 21

(3) "Medicaid" means the program provided for by Chapter 22  
5111. of the Revised Code. 23

(4) "Ohio works first" means the program provided for by 24  
Chapter 5107. of the Revised Code. 25

(5) "Supplemental nutrition assistance program" means the 26  
program provided for by the "Food and Nutrition Act of 2008," 7 27  
U.S.C. 2011 et seq. 28

(B) The director of job and family services shall annually 29  
complete a report that specifies all of the following: 30

(1) The name of each of the fifty employers that employed the 31  
most employees who were either of the following while employed by 32  
the employer in this state during the previous year: 33

(a) Recipients of the children's health insurance program, 34  
medicaid, Ohio works first, or supplemental nutrition assistance 35  
program; 36

(b) Individuals whose incomes were counted in determining 37  
eligibility for the children's health insurance program, medicaid, 38  
Ohio works first, or supplemental nutrition assistance program. 39

(2) The number of individuals described in divisions 40  
(B)(1)(a) and (b) of this section who were employed in the 41  
previous year by each employer specified in the report; 42

(3) The total cost to the state for the previous year of 43  
providing benefits under the children's health insurance program, 44  
medicaid, Ohio works first, or supplemental nutrition assistance 45  
program to employees of each of the employers specified in the 46  
report, specified separately for each employer. 47

(C) The annual reports are public records under section 48

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

(D) The director of job and family services shall provide 52  
copies of the annual reports to all of the following: 53

(1) Each member of the general assembly; 54

(2) The director of development; 55

(3) The director of budget and management or, if the director 56  
designates an employee of the office of budget and management to 57  
serve on the controlling board in the director's place, the 58  
designated employee; 59

(4) Each member of the tax credit authority. 60

(E) The director of development, members of the controlling 61  
board, and members of the tax credit authority shall consider the 62  
information included in the most recent annual report available 63  
when determining whether to grant an employer a contract, award, 64  
subsidy, or incentive or to approve such a contract, award, 65  
subsidy, or incentive. The director of development, controlling 66  
board, and tax credit authority shall notify the director of job 67  
and family services of the impact the report has on decisions 68  
regarding contracts, awards, subsidies, and incentives. 69

(F) Not later than one year after the effective date of this 70  
section, the director of job and family services shall make the 71  
annual reports available on a searchable internet web site. The 72  
internet web site shall include information provided to the 73  
director by the director of development, controlling board, and 74  
tax credit authority regarding the impact the report has on 75  
decisions regarding contracts, awards, subsidies, and incentives. 76