

129HB153-SC4406X1/AT

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4406-1

_____ moved to amend as follows:

In line 67104, after "(D)" insert "(1)" 1

Between lines 67111 and 67112, insert: 2

"(2) The rules of the chancellor for determining student
residency shall not grant residency status to an alien if the
alien is not also an immigrant or a nonimmigrant." 3
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In line 67112, after "(E)" insert "As used in this section:" 6

(1)" 7

Between lines 67114 and 67115, insert: 8

"(2) "Alien" means a person who is not a United States
citizen or a United States national. 9
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(3) "Immigrant" means an alien who has been granted the right
by the United States bureau of citizenship and immigration
services to reside permanently in the United States and to work
without restrictions in the United States. 11
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(4) "Nonimmigrant" means an alien who has been granted the
right by the United States bureau of citizenship and immigration
services to reside temporarily in the United States." 15
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The motion was _____ agreed to.

SYNOPSIS

Residency for Ohio High School Graduates	18
R.C. 3333.31	19
Prohibits the rules adopted by the Chancellor of the Ohio	20
Board of Regents under the bill for determining student residency,	21
for purposes of in-state college tuition, from granting residency	22
status to any alien unless the alien has been granted: (1) the	23
right to reside permanently in, and to work without restrictions	24
in, the United States or (2) the right to reside temporarily in	25
the United States.	26

6 _____ moved to amend as follows:

7 In line 122987, strike through "and"; delete ", in the case
8 of captive deer,"

9 In line 122988, delete "for private hunting" and insert "or
10 other agricultural purposes"

11 In line 122990, strike through "fish,"

12 In line 122991, strike through "horses,"

13 In line 123273, delete the first underlined comma and
14 insert "or"; delete ", or private hunting"

15 The motion was _____ agreed to.

16 SYNOPSIS

17 **Sales Tax: Captive Deer**

18 **R.C. 5739.01**

19 Limits application of a sales and use tax exemption,
20 proposed in the pending bill, for building materials and related
21 services for livestock structures. The pending bill extends the
22 existing livestock structure exemption to include such
23 structures related to "captive deer" raised for "private
24 hunting" or for agricultural or farming purposes. The amendment
25 limits the proposed exemption to livestock structures related to

26 captive deer kept for agricultural and farming purposes, but not
27 for private hunting.

28 Removes horses and fish from the definition of excluded
29 livestock, thereby allowing horse and fish owners to qualify for
30 the exemption from sales and use taxation for any building
31 materials and related services that are incorporated into a
32 building or structure used for keeping fish or horses for food.
33 The current exemption covers buildings and structures used to
34 house, feed, raise, or shelter livestock kept for food purposes,
35 store or handle feed, or handle manure and waste.

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4408-1

_____ moved to amend as follows:

In line 464, after "1901.02," insert "1901.06," 1

In line 465, after "1901.262," insert "1907.13," 2

In line 468, after "2152.72," insert "2301.01," 3

In line 470, after "2335.06," insert "2501.02," 4

In line 471, after "2501.17," insert "2503.01," 5

Between lines 39199 and 39200, insert: 6

"Sec. 1901.06. A municipal judge during the judge's term of 7
office shall be a qualified elector and a resident of the 8
territory of the court to which the judge is elected or appointed. 9
A municipal judge shall have been admitted to the practice of law 10
in this state and shall have been, for a total of at least six 11
years preceding appointment or the commencement of the judge's 12
term, engaged in the practice of law ~~in this state~~ or served as a 13
judge of a court of record in any jurisdiction in the United 14
States, or both. At least two of the years of practice or service 15
that qualify a judge shall have been in this state. 16

Except as provided in section 1901.08 of the Revised Code, 17
the first election of any newly created office of a municipal 18

judge shall be held at the next regular municipal election 19
 occurring not less than one hundred days after the creation of the 20
 office. Except as otherwise provided in division (G) of section 21
 1901.01 of the Revised Code, the institution of a new municipal 22
 court shall take place on the first day of January next after the 23
 first election for the court." 24

Between lines 39385 and 39386, insert: 25

"Sec. 1907.13. A county court judge, at the time of filing a 26
 nominating petition for the office or at the time of appointment 27
 to the office and during the judge's term of office, shall be a 28
 qualified elector and a resident of the county court district in 29
 which the judge is elected or appointed. A county court judge does 30
 not have to be a resident of an area of separate jurisdiction in 31
 the county court district to which the judge may be assigned 32
 pursuant to section 1907.15 of the Revised Code. Every county 33
 court judge shall have been admitted to the practice of law in 34
 this state and shall have been engaged, for a total of at least 35
 six years preceding the judge's appointment or the commencement of 36
 the judge's term, in the practice of law in ~~this state~~ any 37
jurisdiction in the United States, except that the six-year 38
 practice requirement does not apply to a county court judge who is 39
 holding office on ~~the effective date of this amendment~~ July 2, 40
2010, and who subsequently is a candidate for that office. At 41
least two of the years of practice that qualify a judge shall have 42
been in this state. 43

Judges shall be elected by the electors of the county court 44
 district at the general election in even-numbered years as set 45
 forth in section 1907.11 of the Revised Code for a term of six 46
 years commencing on the first day of January following the 47
 election for the county court or on the dates specified in section 48
 1907.11 of the Revised Code for particular county court judges. 49

Their successors shall be elected in even-numbered years every six years. 50
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All candidates for county court judge shall be nominated by petition. The nominating petition shall be in the general form and signed and verified as prescribed by section 3513.261 of the Revised Code and shall be signed by the lesser of fifty qualified electors of the county court district or a number of qualified electors of the county court district not less than one per cent of the number of electors who voted for governor at the most recent regular state election in the district. A nominating petition shall not be accepted for filing or filed if it appears on its face to contain signatures aggregating in number more than twice the minimum aggregate number of signatures required by this section. A nominating petition shall be filed with the board of elections not later than four p.m. of the ninetieth day before the day of the general election." 52
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Between lines 41331 and 41332, insert: 66

"Sec. 2301.01. There shall be a court of common pleas in each county held by one or more judges, each of whom has been admitted to practice as an attorney at law in this state and has, for a total of at least six years preceding the judge's appointment or commencement of the judge's term, engaged in the practice of law ~~in this state~~ or served as a judge of a court of record in any jurisdiction in the United States, or both, resides in ~~said~~ the county, and is elected by the electors therein. At least two of the years of practice or service that qualify a judge shall have been in this state. Each judge shall be elected for six years at the general election immediately preceding the year in which the term, as provided in sections 2301.02 and 2301.03 of the Revised Code, commences, and the judge's successor shall be elected at the general election immediately preceding the expiration of ~~such~~ that 67
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term." 81

Between lines 43866 and 43867, insert: 82

"Sec. 2501.02. Each judge of a court of appeals shall have 83
 been admitted to practice as an attorney at law in this state and 84
 have, for a total of six years preceding the judge's appointment 85
 or commencement of the judge's term, engaged in the practice of 86
 law ~~in this state~~ or served as a judge of a court of record in any 87
 jurisdiction in the United States, or both. At least two of the 88
years of practice or service that qualify a judge shall have been 89
in this state. One judge shall be chosen in each court of appeals 90
 district every two years, and shall hold office for six years, 91
 beginning on the ninth day of February next after the judge's 92
 election. 93

In addition to the original jurisdiction conferred by Section 94
 3 of Article IV, Ohio Constitution, the court shall have 95
 jurisdiction upon an appeal upon questions of law to review, 96
 affirm, modify, set aside, or reverse judgments or final orders of 97
 courts of record inferior to the court of appeals within the 98
 district, including the finding, order, or judgment of a juvenile 99
 court that a child is delinquent, neglected, abused, or dependent, 100
 for prejudicial error committed by such lower court. 101

The court, on good cause shown, may issue writs of 102
 supersedeas in any case, and all other writs, not specially 103
 provided for or prohibited by statute, necessary to enforce the 104
 administration of justice." 105

Between lines 43952 and 43953, insert: 106

"Sec. 2503.01. The supreme court shall consist of a chief 107
 justice and six justices, each of whom has been admitted to 108
 practice as an attorney at law in this state and has, for a total 109

of at least six years preceding his appointment or commencement of 110
his the justice's term, engaged in the practice of law ~~in this~~ 111
state or served as a judge of a court of record in any 112
jurisdiction of the United States, or both. At least two of the 113
years of practice or service that qualify a justice shall have 114
been in this state." 115

In line 131052, after "1901.02," insert "1901.06," 116

In line 131053, after "1901.262," insert "1907.13," 117

In line 131055, after "2152.72," insert "2301.01," 118

In line 131058, after "2335.06," insert "2501.02,"; after 119
"2501.17," insert "2503.01," 120

In line 88 of the title, after "1901.02," insert "1901.06,"; 121
after "1901.262," insert "1907.13," 122

In line 92 of the title, after "2152.72," insert "2301.01," 123

In line 96 of the title, after "2335.06," insert "2501.02,"; 124
after "2501.17," insert "2503.01," 125

The motion was _____ agreed to.

SYNOPSIS

Qualifications of Judges 126

R.C. 1901.06, 1907.13, 2301.01, 2501.02, and 2503.01 127

Revises the "experience" criterion for holding judicial 128
office by removing the requirement that the prior legal practice 129
that satisfies the criterion has been in Ohio and by requiring 130
that at least two of the six or more years of prior legal practice 131
or prior service as a judge needed to satisfy the criterion has 132
been in Ohio. 133

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4410

_____ moved to amend as follows:

Between lines 145034 and 145035, insert:

"Section 610.____. That Section 5 of Am. Sub. S.B. 2 of the
129th General Assembly be amended to read as follows:

Sec. 5. The enactment by this act of sections 107.51 to
107.55 and 121.81 to 121.83 of the Revised Code ~~first and the~~
amendment by this act of section 119.032 of the Revised Code
applies to a proposed rule, the original ~~and any revised~~ version
of which is filed with the Joint Committee on Agency Rule Review
on or after January 1, 2012, and to any rule that is ~~scheduled for~~
subjected to review under section 119.032 of the Revised Code on
or after January 1, 2012. ~~If rule-making proceedings are commenced~~
~~and completed before January 1, 2012, sections~~ The enactment of
sections 107.51 to 107.55 and 121.81 to 121.83 of the Revised Code
and the amendment by this act of section 119.032 of the Revised
Code do not apply to the proceedings, and ~~section 121.24 of the~~
~~Revised Code applies to the proceedings instead. If rule making~~
~~proceedings are commenced but not completed before January 1,~~
~~2012, section 121.24 of the Revised Code applies to the original~~
~~version of the proposed rule if it is filed with the Joint~~

~~Committee before that date, and sections 107.51 to 107.55 and 20~~
~~121.81 to 121.83 of the Revised Code apply to any revised version 21~~
~~of the a proposed rule that is filed pending on or after that date 22~~
January 1, 2012. 23

~~Section Notwithstanding its repeal by this act, section 24~~
~~121.24 and sections 107.51 to 107.55 and 121.81 to 121.83 of the 25~~
~~Revised Code do not continues to apply to a proposed rule that is 26~~
~~deemed the original version of a proposed rule by the carry over 27~~
~~provisions in division (I) (2) of section 119.03 of the Revised 28~~
~~Code. Whether section 121.24 or sections 107.51 to 107.55 and 29~~
~~121.81 to 121.83 of the Revised Code applied to such a proposed 30~~
~~rule before its carry over, the results of that application are 31~~
~~carried over with the proposed rule pending on January 1, 2012, 32~~
until the rule-making proceedings are completed. 33

~~Section 610.____. That existing Section 5 of Am. Sub. S.B. 2 34~~
~~of the 129th General Assembly is hereby repealed." 35~~

~~In line 366 of the title, after the comma insert "Section 5 36~~
~~of Am. Sub. S.B. 2 of the 129th General Assembly," 37~~

The motion was _____ agreed to.

SYNOPSIS

Applicability of S.B. 2's New Business Rule Review Process 38
Sections 610.____ and 610.____ 39
 Provides that the new rule business review process 40
 established by Am. Sub. S.B. 2 of the 129th General Assembly does 41
 not apply to a proposed rule that is pending on January 1, 2011. 42
 Instead, the proposed rule continues to be reviewed under the 43

small business rule review process repealed by S.B. 2, until the 44
rule-making proceedings are completed. S.B. 2 required certain 45
state agencies to assess whether their proposed or existing 46
administrative rules have an adverse impact on business, and 47
eliminated the former small business rule review process. 48

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4411

_____ moved to amend as follows:

In line 405, after "118.99," insert "119.032," 1

Between lines 6391 and 6392, insert: 2

"Sec. 119.032. (A) As used in this section: 3

(1) "Agency" includes both an agency as defined in division 4
(A) (2) of section 111.15 and an agency as defined in division (A) 5
of section 119.01 of the Revised Code. 6

(2) "Review date" means the review date assigned to a rule by 7
an agency under division (B) or (E) (2) of this section or under 8
section 111.15, 119.04, or 4141.14 of the Revised Code or a review 9
date assigned to a rule by the joint committee on agency rule 10
review under division (B) of this section. 11

(3) (a) "Rule" means only a rule whose adoption, amendment, or 12
rescission is subject to review under division (D) of section 13
111.15 or division (H) of section 119.03 of the Revised Code. 14

(b) "Rule" does not include a rule adopted, amended, or 15
rescinded by the department of taxation under section 5703.14 of 16
the Revised Code, a rule of a state college or university, 17
community college district, technical college district, or state 18
community college, or a rule that is consistent with and 19

equivalent to the form required by a federal law and that does not
exceed the minimum scope and intent of that federal law.

(B) Not later than March 25, 1997, each agency shall assign a
review date to each of its rules that is currently in effect and
shall notify the joint committee on agency rule review of the
review date for each such rule. The agency shall assign review
dates to its rules so that approximately one-fifth of the rules
are scheduled for review during each calendar year of the
five-year period that begins March 25, 1997, except that an
agency, with the joint committee's approval, may set a review
schedule for the agency's rules in which there is no requirement
that approximately one-fifth of the agency's rules be assigned a
review date during each calendar year of the five-year period but
in which all of the agency's rules are assigned a review date
during that five-year period. An agency may change the review
dates it has assigned to specific rules so long as the agency
complies with the five-year time deadline specified in this
division.

Upon the request of the agency that adopted the rule, the
joint committee on agency rule review may extend a review date of
a rule to a date that is not later than one hundred eighty days
after the original review date assigned to the rule by the agency
under this division, division (E) (2) of this section, or section
111.15, 119.04, or 4141.14 of the Revised Code. The joint
committee may further extend a review date that has been extended
under this paragraph if appropriate under the circumstances.

(C) Prior to the review date of a rule, the agency that
adopted the rule shall review the rule to determine all of the
following:

(1) Whether the rule should be continued without amendment,
be amended, or be rescinded, taking into consideration the

purpose, scope, and intent of the statute under which the rule was adopted; 51
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(2) Whether the rule needs amendment or rescission to give more flexibility at the local level; 53
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(3) Whether the rule needs amendment or rescission to eliminate unnecessary paperwork, or whether the rule incorporates a text or other material by reference and, if so, whether the text or other material incorporated by reference is deposited or displayed as required by section 121.74 of the Revised Code and whether the incorporation by reference meets the standards stated in sections 121.72, 121.75, and 121.76 of the Revised Code; 55
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(4) Whether the rule duplicates, overlaps with, or conflicts with other rules; 62
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(5) Whether the rule has an adverse impact on businesses, ~~as determined reviewing the rule as if it were a draft rule being reviewed under section sections 107.52 and 107.53~~ of the Revised Code, and whether any such adverse impact has been eliminated or reduced ~~as required under section 121.82 of the Revised Code.~~ 64
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(D) In making the review required under division (C) of this section, the agency shall consider the continued need for the rule, the nature of any complaints or comments received concerning the rule, and any relevant factors that have changed in the subject matter area affected by the rule. 69
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(E) (1) On or before the designated review date of a rule, the agency that adopted the rule shall proceed under division (E) (2) or (5) of this section to indicate that the agency has reviewed the rule. 74
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(2) If the agency has determined that the rule does not need to be amended or rescinded, the agency shall file all the following, in electronic form, with the joint committee on agency 78
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rule review, the secretary of state, and the director of the
legislative service commission: a copy of the rule, a statement of
the agency's determination, and an accurate rule summary and
fiscal analysis for the rule as described in section 127.18 of the
Revised Code. The agency shall assign a new review date to the
rule, which shall not be later than five years after the rule's
immediately preceding review date. After the joint committee has
reviewed such a rule for the first time, including any rule that
was in effect on September 26, 1996, the agency in its subsequent
reviews of the rule may provide the same fiscal analysis it
provided to the joint committee during its immediately preceding
review of the rule unless any of the conditions described in
division (B) (4), (5), (6), (8), (9), or (10) of section 127.18 of
the Revised Code, as they relate to the rule, have appreciably
changed since the joint committee's immediately preceding review
of the rule. If any of these conditions, as they relate to the
rule, have appreciably changed, the agency shall provide the joint
committee with an updated fiscal analysis for the rule. If no
review date is assigned to a rule, or if a review date assigned to
a rule exceeds the five-year maximum, the review date for the rule
is five years after its immediately preceding review date. The
joint committee shall give public notice in the register of Ohio
of the agency's determination after receiving a notice from the
agency under division (E) (2) of this section. The joint committee
shall transmit a copy of the notice in electronic form to the
director of the legislative service commission. The director shall
publish the notice in the register of Ohio for four consecutive
weeks after its receipt.

(3) During the ninety-day period following the date the joint
committee receives a notice under division (E) (2) of this section
but after the four-week period described in division (E) (2) of
this section has ended, the joint committee, by a two-thirds vote

of the members present, may recommend the adoption of a concurrent
resolution invalidating the rule if the joint committee determines
that any of the following apply:

(a) The agency improperly applied the criteria described in
divisions (C) and (D) of this section in reviewing the rule and in
recommending its continuance without amendment or rescission.

(b) The agency failed to file proper notice with the joint
committee regarding the rule, or if the rule incorporates a text
or other material by reference, the agency failed to file, or to
deposit or display, the text or other material incorporated by
reference as required by section 121.73 or 121.74 of the Revised
Code or the incorporation by reference fails to meet the standards
stated in section 121.72, 121.75, or 121.76 of the Revised Code.

(c) The rule has an adverse impact on businesses, as
determined under section 107.52 of the Revised Code, and the
agency has not eliminated or reduced that impact as required under
section 121.82 of the Revised Code.

(4) If the joint committee does not take the action described
in division (E)(3) of this section regarding a rule during the
ninety-day period after the date the joint committee receives a
notice under division (E)(2) of this section regarding that rule,
the rule shall continue in effect without amendment and shall be
next reviewed by the joint committee by the date designated by the
agency in the notice provided to the joint committee under
division (E)(2) of this section.

(5) If the agency has determined that a rule reviewed under
division (C) of this section needs to be amended or rescinded, the
agency, on or before the rule's review date, shall file the rule
as amended or rescinded in accordance with section 111.15, 119.03,
or 4141.14 of the Revised Code, as applicable.

(6) Each agency shall provide the joint committee with a copy of the rules that it has determined are rules described in division (A) (3) (b) of this section. At a time the joint committee designates, each agency shall appear before the joint committee and explain why it has determined that such rules are rules described in division (A) (3) (b) of this section. The joint committee, by a two-thirds vote of the members present, may determine that any of such rules are rules described in division (A) (3) (a) of this section. After the joint committee has made such a determination relating to a rule, the agency shall thereafter treat the rule as a rule described in division (A) (3) (a) of this section.

(F) If an agency fails to provide the notice to the joint committee required under division (E) (2) of this section regarding a rule or otherwise fails by the rule's review date to take any action regarding the rule required by this section, the joint committee, by a majority vote of the members present, may recommend the adoption of a concurrent resolution invalidating the rule. The joint committee shall not recommend the adoption of such a resolution until it has afforded the agency the opportunity to appear before the joint committee to show cause why the joint committee should not recommend the adoption of such a resolution regarding that rule.

(G) If the joint committee recommends adoption of a concurrent resolution invalidating a rule under division (E) (3) or (F) of this section, the adoption of the concurrent resolution shall be in the manner described in division (I) of section 119.03 of the Revised Code."

In line 130992, after "118.99," insert "119.032,"

Between lines 147535 and 147536, insert:

"Section 803.____. The amendment by this act to section

119.032 of the Revised Code does not accelerate the taking effect 174
of the amendment to that section by S.B. 2 of the 129th General 175
Assembly, which takes effect January 1, 2012." 176

In line 7 of the title, after "118.99," insert "119.032," 177

The motion was _____ agreed to.

SYNOPSIS

Adverse Impact on Businesses Rule Review Process 178

R.C. 119.032 179

Requires agencies that are reviewing rules under the Cyclical 180
Review of Rules Act (R.C. 119.032) to determine whether a rule has 181
an adverse impact on businesses to review the rule as if it were a 182
draft rule that must be reviewed under laws that define what an 183
adverse impact on business means and that require the use of a 184
business impact analysis instrument to evaluate the rule (R.C. 185
107.52 and 107.53). The effect of the amendment is that both rules 186
that are going to be amended or rescinded and no change rules 187
would be subject to this review process. 188

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4419

_____ moved to amend as follows:

In line 465, after "1901.262," insert "1905.01," 1

Between lines 39385 and 39386, insert: 2

"Sec. 1905.01. (A) In Georgetown in Brown county, in Mount 3
Gilead in Morrow county, and in all other municipal corporations 4
having a population of more than one hundred fifty, other than 5
Batavia in Clermont county, not being the site of a municipal 6
court nor a place where a judge of the Auglaize county, Crawford 7
county, Jackson county, Miami county, Montgomery county, Portage 8
county, or Wayne county municipal court sits as required pursuant 9
to section 1901.021 of the Revised Code or by designation of the 10
judges pursuant to section 1901.021 of the Revised Code, the mayor 11
of the municipal corporation has jurisdiction, except as provided 12
in divisions (B), (C), and (E) of this section and subject to the 13
limitation contained in section 1905.03 and the limitation 14
contained in section 1905.031 of the Revised Code, to hear and 15
determine any prosecution for the violation of an ordinance of the 16
municipal corporation, to hear and determine any case involving a 17
violation of a vehicle parking or standing ordinance of the 18
municipal corporation unless the violation is required to be 19
handled by a parking violations bureau or joint parking violations 20

bureau pursuant to Chapter 4521. of the Revised Code, and to hear 21
and determine all criminal causes involving any moving traffic 22
violation occurring on a state highway located within the 23
boundaries of the municipal corporation, subject to the 24
limitations of sections 2937.08 and 2938.04 of the Revised Code. 25

(B) (1) In Georgetown in Brown county, in Mount Gilead in 26
Morrow county, and in all other municipal corporations having a 27
population of more than one hundred fifty, other than Batavia in 28
Clermont county, not being the site of a municipal court nor a 29
place where a judge of a court listed in division (A) of this 30
section sits as required pursuant to section 1901.021 of the 31
Revised Code or by designation of the judges pursuant to section 32
1901.021 of the Revised Code, the mayor of the municipal 33
corporation has jurisdiction, subject to the limitation contained 34
in section 1905.03 of the Revised Code, to hear and determine 35
prosecutions involving a violation of an ordinance of the 36
municipal corporation relating to operating a vehicle while under 37
the influence of alcohol, a drug of abuse, or a combination of 38
them or relating to operating a vehicle with a prohibited 39
concentration of alcohol, a controlled substance, or a metabolite 40
of a controlled substance in the whole blood, blood serum or 41
plasma, breath, or urine, and to hear and determine criminal 42
causes involving a violation of section 4511.19 of the Revised 43
Code that occur on a state highway located within the boundaries 44
of the municipal corporation, subject to the limitations of 45
sections 2937.08 and 2938.04 of the Revised Code, only if the 46
person charged with the violation, within six years of the date of 47
the violation charged, has not been convicted of or pleaded guilty 48
to any of the following: 49

(a) A violation of an ordinance of any municipal corporation 50
relating to operating a vehicle while under the influence of 51

alcohol, a drug of abuse, or a combination of them or relating to 52
operating a vehicle with a prohibited concentration of alcohol, a 53
controlled substance, or a metabolite of a controlled substance in 54
the whole blood, blood serum or plasma, breath, or urine; 55

(b) A violation of section 4511.19 of the Revised Code; 56

(c) A violation of any ordinance of any municipal corporation 57
or of any section of the Revised Code that regulates the operation 58
of vehicles, streetcars, and trackless trolleys upon the highways 59
or streets, to which all of the following apply: 60

(i) The person, in the case in which the conviction was 61
obtained or the plea of guilty was entered, had been charged with 62
a violation of an ordinance of a type described in division 63
(B)(1)(a) of this section, or with a violation of section 4511.19 64
of the Revised Code; 65

(ii) The charge of the violation described in division 66
(B)(1)(c)(i) of this section was dismissed or reduced; 67

(iii) The violation of which the person was convicted or to 68
which the person pleaded guilty arose out of the same facts and 69
circumstances and the same act as did the charge that was 70
dismissed or reduced. 71

(d) A violation of a statute of the United States or of any 72
other state or a municipal ordinance of a municipal corporation 73
located in any other state that is substantially similar to 74
section 4511.19 of the Revised Code. 75

(2) The mayor of a municipal corporation does not have 76
jurisdiction to hear and determine any prosecution or criminal 77
cause involving a violation described in division (B)(1)(a) or (b) 78
of this section, regardless of where the violation occurred, if 79
the person charged with the violation, within six years of the 80
violation charged, has been convicted of or pleaded guilty to any 81

violation listed in division (B) (1) (a), (b), (c), or (d) of this section. 82
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If the mayor of a municipal corporation, in hearing a prosecution involving a violation of an ordinance of the municipal corporation the mayor serves relating to operating a vehicle while under the influence of alcohol, a drug of abuse, or a combination of them or relating to operating a vehicle with a prohibited concentration of alcohol, a controlled substance, or a metabolite of a controlled substance in the whole blood, blood serum or plasma, breath, or urine, or in hearing a criminal cause involving a violation of section 4511.19 of the Revised Code, determines that the person charged, within six years of the violation charged, has been convicted of or pleaded guilty to any violation listed in division (B) (1) (a), (b), (c), or (d) of this section, the mayor immediately shall transfer the case to the county court or municipal court with jurisdiction over the violation charged, in accordance with section 1905.032 of the Revised Code. 84
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(C) (1) In Georgetown in Brown county, in Mount Gilead in Morrow county, and in all other municipal corporations having a population of more than one hundred fifty, other than Batavia in Clermont county, not being the site of a municipal court and not being a place where a judge of a court listed in division (A) of this section sits as required pursuant to section 1901.021 of the Revised Code or by designation of the judges pursuant to section 1901.021 of the Revised Code, the mayor of the municipal corporation, subject to sections 1901.031, 2937.08, and 2938.04 of the Revised Code, has jurisdiction to hear and determine prosecutions involving a violation of a municipal ordinance that is substantially equivalent to division (A) of section 4510.14 or section 4510.16 of the Revised Code and to hear and determine criminal causes that involve a moving traffic violation, that 99
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involve a violation of division (A) of section 4510.14 or section 113
4510.16 of the Revised Code, and that occur on a state highway 114
located within the boundaries of the municipal corporation only if 115
all of the following apply regarding the violation and the person 116
charged: 117

(a) Regarding a violation of section 4510.16 of the Revised 118
Code or a violation of a municipal ordinance that is substantially 119
equivalent to that division, the person charged with the 120
violation, within six years of the date of the violation charged, 121
has not been convicted of or pleaded guilty to any of the 122
following: 123

(i) A violation of section 4510.16 of the Revised Code; 124

(ii) A violation of a municipal ordinance that is 125
substantially equivalent to section 4510.16 of the Revised Code; 126

(iii) A violation of any municipal ordinance or section of 127
the Revised Code that regulates the operation of vehicles, 128
streetcars, and trackless trolleys upon the highways or streets, 129
in a case in which, after a charge against the person of a 130
violation of a type described in division (C) (1) (a) (i) or (ii) of 131
this section was dismissed or reduced, the person is convicted of 132
or pleads guilty to a violation that arose out of the same facts 133
and circumstances and the same act as did the charge that was 134
dismissed or reduced. 135

(b) Regarding a violation of division (A) of section 4510.14 136
of the Revised Code or a violation of a municipal ordinance that 137
is substantially equivalent to that division, the person charged 138
with the violation, within six years of the date of the violation 139
charged, has not been convicted of or pleaded guilty to any of the 140
following: 141

(i) A violation of division (A) of section 4510.14 of the 142
Revised Code; 143

(ii) A violation of a municipal ordinance that is 144
substantially equivalent to division (A) of section 4510.14 of the 145
Revised Code; 146

(iii) A violation of any municipal ordinance or section of 147
the Revised Code that regulates the operation of vehicles, 148
streetcars, and trackless trolleys upon the highways or streets in 149
a case in which, after a charge against the person of a violation 150
of a type described in division (C)(1)(b)(i) or (ii) of this 151
section was dismissed or reduced, the person is convicted of or 152
pleads guilty to a violation that arose out of the same facts and 153
circumstances and the same act as did the charge that was 154
dismissed or reduced. 155

(2) The mayor of a municipal corporation does not have 156
jurisdiction to hear and determine any prosecution or criminal 157
cause involving a violation described in division (C)(1)(a)(i) or 158
(ii) of this section if the person charged with the violation, 159
within six years of the violation charged, has been convicted of 160
or pleaded guilty to any violation listed in division 161
(C)(1)(a)(i), (ii), or (iii) of this section and does not have 162
jurisdiction to hear and determine any prosecution or criminal 163
cause involving a violation described in division (C)(1)(b)(i) or 164
(ii) of this section if the person charged with the violation, 165
within six years of the violation charged, has been convicted of 166
or pleaded guilty to any violation listed in division 167
(C)(1)(b)(i), (ii), or (iii) of this section. 168

(3) If the mayor of a municipal corporation, in hearing a 169
prosecution involving a violation of an ordinance of the municipal 170
corporation the mayor serves that is substantially equivalent to 171
division (A) of section 4510.14 or section 4510.16 of the Revised 172
Code or a violation of division (A) of section 4510.14 or section 173
4510.16 of the Revised Code, determines that, under division 174

(C) (2) of this section, mayors do not have jurisdiction of the prosecution, the mayor immediately shall transfer the case to the county court or municipal court with jurisdiction over the violation in accordance with section 1905.032 of the Revised Code.

(D) If the mayor of a municipal corporation has jurisdiction pursuant to division (B) (1) of this section to hear and determine a prosecution or criminal cause involving a violation described in division (B) (1) (a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.03 of the Revised Code. If the mayor of a municipal corporation has jurisdiction pursuant to division (A) or (C) of this section to hear and determine a prosecution or criminal cause involving a violation other than a violation described in division (B) (1) (a) or (b) of this section, the authority of the mayor to hear or determine the prosecution or cause is subject to the limitation contained in division (C) of section 1905.031 of the Revised Code.

(E) (1) The mayor of a municipal corporation does not have jurisdiction to hear and determine any prosecution or criminal cause involving any of the following:

(a) A violation of section 2919.25 or 2919.27 of the Revised Code;

(b) A violation of section 2903.11, 2903.12, 2903.13, 2903.211, or 2911.211 of the Revised Code that involves a person who was a family or household member of the defendant at the time of the violation;

(c) A violation of a municipal ordinance that is substantially equivalent to an offense described in division (E) (1) (a) or (b) of this section and that involves a person who was a family or household member of the defendant at the time of the violation.

(2) The mayor of a municipal corporation does not have jurisdiction to hear and determine a motion filed pursuant to section 2919.26 of the Revised Code or filed pursuant to a municipal ordinance that is substantially equivalent to that section or to issue a protection order pursuant to that section or a substantially equivalent municipal ordinance.

(3) As used in this section, "family or household member" has the same meaning as in section 2919.25 of the Revised Code.

(F) In keeping a docket and files, the mayor, and a mayor's court magistrate appointed under section 1905.05 of the Revised Code, shall be governed by the laws pertaining to county courts."

In line 131053, after "1901.262," insert "1905.01,"

In line 88 of the title, after "1901.262," insert "1905.01,"

The motion was _____ agreed to.

SYNOPSIS

Mayor's Court -- Jurisdiction in Ordinance Cases and Traffic Violations

R.C. 1905.01

Increases from 100 to 150 the population that a municipal corporation other than Georgetown in Brown County, Mount Gilead in Morrow County, or Batavia in Clermont County must have in order to establish a mayor's court.

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4420

_____ moved to amend as follows:

In line 546, after "5101.30," insert "5101.342," 1
Between lines 96321 and 96322, insert: 2
"Sec. 5101.342. The Ohio commission on fatherhood shall do 3
both of the following: 4
(A) Organize a state summit on fatherhood every four years; 5
(B) ~~(1)~~ Prepare a report each year that ~~identifies~~ does the 6
following: 7
(1) Identifies resources available to fund fatherhood-related 8
programs and explores the creation of initiatives to do the 9
following: 10
(a) Build the parenting skills of fathers; 11
(b) Provide employment-related services for low-income, 12
noncustodial fathers; 13
(c) Prevent premature fatherhood; 14
(d) Provide services to fathers who are inmates in or have 15
just been released from imprisonment in a state correctional 16
institution, as defined in section 2967.01 of the Revised Code, or 17
in any other detention facility, as defined in section 2921.01 of 18

the Revised Code, so that they are able to maintain or reestablish
their relationships with their families; 19
20

(e) Reconcile fathers with their families; 21

(f) Increase public awareness of the critical role fathers
play. 22
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(2) Describes the commission's expectations for the outcomes
of fatherhood-related programs and initiatives and the methods the
commission uses for conducting annual measures of those outcomes. 24
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(C) The portion of the report prepared pursuant to division
(B)(2) of this section shall be prepared by the commission in
collaboration with the director of job and family services. 27
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(D) The commission shall submit each report prepared pursuant
to division (B)(1) of this section to the president and minority
leader of the senate, speaker and minority leader of the house of
representatives, governor, and chief justice of the supreme court.
The first report is due not later than one year after the last of
the initial appointments to the commission is made under section
5101.341 of the Revised Code. 30
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In line 131135, after "5101.30," insert "5101.342," 37

In line 131198, delete "5101.34," 38

In line 131199, delete "5101.341, 5101.342, 5101.343," 39

Between lines 140038 and 140039, insert: 40

"Section 309.40. ____ . OHIO COMMISSION ON FATHERHOOD 41

Of the foregoing appropriation item 600689, TANF Block Grant,
\$1,000,000 in each fiscal year shall be provided to the Ohio
Commission on Fatherhood." 42
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In line 201 of the title, after "5101.30," insert "5101.342," 45

In line 358 of the title, delete "5101.34, 5101.341," 46

5101.342, 5101.343,"

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The motion was _____ agreed to.

SYNOPSIS

Ohio Commission on Fatherhood	48
R.C. 5101.34, 5101.341, 5101.342, and 5101.343	49
Removes the Senate committee provision that would have eliminated the Ohio Commission on Fatherhood.	50 51
Requires the Commission to collaborate with the Director of Job and Family Services to establish outcomes and annual measures for fatherhood-related programs and initiatives and to report the results with its existing annual report that is to be submitted to the President and Minority Leader of the Senate, Speaker and Minority Leader of the House of Representatives, Governor, and Chief Justice of the Supreme Court.	52 53 54 55 56 57 58
Department of Job and Family Services	59
Section 309.40.____	60
Earmarks \$1 million of line item 600689, TANF Block Grant, in each fiscal year for the Ohio Commission on Fatherhood.	61 62

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4452

_____ moved to amend as follows:

In line 619, after "118.31," insert "123.101," 1

Between lines 8672 and 8673, insert: 2

"Sec. 123.101. (A) As used in this section: 3

"Capital facilities project" means the construction, 4
reconstruction, improvement, enlargement, alteration, or repair of 5
a building by a public entity. 6

"Public entity" includes a state agency, county, township, 7
municipal corporation, school district, state institution of 8
higher education, or any other political subdivision of the state. 9

"State institution of higher education" has the same meaning 10
as in section 3345.011 of the Revised Code. 11

(B) Commencing not later than July 1, 2012, and upon 12
completion of a capital facilities project that is funded wholly 13
or in part using state funds, each public entity shall submit a 14
report about the project to the director of administrative 15
services. The report shall be submitted in Ohio administrative 16
knowledge system capital improvement format or in a manner 17
determined by the director and not later than thirty days after 18
the project is complete. The report shall provide the total 19

original contract bid, total cost of change orders, total actual 20
cost of the project, total costs incurred for mediation and 21
litigation services, and any other data requested by the director. 22
The first report submitted pursuant to this division shall include 23
information about any capital facilities project completed on or 24
after July 1, 2011. 25

(C) Commencing not later than July 1, 2012, and annually 26
thereafter, the attorney general shall report to the director on 27
any mediation and litigation costs associated with capital 28
facilities projects for which a judgment has been rendered. The 29
report shall be submitted in a manner prescribed by the director 30
and shall contain any information requested by the director 31
related to capital facilities project mediation and litigation 32
costs. 33

(D) As soon as practicable after such information is made 34
available, the director of administrative services shall 35
incorporate the information reported pursuant to divisions (B) and 36
(C) of this section into the Ohio administrative knowledge 37
system." 38

In line 296 of the title, after "118.31," insert "123.101," 39

The motion was _____ agreed to.

SYNOPSIS

OAKS Capital Project Reporting Requirements 40

R.C. 123.101 41

Requires public entities to submit a report to the Director 42

of Administrative Services upon completion of each capital 43

facilities project funded wholly or in part with state funds. 44

Requires the Attorney General to submit an annual report to 45
the Director on any mediation and litigation costs associated with 46
capital facilities projects for which a judgment has been 47
rendered. 48

Requires the Director to incorporate the information received 49
from the reports submitted by public entities and the Attorney 50
General into the Ohio Administrative Knowledge System (OAKS). 51

6 _____ moved to amend as follows:

7 In line 94802, after "Code" insert "that involve supporting
8 retail natural gas competition"

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Consumers' Counsel to Follow Natural Gas Policies**

12 **R.C. 4911.02**

13 Modifies a provision of the bill requiring the Consumers'
14 Counsel to follow current state policies regarding natural gas
15 to specify that the policies are those that involve supporting
16 natural gas competition.

6 _____ moved to amend as follows:

7 In line 65453, after the underlined period insert "However,
8 if a teacher who takes a prescribed examination under this
9 division passes that examination and provides proof of that
10 passage to the teacher's employer, the teacher shall not be
11 required to take the examination again for three years,
12 regardless of the performance index score ranking of the
13 building in which the teacher teaches. No teacher shall be
14 responsible for the cost of taking an examination under this
15 division."

16 The motion was _____ agreed to.

17 SYNOPSIS

18 **Retesting Teachers**

19 **R.C. 3319.58**

20 With respect to the bill's provision requiring each core
21 subject area teacher in a building that is ranked by performance
22 index score in the lowest 10% of public schools to retake all
23 exams needed for licensure in the teacher's subject area and
24 grade level:

25 (1) Specifies that a teacher who retakes an exam and
26 provides proof of passing the exam to the teacher's employer is
27 not required to retake the exam again for three years, even if
28 the teacher's building remains ranked in the lowest 10% of
29 public schools; and

30 (2) Specifies that the teacher is not responsible for the
31 cost of the exam.

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Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4469
OBM163

7 _____ moved to amend as follows:

8 In line 1271, after "(K)" insert "Any action asserting that
9 section 9.06 of the Revised Code or section 753.10 of the act in
10 which this amendment was adopted violates any provision of the
11 Ohio constitution and any claim asserting that any action taken
12 by the governor or the department of administrative services or
13 the department of rehabilitation and correction pursuant to
14 section 9.06 of the Revised Code or section 753.10 of the act in
15 which this amendment was adopted violates any provision of the
16 Ohio constitution or any provision of the Revised Code shall be
17 brought in the court of common pleas of Franklin county. The
18 court shall give any action filed pursuant to this division
19 priority over all other civil cases pending on its docket and
20 expeditiously make a determination on the claim. If an appeal
21 is taken from any final order issued in a case brought pursuant
22 to this division, the court of appeals shall give the case
23 priority over all other civil cases pending on its docket and
24 expeditiously make a determination on the appeal.

25 (L)"

26 The motion was _____ agreed to.

27 SYNOPSIS

28 **Priority of Cases Arising under R.C. 9.06 or Section 753.10**

29 **R.C. 9.06**

30 Requires that any case challenging the constitutionality of
31 R.C. 9.06 or Section 753.10 or the legality of certain official
32 actions taken pursuant to those provisions be brought in the
33 Franklin County Court of Common Pleas and that the case and any
34 appeal from a final order in the case be given priority and be
35 decided expeditiously.

6 _____ moved to amend as follows:

7 Between lines 145725 and 145726, insert:

8 **"Section 701.____.** Within thirty days after the effective
9 date of this section, the Department of Administrative Services
10 shall begin developing recommendations for a state government
11 reorganization plan focused on increased efficiencies in the
12 operation of state government and a reduced number of state
13 agencies. The Department shall present its recommendations to
14 the Speaker of the House of Representatives, the President of
15 the Senate, the Minority Leader of the House of Representatives,
16 and the Minority Leader of the Senate not later than January 1,
17 2012."

18 The motion was _____ agreed to.

19 SYNOPSIS

20 **Department of Administrative Services' Recommendations for**
21 **a State Government Reorganization Plan**

22 **Section 701.____**

23 Requires the Department of Administrative Services to
24 recommend, by January 1, 2012, to the leaders of the General
25 Assembly a state government reorganization plan focused on
26 increased efficiencies in the operation of state government and
27 a reduced number of state agencies.

6 _____ moved to amend as follows:

7 In line 137019, delete "The" and insert "Notwithstanding
8 division (D)(5) of section 3317.018 of the Revised Code, the"

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Gifted Units for Educational Service Centers**

12 **Section 267.30.40**

13 Makes a technical change to emphasize that the bill's
14 specific earmark of gifted unit funding for educational service
15 centers for FY 2012 and FY 2013 is not nullified by the bill's
16 general prohibition against the payment of gifted units.

6 _____ moved to amend as follows:

7 In line 56977, after "Code" insert ", or at least seventy-
8 five per cent of the school's total enrollment will be children
9 identified as gifted under Chapter 3324. of the Revised Code"

10 In line 56980, after "need" insert "in that region"; delete
11 "in that"

12 In line 56981, delete "region" and insert "or a school
13 serving children identified as gifted"

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Community Schools Established Outside Challenged Districts**

17 **R.C. 3314.02 (G)**

18 Expands the substitute bill's authorization of new start-up
19 community schools outside of challenged districts to include
20 community schools (1) in which at least 75% of the enrollment
21 will be children identified as gifted and (2) the school
22 district in which the school will be located, or the Department
23 of Education, certifies that there is a need in that region for
24 a school serving gifted children. (The substitute bill includes
25 a similar provision for schools that will primarily serve
26 children with disabilities.)

Am. Sub. H.B. 153
As Passed by the House
SC-4478

_____ moved to amend as follows:

In line 135355, delete "\$20,000,000 \$30,000,000" and insert 1
"\$10,000,000 \$20,000,000" 2

Between lines 135355a and 135356, insert: 3
"5HR0195622 Defense Development \$ 10,000,000 \$ 10,000,000" 4
Assistance

In line 135622, delete "\$20,000,000" and insert "\$10,000,000" 5

In line 135627, delete "\$30,000,000" and insert "\$20,000,000" 6

In line 135632, delete "\$20,000,000" and insert "\$10,000,000" 7

In line 135633, delete "\$30,000,000" and insert "\$20,000,000" 8

Between lines 135656 and 135657, insert: 9

"DEFENSE DEVELOPMENT ASSISTANCE 10

On July 1 of each fiscal year, or as soon as possible 11
thereafter, the Director of Budget and Management shall transfer 12
\$10,000,000 in cash from the Economic Development Projects Fund 13
(Fund 5JC0) used by the Board of Regents to the Ohio Incumbent 14
Workforce Job Training Fund (Fund 5HR0) used by the Department of 15
Development. The transferred funds are hereby appropriated in 16
appropriation item 195622, Defense Development Assistance. 17

The foregoing appropriation item 195622, Defense Development 18

Assistance, shall be used for economic development programs and
the creation of new jobs to leverage and support mission gains at
Department of Defense facilities in Ohio by working with future
base realignment and closure activities and ongoing Department of
Defense efficiency initiatives, assisting efforts to secure
Department of Defense support contracts for Ohio companies,
assessing and supporting regional job training and workforce
development needs generated by the Department of Defense and the
Ohio aerospace industry, and for expanding job training and
economic development programs in human performance related
initiatives. These funds shall be matched by private industry
partners or the Department of Defense in an aggregate amount of
\$6,000,000 over the FY 2012-FY 2013 biennium."

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The motion was _____ agreed to.

SYNOPSIS

Department of Development 32

Sections 261.10 and 261.20.90 33

Reduces Fund 5HR0 appropriation item 195526, Ohio Workforce
Job Training, by \$10,000,000 in each fiscal year and
correspondingly reduces the amounts specified for the Ohio
Incumbent Worker Training Voucher Program in temporary law.
Requires the Director of Budget and Management to transfer
\$10,000,000 in each fiscal year from the Economic Development
Projects Fund (Fund 5JC0) to the Ohio Incumbent Workforce Job
Training Fund (Fund 5HR0), appropriates those amounts in Fund 5HR0
appropriation item 195622, Defense Development Assistance,
earmarks the appropriation item for specified job creation and
economic development purposes related to Department of Defense

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facilities in Ohio, and requires these amounts to be used in
conjunction with private or Department of Defense funding.

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Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4486-1

_____ moved to amend as follows:

In line 135355, delete "\$20,000,000 \$30,000,000" and insert 1
"\$16,000,000 \$26,000,000" 2

In lines 135364 and 135387, subtract \$4,000,000 from each 3
fiscal year 4

In line 135622, delete "\$20,000,000" and insert "\$16,000,000" 5

In line 135627, delete "\$30,000,000" and insert "\$26,000,000" 6

In line 135632, delete "\$20,000,000" and insert "\$16,000,000" 7

In line 135633, delete "\$30,000,000" and insert "\$26,000,000" 8

Between lines 141548b and 141549, insert: 9

"5JC0 235668 Air Force Institute \$ 4,000,000 \$ 4,000,000" 10
of Technology -
Defense/Aerospace
Graduate Studies
Institute

In lines 141550 and 141577, add \$4,000,000 to each fiscal 11
year 12

Between lines 142643 and 142644, insert: 13

"Section 371. __. __. AIR FORCE INSTITUTE OF TECHNOLOGY - 14

DEFENSE/AEROSPACE GRADUATE STUDIES INSTITUTE 15

The foregoing appropriation item 235668, Air Force Institute 16
of Technology - Defense/Aerospace Graduate Studies Institute, 17
shall be used by the Defense/Aerospace Graduate Studies Institute 18
to strengthen regional job training, equip Ohio's workforce with 19
needed skills, and strengthen the research and educational 20
linkages among Department of Defense facilities in Ohio, 21
institutions of higher education in Ohio, and available industry 22
jobs in Ohio. These funds shall be matched by private industry 23
partners or the Department of Defense in the aggregate amount of 24
\$2,500,000 over the FY 2012 - FY 2013 biennium." 25

The motion was _____ agreed to.

SYNOPSIS

Board of Regents and Department of Development 26

Sections 261.10, 261.20.90, 371.10, and 371.____. 27

Creates in Board of Regents GSF Fund 5JC0 appropriation item 28
235668, Air Force Institute of Technology-Defense/Aerospace 29
Graduate Studies Institute, with an appropriation of \$4,000,000 in 30
each fiscal year. 31

Specifies that item is to be used by the Defense/Aerospace 32
Graduate Studies Institute to strengthen regional job training, 33
equip Ohio's workforce with needed skills, and strengthen the 34
research and educational linkages among Ohio's Department of 35
Defense facilities, institutions of higher education, and 36
available industry jobs. 37

Decreases SSR Fund 5HR0 appropriation item 195526, Ohio 38
Workforce Job Training, by \$4,000,000 in each fiscal year and 39

reduces the transfer from the Economic Development Programs Fund 40
(Fund 5JC0) to Fund 5HR0 by the same amount. Requires industry 41
partners or the Department of Defense to provide \$2.5 million in 42
matching funds over the biennium. 43

6 _____ moved to amend as follows:

7 In line 69430, delete "shall" and insert "may"

8 In line 69435, delete the first "or" and insert an
9 underlined comma; after "formulas" insert an underlined comma;
10 delete "a grant of"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **BCMH Manufacturer Discount Program**

14 **R.C. 3701.023**

15 For purposes of the drug and nutritional formula discount
16 program the Department of Health may establish under the bill,
17 permits (rather than requires) a manufacturer and the Department
18 to negotiate the amount and terms of the discount to be provided
19 under by the manufacturer under a discount agreement.

20 In lieu of the Department establishing a drug and
21 nutritional formula discount program, permits a manufacturer and
22 the Department to discuss a donation of, among other things,
23 money (as opposed to a "grant of money" as specified in the
24 bill).

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4495

_____ moved to amend as follows:

In line 544, after "4911.02," insert "4927.17," 1

Between lines 94806 and 94807, insert: 2

"Sec. 4927.17. (A) Except as provided in sections 4927.07 and 3
4927.12 of the Revised Code and, ~~if applicable, under rules~~ 4
~~adopted by the public utilities commission for the pilot program~~ 5
~~for community voicemail service created in S.B. 162 of the 128th~~ 6
~~general assembly,~~ a telephone company shall provide at least 7
fifteen days' advance notice to its affected customers of any 8
material change in the rates, terms, and conditions of a service 9
and any change in the company's operations that are not 10
transparent to customers and may impact service. 11

(B) A telephone company shall inform its customers of the 12
commission's toll-free number and e-mail address on all bills and 13
disconnection notices and any residential customers of the office 14
of the consumers' counsel's toll-free number and e-mail address on 15
all residential bills and disconnection notices." 16

In line 131132, after "4911.02," insert "4927.17," 17

Between lines 141434 and 141436, insert: 18

"COMMUNITY-VOICEMAIL SERVICE PILOT PROGRAM 19

The Community-voicemail Service Pilot Program assessments 20
 authorized by Section 6 of Sub. S.B. 162 of the 128th General 21
 Assembly shall cease. These assessments shall be refunded without 22
 interest to those assessed under the program by the Public 23
 Utilities Commission within 60 days of the effective date of this 24
 section." 25

Between lines 145346 and 145347, insert: 26

"Section 620.__. That Section 5 of Sub. S.B. 162 of the 128th 27
 General Assembly be amended to read as follows: 28

Sec. 5. (A) There is hereby created the Select Committee on 29
 Telecommunications Regulatory Reform consisting of the following 30
 members: 31

(1) The chairperson and ranking minority member of the 32
 committee in the Senate to which legislation pertaining to public 33
 utilities is referred; 34

(2) The chairperson and ranking minority member of the 35
 committee in the House of Representatives to which legislation 36
 pertaining to public utilities is referred; 37

(3) The chairperson of the Public Utilities Commission or an 38
 officer or employee of the Commission who shall serve as the 39
 chairperson's designee; 40

(4) The Consumers' Counsel or an officer or employee of the 41
 Office of the Consumers' Counsel who shall serve as the designee 42
 of the Consumers' Counsel; 43

(5) One member appointed by the Governor, who is a member of 44
 the Governor's staff; 45

(6) One member appointed by the Governor who is a 46
 representative of the telecommunications industry. 47

(B) The Governor shall make appointments to the Committee not 48
later than ~~sixty days after the effective date of this section~~ 49
November 12, 2010. Vacancies on the Committee shall be filled in 50
the manner provided for original appointments. 51

(C) The members who serve as chairpersons of the House and 52
Senate committees to which public utility legislation is referred 53
shall serve as co-chairpersons of the Select Committee on 54
Telecommunications Regulatory Reform. The Committee shall meet at 55
the call of the co-chairpersons who shall determine the time, 56
meeting location, and agenda for each meeting of the Committee. 57

(D) The Committee shall study the impacts of Sub. S.B. 162 as 58
enacted by the 128th General Assembly. The Committee's study shall 59
include, but shall not be limited to, a review of both the 60
economic benefits of the act and the act's impact on jobs, 61
telephone company rates, telephone company quality of service, 62
lifeline program customers, rural markets, rural broadband 63
deployment, and carrier access to private property. The 64
~~Committee's study shall also include a report on the~~ 65
~~Community voicemail Service Pilot Program created in S.B. 162 of~~ 66
~~the 128th General Assembly.~~ The Public Utilities Commission shall 67
cooperate with the Committee as it performs its duties and shall 68
provide reports and any other information requested by the 69
Committee. 70

(E) The Committee may request assistance from the Legislative 71
Service Commission. 72

(F) Not later than ~~four years after the effective date of~~ 73
~~this section~~ September 13, 2014, the Committee shall submit a 74
written report of its findings and recommendations to the General 75
Assembly and the Governor. Upon submission of its report, the 76
Committee shall cease to exist. 77

Section 620.__. That existing Section 5 of Sub. S.B. 162 of 78
 the 128th General Assembly is hereby repealed. 79

Section 620.__. That Section 6 of Sub. S.B. 162 of the 128th 80
 General Assembly is hereby repealed." 81

In line 197 of the title, after "4911.02," insert "4927.17," 82

In line 372 of the title, after the comma insert "Section 5 83
 of Sub. S.B. 162 of the 128th General Assembly," 84

In line 376 of the title, after "repeal" insert "Section 6 of 85
 Sub. S.B. 162 of the 128th General Assembly and" 86

The motion was _____ agreed to.

SYNOPSIS

Community-voicemail Service Pilot Program Repeal 87

Section 365.10; Sections 620.__, 620.__, and 620.__, (repeal 88
 and conforming change); R.C. 4927.17 (conforming change) 89

Repeals the Community-voicemail Service Pilot Program and the 90
 Community-voicemail Service Pilot Program Fund created by Sub. 91
 S.B. 162 of the 128th General Assembly. 92

Requires assessments made under the program to cease and the 93
 Public Utilities Commission to refund them, without interest and 94
 within 60 days of the effective date of the section, to the local 95
 exchange carriers that paid them. 96

6 _____ moved to amend as follows:

7 Delete lines 129227 through 129293

8 In line 131177, delete "5901.02,"

9 In line 131202, after "5126.19," insert "and"; delete "
10 and 5901.021"

11 Delete lines 147511 through 147516

12 In line 362 of the title, after "5126.19," insert "and";
13 delete ", and 5901.021"

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Veterans' Service Commissions**

17 **R.C. 5901.02, and 5901.021; Section 759.10**

18 Removes from the bill a provision that repealed from
19 current law the authorization for boards of county
20 commissioners, in counties that meet certain population and
21 budgetary criteria, to create up to six additional memberships
22 on the county veterans service commission.

1 129HB153-SC4507.docx/ss

2
3 Sub. H.B. 153
4 As Pending in S. Finance
5 LSC 129 1066-6
6 SC-4507
OBM165

7 _____ moved to amend as follows:

8 In line 12387, strike through all after "(a)"

9 Strike through line 12388

10 In line 12389, strike through "(b)"

11 In line 12391, strike through "(c)" and insert "(b)"

12 In line 12392, strike through "(d)" and insert "(c)"

13 In line 12405, strike through "three" and insert "one and
14 one-half"

15 In lines 12412 and 12418, strike through "Nine" and insert
16 "Twelve"

17 In line 12558, after "initiatives" insert ", the cost of
18 other locally funded initiatives in an amount that does not
19 exceed fifty per cent of the district's portion of the basic
20 project cost,"

21 The motion was _____ agreed to.

22

SYNOPSIS

23

Debt Limits for School Districts with Special Needs

24

R.C. 133.06

25 Modifies current law exempting certain school districts
26 with special needs for permanent improvements from the ordinary
27 debt limit of 9% of a district's tax valuation, by:

28 (1) Changing the standard by which the state
29 Superintendent certifies a special needs district to a
30 demonstration that the district's potential average growth in
31 valuation during the next five years will be 1.5%, rather than
32 3% as under current law;

33 (2) Permitting a special needs district certified by the
34 state Superintendent to incur debt equal to the greater of:

35 (a) 12%, instead of 9% as under current law, of the sum of
36 its tax valuation plus the product of the tax valuation times
37 the percentage by which the tax valuation has increased over the
38 16-month period prior to an election on the issuance of
39 securities; or

40 (b) 12%, instead of 9% as under current law, of the sum of
41 its tax valuation plus the product of the tax valuation times
42 the percentage the state Superintendent projects the district's
43 tax valuation will increase during the next ten years.

44 Eliminates the requirement that a district applying for
45 special needs certification submit to the state Superintendent a
46 history and projection of the growth of the district's student
47 population. (Retains the requirement that a district submit a
48 history and projection of tax valuation growth, its projected
49 needs for permanent improvements, and an estimate of the cost of
50 those needs.)

51 Adds the cost of *nonrequired* locally funded initiatives (in
52 an amount of up to 50% of the district's project cost) to the
53 list of improvements that a district may incur debt in excess of
54 the ordinary 9% of tax valuation limit if it is participating in
55 state-assisted classroom facilities project. (Current law
56 permits a district participating in such a project to exceed the
57 ordinary debt limit to raise funds necessary to pay the
58 district's share of the project, the site for the project and

59 "required" locally funded initiatives. The School Facilities
60 Commission may require districts to pay the entire amount for
61 certain items that do not meet the Commission's specifications
62 but are closely associated with the state-assisted portion of
63 the entire project.)

6 _____ moved to amend as follows:

7 In line 423, delete "317.321,"

8 In line 424, delete "319.63,"

9 Delete lines 20756 through 20818

10 Delete lines 21259 through 21278

11 In line 131010, delete "317.321,"

12 In line 131011, delete "319.63,"

13 In line 32 of the title, delete "317.321,"; delete
14 "319.63,"

15 The motion was _____ agreed to.

16 SYNOPSIS

17 **Dedication of Fees for the General Needs of County**
18 **Recorders**

19 **R.C. 317.321 and 319.63**

20 Removes from the bill an increase (from 1% to 10%) in the
21 amount of Housing Trust Fund fees collected that the county
22 auditor may retain as an administrative fee and must deposit in
23 the county general fund to be used for the general needs of the
24 county recorder. Also removes from the bill a provision
25 authorizing a county recorder to request the use of up to \$7 of
26 specific filing and recording fees for the general needs of the
27 county recorder, rather than to supplement the recorder's
28 equipment needs.

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4512

_____ moved to amend as follows:

In line 409, after "124.393," insert "124.85," 1

In line 591, after "sections" insert "124.85 (9.04)," 2

Between lines 888 and 889, insert: 3

"Sec. ~~124.85~~ 9.04. (A) As used in this section: 4

(1) "Nontherapeutic abortion" means an abortion that is 5
performed or induced when the life of the mother would not be 6
endangered if the fetus were carried to term or when the pregnancy 7
of the mother was not the result of rape or incest reported to a 8
law enforcement agency. 9

(2) "Policy, contract, or plan" means a policy, contract, or 10
plan of one or more insurance companies, medical care 11
corporations, health care corporations, health maintenance 12
organizations, preferred provider organizations, or other entities 13
that provides health, medical, hospital, or surgical coverage, 14
benefits, or services to elected or appointed officers or 15
employees of the state, including or any political subdivision 16
thereof. "Policy, contract, or plan" includes a plan that is 17
associated with a self-insurance program and a policy, contract, 18
or plan that implements a collective bargaining agreement. 19

(3) "Political subdivision" means any body corporate and 20

politic that is responsible for governmental activities in a 21
geographic area smaller than the state, except that "political 22
subdivision" does not include either of the following: 23

(a) A municipal corporation; 24

(b) A county that has adopted a charter under Section 3 of 25
Article X, Ohio Constitution, to the extent that it is exercising 26
the powers of local self-government as provided in that charter 27
and is subject to Section 3 of Article XVIII, Ohio Constitution. 28

(4) "State" has the same meaning as in section 2744.01 of the 29
Revised Code means the state of Ohio, including the general 30
assembly, the supreme court, the offices of all elected state 31
officers, and all departments, boards, offices, commissions, 32
agencies, colleges and universities, institutions, and other 33
instrumentalities of the state of Ohio. "State" does not include 34
political subdivisions. 35

(B) Subject to division (C) of this section, but 36
 notwithstanding other provisions of the Revised Code that conflict 37
 with the prohibition specified in this division, funds of the 38
 state or any political subdivision thereof shall not be expended 39
 directly or indirectly to pay the costs, premiums, or charges 40
 associated with a policy, contract, or plan if the policy, 41
 contract, or plan provides coverage, benefits, or services related 42
 to a nontherapeutic abortion. 43

(C) Division (B) of this section does not preclude the state 44
or any political subdivision thereof from expending funds to pay 45
 the costs, premiums, or charges associated with a policy, 46
 contract, or plan that includes a rider or other provision offered 47
 on an individual basis under which an elected or appointed 48
 official or employee who accepts the offer of the rider or 49
 provision may obtain coverage of a nontherapeutic abortion through 50
 the policy, contract, or plan if the individual pays for all of 51

the costs, premiums, or charges associated with the rider or 52
 provision, including all administrative expenses related to the 53
 rider or provision and any claim made for a nontherapeutic 54
 abortion. 55

(D) In addition to the laws specified in division (A) of 56
 section 4117.10 of the Revised Code that prevail over conflicting 57
 provisions of agreements between employee organizations and public 58
 employers, divisions (B) and (C) of this section shall prevail 59
 over conflicting provisions of that nature." 60

In line 130996, after "124.393," insert "124.85," 61

In line 12 of the title, after "124.393," insert "124.85," 62

In line 263 of the title, after "sections" insert "124.85 63
 (9.04)," 64

The motion was _____ agreed to.

SYNOPSIS

Public Funding for Nontherapeutic Abortions 65

R.C. 124.85 (9.04) 66

Prohibits the use of political subdivision funds, other than 67
 those of municipal corporations and of certain counties exercising 68
 local self-government powers, for paying the costs, premiums, or 69
 charges associated with a health care policy, contract, or plan 70
 that provides coverage, benefits, or services related to an 71
 abortion that is performed when (1) the life of the mother would 72
 not be endangered if the fetus were carried to term or (2) the 73
 pregnancy of the mother was not the result of a reported rape or 74
 incest, as continuing law does with regard to state funds. 75

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4513

_____ moved to amend as follows:

In line 644, after "5101.5210," insert "5101.57," 1

Between lines 96757 and 96758, insert: 2

"Sec. 5101.57. (A) As used in this section: 3

(1) "Nontherapeutic abortion" has the same meaning as in 4
section 124.85 of the Revised Code. 5

(2) "Political subdivision" means any body corporate and 6
politic that is responsible for governmental activities in a 7
geographic area smaller than the state, except that "political 8
subdivision" does not include either of the following: 9

(a) A municipal corporation; 10

(b) A county that has adopted a charter under Section 3 of 11
Article X, Ohio Constitution, to the extent that it is exercising 12
the powers of local self-government as provided in that charter 13
and is subject to Section 3 of Article XVIII, Ohio Constitution. 14

(3) "Public facility" means any institution, structure, 15
equipment, or physical asset that is owned, leased, or controlled 16
by this state or any agency, institution, instrumentality, or 17
political subdivision thereof. "Public facility" includes any 18

state university, state medical college, health district, joint 19
hospital, or public hospital agency. 20

(B) No public facility shall be used for the purpose of 21
performing or inducing a nontherapeutic abortion." 22

In line 326 of the title, after "5101.5210," insert 23
 "5101.57," 24

The motion was _____ agreed to.

SYNOPSIS

Use of Public Facilities for Nontherapeutic Abortions 25

R.C. 5101.57 26

Prohibits the use of any institution, structure, equipment, 27
 or physical asset that is owned, leased, or controlled by the 28
 state or any political subdivision of the state, except for 29
 municipal corporations and certain counties exercising local 30
 self-government powers, for performing or inducing an abortion 31
 when (1) the life of the mother would not be endangered if the 32
 fetus were carried to term or (2) the pregnancy of the mother was 33
 not the result of a reported rape or incest. 34

7 _____ moved to amend as follows:

8 In line 544, delete "4909.15,"; delete "4928.18,"

9 Delete lines 94558 through 94779

10 Delete lines 94807 through 94864

11 In line 131132, delete "4909.15,"; delete "4928.18,"

12 Between lines 146023 and 146024, insert:

13 **"Section 749.____.** The Public Utilities Commission shall,
14 on or before December 31, 2011, determine appropriate methods
15 under which to ensure that the reduction in public utility
16 assessments paid under section 4911.18 of the Revised Code for
17 the Office of the Ohio Consumers' Counsel for fiscal year 2012
18 and fiscal year 2013 is distributed to the benefit of Ohio
19 customers of those public utilities. The Commission shall
20 implement its distribution methodology in a timely manner."

21 In line 147637, after "733.10," insert "749.____,"

22 In line 197 of the title, delete "4909.15,"; delete
23 "4928.18,"

24 The motion was _____ agreed to.

25 SYNOPSIS

26 **Distribution of Reduced OCC Assessments**

27 **R.C. 4909.15 and 4928.18 (removed); Section 749.____**

28 Removes a provision of the bill that would have required
29 the Public Utilities Commission (PUCO), by the end of 2011, to
30 recalculate public utility rates based on the Office of
31 Consumer's Counsel's (OCC's) reduced appropriation contained in
32 the bill.

33 Requires instead that the PUCO, by the end of 2011,
34 determine appropriate methods for the distribution to the
35 benefit of customers of the reduction in public utility OCC
36 assessments for FY 2012 and FY 2013, and requires the Commission
37 to implement the methodology in a timely manner.

Sub. H.B. 153
As Pending in S. Finance
LSC 129 1066-6
SC-4519

_____ moved to amend as follows:

Between lines 122571 and 122572, insert:

"(v) The dollar value of a gift card that is not sold by a vendor or purchased by a consumer and that is redeemed by the consumer in purchasing tangible personal property or services if the vendor is not reimbursed and does not receive compensation from a third party to cover all or part of the gift card value. For the purposes of this division, a gift card is not sold by a vendor or purchased by a consumer if it is distributed pursuant to an awards, loyalty, or promotional program. Past and present purchases of tangible personal property or services by the consumer shall not be treated as consideration exchanged for a gift card."

In line 122594, after "that" insert "the dollar value of gift cards distributed pursuant to an awards, loyalty, or promotional program, and"

Between lines 123273 and 123274, insert:

"(PPP) "Gift card" means a document, card, certificate, or other record, whether tangible or intangible, that may be redeemed by a consumer for a dollar value when making a purchase of tangible personal property or services."

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The motion was _____ agreed to.

SYNOPSIS

Excludes Redeemed Customer Loyalty Coupons from Sales and Use	21
Tax	22
R.C. 5739.01(H), (I), and (O00)	23
Excludes from the sales and use tax the value of gift cards	24
or certificates redeemed by a consumer in exchange for the	25
vendor's goods or services as part of the vendor's awards,	26
loyalty, or promotional program.	27

Sub. H.B. 153

As Pending in S. Finance

LSC 129 1066-6

SC-4553-3

_____ moved to amend as follows:

In line 419, after "185.10," insert "187.01, 187.02, 187.03,
187.09,"

In line 623, after "173.41," insert "187.13,"

Between lines 17907 and 17908, insert:

"Sec. 187.01. As used in this chapter, "JobsOhio" means the
nonprofit corporation formed under this section, and includes any
subsidiary of that corporation. In any section of law that refers
to the nonprofit corporation formed under this section, reference
to the corporation includes reference to any such subsidiary
unless otherwise specified or clearly appearing from the context.

The governor is hereby authorized to form a nonprofit
corporation, to be named "JobsOhio," with the purposes of
promoting economic development, job creation, job retention, job
training, and the recruitment of business to this state. Except as
otherwise provided in this chapter, the corporation shall be
organized and operated in accordance with Chapter 1702. of the
Revised Code. The governor shall sign and file articles of
incorporation for the corporation with the secretary of state. The
legal existence of the corporation shall begin upon the filing of

the articles. 20

The In addition to meeting the requirements for articles of 21
incorporation in Chapter 1702. of the Revised Code, the 22
 articles of incorporation for the nonprofit corporation shall set forth the 23
 following: 24

(A) The designation of the name of the corporation as 25
 JobsOhio; 26

(B) The creation of a board of directors consisting of ~~the~~ 27
~~governor and eight~~ nine directors, to be appointed by the 28
 governor, who satisfy the qualifications prescribed by section 29
 187.02 of the Revised Code; 30

(C) A requirement that the governor make initial appointments 31
 to the board within sixty days after the filing of the articles of 32
 incorporation. Of the initial appointments made to the board, two 33
 shall be for a term ending one year after the date the articles 34
 were filed, two shall be for a term ending two years after the 35
 date the articles were filed, and ~~four~~ five shall be for a term 36
 ending four years after the date the articles were filed. The 37
 articles shall state that, following the initial appointments, the 38
 governor shall appoint directors to terms of office of four years, 39
 with each term of office ending on the same day of the same month 40
 as did the term that it succeeds. If any director dies, resigns, 41
 or the director's status changes such that any of the requirements 42
 of division (C) of section 187.02 of the Revised Code are no 43
 longer met, that director's seat on the board shall become 44
 immediately vacant. The governor shall forthwith fill the vacancy 45
 by appointment for the remainder of the term of office of the 46
 vacated seat. 47

(D) ~~The designation of~~ A requirement that the governor ~~as the~~ 48
appoint one director to be chairperson of the board and procedures 49
 for electing directors to serve as officers of the corporation and 50

- members of an executive committee; 51
- (E) A provision for the appointment of a chief investment officer of the corporation by the recommendation of the board and approval of the governor. The chief investment officer shall serve at the pleasure of the ~~governor~~ board and shall have the power to execute contracts, spend corporation funds, and hire employees on behalf of the corporation. If the position of chief investment officer becomes vacant for any reason, the vacancy shall be filled in the same manner as provided in this division. 52
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- (F) Provisions requiring the board to do all of the following: 60
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- (1) Adopt one or more resolutions providing for compensation of the chief investment officer; 62
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- (2) Approve an employee compensation plan recommended by the chief investment officer; 64
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- (3) Approve a contract with the director of development for the corporation to assist the director and the department of development with providing services or otherwise carrying out the functions or duties of the department, including the operation and management of programs, offices, divisions, or boards, as may be determined by the director of development in consultation with the governor; 66
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- (4) Approve all major contracts for services recommended by the chief investment officer; 73
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- (5) Establish an annual strategic plan and standards of measure to be used in evaluating the corporation's success in executing the plan; 75
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- (6) Establish a conflicts of interest policy that, at a minimum, complies with section 187.06 of the Revised Code; 78
79
- (7) Hold a minimum of four board of directors meetings per 80

year at which a quorum of the board is physically present, and
such other meetings, at which directors' physical presence is not
required, as may be necessary. Meetings at which a quorum of the
board is required to be physically present are subject to
divisions (C), (D), and (E) of section 187.03 of the Revised Code.

(8) Establish a records retention policy and present the
policy, and any subsequent changes to the policy, at a meeting of
the board of directors at which a quorum of the board is required
to be physically present pursuant to division (F) (7) of this
section;

(9) Adopt standards of conduct for the directors.

(G) A statement that directors shall not receive any
compensation from the corporation, except that ~~governor appointed~~
directors may be reimbursed for actual and necessary expenses
incurred in connection with services performed for the
corporation;

(H) A provision authorizing the board to amend provisions of
the corporation's articles of incorporation or regulations, except
provisions required by this chapter;

(I) Procedures by which the corporation would be dissolved
and by which all corporation rights, ~~liabilities,~~ and assets would
be distributed to the state or to another corporation organized
under this chapter. These procedures shall incorporate any
separate procedures subsequently set forth in this chapter for the
dissolution of the corporation. The articles shall state that no
dissolution shall take effect until the corporation has made
adequate provision for the payment of any outstanding bonds,
notes, or other obligations.

(J) A provision establishing an audit committee to be
comprised of directors. The articles shall require that the audit

committee hire an independent certified public accountant to 111
 perform a financial audit of the corporation at least once every 112
 year. 113

(K) A provision authorizing ~~the governor, as chairperson of~~ 114
~~the board, a majority of the disinterested directors~~ to remove a 115
 director for misconduct, as that term may be defined in the 116
 articles or regulations of the corporation. The removal of a 117
 director under this division creates a vacancy on the board that 118
 the governor shall fill by appointment for the remainder of the 119
 term of office of the vacated seat. 120

Sec. 187.02. (A) To qualify for appointment to the board of 121
 directors of JobsOhio, an individual must satisfy all of the 122
 following: 123

(1) Has an understanding of generally accepted accounting 124
 principles and financial statements; 125

(2) Possesses the ability to assess the general application 126
 of such principles in connection with the accounting for 127
 estimates, accruals, and reserves; 128

(3) Has experience preparing, auditing, analyzing, or 129
 evaluating financial statements that present a breadth and level 130
 of complexity of accounting issues that are generally comparable 131
 to the breadth and complexity of issues that can reasonably be 132
 expected to be presented by the JobsOhio corporation's financial 133
 statements, or experience actively supervising one or more persons 134
 engaged in such activities; 135

(4) Has an understanding of internal controls and the 136
 procedures for financial reporting; 137

(5) Has an understanding of audit committee functions. 138

(B) Specific experience demonstrating the qualifications 139

required by division (A) of this section may be evidenced by any 140
of the following: 141

(1) Education and experience as a principal financial 142
officer, principal accounting officer, controller, public 143
accountant or auditor, or experience in one or more positions that 144
involve the performance of similar functions; 145

(2) Experience actively supervising a principal financial 146
officer, principal accounting officer, controller, public 147
accountant, auditor, or person performing similar functions; 148

(3) Experience overseeing or assessing the performance of 149
companies or public accountants with respect to the preparation, 150
auditing, or evaluation of financial statements; 151

~~(4) Other experience considered relevant by the governor 152
consistent with division (A) of this section. 153~~

(C) Each individual appointed to the board of directors shall 154
be a citizen of the United States. At least six of the individuals 155
appointed to the board shall be residents of or domiciled in this 156
state. 157

Sec. 187.03. (A) JobsOhio may perform such functions as 158
permitted and shall perform such duties as prescribed by law, but 159
shall not be considered a state or public department, agency, 160
office, body, institution, or instrumentality for purposes of 161
section 1.60 or Chapter 102., 121., 125., or 149. of the Revised 162
Code. JobsOhio and its board of directors are not subject to the 163
following sections of Chapter 1702. of the Revised Code: sections 164
1702.03, 1702.08, 1702.09, 1702.21, 1702.24, 1702.26, 1702.27, 165
1702.28, 1702.29, 1702.301, 1702.33, 1702.34, 1702.37, 1702.38, 166
1702.40 to 1702.52, 1702.521, 1702.54, 1702.57, 1702.58, 1702.59, 167
1702.60, 1702.80, and 1702.99. Nothing in this division shall be 168
construed to impair the powers and duties of the Ohio ethics 169

commission described in section 102.06 of the Revised Code to 170
investigate and enforce section 102.02 of the Revised Code with 171
regard to individuals required to file statements under division 172
(B) (2) of this section. 173

(B) (1) ~~With the exception of the governor, directors~~ 174
Directors and employees of JobsOhio are not employees or officials 175
of the state and, except as provided in division (B) (2) of this 176
section, are not subject to Chapter 102., 124., 145., or 4117. of 177
the Revised Code. 178

(2) The chief investment officer, any other officer or 179
employee with significant administrative, supervisory, 180
contracting, or investment authority, and any ~~governor-appointed~~ 181
director of JobsOhio shall file, with the Ohio ethics commission, 182
a financial disclosure statement pursuant to section 102.02 of the 183
Revised Code that includes, in place of the information required 184
by divisions (A) (2), (7), (8), and (9) of that section, the 185
information required by divisions (A) and (B) of section 102.022 186
of the Revised Code. The governor shall comply with all applicable 187
requirements of section 102.02 of the Revised Code. 188

(3) Actual or in-kind expenditures for the travel, meals, or 189
lodging of the governor or of any public official or employee 190
designated by the governor for the purpose of this division shall 191
not be considered a violation of section 102.03 of the Revised 192
Code if the expenditures are made by the corporation, or on behalf 193
of the corporation by any person, in connection with the 194
governor's performance of official duties ~~as chairperson of the~~ 195
~~board of directors of~~ related to JobsOhio. The governor may 196
designate any person, including a person who is a public official 197
or employee as defined in section 102.01 of the Revised Code, for 198
the purpose of this division if such expenditures are made on 199
behalf of the person in connection with the governor's performance 200

of official duties as ~~chairperson~~ related to JobsOhio. A public 201
 official or employee so designated by the governor shall comply 202
 with all applicable requirements of section 102.02 of the Revised 203
 Code. 204

At the times and frequency agreed to under division (B) (2) (b) 205
 of section 187.04 of the Revised Code, beginning in 2012, the 206
 corporation shall file with the department of development a 207
 written report of all such expenditures paid or incurred during 208
 the preceding calendar year. The report shall state the dollar 209
 value and purpose of each expenditure, the date of each 210
 expenditure, the name of the person that paid or incurred each 211
 expenditure, and the location, if any, where services or benefits 212
 of an expenditure were received, provided that any such 213
 information that may disclose proprietary information as defined 214
 in division (C) of this section shall not be included in the 215
 report. 216

(4) The prohibition applicable to former public officials or 217
 employees in division (A) (1) of section 102.03 of the Revised Code 218
 does not apply to any person appointed to be a director or hired 219
 as an employee of JobsOhio. 220

(5) Notwithstanding division (A) (2) of section 145.01 of the 221
 Revised Code, any person who is a former state employee shall no 222
 longer be considered a public employee for purposes of Chapter 223
 145. of the Revised Code upon commencement of employment with 224
 JobsOhio. 225

(6) Any director, officer, or employee of JobsOhio may 226
 request an advisory opinion from the Ohio ethics commission with 227
 regard to questions concerning the provisions of sections 102.02 228
 and 102.022 of the Revised Code to which the person is subject. 229

(C) Meetings of the board of directors at which a quorum of 230
 the board is required to be physically present pursuant to 231

division (F) of section 187.01 of the Revised Code shall be open 232
to the public except, by a majority vote of the directors present 233
at the meeting, such a meeting may be closed to the public only 234
for one or more of the following purposes: 235

(1) To consider business strategy of the corporation; 236

(2) To consider proprietary information belonging to 237
potential applicants or potential recipients of business 238
recruitment, retention, or creation incentives. For the purposes 239
of this division, "proprietary information" means marketing plans, 240
specific business strategy, production techniques and trade 241
secrets, financial projections, or personal financial statements 242
of applicants or members of the applicants' immediate family, 243
including, but not limited to, tax records or other similar 244
information not open to the public inspection. 245

(3) To consider legal matters, including litigation, in which 246
the corporation is or may be involved; 247

(4) To consider personnel matters related to an individual 248
employee of the corporation. 249

(D) The board of directors shall establish a reasonable 250
method whereby any person may obtain the time and place of all 251
public meetings described in division (C) of this section. The 252
method shall provide that any person, upon request and payment of 253
a reasonable fee, may obtain reasonable advance notification of 254
all such meetings. 255

(E) The board of directors shall promptly prepare, file, and 256
maintain minutes of all public meetings described in division (C) 257
of this section. 258

(F) Not later than March 1, 2012, and the first day of March 259
of each year thereafter, the chief investment officer of JobsOhio 260
shall prepare and submit a report of the corporation's activities 261

for the preceding year to the governor, the speaker and minority leader of the house of representatives, and the president and minority leader of the senate. The annual report shall include the following:

(1) An analysis of the state's economy; 266

(2) A description of the structure, operation, and financial status of the corporation; 267
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(3) A description of the corporation's strategy to improve the state economy and the standards of measure used to evaluate its progress; 269
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(4) An evaluation of the performance of current strategies and major initiatives; 272
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(5) An analysis of any statutory or administrative barriers to successful economic development, business recruitment, and job growth in the state identified by JobsOhio during the preceding year. 274
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Sec. 187.09. (A) Any action brought by or on behalf of JobsOhio against a director or former director in that individual's capacity as a director shall be brought in the court of common pleas of Franklin county. 278
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(B) Except as provided in division (D) of this section, any claim asserting that any one or more sections of the Revised Code amended or enacted by H.B. 1 of the 129th general assembly, any section of Chapter 4313. of the Revised Code enacted by H.B. 153 of the 129th general assembly, or any portion of one or more of those sections, violates any provision of the Ohio Constitution shall be brought in the court of common pleas of Franklin county within ninety days after the effective date of the amendment of this section by H.B. 153 of the 129th general assembly. 282
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(C) Except as provided in division (D) of this section, any claim asserting that any action taken by JobsOhio violates any provision of the Ohio Constitution shall be brought in the court of common pleas of Franklin county within sixty days after the action is taken. 291
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(D) Divisions (B) and (C) of this section shall not apply to any claim within the original jurisdiction of the supreme court or a court of appeals pursuant to Article IV of the Ohio Constitution. 296
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(E) The court of common pleas of Franklin county shall give any claim filed pursuant to division (B) or (C) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the claim expeditiously. A court of appeals shall give any appeal from a final order issued in a case brought pursuant to division (B) or (C) of this section priority over all other civil cases before the court, irrespective of position on the court's calendar, and shall make a determination on the appeal expeditiously. 300
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Sec. 187.13. (A) No person, except the nonprofit corporation formed under section 187.01 of the Revised Code or its designees, may use the name "JobsOhio" or "Jobs Ohio," or words of a similar meaning in another language, as any part of a designation or name under which the person conducts or may conduct business in this state, unless the person receives the written consent of JobsOhio. As used in this section, "person" has the same meaning as in section 1702.01 of the Revised Code. 310
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(B) The name of any subsidiary of JobsOhio shall include the name "JobsOhio" and an additional designation that differentiates the subsidiary from other JobsOhio corporations formed under 318
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section 187.01 of the Revised Code. 321

In line 84938, delete everything after "(2)" 322

Delete lines 84939 through 84942 323

In line 84943, delete "acquisition project."; after the 324
underlined comma insert "in consultation with the" 325

In line 84944, delete "and director of development" and 326
insert "may, without need for any other approval, negotiate terms 327
of any documents, including the transfer agreement, necessary to 328
effect the transfer and the acceptance of the transfer of the 329
enterprise acquisition project. The director of commerce shall 330
execute the transfer agreement on behalf of the state. The 331
director of budget and management" 332

In line 84947, delete "their" and insert "the" 333

In line 84948, after "judgment" insert "of the director of 334
budget and management" 335

In line 84988, after the second underlined comma insert "and" 336

In line 84989, delete everything after "commerce" 337

In line 84990, delete everything before the first underlined 338
comma and insert "shall, subject to approval by the controlling 339
board" 340

In line 84995, delete "may" and insert "shall" 341

Delete lines 85002 and 85003 342

In line 85004, delete everything before "4301.10" and insert 343
"The division of liquor control shall manage and actively 344
supervise the activities required or authorized under sections" 345

In line 85005, delete "section"; after "Code" insert "as 346
those sections exist on the effective date of this section. 347
including, but not limited to, controlling the traffic in beer and 348

intoxicating liquor in this state and fixing the wholesale and 349
retail prices at which the various classes, varieties, and brands 350
of spirituous liquor are sold" 351

In line 131006, after "185.10," insert "187.01, 187.02, 352
187.03, 187.09," 353

Between lines 144719 and 144720, insert: 354

"Section ____ . That Section 5 of Am. Sub. H.B. 1 of the 129th 355
General Assembly be amended to read as follows: 356

Sec. 5. The Director of Development, in consultation with the 357
Director of Budget and Management, shall find within the 358
Department of Development's total unexpended and unencumbered 359
fiscal year 2011 General Revenue Fund appropriation an amount not 360
to exceed \$1,000,000 in order to establish and operate the 361
JobsOhio corporation established in Chapter 187. of the Revised 362
Code. The Director of Development shall identify appropriation 363
items within the General Revenue Fund that are to be reduced for 364
this purpose, and any reduction in appropriations to these items 365
pursuant to this section shall not collectively exceed \$1,000,000. 366
The amounts identified by the Director are hereby appropriated in 367
General Revenue Fund appropriation item 195527, JobsOhio, for 368
transition and start-up costs of the JobsOhio corporation, 369
including, but not limited to, the costs of the incorporation and 370
formation of the corporation. Nothing in this section shall be 371
construed as increasing or decreasing the Department of 372
Development's total fiscal year 2011 General Revenue Fund 373
appropriation. Any unexpended and unencumbered balance in 374
appropriation item 195527, JobsOhio, remaining at the end of 375
fiscal year 2011 is hereby reappropriated for fiscal year 2012. 376

The Department of Development shall prepare and, not later 377
than six months after the effective date of this section, submit 378

to the Controlling Board a report detailing the use of the funds 379
 appropriated under this section. The Department of Development 380
 shall submit to the Controlling Board a report not later than 381
 every six months thereafter detailing the use of the funds 382
 appropriated under this section, until those funds have all been 383
 used. 384

Section _____. That existing Section 5 of Am. Sub. H.B. 1 of 385
 the 129th General Assembly is hereby repealed." 386

In line 147575, after "149.311," insert "187.02, 187.03," 387

Between lines 147661b and 147662, insert: 388

"187.01	The amendment to	All amendments except	389
	division (I)	as described in the	
		middle column"	

In line 26 of the title, after "185.10," insert "187.01, 390
 187.02, 187.03, 187.09," 391

In line 302 of the title, after "173.41," insert "187.13," 392

In line 363 of the title, after "amend" insert "Section 5 of 393
 Am. Sub. H.B. 1 of the 129th General Assembly," 394

The motion was _____ agreed to.

SYNOPSIS

JobsOhio Corporation 395

R.C. 187.01, 187.02, 187.03, 187.09, 187.13; Sections 812.20, 396
 812.30, ____, and ____ 397

Removes permanent law that requires the Governor to serve as 398
 a member and chairperson of the 9-member JobsOhio Board of 399
 Directors. Under current permanent law, the Governor must appoint 400

the other eight Board members. The amendment instead requires the
Governor to appoint all nine members and to designate one of those
members to be the Board chairperson.

Clarifies that JobsOhio must comply with Ohio's Nonprofit
Corporation Law unless the corporation is specifically exempted
from a particular provision of that law. (Current law, unchanged
by the amendment, exempts JobsOhio from 34 of the 61 sections of
that chapter that might otherwise apply.)

Specifies that the foregoing provisions take immediate
effect.

Provides that any claim, except a claim within the original
jurisdiction of the Supreme Court or Court of Appeals, alleging
the unconstitutionality of Am. Sub. H.B. 1 of the 129th General
Assembly, which authorized the creation of JobsOhio, or any
section of Chapter 4313. enacted by the bill, must be brought in
the Franklin County Common Pleas Court within 90 days after the
end of the 90-day period following the enactment of the pending
House-passed bill. (Am. Sub. H.B. 1 previously established a
statute of limitations for constitutional challenges to its
provisions that ended 60 days after the bill's effective date,
which was February 18, 2011, and vested the Ohio Supreme Court
with original and exclusive jurisdiction over such challenges,
bypassing trial- or appeals-level jurisdiction.)

Provides that any claim, except a claim within the original
jurisdiction of the Supreme Court or Court of Appeals, alleging
the unconstitutionality of any action taken by JobsOhio must be
brought in the Franklin County Common Pleas Court within 60 days
after the action was taken.

Requires the Franklin County Common Pleas Court and Court of
Appeals to give calendar priority to any constitutional challenge
to the JobsOhio authorizing legislation or to actions taken by the

corporation.	432
Prohibits any business from using "JobsOhio" or "Jobs Ohio"	433
as part of the business' name without the written consent of	434
JobsOhio.	435
Removes a catch-all provision that allows the Governor to	436
specify other types of experience that would qualify an individual	437
for appointment to the JobsOhio Board of Directors as alternatives	438
to the types of experience specifically enumerated in the statute.	439
Appropriates any unexpended and unencumbered balance in GRF	440
appropriation item 195527, JobsOhio, remaining at the end of	441
fiscal year 2011 for fiscal year 2012.	442
Transfer of Spirituous Liquor Distribution System to JobsOhio	443
R.C. 4313.02	444
Rather than authorizing the Governor and Directors of	445
Development, Commerce, and Budget and Management, without need for	446
any other approval, to take any action and execute any documents,	447
including any transfer agreements, necessary to effect the	448
transfer and acceptance of the transfer of the enterprise	449
acquisition project as provided in the bill, instead authorizes	450
the Director of Budget and Management, in consultation with the	451
Director of Commerce and without need for any other approval, to	452
negotiate the terms of any documents, including the transfer	453
agreement, necessary to effect the transfer and acceptance of the	454
transfer of the enterprise acquisition project.	455
Requires the Director of Commerce to execute the transfer	456
agreement on behalf of the state.	457
Authorizes the Director of Budget and Management, rather than	458
the Governor and Directors of Development, Commerce, and Budget	459
and Management as provided in the bill, without need for any other	460
approval, to retain or contract for the services of certain	461

professionals that are necessary to effect the transfer agreement. 462

Requires, rather than authorizes as in the bill, JobsOhio and 463
the Directors of Budget and Management and Commerce to enter into 464
a contract, which may be part of the transfer agreement, for the 465
continuing operation by the Division of Liquor Control of 466
spirituous liquor distribution and merchandising subject to 467
performance standards provided in that contract, and requires the 468
contract to be subject to approval by the Controlling Board rather 469
than allowing the contract to be entered into without the need for 470
any other approval, and removes the Director of Development as a 471
party to the contract. 472

Requires, rather than authorizes as in the bill, the contract 473
to establish other terms and conditions for the assignment of 474
duties to, and the provision of advice, services, and other 475
assistance by, the Division, including providing for the necessary 476
staffing and payment by JobsOhio of appropriate compensation to 477
the Division for the performance of such duties. 478

Requires the Division of Liquor Control to manage and 479
actively supervise the activities required or authorized under 480
current law regarding the powers and duties of the Division as 481
those powers and duties exist on the effective date of the bill's 482
provisions governing the transfer, including controlling the 483
traffic in beer and intoxicating liquor in Ohio and fixing the 484
wholesale and retail prices at which the various classes, 485
varieties, and brands of spirituous liquor are sold rather than 486
stating that the provisions of, and activities under, any contract 487
are subject to the requirements of, and limitations established 488
under, current law regarding the following powers and duties of 489
the Division of Liquor Control: (a) controlling the traffic in 490
beer and intoxicating liquor in the state, including the 491
manufacture, importation, and sale of beer and intoxicating 492

liquor, (b) operating, managing, and controlling a system of state 493
liquor stores for the sale of spirituous liquor, (c) determining 494
the locations of all state liquor stores and manufacturing, 495
distributing, and bottling plants required in connection with 496
those stores, (d) fixing the wholesale and retail prices of 497
spirituous liquor sold by the Division, and (e) allocating the 498
equitable distribution of state liquor stores and agency stores in 499
the state. 500

6 _____ moved to amend as follows:

7 In line 401, delete "9.314,"

8 Delete lines 1718 through 1777

9 In line 130988, delete "9.314,"

10 In line 2 of the title, delete "9.314,"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Reverse Auctions for Political Subdivisions**

14 **R.C. 9.314**

15 Removes from the bill a provision authorizing political
16 subdivisions to purchase by reverse auction services or supplies
17 for the design, construction, alteration, repair,
18 reconstruction, or demolition of a building, highway, road,
19 street, alley, drainage system, water system, waterworks, ditch,
20 sewer, sewage disposal plant, or any other structure or works of
21 any kind.

1 129HB153-SC4561.docx/rs

2 Sub. H.B. 153
3 As Pending in S. Finance
4 LSC 129 1066-6
5 SC-4561
6 OBM171

7 _____ moved to amend as follows:

8 In line 49376, delete the underlined period

9 Delete lines 49377 through 49379

10 In line 49380, delete "superintendent"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **End-of-Course Examinations**

14 **R.C. 3301.0712**

15 Removes the bill's provision that permits any district or
16 school offering an interdisciplinary course to develop and use
17 its own assessment as an end-of-course examination, upon
18 approval of the assessment by the Superintendent of Public
19 Instruction.

6 _____ moved to amend as follows:

7 In line 138842, delete "\$4,297,666,947 \$4,671,520,882"
8 and insert "\$4,297,729,447 \$4,671,583,382"

9 In line 138844, add \$62,500 to each fiscal year

10 In line 138857, delete "\$5,296,157,339 \$5,697,282,099"
11 and insert "\$5,296,219,839 \$5,697,344,599"

12 In line 138859, add \$62,500 to each fiscal year

13 In line 138928, add \$62,500 to each fiscal year

14 Between lines 139003 and 139004, insert:

15 **"Section 309.____.____. HATTIE LARLHAM COMMUNITY LIVING**

16 Of the foregoing appropriation item 600525, Health
17 Care/Medicaid, \$62,500 in each fiscal year shall be awarded to
18 Hattie Larlham Community Living."

19 The motion was _____ agreed to.

20 SYNOPSIS

21 **Department of Job and Family Services**

22 **Section 309.____.____**

23 Increases the state share of GRF line item 600525, Health
24 Care/Medicaid, by \$62,500 in each fiscal year and earmarks those
25 funds for Hattie Larlham Community Living.

6 _____ moved to amend as follows:

7 In line 117587, delete "five" and insert "ten"

8 In line 117588, after "appropriated" insert "for personal
9 services and payrolls"

10 In line 117591, delete "three" and insert "two"

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **County Quarterly Spending Plans for Any County Fund**

14 **R.C. 5705.392 (B) (2)**

15 Changes from 105% to 110% the spending level of the total
16 amount appropriated to a county office, department, or division
17 above which the bill authorizes a board of county commissioners
18 to adopt a spending plan or an amended spending plan with a
19 quarterly schedule of expenses and expenditures of
20 appropriations from any county fund. Specifies that the
21 spending level applies only to the total amount appropriated for
22 personal services and payrolls. Also reduces from three fiscal
23 years to two fiscal years the number of years a spending plan or
24 amended spending plan must remain in effect, but maintains the
25 condition "or until the county officer of the office for which
26 the plan was adopted is no longer in office," whichever is
27 later.

6 _____ moved to amend as follows:

7 In line 14285, delete "six" and insert "five"

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Statute of Limitations for Destruction of a Record of a**
11 **Public Office**

12 **R.C. 149.351(E)**

13 Changes from six years to five years the bill's statute of
14 limitations for a civil action for injunctive relief or a civil
15 action to recover a forfeiture for the removal, destruction,
16 mutilation, transfer, damage, or disposal of a record of a
17 public office.

1 129HB153-SC4570.docx/ss

2 Sub. H.B. 153
3 As Pending in S. Finance
4 LSC 129 1066-6
5 HC-4570

6 _____ moved to amend as follows:

7 In line 142692, delete "(A)"

8 Delete lines 142721 to 142723

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Board of Regents**

12 **Section 371.60.23**

13 Eliminates the shared services requirement that any state
14 institution of higher education providing prescription drug
15 benefits through the RxOhio Collective be deemed to have met
16 maximum cost savings.

6 _____ moved to amend as follows:

7 In line 137087, delete "city,"

8 In line 137088, delete all before "school"; after
9 "districts" insert "and community schools"

10 In line 137230, after "district" insert "or community
11 school, established under Chapter 3314. of the Revised Code,";
12 delete "applicable"

13 In line 137231, after "pay" insert "to each school district
14 or community school rated as "excellent with distinction" or
15 "excellent" on the report card issued for the district or
16 community school under sections 3302.03 and 3314.012 of the
17 Revised Code for the prior school year"

18 In line 137232, after "ADM" insert ", in the case of a
19 school district, or the number of students in the community
20 school's enrollment report for the current year, in the case of
21 a community school"; delete the balance of the line

22 Delete lines 137233 and 137234

23 In line 137235, delete all before the period

24 Between lines 137235 and 137236, insert:

25 "As used in this section, "the number of students in the
26 community school's enrollment report" means "the final number of
27 students reported under divisions (B)(2)(a) and (b) of section
28 3314.08 of the Revised Code at the end of a fiscal year, as
29 verified by the Department.""

30 The motion was _____ agreed to.

31 SYNOPSIS

32 **Subsidy for High Performing District and Schools**

33 **Sections 267.30.40 and 267.30.56**

34 Adds community schools to the bill's subsidy of \$17 per
35 student for school districts rated "excellent" or "excellent
36 with distinction."

6 _____ moved to amend as follows:

7 In line 619, after "113.44," insert "113.45,"

8 In line 5209, delete ", subject to an appropriate"

9 In line 5210, delete "assurance of the approval of the
10 internal revenue service,"

11 In line 5215, delete "a"; delete "party" and insert
12 "parties"

13 In line 5271, delete "one" and insert "any"

14 Between lines 5314 and 5315, insert:

15 "Sec. 113.45. There is created the supplemental employee
16 deferral plan administration fund, which shall be in the custody
17 of the treasurer of state but shall not be part of the state
18 treasury. The fund shall consist of payments made to the
19 treasurer of state with respect to a plan created under section
20 113.42 of the Revised Code. Money in the fund shall be used to
21 pay the actual and necessary expenses of the treasurer of state
22 in administering the plan."

23 In line 296 of the title, after "113.44," insert "113.45,"

24 The motion was _____ agreed to.

26 **Supplemental Employee Deferral Plan**27 **R.C. 113.42, 113.43, 113.44, 2907.15, and 2921.41**28 Makes revisions to the supplemental employee deferral plan
29 program for school employees that is created by the bill by:30 Permitting the Treasurer of State to designate more than
31 one third party as administrator of the plan.32 Creating a custodial fund to be used by the Treasurer of
33 State to pay actual and necessary administrative expenses of the
34 plan.35 Permitting the Treasurer of State to apply administrative
36 expenses of the plan in any of the following ways: (1) against
37 earnings from investments, (2) as prorated fees charged
38 equitably among the participants of the plan, or (3) by another
39 method determined by the Treasurer of State. The bill requires
40 the Treasurer of State to use one of the above options.

6 _____ moved to amend as follows:

7 In line 25763, delete "(A)"

8 Delete lines 25771 through 25774

9 The motion was _____ agreed to.

10 SYNOPSIS

11 Municipal Corporation and Township Mergers

12 **R.C. 709.44**

13 Clarifies that the new procedure for merger, as well as the
14 existing procedure for merger, applies to one or more municipal
15 corporations, one or more municipal corporations and the
16 unincorporated area of a township, or one or more municipal
17 corporations, whether or not adjacent to one another and an
18 adjacent unincorporated area of a township. Two amendments
19 adopted by the Senate Finance Committee could not be entirely
20 harmonized, which resulted in conflicting language.