

As Concurred by the House

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Representatives Baker, Stebelton

**Cosponsors: Representatives Adams, R., Anielski, Antonio, Beck, Blessing,
Boose, Brown, Buchy, Burkley, Damschroder, Derickson, Dovilla, Duffey,
Hackett, Hagan, C., Hayes, Henne, Landis, McClain, McGregor, Perales,
Romanchuk, Rosenberger, Ruhl, Scherer, Schuring, Smith, Sprague,
Stebelton, Stinziano, Terhar, Wachtmann Speaker Batchelder
Senators LaRose, Beagle, Coley, Faber, Oelslager, Seitz**

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A B I L L

To amend sections 121.08, 122.136, 122.21, 122.25, 1
122.37, 122.64, 122.89, 122.94, 122.941, 127.14, 2
149.311, 150.10, 166.13, 166.18, 184.02, 1551.34, 3
3731.02, 4740.06, and 6301.12 and to enact 4
sections 107.35, 3333.91, and 6301.11 of the 5
Revised Code to revise the coordination of 6
workforce development and economic development 7
programs; to synchronize the due dates of several 8
reports due from the Development Services Agency, 9
the Ohio Venture Capital Authority, and the Third 10
Frontier Commission; to revise the law regarding 11
innovation financial assistance and research and 12
development financial assistance; to require the 13
Department of Job and Family Services to consult 14
with the Governor's executive workforce board and 15
create a list of in-demand jobs in this state; to 16
require the Office of Workforce Development annual 17
report to be completed annually by July 30; to 18

make changes regarding the administration of the 19
Medicaid Reserve Fund; and to permit the Director 20
of Commerce, the State Fire Marshal, and the Ohio 21
Construction Industry Licensing Board to establish 22
compliance incentive programs. 23

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

Section 1. That sections 121.08, 122.136, 122.21, 122.25, 24
122.37, 122.64, 122.89, 122.94, 122.941, 127.14, 149.311, 150.10, 25
166.13, 166.18, 184.02, 1551.34, 3731.02, 4740.06, and 6301.12 be 26
amended and sections 107.35, 3333.91, and 6301.11 of the Revised 27
Code be enacted to read as follows: 28

Sec. 107.35. Not later than December 31, 2014, the governor's 29
office of workforce transformation, with staff support and 30
assistance from the departments of job and family services and 31
education and the Ohio board of regents, shall establish criteria 32
to use for evaluating the performance of state and local workforce 33
programs using basic, aligned workforce measures related to system 34
efficiency and effectiveness. The office shall develop and make 35
available on the internet through a web site a public dashboard to 36
display metrics regarding the state's administration of primary 37
workforce programs, including the following programs: 38

(A) The adult basic and literacy education program; 39

(B) Programs administered under the federal "Carl D. Perkins 40
Career and Technical Education Act of 2006," 120 Stat. 683, 20 41
U.S.C. 2301 et seq., as amended; 42

(C) State aid and scholarships within the Ohio board of 43
regents; 44

(D) Programs administered under title I of the federal 45
"Workforce Investment Act of 1998," 112 Stat. 936, 29 U.S.C. 2801 46

et seq., as amended. 47

Sec. 121.08. (A) There is hereby created in the department of 48
commerce the position of deputy director of administration. This 49
officer shall be appointed by the director of commerce, serve 50
under the director's direction, supervision, and control, perform 51
the duties the director prescribes, and hold office during the 52
director's pleasure. The director of commerce may designate an 53
assistant director of commerce to serve as the deputy director of 54
administration. The deputy director of administration shall 55
perform the duties prescribed by the director of commerce in 56
supervising the activities of the division of administration of 57
the department of commerce. 58

(B) Except as provided in section 121.07 of the Revised Code, 59
the department of commerce shall have all powers and perform all 60
duties vested in the deputy director of administration, the state 61
fire marshal, the superintendent of financial institutions, the 62
superintendent of real estate and professional licensing, the 63
superintendent of liquor control, the superintendent of industrial 64
compliance, the superintendent of unclaimed funds, and the 65
commissioner of securities, and shall have all powers and perform 66
all duties vested by law in all officers, deputies, and employees 67
of those offices. Except as provided in section 121.07 of the 68
Revised Code, wherever powers are conferred or duties imposed upon 69
any of those officers, the powers and duties shall be construed as 70
vested in the department of commerce. 71

(C)(1) There is hereby created in the department of commerce 72
a division of financial institutions, which shall have all powers 73
and perform all duties vested by law in the superintendent of 74
financial institutions. Wherever powers are conferred or duties 75
imposed upon the superintendent of financial institutions, those 76
powers and duties shall be construed as vested in the division of 77

financial institutions. The division of financial institutions 78
shall be administered by the superintendent of financial 79
institutions. 80

(2) All provisions of law governing the superintendent of 81
financial institutions shall apply to and govern the 82
superintendent of financial institutions provided for in this 83
section; all authority vested by law in the superintendent of 84
financial institutions with respect to the management of the 85
division of financial institutions shall be construed as vested in 86
the superintendent of financial institutions created by this 87
section with respect to the division of financial institutions 88
provided for in this section; and all rights, privileges, and 89
emoluments conferred by law upon the superintendent of financial 90
institutions shall be construed as conferred upon the 91
superintendent of financial institutions as head of the division 92
of financial institutions. The director of commerce shall not 93
transfer from the division of financial institutions any of the 94
functions specified in division (C)(2) of this section. 95

(D) There is hereby created in the department of commerce a 96
division of liquor control, which shall have all powers and 97
perform all duties vested by law in the superintendent of liquor 98
control. Wherever powers are conferred or duties are imposed upon 99
the superintendent of liquor control, those powers and duties 100
shall be construed as vested in the division of liquor control. 101
The division of liquor control shall be administered by the 102
superintendent of liquor control. 103

(E) The director of commerce shall not be interested, 104
directly or indirectly, in any firm or corporation which is a 105
dealer in securities as defined in sections 1707.01 and 1707.14 of 106
the Revised Code, or in any firm or corporation licensed under 107
sections 1321.01 to 1321.19 of the Revised Code. 108

(F) The director of commerce shall not have any official 109

connection with a savings and loan association, a savings bank, a 110
bank, a bank holding company, a savings and loan association 111
holding company, a consumer finance company, or a credit union 112
that is under the supervision of the division of financial 113
institutions, or a subsidiary of any of the preceding entities, or 114
be interested in the business thereof. 115

(G) There is hereby created in the state treasury the 116
division of administration fund. The fund shall receive 117
assessments on the operating funds of the department of commerce 118
in accordance with procedures prescribed by the director of 119
commerce and approved by the director of budget and management. 120
All operating expenses of the division of administration shall be 121
paid from the division of administration fund. 122

(H) There is hereby created in the department of commerce a 123
division of real estate and professional licensing, which shall be 124
under the control and supervision of the director of commerce. The 125
division of real estate and professional licensing shall be 126
administered by the superintendent of real estate and professional 127
licensing. The superintendent of real estate and professional 128
licensing shall exercise the powers and perform the functions and 129
duties delegated to the superintendent under Chapters 4735., 130
4763., and 4767. of the Revised Code. 131

(I) There is hereby created in the department of commerce a 132
division of industrial compliance, which shall have all powers and 133
perform all duties vested by law in the superintendent of 134
industrial compliance. Wherever powers are conferred or duties 135
imposed upon the superintendent of industrial compliance, those 136
powers and duties shall be construed as vested in the division of 137
industrial compliance. The division of industrial compliance shall 138
be under the control and supervision of the director of commerce 139
and be administered by the superintendent of industrial 140
compliance. 141

(J) There is hereby created in the department of commerce a 142
division of unclaimed funds, which shall have all powers and 143
perform all duties delegated to or vested by law in the 144
superintendent of unclaimed funds. Wherever powers are conferred 145
or duties imposed upon the superintendent of unclaimed funds, 146
those powers and duties shall be construed as vested in the 147
division of unclaimed funds. The division of unclaimed funds shall 148
be under the control and supervision of the director of commerce 149
and shall be administered by the superintendent of unclaimed 150
funds. The superintendent of unclaimed funds shall exercise the 151
powers and perform the functions and duties delegated to the 152
superintendent by the director of commerce under section 121.07 153
and Chapter 169. of the Revised Code, and as may otherwise be 154
provided by law. 155

(K) The department of commerce or a division of the 156
department created by the Revised Code that is acting with 157
authorization on the department's behalf may request from the 158
bureau of criminal identification and investigation pursuant to 159
section 109.572 of the Revised Code, or coordinate with 160
appropriate federal, state, and local government agencies to 161
accomplish, criminal records checks for the persons whose 162
identities are required to be disclosed by an applicant for the 163
issuance or transfer of a permit, license, certificate of 164
registration, or certification issued or transferred by the 165
department or division. At or before the time of making a request 166
for a criminal records check, the department or division may 167
require any person whose identity is required to be disclosed by 168
an applicant for the issuance or transfer of such a license, 169
permit, certificate of registration, or certification to submit to 170
the department or division valid fingerprint impressions in a 171
format and by any media or means acceptable to the bureau of 172
criminal identification and investigation and, when applicable, 173
the federal bureau of investigation. The department or division 174

may cause the bureau of criminal identification and investigation 175
to conduct a criminal records check through the federal bureau of 176
investigation only if the person for whom the criminal records 177
check would be conducted resides or works outside of this state or 178
has resided or worked outside of this state during the preceding 179
five years, or if a criminal records check conducted by the bureau 180
of criminal identification and investigation within this state 181
indicates that the person may have a criminal record outside of 182
this state. 183

In the case of a criminal records check under section 109.572 184
of the Revised Code, the department or division shall forward to 185
the bureau of criminal identification and investigation the 186
requisite form, fingerprint impressions, and fee described in 187
division (C) of that section. When requested by the department or 188
division in accordance with this section, the bureau of criminal 189
identification and investigation shall request from the federal 190
bureau of investigation any information it has with respect to the 191
person who is the subject of the requested criminal records check 192
and shall forward the requisite fingerprint impressions and 193
information to the federal bureau of investigation for that 194
criminal records check. After conducting a criminal records check 195
or receiving the results of a criminal records check from the 196
federal bureau of investigation, the bureau of criminal 197
identification and investigation shall provide the results to the 198
department or division. 199

The department or division may require any person about whom 200
a criminal records check is requested to pay to the department or 201
division the amount necessary to cover the fee charged to the 202
department or division by the bureau of criminal identification 203
and investigation under division (C)(3) of section 109.572 of the 204
Revised Code, including, when applicable, any fee for a criminal 205
records check conducted by the federal bureau of investigation. 206

(L) The director of commerce, or the director's designee, may 207
adopt rules to enhance compliance with statutes pertaining to, and 208
rules adopted by, divisions under the direction, supervision, and 209
control of the department or director by offering incentive-based 210
programs that ensure safety and soundness while promoting growth 211
and prosperity in the state. 212

Sec. 122.136. The director of development services shall 213
prepare and submit a report to the governor and the general 214
assembly annually on or before the first day of ~~February~~ August of 215
the services and activities of the employee ownership assistance 216
program for the preceding calendar year. The director shall 217
include in the report information regarding the number, names, and 218
locations of business establishments that have been or likely will 219
be assisted as employee-owned corporations; recommendations on how 220
to better operate the program; information regarding the 221
effectiveness of the program in maintaining and improving 222
employment in the state; and the number of individuals affected by 223
the activities of the program. 224

Sec. 122.21. In administering the urban and rural initiative 225
grant program created under section 122.20 of the Revised Code, 226
the director of development services shall do all of the 227
following: 228

(A) Annually designate, by the first day of January of each 229
year, the entities that constitute the eligible areas in this 230
state; 231

(B) Adopt rules in accordance with Chapter 119. of the 232
Revised Code establishing procedures and forms by which eligible 233
applicants in eligible areas may apply for a grant, which 234
procedures shall include a requirement that the applicant file a 235
redevelopment plan; standards and procedures for reviewing 236

applications and awarding grants; procedures for distributing 237
grants to recipients; procedures for monitoring the use of grants 238
by recipients; requirements, procedures, and forms by which 239
recipients who have received grants shall report their use of that 240
assistance; and standards and procedures for terminating and 241
requiring repayment of grants in the event of their improper use. 242
The rules adopted under this division shall comply with sections 243
122.19 to 122.22 of the Revised Code and shall include a rule 244
requiring that an eligible applicant who receives a grant from the 245
program provide a matching contribution of at least twenty-five 246
per cent of the amount of the grant awarded to the eligible 247
applicant. 248

The rules shall require that any eligible applicant for a 249
grant for land acquisition demonstrate to the director that the 250
property to be acquired meets all state environmental requirements 251
and that utilities for that property are available and adequate. 252
The rules shall require that any eligible applicant for a grant 253
for property eligible for the voluntary action program created 254
under Chapter 3746. of the Revised Code receive disbursement of 255
grant moneys only after receiving a covenant not to sue from the 256
director of environmental protection under section 3746.12 of the 257
Revised Code and shall require that those moneys be disbursed only 258
as reimbursement of actual expenses incurred in the undertaking of 259
the voluntary action. The rules shall require that whenever any 260
money is granted for land acquisition, infrastructure 261
improvements, or renovation of existing structures in order to 262
develop an industrial park site for a distressed area, labor 263
surplus area, or situational distress area as defined in section 264
122.19 of the Revised Code that also is a distressed area, labor 265
surplus area, or situational distress area as defined in section 266
122.23 of the Revised Code, a substantial portion of the site be 267
used for manufacturing, distribution, high technology, research 268
and development, or other businesses in which a majority of the 269

product or service produced is exported out of the state. Any 270
retail use at the site shall not constitute a primary use but only 271
a use incidental to other eligible uses. The rules shall require 272
that whenever any money is granted for land acquisition, 273
infrastructure improvements, and renovation of existing structures 274
in order to develop an industrial park site for a distressed area, 275
labor surplus area, or situational distress area as defined in 276
section 122.19 of the Revised Code that also is a distressed area, 277
labor surplus area, or situational distress area as defined in 278
section 122.23 of the Revised Code, the applicant for the grant 279
shall verify to the ~~department of~~ development services agency the 280
existence of a local economic development planning committee in a 281
municipal corporation, county, or township whose territory 282
includes the eligible area. The committee shall consist of members 283
of the public and private sectors who live in that municipal 284
corporation, county, or township. The local economic development 285
planning committee shall prepare and submit to the ~~department~~ 286
agency a five-year economic development plan for that municipal 287
corporation, county, or township that identifies, for the 288
five-year period covered by the plan, the economic development 289
strategies of a municipal corporation, county, or township whose 290
territory includes the proposed industrial park site. The economic 291
development plan shall describe in detail how the proposed 292
industrial park would complement other current or planned economic 293
development programs for that municipal corporation, county, or 294
township, including, but not limited to, workforce development 295
initiatives, business retention and expansion efforts, small 296
business development programs, and technology modernization 297
programs. 298

(C) Report to the governor, president of the senate, speaker 299
of the house of representatives, and minority leaders of the 300
senate and the house of representatives by the ~~thirtieth~~ first day 301
of ~~June~~ August of each year on the activities carried out under 302

the program during the preceding calendar year. The report shall 303
include the total number of grants made that year, and, for each 304
individual grant awarded, the following: the amount and recipient, 305
the eligible applicant, the purpose for awarding the grant, the 306
number of firms or businesses operating at the awarded site, the 307
number of employees employed by each firm or business, any excess 308
capacity at an industrial park site, and any additional 309
information the director declares to be relevant. 310

(D) Inform local governments and others in the state of the 311
availability of grants under section 122.20 of the Revised Code; 312

(E) Annually compile, pursuant to rules adopted by the 313
director of development services in accordance with Chapter 119. 314
of the Revised Code, using pertinent information submitted by any 315
municipal corporation, county, or township, a list of industrial 316
parks located in the state. The list shall include the following 317
information, expressed if possible in terms specified in the 318
director's rules adopted under this division: location of each 319
industrial park site, total acreage of each park site, total 320
occupancy of each park site, total capacity for new business at 321
each park site, total capacity of each park site for sewer, water, 322
and electricity, a contact person for each park site, and any 323
additional information the director declares to be relevant. Once 324
the list is compiled, the director shall make it available to the 325
governor, president of the senate, speaker of the house of 326
representatives, and minority leaders of the senate and the house 327
of representatives. 328

Sec. 122.25. (A) In administering the program established 329
under section 122.24 of the Revised Code, the director of 330
development services shall do all of the following: 331

(1) Annually designate, by the first day of January of each 332
year, the entities that constitute the eligible areas in this 333

state as defined in section 122.23 of the Revised Code; 334

(2) Inform local governments and others in the state of the 335
availability of the program and financial assistance established 336
under sections 122.23 to 122.27 of the Revised Code; 337

(3) Report to the governor, president of the senate, speaker 338
of the house of representatives, and minority leaders of the 339
senate and the house of representatives by the ~~thirtieth~~ first day 340
of ~~June~~ August of each year on the activities carried out under 341
the program during the preceding calendar year. The report shall 342
include the number of loans made that year and the amount and 343
recipient of each loan. 344

(4) Work in conjunction with conventional lending 345
institutions, local revolving loan funds, private investors, and 346
other private and public financing sources to provide loans or 347
loan guarantees to eligible applicants; 348

(5) Establish fees, charges, interest rates, payment 349
schedules, local match requirements, and other terms and 350
conditions for loans and loan guarantees provided under the 351
program; 352

(6) Require each applicant to demonstrate the suitability of 353
any site for the assistance sought; that the site has been 354
surveyed, that the site has adequate or available utilities, and 355
that there are no zoning restrictions, environmental regulations, 356
or other matters impairing the use of the site for the purpose 357
intended; 358

(7) Require each applicant to provide a marketing plan and 359
management strategy for the project; 360

(8) Adopt rules establishing all of the following: 361

(a) Forms and procedures by which eligible applicants may 362
apply for assistance; 363

(b) Criteria for reviewing, evaluating, and ranking applications, and for approving applications that best serve the goals of the program;	364 365 366
(c) Reporting requirements and monitoring procedures;	367
(d) Guidelines regarding situations in which industrial parks would be considered to compete against one another for the purposes of division (B)(2) of section 122.27 of the Revised Code;	368 369 370
(e) Any other rules necessary to implement and administer the program.	371 372
(B) The director may adopt rules establishing requirements governing the use of any industrial park site receiving assistance under section 122.24 of the Revised Code, such that a certain portion of the site must be used for manufacturing, distribution, high technology, research and development, or other businesses wherein a majority of the product or service produced is exported out of the state.	373 374 375 376 377 378 379
(C) As a condition of receiving assistance under section 122.24 of the Revised Code, and except as provided in division (D) of this section, an applicant shall agree, for a period of five years, not to permit the use of a site that is developed or improved with such assistance to cause the relocation of jobs to that site from elsewhere in the state.	380 381 382 383 384 385
(D) A site developed or improved with assistance under section 122.24 of the Revised Code may be the site of jobs relocated from elsewhere in the state if the director of development <u>services</u> does all of the following:	386 387 388 389
(1) Makes a written determination that the site from which the jobs would be relocated is inadequate to meet market or industry conditions, expansion plans, consolidation plans, or other business considerations affecting the relocating employer;	390 391 392 393

(2) Provides a copy of the determination required by division 394
(D)(1) of this section to the members of the general assembly 395
whose legislative districts include the site from which the jobs 396
would be relocated; 397

(3) Determines that the governing body of the area from which 398
the jobs would be relocated has been notified in writing by the 399
relocating company of the possible relocation. 400

(E) The director of development services shall obtain the 401
approval of the controlling board for any loan or loan guarantee 402
provided under sections 122.23 to 122.27 of the Revised Code. 403

Sec. 122.37. (A) There is hereby created in the ~~department of~~ 404
development services agency the steel futures program, for the 405
purpose of preserving and improving the existing industrial base 406
of the state, improving the economy of the state by providing 407
employment, increased productivity, and ensuring continued 408
technological development consistent with these goals, and 409
maintaining a high standard of living for the people of this 410
state. The steel futures ~~program~~ program may be supplemental to any 411
other enterprise assistance program administered by the director 412
of development services, and shall be administered so as to 413
provide financial and technical assistance to increase the 414
competitiveness of existing steel and steel-related industries in 415
this state, and to encourage establishment and development of new 416
industries of this type within the state. 417

~~Within six months after the effective date of this section,~~ 418
~~the~~ The director shall develop a strategy for financial and 419
technical assistance to steel and steel-related industries in the 420
state, which shall include investment policies with regard to 421
these industries. 422

(B) In administering the program, the director may consult 423
with appropriate representatives of steel and steel-related 424

industries, appropriate representatives of any union that 425
represents workers in these industries, and other persons with 426
expert knowledge in these industries. 427

(C) The director of development services shall consult with 428
the ~~chairman~~ chairperson of the public utilities commission to 429
foster development of public and private cooperative efforts that 430
result in energy savings and reduced energy costs for steel and 431
steel-related industries. 432

(D) Assistance may be made available to steel and 433
steel-related industries undertaking projects the director 434
determines to have long-term implications for and broad 435
applicability to the economy of this state when the director 436
finds: 437

(1) The undertaking of projects by the industries will 438
benefit the people of the state by creating or preserving jobs and 439
employment opportunities or improving the economic welfare of the 440
people of this state, and promoting development of new technology 441
or improving application of existing steel and steel-related 442
technology. 443

(2) The undertaking of projects by the industries will allow 444
them to compete more effectively in the marketplace. 445

(E) Projects eligible to receive assistance under the steel 446
futures program may include, but are not limited to, the following 447
areas: 448

(1) Research and development specifically related to steel 449
and steel-related industries and feasibility studies for business 450
development within these industries; 451

(2) Employee training; 452

(3) Labor and management relations; and 453

(4) Technology-driven capital investment. 454

(F) Financial and technical assistance may be in the form and 455
conditioned upon terms as the director considers appropriate. 456

(G) No later than the ~~thirtieth~~ first day of ~~June in the~~ 457
~~first year after the effective date of this section, and no later~~ 458
~~than the thirtieth day of June~~ August of each year thereafter, the 459
director shall submit a report to the general assembly describing 460
projects of the steel futures program, results obtained from 461
completed projects of the program, and program projects for the 462
next fiscal year. 463

Sec. 122.64. (A) There is hereby established in the 464
development services agency a business services division. The 465
division shall be supervised by a deputy director appointed by the 466
director of development services. 467

The division is responsible for the administration of the 468
state economic development financing programs established pursuant 469
to sections 122.17 and 122.18, sections 122.39 and 122.41 to 470
122.62, and Chapter 166. of the Revised Code. 471

(B) The director of development services shall: 472

(1) Receive applications for assistance pursuant to sections 473
122.39 and 122.41 to 122.62 and Chapter 166. of the Revised Code. 474
The director shall process the applications. 475

(2) With the approval of the director of administrative 476
services, establish salary schedules for employees of the various 477
positions of employment with the division and assign the various 478
positions to those salary schedules; 479

(3) Employ and fix the compensation of financial consultants, 480
appraisers, consulting engineers, superintendents, managers, 481
construction and accounting experts, attorneys, and other agents 482
for the assistance programs authorized pursuant to sections 122.17 483
and 122.18, sections 122.39 and 122.41 to 122.62, and Chapter 166. 484

of the Revised Code as are necessary; 485

(4) Supervise the administrative operations of the division; 486

(5) On or before the first day of ~~October~~ August in each 487
year, make an annual report of the activities and operations under 488
assistance programs authorized pursuant to sections 122.39 and 489
122.41 to 122.62 and Chapter 166. of the Revised Code for the 490
preceding fiscal year to the governor and the general assembly. 491
Each such report shall set forth a complete operating and 492
financial statement covering such activities and operations during 493
the year in accordance with generally accepted accounting 494
principles and shall be audited by a certified public accountant. 495
The director of development services shall transmit a copy of the 496
audited financial report to the office of budget and management. 497

Sec. 122.89. (A) The director of development services may 498
execute bonds as surety for minority businesses as principals, on 499
contracts with the state, any political subdivision or 500
instrumentality thereof, or any person as the obligee. The 501
director as surety may exercise all the rights and powers of a 502
company authorized by the department of insurance to execute bonds 503
as surety but shall not be subject to any requirements of a surety 504
company under Title XXXIX of the Revised Code nor to any rules of 505
the department of insurance. 506

(B) The director, with the advice of the minority development 507
financing advisory board, shall adopt rules under Chapter 119. of 508
the Revised Code establishing procedures for application for 509
surety bonds by minority businesses and for review and approval of 510
applications. The board shall review each application in 511
accordance with the rules and, based on the bond worthiness of 512
each applicant, shall refer all qualified applicants to the 513
director. Based on the recommendation of the board, the director 514
shall determine whether or not the applicant shall receive 515

bonding. 516

(C) The rules of the board shall require the minority 517
business to pay a premium in advance for the bond to be 518
established by the director, with the advice of the board after 519
the director receives advice from the superintendent of insurance 520
regarding the standard market rates for premiums for similar 521
bonds. All premiums paid by minority businesses shall be paid into 522
the minority business bonding program administrative and loss 523
reserve fund. 524

(D) The rules of the board shall provide for a retainage of 525
money paid to the minority business or EDGE business enterprise of 526
fifteen per cent for a contract valued at more than fifty thousand 527
dollars and for a retainage of twelve per cent for a contract 528
valued at fifty thousand dollars or less. 529

(E) The penal sum amounts of all outstanding bonds issued by 530
the director shall not exceed the amount of moneys in the minority 531
business bonding fund and available to the fund under division (B) 532
of section 169.05 of the Revised Code. 533

(F) The superintendent of insurance shall provide such 534
technical and professional assistance as is considered necessary 535
by the director, including providing advice regarding the standard 536
market rates for bond premiums as described under division (C) of 537
this section. 538

(G) Notwithstanding any provision of the Revised Code to the 539
contrary, a minority business or EDGE business enterprise may bid 540
or enter into a contract with the state or with any 541
instrumentality of the state without being required to provide a 542
bond as follows: 543

(1) For the first contract that a minority business or EDGE 544
business enterprise enters into with the state or with any 545
particular instrumentality of the state, the minority business or 546

EDGE business enterprise may bid or enter into a contract valued 547
at twenty-five thousand dollars or less without being required to 548
provide a bond, but only if the minority business or EDGE business 549
enterprise is participating in a qualified contractor assistance 550
program or has successfully completed a qualified contractor 551
assistance program after ~~the effective date of this amendment~~ 552
October 16, 2009; 553

(2) After the state or any particular instrumentality of the 554
state has accepted the first contract as completed and all 555
subcontractors and suppliers on the contract have been paid, the 556
minority business or EDGE business enterprise may bid or enter 557
into a second contract with the state or with that particular 558
instrumentality of the state valued at fifty thousand dollars or 559
less without being required to provide a bond, but only if the 560
minority business or EDGE business enterprise is participating in 561
a qualified contractor assistance program or has successfully 562
completed a qualified contractor assistance program after ~~the~~ 563
~~effective date of this amendment~~ October 16, 2009; 564

(3) After the state or any particular instrumentality of the 565
state has accepted the second contract as completed and all 566
subcontractors and suppliers on the contract have been paid, the 567
minority business or EDGE business enterprise may bid or enter 568
into a third contract with the state or with that particular 569
instrumentality of the state valued at one hundred thousand 570
dollars or less without being required to provide a bond, but only 571
if the minority business or EDGE business enterprise has 572
successfully completed a qualified contractor assistance program 573
after ~~the effective date of this amendment~~ October 16, 2009; 574

(4) After the state or any particular instrumentality of the 575
state has accepted the third contract as completed and all 576
subcontractors and suppliers on the contract have been paid, the 577
minority business or EDGE business enterprise may bid or enter 578

into a fourth contract with the state or with that particular 579
instrumentality of the state valued at three hundred thousand 580
dollars or less without being required to provide a bond, but only 581
if the minority business or EDGE business enterprise has 582
successfully completed a qualified contractor assistance program 583
after ~~the effective date of this amendment~~ October 16, 2009; 584

(5) After the state or any instrumentality of the state has 585
accepted the fourth contract as completed and all subcontractors 586
and suppliers on the contract have been paid, upon a showing that 587
with respect to a contract valued at four hundred thousand dollars 588
or less with the state or with any particular instrumentality of 589
the state, that the minority business or EDGE business enterprise 590
either has been denied a bond by two surety companies or that the 591
minority business or EDGE business enterprise has applied to two 592
surety companies for a bond and, at the expiration of sixty days 593
after making the application, has neither received nor been denied 594
a bond, the minority business or EDGE business enterprise may 595
repeat its participation in the unbonded state contractor program. 596
Under no circumstances shall a minority business or EDGE business 597
enterprise be permitted to participate in the unbonded state 598
contractor program more than twice. 599

(H) Notwithstanding any provision of the Revised Code to the 600
contrary, a minority business or EDGE business enterprise may bid 601
or enter into a contract with any political subdivision of the 602
state or with any instrumentality of a political subdivision 603
without being required to provide a bond as follows: 604

(1) For the first contract that the minority business or EDGE 605
business enterprise enters into with any particular political 606
subdivision of the state or with any particular instrumentality of 607
a political subdivision, the minority business or EDGE business 608
enterprise may bid or enter into a contract valued at twenty-five 609
thousand dollars or less without being required to provide a bond, 610

but only if the minority business or EDGE business enterprise is 611
participating in a qualified contractor assistance program or has 612
successfully completed a qualified contractor assistance program 613
after ~~the effective date of this amendment~~ October 16, 2009; 614

(2) After any political subdivision of the state or any 615
instrumentality of a political subdivision has accepted the first 616
contract as completed and all subcontractors and suppliers on the 617
contract have been paid, the minority business or EDGE business 618
enterprise may bid or enter into a second contract with that 619
particular political subdivision of the state or with that 620
particular instrumentality of a political subdivision valued at 621
fifty thousand dollars or less without being required to provide a 622
bond, but only if the minority business or EDGE business 623
enterprise is participating in a qualified contractor assistance 624
program or has successfully completed a qualified contractor 625
assistance program after ~~the effective date of this amendment~~ 626
October 16, 2009; 627

(3) After any political subdivision of the state or any 628
instrumentality of a political subdivision has accepted the second 629
contract as completed and all subcontractors and suppliers on the 630
contract have been paid, the minority business or EDGE business 631
enterprise may bid or enter into a third contract with that 632
particular political subdivision of the state or with that 633
particular instrumentality of a political subdivision valued at 634
one hundred thousand dollars or less without being required to 635
provide a bond, but only if the minority business or EDGE business 636
enterprise has successfully completed a qualified contractor 637
assistance program after ~~the effective date of this amendment~~ 638
October 16, 2009; 639

(4) After any political subdivision of the state or any 640
instrumentality of a political subdivision has accepted the third 641
contract as completed and all subcontractors and suppliers on the 642

contract have been paid, the minority business or EDGE business 643
enterprise may bid or enter into a fourth contract with that 644
particular political subdivision of the state or with that 645
particular instrumentality of a political subdivision valued at 646
two hundred thousand dollars or less without being required to 647
provide a bond, but only if the minority business or EDGE business 648
enterprise has successfully completed a qualified contractor 649
assistance program after ~~the effective date of this amendment~~ 650
October 16, 2009; 651

(5) After any political subdivision of the state or any 652
instrumentality of a political subdivision has accepted the fourth 653
contract as completed and all subcontractors and suppliers on the 654
contract have been paid, upon a showing that with respect to a 655
contract valued at three hundred thousand dollars or less with any 656
political subdivision of the state or any instrumentality of a 657
political subdivision, that the minority business or EDGE business 658
enterprise either has been denied a bond by two surety companies 659
or that the minority business or EDGE business enterprise has 660
applied to two surety companies for a bond and, at the expiration 661
of sixty days after making the application, has neither received 662
nor been denied a bond, the minority business or EDGE business 663
enterprise may repeat its participation in the unbonded political 664
subdivision contractor program. Under no circumstances shall a 665
minority business or EDGE business enterprise be permitted to 666
participate in the unbonded political subdivision contractor 667
program more than twice. 668

(I) Notwithstanding any provision of the Revised Code to the 669
contrary, if a minority business or EDGE business enterprise has 670
entered into two or more contracts with the state or with any 671
instrumentality of the state, the minority business or EDGE 672
business enterprise may bid or enter into a contract with a 673
political subdivision of the state or with any instrumentality of 674

a political subdivision valued at the level at which the minority 675
business or EDGE business enterprise would qualify if entering 676
into an additional contract with the state. 677

(J) The director of development services shall coordinate and 678
oversee the unbonded state contractor program described in 679
division (G) of this section, the unbonded political subdivision 680
contractor program described in division (H) of this section, and 681
the approval of a qualified contractor assistance program. The 682
director shall prepare an annual report and submit it to the 683
governor and the general assembly on or before the first day of 684
~~February~~ August that includes the following: information on the 685
director's activities for the preceding calendar year regarding 686
the unbonded state contractor program, the unbonded political 687
subdivision contractor program, and the qualified contractor 688
assistance program; a summary and description of the operations 689
and activities of these programs; an assessment of the 690
achievements of these programs; and a recommendation as to whether 691
these programs need to continue. 692

(K) As used in this section: 693

(1) "EDGE business enterprise" means an EDGE business 694
enterprise certified under section 123.152 of the Revised Code. 695

(2) "Qualified contractor assistance program" means an 696
educational program or technical assistance program for business 697
development that is designed to assist a minority business or EDGE 698
business enterprise in becoming eligible for bonding and has been 699
approved by the director of development services for use as 700
required under this section. 701

(3) "Successfully completed a qualified contractor assistance 702
program" means the minority business or EDGE business enterprise 703
completed such a program on or after ~~the effective date of this~~ 704
~~amendment~~ October 16, 2009. 705

(4) "Unbonded state contractor program" means the program 706
described in division (G) of this section. 707

(5) "Unbonded political subdivision contractor program" means 708
the program described in division (H) of this section. 709

Sec. 122.94. The director of development services shall: 710

(A) Promulgate rules in accordance with Chapter 119. of the 711
Revised Code for the conduct of the minority business development 712
division's business and for carrying out the purposes of sections 713
122.92 to 122.94 of the Revised Code; 714

(B) Prepare an annual report to the governor and the general 715
assembly on or before the first day of ~~February~~ August of its 716
activities for the preceding calendar year. 717

Sec. 122.941. (A) On or before the first day of ~~October~~ 718
August in each year, the director of development services shall 719
make an annual report of the activities and operations under the 720
assistance programs of the ~~department~~ development services agency 721
for the preceding fiscal year to the governor and general 722
assembly. The annual report shall include a detailing of those 723
grants, guarantees, loans, and other forms of state assistance to 724
women-owned businesses. 725

(B) As used in this section: 726

(1) "Women-owned business" means any individual, partnership, 727
corporation, or joint venture of any kind that is owned and 728
controlled by women who are United States citizens and residents 729
of this state. 730

(2) "Owned and controlled" means that at least fifty-one per 731
cent of the business, including corporate stock if it is a 732
corporation, is owned by women and that such owners have control 733
over the day-to-day operations of the business and an interest in 734

the capital, assets, and profits and losses of the business 735
proportionate to their percentage of ownership. In order to 736
qualify as a women-owned business, a business shall have been 737
owned by such owners at least one year. 738

Sec. 127.14. The controlling board may, at the request of any 739
state agency or the director of budget and management, authorize, 740
with respect to the provisions of any appropriation act: 741

(A) Transfers of all or part of an appropriation within but 743
not between state agencies, except such transfers as the director 744
of budget and management is authorized by law to make, provided 745
that no transfer shall be made by the director for the purpose of 746
effecting new or changed levels of program service not authorized 747
by the general assembly; 748

(B) Transfers of all or part of an appropriation from one 749
fiscal year to another; 750

(C) Transfers of all or part of an appropriation within or 751
between state agencies made necessary by administrative 752
reorganization or by the abolition of an agency or part of an 753
agency; 754

(D) Transfers of all or part of cash balances in excess of 755
needs from any fund of the state to the general revenue fund or to 756
such other fund of the state to which the money would have been 757
credited in the absence of the fund from which the transfers are 758
authorized to be made, except that the controlling board may not 759
authorize such transfers from the accrued leave liability fund, 760
auto registration distribution fund, local motor vehicle license 761
tax fund, budget stabilization fund, building improvement fund, 762
development bond retirement fund, facilities establishment fund, 763
gasoline excise tax fund, general revenue fund, higher education 764
improvement fund, highway improvement bond retirement fund, 765

highway obligations bond retirement fund, highway capital	766
improvement fund, highway operating fund, horse racing tax fund,	767
improvements bond retirement fund, public library fund, liquor	768
control fund, local government fund, local transportation	769
improvement program fund, <u>medicaid reserve fund</u> , mental health	770
facilities improvement fund, Ohio fairs fund, parks and recreation	771
improvement fund, public improvements bond retirement fund, school	772
district income tax fund, state agency facilities improvement	773
fund, state and local government highway distribution fund, state	774
highway safety fund, state lottery fund, undivided liquor permit	775
fund, Vietnam conflict compensation bond retirement fund,	776
volunteer fire fighters' dependents fund, waterways safety fund,	777
wildlife fund, workers' compensation fund, or any fund not	778
specified in this division that the director of budget and	779
management determines to be a bond fund or bond retirement fund;	780
(E) Transfers of all or part of those appropriations included	781
in the emergency purposes account of the controlling board;	782
(F) Temporary transfers of all or part of an appropriation or	783
other moneys into and between existing funds, or new funds, as may	784
be established by law when needed for capital outlays for which	785
notes or bonds will be issued;	786
(G) Transfer or release of all or part of an appropriation to	787
a state agency requiring controlling board approval of such	788
transfer or release as provided by law;	789
(H) Temporary transfer of funds included in the emergency	790
purposes appropriation of the controlling board. Such temporary	791
transfers may be made subject to conditions specified by the	792
controlling board at the time temporary transfers are authorized.	793
No transfers shall be made under this division for the purpose of	794
effecting new or changed levels of program service not authorized	795
by the general assembly.	796

As used in this section, "request" means an application by a 797
state agency or the director of budget and management seeking some 798
action by the controlling board. 799

When authorizing the transfer of all or part of an 800
appropriation under this section, the controlling board may 801
authorize the transfer to an existing appropriation item and the 802
creation of and transfer to a new appropriation item. 803

Whenever there is a transfer of all or part of funds included 804
in the emergency purposes appropriation by the controlling board, 805
pursuant to division (E) of this section, the state agency or the 806
director of budget and management receiving such transfer shall 807
keep a detailed record of the use of the transferred funds. At the 808
earliest scheduled meeting of the controlling board following the 809
accomplishment of the purposes specified in the request originally 810
seeking the transfer, or following the total expenditure of the 811
transferred funds for the specified purposes, the state agency or 812
the director of budget and management shall submit a report on the 813
expenditure of such funds to the board. The portion of any 814
appropriation so transferred which is not required to accomplish 815
the purposes designated in the original request to the controlling 816
board shall be returned to the proper appropriation of the 817
controlling board at this time. 818

Notwithstanding any provisions of law providing for the 819
deposit of revenues received by a state agency to the credit of a 820
particular fund in the state treasury, whenever there is a 821
temporary transfer of funds included in the emergency purposes 822
appropriation of the controlling board pursuant to division (H) of 823
this section, revenues received by any state agency receiving such 824
a temporary transfer of funds shall, as directed by the 825
controlling board, be transferred back to the emergency purposes 826
appropriation. 827

The board may delegate to the director of budget and 828

management authority to approve transfers among items of 829
appropriation under division (A) of this section. 830

Sec. 149.311. (A) As used in this section: 831

(1) "Historic building" means a building, including its 832
structural components, that is located in this state and that is 833
either individually listed on the national register of historic 834
places under 16 U.S.C. 470a, located in a registered historic 835
district, and certified by the state historic preservation officer 836
as being of historic significance to the district, or is 837
individually listed as an historic landmark designated by a local 838
government certified under 16 U.S.C. 470a(c). 839

(2) "Qualified rehabilitation expenditures" means 840
expenditures paid or incurred during the rehabilitation period, 841
and before and after that period as determined under 26 U.S.C. 47, 842
by an owner or qualified lessee of an historic building to 843
rehabilitate the building. "Qualified rehabilitation expenditures" 844
includes architectural or engineering fees paid or incurred in 845
connection with the rehabilitation, and expenses incurred in the 846
preparation of nomination forms for listing on the national 847
register of historic places. "Qualified rehabilitation 848
expenditures" does not include any of the following: 849

(a) The cost of acquiring, expanding, or enlarging an 850
historic building; 851

(b) Expenditures attributable to work done to facilities 852
related to the building, such as parking lots, sidewalks, and 853
landscaping; 854

(c) New building construction costs. 855

(3) "Owner" of an historic building means a person holding 856
the fee simple interest in the building. "Owner" does not include 857
the state or a state agency, or any political subdivision as 858

defined in section 9.23 of the Revised Code. 859

(4) "Qualified lessee" means a person subject to a lease 860
agreement for an historic building and eligible for the federal 861
rehabilitation tax credit under 26 U.S.C. 47. "Qualified lessee" 862
does not include the state or a state agency or political 863
subdivision as defined in section 9.23 of the Revised Code. 864

(5) "Certificate owner" means the owner or qualified lessee 865
of an historic building to which a rehabilitation tax credit 866
certificate was issued under this section. 867

(6) "Registered historic district" means an historic district 868
listed in the national register of historic places under 16 U.S.C. 869
470a, an historic district designated by a local government 870
certified under 16 U.S.C. 470a(c), or a local historic district 871
certified under 36 C.F.R. 67.8 and 67.9. 872

(7) "Rehabilitation" means the process of repairing or 873
altering an historic building or buildings, making possible an 874
efficient use while preserving those portions and features of the 875
building and its site and environment that are significant to its 876
historic, architectural, and cultural values. 877

(8) "Rehabilitation period" means one of the following: 878

(a) If the rehabilitation initially was not planned to be 879
completed in stages, a period chosen by the owner or qualified 880
lessee not to exceed twenty-four months during which 881
rehabilitation occurs; 882

(b) If the rehabilitation initially was planned to be 883
completed in stages, a period chosen by the owner or qualified 884
lessee not to exceed sixty months during which rehabilitation 885
occurs. Each stage shall be reviewed as a phase of a 886
rehabilitation as determined under 26 C.F.R. 1.48-12 or a 887
successor to that section. 888

(9) "State historic preservation officer" or "officer" means 889
the state historic preservation officer appointed by the governor 890
under 16 U.S.C. 470a. 891

(B) The owner or qualified lessee of an historic building may 892
apply to the director of development services for a rehabilitation 893
tax credit certificate for qualified rehabilitation expenditures 894
paid or incurred by such owner or qualified lessee after April 4, 895
2007, for rehabilitation of an historic building. If the owner of 896
an historic building enters a pass-through agreement with a 897
qualified lessee for the purposes of the federal rehabilitation 898
tax credit under 26 U.S.C. 47, the qualified rehabilitation 899
expenditures paid or incurred by the owner after April 4, 2007, 900
may be attributed to the qualified lessee. 901

The form and manner of filing such applications shall be 902
prescribed by rule of the director. Each application shall state 903
the amount of qualified rehabilitation expenditures the applicant 904
estimates will be paid or incurred. The director may require 905
applicants to furnish documentation of such estimates. 906

The director, after consultation with the tax commissioner 907
and in accordance with Chapter 119. of the Revised Code, shall 908
adopt rules that establish all of the following: 909

(1) Forms and procedures by which applicants may apply for 910
rehabilitation tax credit certificates; 911

(2) Criteria for reviewing, evaluating, and approving 912
applications for certificates within the limitations under 913
division (D) of this section, criteria for assuring that the 914
certificates issued encompass a mixture of high and low qualified 915
rehabilitation expenditures, and criteria for issuing certificates 916
under division (C)(3)(b) of this section; 917

(3) Eligibility requirements for obtaining a certificate 918
under this section; 919

(4) The form of rehabilitation tax credit certificates;	920
(5) Reporting requirements and monitoring procedures;	921
(6) Procedures and criteria for conducting cost-benefit analyses of historic buildings that are the subjects of applications filed under this section. The purpose of a cost-benefit analysis shall be to determine whether rehabilitation of the historic building will result in a net revenue gain in state and local taxes once the building is used.	922 923 924 925 926 927
(7) Any other rules necessary to implement and administer this section.	928 929
(C) The director of development services shall review the applications with the assistance of the state historic preservation officer and determine whether all of the following criteria are met:	930 931 932 933
(1) That the building that is the subject of the application is an historic building and the applicant is the owner or qualified lessee of the building;	934 935 936
(2) That the rehabilitation will satisfy standards prescribed by the United States secretary of the interior under 16 U.S.C. 470, et seq., as amended, and 36 C.F.R. 67.7 or a successor to that section;	937 938 939 940
(3) That receiving a rehabilitation tax credit certificate under this section is a major factor in:	941 942
(a) The applicant's decision to rehabilitate the historic building; or	943 944
(b) To increase the level of investment in such rehabilitation.	945 946
An applicant shall demonstrate to the satisfaction of the state historic preservation officer and director of development services that the rehabilitation will satisfy the standards	947 948 949

described in division (C)(2) of this section before the applicant 950
begins the physical rehabilitation of the historic building. 951

(D)(1) If the director of development services determines 952
that an application meets the criteria in divisions (C)(1), (2), 953
and (3) of this section, the director shall conduct a cost-benefit 954
analysis for the historic building that is the subject of the 955
application to determine whether rehabilitation of the historic 956
building will result in a net revenue gain in state and local 957
taxes once the building is used. The director shall consider the 958
results of the cost-benefit analysis in determining whether to 959
approve the application. The director shall also consider the 960
potential economic impact and the regional distributive balance of 961
the credits throughout the state. The director may approve an 962
application only after completion of the cost-benefit analysis. 963

(2) A rehabilitation tax credit certificate shall not be 964
issued for an amount greater than the estimated amount furnished 965
by the applicant on the application for such certificate and 966
approved by the director. The director shall not approve more than 967
a total of sixty million dollars of rehabilitation tax credits per 968
fiscal year but the director may reallocate unused tax credits 969
from a prior fiscal year for new applicants and such reallocated 970
credits shall not apply toward the dollar limit of this division. 971

(3) For rehabilitations with a rehabilitation period not 972
exceeding twenty-four months as provided in division (A)~~(7)~~(8)(a) 973
of this section, a rehabilitation tax credit certificate shall not 974
be issued before the rehabilitation of the historic building is 975
completed. 976

(4) For rehabilitations with a rehabilitation period not 977
exceeding sixty months as provided in division (A)~~(7)~~(8)(b) of 978
this section, a rehabilitation tax credit certificate shall not be 979
issued before a stage of rehabilitation is completed. After all 980
stages of rehabilitation are completed, if the director cannot 981

determine that the criteria in division (C) of this section are 982
satisfied for all stages of rehabilitations, the director shall 983
certify this finding to the tax commissioner, and any 984
rehabilitation tax credits received by the applicant shall be 985
repaid by the applicant and may be collected by assessment as 986
unpaid tax by the commissioner. 987

(5) The director of development services shall require the 988
applicant to provide a third-party cost certification by a 989
certified public accountant of the actual costs attributed to the 990
rehabilitation of the historic building when qualified 991
rehabilitation expenditures exceed two hundred thousand dollars. 992

If an applicant whose application is approved for receipt of 993
a rehabilitation tax credit certificate fails to provide to the 994
director sufficient evidence of reviewable progress, including a 995
viable financial plan, copies of final construction drawings, and 996
evidence that the applicant has obtained all historic approvals 997
within twelve months after the date the applicant received 998
notification of approval, and if the applicant fails to provide 999
evidence to the director that the applicant has secured and closed 1000
on financing for the rehabilitation within eighteen months after 1001
receiving notification of approval, the director may rescind the 1002
approval of the application. The director shall notify the 1003
applicant if the approval has been rescinded. Credits that would 1004
have been available to an applicant whose approval was rescinded 1005
shall be available for other qualified applicants. Nothing in this 1006
division prohibits an applicant whose approval has been rescinded 1007
from submitting a new application for a rehabilitation tax credit 1008
certificate. 1009

(E) Issuance of a certificate represents a finding by the 1010
director of development services of the matters described in 1011
divisions (C)(1), (2), and (3) of this section only; issuance of a 1012
certificate does not represent a verification or certification by 1013

the director of the amount of qualified rehabilitation 1014
expenditures for which a tax credit may be claimed under section 1015
5725.151, 5725.34, 5726.52, 5729.17, 5733.47, or 5747.76 of the 1016
Revised Code. The amount of qualified rehabilitation expenditures 1017
for which a tax credit may be claimed is subject to inspection and 1018
examination by the tax commissioner or employees of the 1019
commissioner under section 5703.19 of the Revised Code and any 1020
other applicable law. Upon the issuance of a certificate, the 1021
director shall certify to the tax commissioner, in the form and 1022
manner requested by the tax commissioner, the name of the 1023
applicant, the amount of qualified rehabilitation expenditures 1024
shown on the certificate, and any other information required by 1025
the rules adopted under this section. 1026

(F)(1) On or before the first day of ~~April~~ August each year, 1027
the director of development services and tax commissioner jointly 1028
shall submit to the president of the senate and the speaker of the 1029
house of representatives a report on the tax credit program 1030
established under this section and sections 5725.151, 5725.34, 1031
5726.52, 5729.17, 5733.47, and 5747.76 of the Revised Code. The 1032
report shall present an overview of the program and shall include 1033
information on the number of rehabilitation tax credit 1034
certificates issued under this section during the preceding fiscal 1035
year, an update on the status of each historic building for which 1036
an application was approved under this section, the dollar amount 1037
of the tax credits granted under sections 5725.151, 5725.34, 1038
5726.52, 5729.17, 5733.47, and 5747.76 of the Revised Code, and 1039
any other information the director and commissioner consider 1040
relevant to the topics addressed in the report. 1041

(2) On or before December 1, 2015, the director of 1042
development services and tax commissioner jointly shall submit to 1043
the president of the senate and the speaker of the house of 1044
representatives a comprehensive report that includes the 1045

information required by division (F)(1) of this section and a 1046
detailed analysis of the effectiveness of issuing tax credits for 1047
rehabilitating historic buildings. The report shall be prepared 1048
with the assistance of an economic research organization jointly 1049
chosen by the director and commissioner. 1050

(G) There is hereby created in the state treasury the 1051
historic rehabilitation tax credit operating fund. The director of 1052
development services is authorized to charge reasonable 1053
application and other fees in connection with the administration 1054
of tax credits authorized by this section and sections 5725.151, 1055
5725.34, 5726.52, 5729.17, ~~5733.44~~ 5733.47, and 5747.76 of the 1056
Revised Code. Any such fees collected shall be credited to the 1057
fund and used to pay reasonable costs incurred by the department 1058
of development services in administering this section and sections 1059
5725.151, 5725.34, 5726.52, 5729.17, ~~5733.44~~ 5733.47, and 5747.76 1060
of the Revised Code. 1061

The Ohio historic preservation office is authorized to charge 1062
reasonable fees in connection with its review and approval of 1063
applications under this section. Any such fees collected shall be 1064
credited to the fund and used to pay administrative costs incurred 1065
by the Ohio historic preservation office pursuant to this section. 1066

Sec. 150.10. (A) On the first day of January of the second 1067
year after the date of entering into an agreement under section 1068
150.05 of the Revised Code and on the first day of August of each 1069
ensuing year, the authority shall file with the clerk of the house 1070
of representatives, the clerk of the senate, and the chairpersons 1071
of the house and senate standing committees predominantly 1072
concerned with economic development a written report on the Ohio 1073
venture capital program. The report shall include all the 1074
following: 1075

(1) A description of the details of the investment policy 1076

established or modified in accordance with sections 150.03 and	1077
150.04 of the Revised Code;	1078
(2) The authority's assessment of the program's achievement	1079
of its purpose stated in section 150.01 of the Revised Code;	1080
(3) The value of tax credit certificates issued by the	1081
authority under section 150.07 of the Revised Code in each fiscal	1082
year ending on or before the preceding thirtieth day of June;	1083
(4) The amount of tax credits claimed pursuant to section	1084
5707.031, 5725.19, 5726.53, 5727.241, 5729.08, 5733.49, or 5747.80	1085
of the Revised Code, as to the respective taxes involved;	1086
(5) The financial status of the Ohio venture capital fund;	1087
(6) The names of venture capital funds in which money from	1088
the program fund has been invested and the locations of their	1089
principal offices, and the names of the enterprises in which each	1090
of those venture capital funds has invested such money and the	1091
locations of those enterprises' principal offices;	1092
(7) Any recommendations for modifying the program to better	1093
achieve the purpose stated in section 150.01 of the Revised Code.	1094
(B) During each year that a report is issued under division	1095
(A) of this section, the chairperson of the authority, or another	1096
member of the authority designated by the chairperson as the	1097
authority's representative, shall be required to appear in person	1098
before the standing committees of the house and senate	1099
predominantly concerned with economic development to give	1100
testimony concerning the status of the Ohio venture capital	1101
program.	1102
Sec. 166.13. (A) Prior to entering into each agreement to	1103
provide innovation financial assistance under sections 166.12,	1104
166.15, and 166.16 of the Revised Code, the director of	1105
development services shall determine whether the assistance will	1106

conform to the requirements of sections 166.12 to 166.16 of the Revised Code. Such determination, and the facts upon which it is based, shall be set forth by the director in submissions made to the controlling board when the director seeks a release of moneys under section 166.12 of the Revised Code. An agreement to provide assistance under sections 166.12, 166.15, and 166.16 of the Revised Code shall set forth the determination, which shall be conclusive for purposes of the validity and enforceability of the agreement and any innovation loan guarantees, innovation loans, or other agreements entered into pursuant to the agreement to provide innovation financial assistance.

(B) Whenever a person applies for innovation financial assistance under sections 166.12, 166.15, and 166.16 of the Revised Code and the eligible innovation project for which innovation financial assistance is requested is to relocate an eligible innovation project that is currently being operated by the person and that is located in another county, municipal corporation, or township, the ~~director~~ person shall provide written notification to the appropriate local governmental bodies and state officials. The ~~notification shall contain the following information:~~

~~(1) The name of the person applying for innovation financial assistance;~~

~~(2) The county, and the municipal corporation or township, in which the eligible innovation project for which innovation financial assistance is requested is located; and~~

~~(3) The county, and the municipal corporation or township, in which the eligible innovation project to be replaced is located~~
director may not enter into an agreement to provide innovation financial assistance until the director determines that the appropriate local government bodies and state officials have been notified.

(C) As used in division (B) of this section:	1139
(1) "Appropriate local governmental bodies" means:	1140
(a) The boards of county commissioners or legislative authorities of the county in which the project for which innovation financial assistance is requested is located and of the county in which the eligible innovation project to be replaced is located;	1141 1142 1143 1144 1145
(b) The legislative authority of the municipal corporation or the board of township trustees of the township in which the eligible innovation project for which innovation financial assistance is requested is located; and	1146 1147 1148 1149
(c) The legislative authority of the municipal corporation or the board of township trustees of the township in which the eligible innovation project to be replaced is located.	1150 1151 1152
(2) "State officials" means:	1153
(a) The state representative and state senator in whose districts the project for which innovation financial assistance is requested is located;	1154 1155 1156
(b) The state representative and state senator in whose districts the innovation project to be replaced is located.	1157 1158
Sec. 166.18. (A) Prior to entering into each agreement to provide research and development financial assistance, the director of development services shall determine whether the assistance will conform to the requirements of sections 166.17 to 166.21, 5733.352, and 5747.331 of the Revised Code. Such determination, and the facts upon which it is based, shall be set forth by the director in submissions made to the controlling board when the director seeks a release of moneys under section 166.17 of the Revised Code. An agreement to provide research and development financial assistance under section 166.17 or 166.21 of	1159 1160 1161 1162 1163 1164 1165 1166 1167 1168

the Revised Code shall set forth the determination, which shall be 1169
conclusive for purposes of the validity and enforceability of the 1170
agreement, and any loans or other agreements entered into pursuant 1171
to the agreement, to provide research and development financial 1172
assistance. 1173

(B) Whenever a person applies for research and development 1174
financial assistance, and the eligible research and development 1175
project for which that assistance is requested is to relocate an 1176
eligible research and development project that is currently being 1177
operated by the person and that is located in another county, 1178
municipal corporation, or township within the state, the ~~director~~ 1179
person shall provide written notification to the appropriate local 1180
governmental bodies and state officials. The ~~notification shall~~ 1181
~~state all of the following:~~ 1182

~~(1) The name of the person applying for research and 1183
development financial assistance;~~ 1184

~~(2) The county, and the municipal corporation or township, in 1185
which the project for which research and development financial 1186
assistance is requested will be located;~~ 1187

~~(3) The county, and the municipal corporation or township, in 1188
which the eligible research and development project is located at 1189
the time such financial assistance is requested director may not 1190
enter into an agreement to provide research and development 1191
financial assistance until the director determines that the 1192
appropriate local government bodies and state officials have been 1193
notified. 1194~~

(C) As used in division (B) of this section: 1195

(1) "Appropriate local governmental bodies" means all of the 1196
following: 1197

(a) The board of county commissioners of or legislative 1198
authorities of special districts in the county in which the 1199

eligible research and development project for which research and 1200
development financial assistance is requested is located and of 1201
the county in which the project will be located; 1202

(b) The legislative authority of the municipal corporation or 1203
the board of township trustees of the township in which the 1204
eligible research and development project for which research and 1205
development financial assistance is requested is located and of 1206
the municipal corporation or township in which the project will be 1207
located. 1208

(2) "State officials" means both of the following: 1209

(a) The state representative and state senator in whose 1210
district the eligible research and development project for which 1211
research and development financial assistance is requested is 1212
located; 1213

(b) The state representative and state senator in whose 1214
district the eligible research and development project will be 1215
located. 1216

Sec. 184.02. (A) In addition to the powers and duties under 1217
sections 184.10 to 184.20 and 184.37 of the Revised Code, the 1218
third frontier commission may perform any act to ensure the 1219
performance of any function necessary or appropriate to carry out 1220
the purposes of, and exercise the powers granted under, sections 1221
184.01 and 184.02 of the Revised Code. In addition, the commission 1222
may do any of the following: 1223

(1) Adopt, amend, and rescind rules under section 111.15 of 1224
the Revised Code for the administration of any aspect of its 1225
operations; 1226

(2) Adopt bylaws governing its operations, including bylaws 1227
that establish procedures and set policies as may be necessary to 1228
assist with the furtherance of its purposes; 1229

(3) Appoint and set the compensation of employees needed to carry out its duties;	1230 1231
(4) Contract with, retain the services of, or designate, and fix the compensation of, such financial consultants, accountants, other consultants and advisors, and other independent contractors as may be necessary or desirable to carry out its duties;	1232 1233 1234 1235
(5) Solicit input and comments from the third frontier advisory board, and specialized industry, professional, and other relevant interest groups concerning its purposes;	1236 1237 1238
(6) Facilitate alignment of the state's science and technology programs and activities;	1239 1240
(7) Make grants and loans to individuals, public agencies, private companies or organizations, or joint ventures for any of the broad range of activities related to its purposes.	1241 1242 1243
(B) In addition to the powers and duties under sections 184.10 to 184.20 and 184.37 of the Revised Code, the commission shall do all of the following:	1244 1245 1246
(1) Establish a competitive process for the award of grants and loans that is designed to fund the most meritorious proposals and, when appropriate, provide for peer review of proposals;	1247 1248 1249
(2) Within ninety days after the end of each fiscal <u>On or before the first day of August of each</u> year, submit to the governor and the general assembly a report of the activities of the commission during the preceding fiscal year;	1250 1251 1252 1253
(3) With specific application to the biomedical research and technology transfer trust fund, periodically make strategic assessments of the types of state investments in biomedical research and biotechnology in the state that would likely create jobs and business opportunities in the state and produce the most beneficial long-term improvements to the public health of Ohioans,	1254 1255 1256 1257 1258 1259

including, but not limited to, biomedical research and 1260
biotechnology initiatives that address tobacco-related illnesses 1261
as may be outlined in any master agreement. The commission shall 1262
award grants and loans from the fund pursuant to a process 1263
established under division (B)(1) of this section. 1264

Sec. 1551.34. On or before the ~~thirty-first~~ first day of 1265
~~March~~ August of the ~~second~~ each even-numbered year of ~~each~~ 1266
~~biennium~~, the director of the Ohio coal development office 1267
established under section 1551.32 of the Revised Code shall submit 1268
to the governor and the general assembly an Ohio coal development 1269
agenda. Prior to each submission, the office shall solicit public 1270
comment on the agenda to give interested parties an opportunity to 1271
comment on the agenda. The director shall consider any public 1272
comments received prior to the agenda's submission. The agenda 1273
shall include, but is not limited to, all of the following: 1274

(A) A characterization of Ohio coal, constraints on its 1275
maximum use, and opportunities for overcoming those constraints; 1276

(B) A characterization of the current and potential markets 1277
for Ohio coal, constraints on increased market demand for it, and 1278
opportunities for overcoming those constraints; 1279

(C) Identification of each of the office's programs and its 1280
correspondence to the purposes of the office; 1281

(D) A description of the office's current projects that 1282
includes the status of each project and a specific description of 1283
the office's activities in all of the following areas: 1284

(1) Commercialization of available technology; 1285

(2) Marketplace adoption of that technology; 1286

(3) Enhancement of user markets for Ohio coal. 1287

(E) The types of projects to be funded in the succeeding 1288
biennium; 1289

(F) Anticipated expenditures for, the relative priority of, 1290
and the potential benefits of each type of project to be funded in 1291
the succeeding biennium; 1292

(G) The results obtained from completed projects and 1293
dissemination of those results; 1294

(H) A fiscal report of the office's activities under sections 1295
1551.30 to 1551.35 and Chapter 1555. of the Revised Code during 1296
the preceding biennium; 1297

(I) The criteria used to select the office's specific types 1298
of projects. The criteria shall consider all of the following: 1299

(1) A project's relationship to and support of the office's 1300
purposes; 1301

(2) The technology involved, its applicability to Ohio coal, 1302
and its potential rate and probability of marketplace adoption; 1303

(3) The commercial readiness of a project's facility, 1304
technology, or equipment; 1305

(4) The cost and relative risk to the state and the 1306
participation of other investors or interested parties in a 1307
project's financing; 1308

(5) The likelihood that results of a project would not be 1309
achieved in the absence of the office's assistance. 1310

Sec. 3333.91. Not later than December 31, 2014, the 1311
governor's office of workforce transformation, in collaboration 1312
with the chancellor of the Ohio board of regents, the 1313
superintendent of public instruction, and the department of job 1314
and family services, shall develop and submit to the appropriate 1315
federal agency a single, state unified plan for the adult basic 1316
and literacy education program administered by the United States 1317
secretary of education, the "Carl D. Perkins Vocational and 1318
Technical Education Act," 20 U.S.C. 2301, et seq., as amended, and 1319

the "Workforce Investment Act of 1998," 29 U.S.C. 2801, et seq., 1320
as amended. Following the plan's initial submission to the 1321
appropriate federal agency, the governor's office of workforce 1322
transformation may update it as necessary. If the plan is updated, 1323
the governor's office of workforce transformation shall submit the 1324
updated plan to the appropriate federal agency. 1325

Sec. 3731.02. (A) The state fire marshal shall make such 1326
rules as are necessary to carry out this chapter, which shall 1327
include, but are not limited to, rules establishing requirements 1328
to renew a license issued under this chapter and fees for 1329
licensure and renewal and for inspections of hotels. Except as 1330
provided in division (G) of section 3731.12 of the Revised Code, 1331
the state fire marshal and the assistant state fire marshals shall 1332
enforce this chapter. 1333

(B) Except as otherwise provided in this division and 1334
divisions (C) and (D) of this section, the board of building 1335
standards shall adopt, pursuant to section 3781.10 of the Revised 1336
Code, rules that specify that the building code standards for SRO 1337
facilities shall be use group R-2. Any facility operating prior to 1338
October 16, 1996, in the nature of an SRO facility that met the 1339
building code standards for an SRO facility prior to that date, 1340
whether previously licensed as a hotel or not, and after October 1341
16, 1996, licensed as an SRO facility under section 3731.03 of the 1342
Revised Code, shall be permitted under the rules to have a 1343
building code standard of either use group R-1 or use group R-2 if 1344
the facility meets the requirements for those use groups as 1345
specified in the Ohio building code adopted pursuant to section 1346
3781.10 of the Revised Code. The requirements of this division 1347
apply to an SRO facility that holds a license as an SRO facility 1348
on ~~the effective date of this amendment~~ September 12, 2008, unless 1349
any of the following events occur on or after ~~the effective date~~ 1350

~~of this amendment~~ September 12, 2008: 1351

(1) The owner of the SRO facility constructs or alters the 1352
facility. 1353

(2) The owner of the SRO facility surrenders the license 1354
issued to that facility. 1355

(3) The owner of the SRO facility changes the use or 1356
occupancy of that facility. 1357

(4) The license issued to that SRO facility under this 1358
chapter is revoked or is not renewed. 1359

(C) If any of the events described in divisions (B)(1) to (4) 1360
of this section occur, the owner of the structure shall comply 1361
with division (D) of this section to obtain a new license to 1362
operate as an SRO facility. 1363

(D) Beginning on ~~the effective date of this amendment~~ 1364
September 12, 2008, the state fire marshal shall not issue a new 1365
license to operate a facility as an SRO facility, and shall not 1366
renew such a license issued under this division, unless the SRO 1367
facility is constructed providing individual sleeping rooms for 1368
each guest; has, on a per-room or a communal basis within each 1369
building to be licensed as an SRO facility, permanent provisions 1370
for living, eating, cooking, and sanitation; and is constructed in 1371
accordance with the requirements specified for SRO facilities and 1372
is approved by the building official having jurisdiction over that 1373
facility to be an SRO facility. An SRO facility subject to this 1374
division shall only operate with, and shall properly maintain, 1375
individual sleeping rooms for each guest and shall only operate 1376
with, and shall properly maintain, on a per-room or communal 1377
basis, permanent provisions available to all guests for living, 1378
eating, cooking, and sanitation. 1379

(E) The state fire marshal may, pursuant to division (A) of 1380
this section, adopt rules establishing a fire code and sanitary 1381

standards compliance incentive program for persons required to 1382
procure a license for a hotel under section 3731.03 of the Revised 1383
Code. The rules may include provisions for the creation of a "Safe 1384
Stay Hotel" designation by the state fire marshal, the standards a 1385
licensed hotel must meet to achieve and maintain that designation, 1386
the procedures the state fire marshal shall use to publish and 1387
maintain a registry of hotels receiving that designation, and any 1388
monetary incentives offered by the state fire marshal to encourage 1389
a licensed hotel to achieve and maintain that designation. At a 1390
minimum, no hotel may be designated as a "Safe Stay Hotel" or 1391
maintain such a designation unless it meets the fire code and 1392
sanitary compliance standards established pursuant to this section 1393
for a continuous period of at least twenty-four months. 1394

Nothing in this division shall be construed to limit the 1395
power of this state, the department of commerce, the state fire 1396
marshal, or any other political subdivision of the state to 1397
administer and enforce any other sections of this chapter or any 1398
other applicable laws, rules, and regulations. Nothing in this 1399
division shall be construed to require the state fire marshal to 1400
designate a hotel as a "Safe Stay Hotel" or require the state fire 1401
marshal to award a monetary incentive to a hotel in any manner 1402
that is inconsistent or in conflict with the rules adopted under 1403
this section or any other applicable laws, rules, or regulations. 1404

Sec. 4740.06. (A) Any individual who applies for a license 1405
shall file a written application with the appropriate section of 1406
the Ohio construction industry licensing board, accompanied with 1407
the application fee as determined pursuant to section 4740.09 of 1408
the Revised Code. The individual shall file the application not 1409
more than sixty days nor less than thirty days prior to the date 1410
of the examination. The application shall be on the form the 1411
section prescribes and verified by the applicant's oath. The 1412
applicant shall provide information satisfactory to the section 1413

showing that the applicant meets the requirements of division (B)	1414
of this section.	1415
(B) To qualify to take an examination, an individual shall:	1416
(1) Be at least eighteen years of age;	1417
(2) Be a United States citizen or legal alien who produces	1418
valid documentation to demonstrate the individual is a legal	1419
resident of the United States;	1420
(3) Either have been a tradesperson in the type of licensed	1421
trade for which the application is filed for not less than five	1422
years immediately prior to the date the application is filed, be a	1423
currently registered engineer in this state with three years of	1424
business experience in the construction industry in the trade for	1425
which the engineer is applying to take an examination, or have	1426
other experience acceptable to the appropriate section of the	1427
board;	1428
(4) Maintain contractor's liability insurance, including	1429
without limitation, complete operations coverage, in an amount the	1430
appropriate section of the board determines;	1431
(5) Not have done any of the following:	1432
(a) Been convicted of or pleaded guilty to a crime of moral	1433
turpitude or a disqualifying offense as those terms are defined in	1434
section 4776.10 of the Revised Code;	1435
(b) Violated this chapter or any rule adopted pursuant to it;	1436
(c) Obtained or renewed a license issued pursuant to this	1437
chapter, or any order, ruling, or authorization of the board or a	1438
section of the board by fraud, misrepresentation, or deception;	1439
(d) Engaged in fraud, misrepresentation, or deception in the	1440
conduct of business.	1441
(C) When an applicant for licensure as a contractor in a	1442

licensed trade meets the qualifications set forth in division (B) 1443
of this section and passes the required examination, the 1444
appropriate section of the board, within ninety days after the 1445
application was filed, shall authorize the administrative section 1446
of the board to license the applicant for the type of contractor's 1447
license for which the applicant qualifies. A section of the board 1448
may withdraw its authorization to the administrative section for 1449
issuance of a license for good cause shown, on the condition that 1450
notice of that withdrawal is given prior to the administrative 1451
section's issuance of the license. 1452

(D) All licenses a contractor holds pursuant to this chapter 1453
shall expire annually on the same date, which shall be the 1454
expiration date of the original license the contractor holds. An 1455
individual holding a valid, unexpired license may renew the 1456
license, without reexamination, by submitting an application to 1457
the appropriate section of the board not more than ninety calendar 1458
days before the expiration of the license, along with the renewal 1459
fee the section requires and proof of compliance with the 1460
applicable continuing education requirements. The applicant shall 1461
provide information in the renewal application satisfactory to 1462
demonstrate to the appropriate section that the applicant 1463
continues to meet the requirements of division (B) of this 1464
section. 1465

Upon application and within one calendar year after a license 1466
has expired, a section may waive any of the requirements for 1467
renewal of a license upon finding that an applicant substantially 1468
meets the renewal requirements or that failure to timely apply for 1469
renewal is due to excusable neglect. A section that waives 1470
requirements for renewal of a license may impose conditions upon 1471
the licensee and assess a late filing fee of not more than double 1472
the usual renewal fee. An applicant shall satisfy any condition 1473
the section imposes before a license is reissued. 1474

(E) An individual holding a valid license may request the section of the board that authorized that license to place the license in inactive status under conditions, and for a period of time, as that section determines.

(F) Except for the ninety-day extension provided for a license assigned to a business entity under division (D) of section 4740.07 of the Revised Code, a license held by an individual immediately terminates upon the death of the individual.

(G) Nothing in any license issued by the Ohio construction industry licensing board shall be construed to limit or eliminate any requirement of or any license issued by the Ohio fire marshal.

(H)(1) Subject to divisions (H)(2), (3), and (4) of this section, no trade section of the board shall adopt, maintain, renew, or enforce any rule, or otherwise preclude in any way, an individual from receiving or renewing a license under this chapter due to any past criminal activity or interpretation of moral character, except as pursuant to division (B)(5)(a) of this section. If the section denies an individual a license or license renewal, the reasons for such denial shall be put in writing.

(2) Except as otherwise provided in this division, if an individual applying for a license has been convicted of or pleaded guilty to a misdemeanor that is not a crime of moral turpitude or a disqualifying offense less than one year prior to making the application, the section may use its discretion in granting or denying the individual a license. Except as otherwise provided in this division, if an individual applying for a license has been convicted of or pleaded guilty to a felony that is not a crime of moral turpitude or a disqualifying offense less than three years prior to making the application, the section may use its discretion in granting or denying the individual a license. The provisions in this paragraph do not apply with respect to any

offense unless the section, prior to ~~the effective date of this~~ 1507
~~amendment September 28, 2012~~, was required or authorized to deny 1508
the application based on that offense. 1509

In all other circumstances, the section shall follow the 1510
procedures it adopts by rule that conform to division (H)(1) of 1511
this section. 1512

(3) In considering a renewal of an individual's license, the 1513
section shall not consider any conviction or plea of guilty prior 1514
to the initial licensing. However, the board may consider a 1515
conviction or plea of guilty if it occurred after the individual 1516
was initially licensed, or after the most recent license renewal. 1517

(4) The section may grant an individual a conditional license 1518
that lasts for one year. After the one-year period has expired, 1519
the license is no longer considered conditional, and the 1520
individual shall be considered fully licensed. 1521

(I) Notwithstanding divisions (D) and (H) of this section and 1522
sections 4740.04 and 4740.05 of the Revised Code, the board may 1523
establish rules that amend the continuing education requirements 1524
and license renewal schedule for licensees as provided in or 1525
adopted pursuant to those sections for the purpose of establishing 1526
a compliance incentive program. These rules may include provisions 1527
for the creation of the program and the qualifications, continuing 1528
education requirements, and renewal schedule for the program. 1529

Sec. 6301.11. The state board, in connection with the 1530
department of job and family services, shall develop a methodology 1531
for identifying jobs that are in demand by employers operating in 1532
this state. 1533

The department in consultation with the state board shall use 1534
the methodology to create a list of such in-demand jobs and shall 1535
publish the list on the web site of the department on or before 1536

December 31, 2014. The department shall periodically update the 1537
list to reflect evolving workforce demands in this state. 1538

Local boards, workforce development agencies, and other 1539
providers of workforce training shall use the list of in-demand 1540
jobs to cultivate and prioritize workforce development activities 1541
that correspond to the employment needs of employers operating in 1542
this state and to assist individuals in maximizing their 1543
employment opportunities. 1544

Sec. 6301.12. (A) The office of workforce development within 1545
the department of job and family services shall comprehensively 1546
review the direct and indirect economic impact of businesses 1547
engaged in the production of horizontal wells in this state and, 1548
based on its findings, prepare an annual Ohio workforce report. 1549
The office shall prepare the report by the thirtieth day of July 1550
of each year. The report shall include at least all of the 1551
following with respect to the industry: 1552

(1) The total number of jobs created or retained during the 1553
previous year; 1554

(2) The total number of Ohio-based contractors that employ 1555
skilled construction trades; 1556

(3) The number of employees who are residents of this state; 1557

(4) The total economic impact; 1558

(5) A review of the state's regional workforce development 1559
plans required by the "Workforce Investment Act of 1998," 112 1560
Stat. 936, 29 U.S.C.A. 2801, as amended, that outline workforce 1561
development efforts including goals and benchmarks toward 1562
maximizing job training, education, and job creation opportunities 1563
in the state. 1564

(B) Upon the completion of the office's annual Ohio workforce 1565
report, the office shall provide an electronic copy of the report 1566

to the president and minority leader of the senate and the speaker 1567
and minority leader of the house of representatives and post it on 1568
the office's internet web site. 1569

Section 2. That existing sections 121.08, 122.136, 122.21, 1570
122.25, 122.37, 122.64, 122.89, 122.94, 122.941, 127.14, 149.311, 1571
150.10, 166.13, 166.18, 184.02, 1551.34, 3731.02, 4740.06, and 1572
6301.12 of the Revised Code are hereby repealed. 1573

Section 3. (A) The Chancellor of the Ohio Board of Regents, 1574
in consultation with the parties specified in division (B) of this 1575
section, shall develop recommendations for increasing access to 1576
and participation in programs for adults who have not obtained a 1577
high school diploma that offer credentials equivalent to a high 1578
school diploma and also provide career pathways, such as an 1579
associate degree, industry credential, or other type of career 1580
training. 1581

(B) In developing recommendations under division (A) of this 1582
section, the Chancellor shall consult with all of the following: 1583

(1) The Superintendent of Public Instruction; 1584

(2) Representatives of the Governor's Office of Workforce 1585
Transformation, the Department of Job and Family Services, and the 1586
Ohio Association of Community Colleges; 1587

(3) Representatives of career-technical planning districts 1588
that provide post-secondary workforce education; 1589

(4) Representatives of programs that provide adult basic and 1590
literacy education; 1591

(5) Representatives of any other interested parties at the 1592
Chancellor's discretion. 1593

(C) Not later than December 31, 2014, the Chancellor shall 1594
prepare a report of the recommendations developed under division 1595

(A) of this section and submit it to the Governor, the President 1596
of the Senate, and the Speaker of the House of Representatives. 1597

Section 4. Notwithstanding Section 503.80 of Am. Sub. H.B. 59 1598
of the 130th General Assembly, no money shall be appropriated or 1599
transferred from the Medicaid Reserve Fund (Fund 5Y80) except as 1600
provided in Section 6 of this act or by another act of the General 1601
Assembly. 1602

Section 5. At the end of fiscal year 2015, the Director of 1603
Budget and Management shall transfer any unexpended, unencumbered 1604
cash balance from the Medicaid Reserve Fund (Fund 5Y80) back to 1605
the General Revenue Fund. 1606