

2 Sub. H.B. 153

3 As Pending in H. Finance and Appropriations

4 LSC 129 1066-4

5 HC-1936-1

6 _____ moved to amend as follows:

7 In line 4808, delete everything after "(A)"

8 Delete lines 4809 through 4818

9 In line 4819, delete "(B)(1)"10 In line 4820, after the first "the" insert "financial
11 planning and supervision"12 In line 4823, delete "(a)" and insert "(1)"13 In line 4826, delete "(b)" and insert "(2)"14 In line 4828, delete "(c)" and insert "(3)"15 In line 4829, after "township" insert "required under this
16 chapter"17 In line 4832, delete "(2)" and insert "(B)"18 In line 4833, delete "(B)(1)" and insert "(A)"

19 The motion was _____ agreed to.

20 SYNOPSIS21 **Local Governments in Fiscal Distress**22 **R.C. 118.31**23 With respect to the changes proposed by the bill for local
24 governments in **fiscal emergency**, removes the authorization to
25 proceed to formal bankruptcy protection or enter receivership.

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-1945-1

6 _____ moved to amend as follows:

7 Between lines 64070 and 64071, insert:

8 "(F) The transfer agreement shall require JobsOhio to pay
9 for the operations of the division of liquor control with regard
10 to the spirituous liquor merchandising operations of the
11 division. The payments from JobsOhio shall be deposited into
12 the state treasury to the credit of the liquor control fund
13 created in section 4301.12 of the Revised Code."

14 The motion was _____ agreed to.

15 SYNOPSIS

16 **Transfer of Spirituous Liquor Distribution System to**
17 **JobsOhio**

18 **R.C. 4313.02**

19 Requires the transfer agreement between the state and
20 JobsOhio provided for under the bill to include a requirement
21 that JobsOhio pay for the operations of the Division of Liquor
22 Control in the Department of Commerce with regard to the
23 Division's spirituous liquor merchandising operating, and
24 requires the payments from JobsOhio to be credited to the
25 existing Liquor Control Fund.

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-1962

6 _____ moved to amend as follows:

7 Delete lines 41019 through 41026

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Community School Cash Reserves**

11 **R.C. 3314.03**

12 Eliminates the bill's provision that limits the amount of
13 cash reserves that certain community schools may accumulate.
14 (Under the bill, if a community school (1) is established as a
15 nonprofit or public benefit organization, (2) contracts with an
16 operator, and (3) accumulates by December 31 cash or cash
17 equivalents exceeding 10% of the school's prior fiscal year's
18 gross revenues, the school's governing authority must spend the
19 excess amount, by the end of the school year for the benefit of
20 students.)

1 129HB153-HC1963.docx/ar

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-1963

6 _____ moved to amend as follows:

7 Delete lines 103164 to 103196

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Board of Regents**

11 **Section 371.60.30**

12 Eliminates the shared services requirement that any state
13 institution of higher education with total FTE enrollment under
14 5,000 enter into strategic partnerships for specified shared
15 services and report their savings to the Chancellor.

1 129HB153-HC1972.docx/ar

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-1972

6 _____ moved to amend as follows:

7 Between lines 95698 and 95699, insert:

8 "5JZ0 070606 LEAP Revolving Loans \$850,000 \$650,000"

9 In line 95701, delete "\$44,104,209 \$43,434,249" and
10 insert "\$44,954,209 \$44,084,249"

11 In line 95702, delete "\$72,338,661 \$71,668,701" and
12 insert "\$73,188,661 \$72,318,701"

13 The motion was _____ agreed to.

14 SYNOPSIS

15 **Auditor of State**

16 **Section 225.10**

17 Appropriates \$850,000 in FY 2012 and \$650,000 in FY 2013 in
18 Fund 5JZ0 appropriation item 070606, LEAP Revolving Loans.

1 129HB153-HC1992.docx/ar

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-1992

6 _____ moved to amend as follows:

7 In line 311, delete "307.93,"

8 In line 313, delete "341.35,"

9 In line 314, delete "753.03, 753.15,"

10 Delete lines 14581 through 14740

11 Delete lines 15560 through 15565

12 Delete lines 16826 through 16865

13 In line 94669, delete "307.93,"

14 In line 94670, delete "341.35,"

15 In line 94671, delete "753.03,"

16 In line 94672, delete "753.15,"

17 In line 24 of the title, delete "307.93,"

18 In line 26 of the title, delete "341.35,"

19 In line 28 of the title, delete "753.03, 753.15,"

20 The motion was _____ agreed to.

SYNOPSIS

Privatization of Local Correctional Facilities

R.C. 307.93, 341.45, 753.03, and 753.15

Restores the requirement that county and municipal correctional facilities house only misdemeanor inmates in order to be eligible for private operation and management under a contract between the county or municipal corporation and an accredited contractor.

Sub. H.B. 153

As Pending in H. Finance
and Appropriations

LSC 129 1066-4

HC-1993

_____ moved to amend as follows:

In line 349, after "3313.65," insert "3313.75,"

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Between lines 39399 and 39400, insert:

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"Sec. 3313.75. (A) The board of education of a city, exempted
village, or local school district may authorize the opening of
schoolhouses for any lawful purposes. ~~This~~

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(B) In accordance with this section and section 3313.77 of
the Revised Code, a district board may rent or lease facilities
under its control to any public or nonpublic institution of higher
education for the institution's use in providing evening and
summer classes.

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(C) This section does not authorize a board to rent or lease
a schoolhouse when such rental or lease interferes with the public
schools in such district, or for any purpose other than is
authorized by law."

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In line 94706, after "3313.65," insert "3313.75,"

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In line 77 of the title, after "3313.65," insert "3313.75,"

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The motion was _____ agreed to.

SYNOPSIS

School District Lease of Space to Higher Education	17
Institutions	18
R.C. 3313.75	19
Specifically states that school districts may rent or lease	20
facilities to public or nonpublic institutions of higher education	21
for the use in providing evening and summer classes. (Current law	22
permits districts to authorize other groups and entities to use	23
their facilities, for a reasonable fee, as long as that use does	24
not interfere with the districts' operation of schools.)	25

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-1997

6 _____ moved to amend as follows:

7 In line 62918, delete "section" and insert "sections";
8 after "4582.01" insert "or 4582.21"

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Prevailing Wage Law - Port Authority**

12 **R.C. 4115.04(B)**

13 Includes port authorities created after 1964 in the
14 proposed exemption from the Prevailing Wage Law for port
15 authorities.

1 129HB153-HC2018.docx/jc

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-2018

6 _____ moved to amend as follows:

7 In line 40804, delete all after "(D)"

8 Delete lines 40805 and 40806

9 In line 40807, delete "(E)"

10 In line 40816, delete "(F)" and insert "(E)"

11 In line 40818, after the underlined period insert "The
12 department may take any action that a sponsor may take under
13 this chapter to enforce the school's compliance with this
14 division and the terms of the contract entered into under
15 division (B) of this section."

16 The motion was _____ agreed to.

17 SYNOPSIS

18 **Un-sponsored Community Schools**

19 **R.C. 3314.029**

20 Permits the Department of Education, with respect to a
21 community school that operates without a sponsor under the bill,
22 to take any action a sponsor may take under the Community School
23 Law to enforce the school's compliance with that Law and the
24 terms of its contract with the Department. (The substitute bill

25 allows a person or party to apply directly to the Department for
26 authorization to establish a new community school to be operated
27 without a sponsor or to operate an existing school without a
28 sponsor.)

Sub. H.B. 153

As Pending in H. Finance

and Appropriations

LSC 129 1066-4

HC-2043

_____ moved to amend as follows:

In line 295, after "9.333," insert "9.90,"

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In line 347, after "3311.76," insert "3313.12,"; after
"3313.29," insert "3313.33,"

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Between lines 1697 and 1698, insert:

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"Sec. 9.90. (A) The governing board of any public institution
of higher education, including without limitation state
universities and colleges, community college districts, university
branch districts, technical college districts, and municipal
universities, may, in addition to all other powers provided in the
Revised Code:

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(1) Contract for, purchase, or otherwise procure from an
insurer or insurers licensed to do business by the state of Ohio
for or on behalf of such of its employees as it may determine,
life insurance, or sickness, accident, annuity, endowment, health,
medical, hospital, dental, or surgical coverage and benefits, or
any combination thereof, by means of insurance plans or other
types of coverage, family, group or otherwise, and may pay from
funds under its control and available for such purpose all or any
portion of the cost, premium, or charge for such insurance,

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coverage, or benefits. However, the governing board, in addition
to or as an alternative to the authority otherwise granted by
division (A) (1) of this section, may elect to procure coverage for
health care services, for or on behalf of such of its employees as
it may determine, by means of policies, contracts, certificates,
or agreements issued by at least two health insuring corporations
holding a certificate of authority under Chapter 1751. of the
Revised Code and may pay from funds under the governing board's
control and available for such purpose all or any portion of the
cost of such coverage.

(2) Make payments to a custodial account for investment in
regulated investment company stock for the purpose of providing
retirement benefits as described in section 403(b) (7) of the
Internal Revenue Code of 1954, as amended. Such stock shall be
purchased only from persons authorized to sell such stock in this
state.

Any income of an employee deferred under divisions (A) (1) and
(2) of this section in a deferred compensation program eligible
for favorable tax treatment under the Internal Revenue Code of
1954, as amended, shall continue to be included as regular
compensation for the purpose of computing the contributions to and
benefits from the retirement system of such employee. Any sum so
deferred shall not be included in the computation of any federal
and state income taxes withheld on behalf of any such employee.

(B) All or any portion of the cost, premium, or charge
therefor may be paid in such other manner or combination of
manners as the governing board may determine, including direct
payment by the employee in cases under division (A) (1) of this
section, and, if authorized in writing by the employee in cases
under division (A) (1) or (2) of this section, by such governing
board with moneys made available by deduction from or reduction in

salary or wages or by the foregoing of a salary or wage increase.
Nothing in section 3917.01 or section 3917.06 of the Revised Code
shall prohibit the issuance or purchase of group life insurance
authorized by this section by reason of payment of premiums
therefor by the governing board from its funds, and such group
life insurance may be so issued and purchased if otherwise
consistent with the provisions of sections 3917.01 to 3917.07 of
the Revised Code.

(C) The board of education of any school district may
exercise any of the powers granted to the governing boards of
public institutions of higher education under divisions (A) and
(B) of this section, except in relation to the provision of health
care benefits to employees. ~~All health care benefits provided to
persons employed by the public schools of this state shall be
health care plans that contain best practices established by the
school employees health care board pursuant to section 9.901 of
the Revised Code."~~

Strike through lines 37166 through 37168

Between lines 37506 and 37507, insert:

"Sec. 3313.12. Each member of the educational service center
governing board may be paid such compensation as the governing
board provides by resolution, provided that any such compensation
shall not exceed one hundred twenty-five dollars a day plus
mileage both ways, at the rate per mile provided by resolution of
the governing board, for attendance at any meeting of the board.
Such compensation and the expenses of the educational service
center superintendent, itemized and verified, shall be paid from
the educational service center governing board fund upon vouchers
signed by the president of the governing board.

The board of education of any city, local, or exempted

village school district may provide by resolution for compensation
of its members, provided that such compensation shall not exceed
one hundred twenty-five dollars per member for meetings attended.
~~The board may provide by resolution for the deduction of amounts
payable for benefits under section 3313.202 of the Revised Code.~~

Each member of a district board or educational service center
governing board may be paid such compensation as the respective
board provides by resolution for attendance at an approved
training program, provided that such compensation shall not exceed
sixty dollars a day for attendance at a training program three
hours or fewer in length and one hundred twenty-five dollars a day
for attendance at a training program longer than three hours in
length."

Between lines 37535 and 37536, insert:

"**Sec. 3313.33.** (A) Conveyances made by a board of education
shall be executed by the president and treasurer thereof.

(B) Except as provided in division (C) of this section, no
member of the board shall have, directly or indirectly, any
pecuniary interest in any contract of the board or be employed in
any manner for compensation by the board of which the person is a
member. No contract shall be binding upon any board unless it is
made or authorized at a regular or special meeting of such board.

(C) A member of the board may have a pecuniary interest in a
contract of the board if all of the following apply:

(1) The member's pecuniary interest in that contract is that
the member is employed by a political subdivision,
instrumentality, or agency of the state that is contracting with
the board;

(2) The member does not participate in any discussion or

debate regarding the contract or vote on the contract; 110

(3) The member files with the school district treasurer an 111
affidavit stating the member's exact employment status with the 112
political subdivision, instrumentality, or agency contracting with 113
the board. 114

(D) This section does not apply where a member of the board, 115
being a shareholder of a corporation but not being an officer or 116
director thereof, owns not in excess of five per cent of the stock 117
of such corporation. If a stockholder desires to avail self of the 118
exception, before entering upon such contract such person shall 119
first file with the treasurer an affidavit stating the 120
stockholder's exact status and connection with said corporation. 121

~~This section does not apply where a member of the board 122
elects to be covered by a health care plan under section 3313.202 123
of the Revised Code."~~ 124

In line 63372, after "benefits" strike through the remainder 125
of the line 126

Strike through line 63373 127

In line 63374, strike through everything before the period 128

In line 94652, after "9.333," insert "9.90," 129

In line 94704, after "3311.76," insert "3313.12," 130

In line 94705, after "3313.29," insert "3313.33," 131

In line 94787, after "sections" insert "9.901," 132

In line 94797 after "3311.059," insert "3313.202," 133

In line 2 of the title, after "9.333," insert "9.90," 134

In line 74 of the title, after "3311.76," insert "3313.12,"; 135
after "3313.29," insert "3313.33," 136

In line 248 of the title, after "sections" insert "9.901," 137

In line 262 of the title, after "3311.059," insert 138
 "3313.202," 139

The motion was _____ agreed to.

SYNOPSIS

School Employees Health Care Board - repeal 140

R.C. 9.90, 9.901, 3311.19, 3313.12, 3313.202, 3313.33, and 141
 4117.03

Eliminates the School Employees Health Care Board, which 142
 adopts and releases a set of best practices to which public school 143
 districts must adhere in the selection and implementation of 144
 health care plans. 145

Repeals the provision that requires all health care benefits 146
 provided to persons employed by public school districts to be 147
 provided by health care plans that contain best practices 148
 established by the Board. 149

Repeals the creation of the School Employees Health Care Fund 150
 in the state treasury. 151

Eliminates the provision that allows the board to contract 152
 with one or more independent consultants to analyze costs related 153
 to employee health care benefits provided by existing public 154
 school district plans in Ohio. 155

Repeals the Public Schools Health Care Advisory Committee, 156
 which makes recommendations to the Board related to the Board's 157
 accomplishment of the Board's duties. 158

Repeals a provision that permits any board of education 159
 member of a school district and the dependent children and spouse 160

Board.

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Makes conforming changes.

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Sub. H.B. 153
As Pending in H. Finance
and Appropriations
LSC 129 1066-4
HC-2071

_____ moved to amend as follows:

In line 398, after "5101.61," insert "5104.30,"

Between lines 70304 and 70305, insert:

"Sec. 5104.30. (A) The department of job and family services is hereby designated as the state agency responsible for administration and coordination of federal and state funding for publicly funded child care in this state. Publicly funded child care shall be provided to the following:

(1) Recipients of transitional child care as provided under section 5104.34 of the Revised Code;

(2) Participants in the Ohio works first program established under Chapter 5107. of the Revised Code;

(3) Individuals who would be participating in the Ohio works first program if not for a sanction under section 5107.16 of the Revised Code and who continue to participate in a work activity, developmental activity, or alternative work activity pursuant to an assignment under section 5107.42 of the Revised Code;

(4) A family receiving publicly funded child care on October 1, 1997, until the family's income reaches one hundred fifty per cent of the federal poverty line;

(5) Subject to available funds, other individuals determined 20
eligible in accordance with rules adopted under section 5104.38 of 21
the Revised Code. 22

The department shall apply to the United States department of 23
health and human services for authority to operate a coordinated 24
program for publicly funded child care, if the director of job and 25
family services determines that the application is necessary. For 26
purposes of this section, the department of job and family 27
services may enter into agreements with other state agencies that 28
are involved in regulation or funding of child care. The 29
department shall consider the special needs of migrant workers 30
when it administers and coordinates publicly funded child care and 31
shall develop appropriate procedures for accommodating the needs 32
of migrant workers for publicly funded child care. 33

(B) The department of job and family services shall 34
distribute state and federal funds for publicly funded child care, 35
including appropriations of state funds for publicly funded child 36
care and appropriations of federal funds available under the child 37
care block grant act, Title IV-A, and Title XX. The department may 38
use any state funds appropriated for publicly funded child care as 39
the state share required to match any federal funds appropriated 40
for publicly funded child care. 41

(C) In the use of federal funds available under the child 42
care block grant act, all of the following apply: 43

(1) The department may use the federal funds to hire staff to 44
prepare any rules required under this chapter and to administer 45
and coordinate federal and state funding for publicly funded child 46
care. 47

(2) Not more than five per cent of the aggregate amount of 48
the federal funds received for a fiscal year may be expended for 49
administrative costs. 50

(3) The department shall allocate and use at least four per cent of the federal funds for the following:

(a) Activities designed to provide comprehensive consumer education to parents and the public;

(b) Activities that increase parental choice;

(c) Activities, including child care resource and referral services, designed to improve the quality, and increase the supply, of child care;

(d) Establishing a voluntary child day-care center quality-rating program in which participation in the program may allow a child day-care center to be eligible for grants, technical assistance, training, or other assistance and become eligible for unrestricted monetary awards for maintaining a quality rating.

(4) The department shall ensure that the federal funds will be used only to supplement, and will not be used to supplant, federal, state, and local funds available on the effective date of the child care block grant act for publicly funded child care and related programs. If authorized by rules adopted by the department pursuant to section 5104.42 of the Revised Code, county departments of job and family services may purchase child care from funds obtained through any other means.

(D) The department shall encourage the development of suitable child care throughout the state, especially in areas with high concentrations of recipients of public assistance and families with low incomes. The department shall encourage the development of suitable child care designed to accommodate the special needs of migrant workers. On request, the department, through its employees or contracts with state or community child care resource and referral service organizations, shall provide consultation to groups and individuals interested in developing

child care. The department of job and family services may enter
into interagency agreements with the department of education, the
board of regents, the department of development, and other state
agencies and entities whenever the cooperative efforts of the
other state agencies and entities are necessary for the department
of job and family services to fulfill its duties and
responsibilities under this chapter.

The department shall develop and maintain a registry of
persons providing child care. The director shall adopt rules
pursuant to Chapter 119. of the Revised Code establishing
procedures and requirements for the registry's administration.

(E) (1) The director shall adopt rules in accordance with
Chapter 119. of the Revised Code establishing both of the
following:

(a) Reimbursement ceilings for providers of publicly funded
child care not later than the first day of July in each
odd-numbered year;

(b) A procedure for reimbursing and paying providers of
publicly funded child care.

(2) In establishing reimbursement ceilings under division
(E) (1) (a) of this section, the director shall do all of the
following:

(a) Use the information obtained under division (B) (3) of
section 5104.04 of the Revised Code;

(b) Establish an enhanced reimbursement ceiling for providers
who provide child care for caretaker parents who work
nontraditional hours;

(c) For a type B family day-care home provider that has
received limited certification pursuant to rules adopted under
division (G) (1) of section 5104.011 of the Revised Code, establish

a reimbursement ceiling that is the following: 111

(i) If the provider is a person described in division 112
(G) (1) (a) (i) of section 5104.011 of the Revised Code, seventy-five 113
per cent of the reimbursement ceiling that applies to a type B 114
family day-care home certified by the same county department of 115
job and family services pursuant to section 5104.11 of the Revised 116
Code; 117

(ii) If the provider is a person described in division 118
(G) (1) (a) (ii) of section 5104.011 of the Revised Code, sixty per 119
cent of the reimbursement ceiling that applies to a type B family 120
day-care home certified by the same county department pursuant to 121
section 5104.11 of the Revised Code. 122

(d) With regard to the voluntary child day-care center 123
quality-rating program established pursuant to division (C) (3) (d) 124
of this section, do both of the following: 125

(i) Establish enhanced reimbursement ceilings for child 126
day-care centers that participate in the program and maintain 127
quality ratings under the program; 128

(ii) Weigh any reduction in reimbursement ceilings more 129
heavily against child day-care centers that do not participate in 130
the program or do not maintain quality ratings under the program. 131

(3) In establishing reimbursement ceilings under division 132
(E) (1) (a) of this section, the director may establish different 133
reimbursement ceilings based on any of the following: 134

(a) Geographic location of the provider; 135

(b) Type of care provided; 136

(c) Age of the child served; 137

(d) Special needs of the child served; 138

(e) Whether the expanded hours of service are provided; 139

(f) Whether weekend service is provided;	140
(g) Whether the provider has exceeded the minimum requirements of state statutes and rules governing child care;	141 142
(h) Any other factors the director considers appropriate.	143
(F) The director shall adopt rules in accordance with Chapter 119. of the Revised Code to implement the voluntary child day-care center quality-rating program described in division (C) (3) (d) of this section."	144 145 146 147
In line 94756, after "5101.61," insert "5104.30,"	148
In line 144 of the title, after "5101.61," insert "5104.30,"	149

The motion was _____ agreed to.

SYNOPSIS

Publicly Funded Child Care Incentives	150
R.C. 5104.30	151
Requires the Director of Job and Family Services to establish enhanced reimbursement ceilings for providers who participate in the Step Up To Quality Program and maintain quality ratings.	152 153 154
Requires the Director to weigh any reduction in reimbursement ceilings more heavily against child day-care centers that do not participate in the Program or do not maintain quality ratings.	155 156 157

1 129HB153-HC2102.docx/rs

2 Sub. H.B. 153
3 As Pending in H. Finance and Appropriations
4 LSC 129 1066-4
5 HC-2102

6 _____ moved to amend as follows:

7 In line 35156, after "section" insert "shall operate as a
8 pilot project that"

9 In line 35157, after "scores" insert "statewide"

10 In line 35158, after "years" insert "and is operated by the
11 Columbus city school district"

12 Between lines 35229 and 35230, insert:

13 "(F) Beginning not later than six months after the first
14 petition under this section has been resolved, the department of
15 education shall annually evaluate the pilot program and submit a
16 report to the general assembly under section 101.68 of the
17 Revised Code. Such reports shall contain its recommendations to
18 the general assembly with respect to the continuation of the
19 pilot program, its expansion to other school districts, or the
20 enactment of further legislation establishing the program
21 statewide under permanent law."

22 The motion was _____ agreed to.

SYNOPSIS

Parent Petitions for School Reforms

R.C. 3302.042

Transforms into a pilot project in the Columbus City School District the bill's provision specifying that when a school has been ranked in the lowest 5% of all district-operated schools statewide based on its performance index score for three or more consecutive years, and the parents of at least 50% of the school's students petition for specified reforms, the district generally must implement that reform in the next school year.

Requires the Department of Education annually to evaluate the pilot project and submit a report to the General Assembly beginning not later than six months after the first parent petition has been resolved.