

As Introduced

**130th General Assembly
Regular Session
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H. B. No. 555

Representatives Rogers, Letson

Cosponsors: Representatives Mallory, Hagan, R., Antonio, Barborak

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A B I L L

To enact section 5502.391 of the Revised Code to 1
require the Emergency Management Agency to operate 2
the Individual Disaster Relief Pilot Program, to 3
establish the Individual Disaster Relief Fund, and 4
to make an appropriation. 5

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

Section 1. That section 5502.391 of the Revised Code be 6
enacted to read as follows: 7

Sec. 5502.391. (A) As used in this section, "small business" 8
means any corporation, partnership, proprietorship, limited 9
liability company, or other business entity that has fewer than 10
one hundred employees. 11

(B) There is an individual disaster relief fund in the state 12
treasury. The fund consists of all appropriations made to the 13
fund, cash transferred to the fund from the budget stabilization 14
fund, and all grants, gifts, and contributions of money made to 15
the fund from any source. Investment earnings of the fund shall be 16
credited to the fund. The emergency management agency shall 17
administer the fund. 18

(C) The emergency management agency shall operate the 19

individual disaster relief pilot program. The objective of the 20
pilot program shall be to assist individuals and small businesses 21
recover after a disaster through awarding grants to eligible 22
applicants. The pilot program shall be operated for five years. 23

(D) As a function of the pilot program, the agency shall use 24
the money in the individual disaster relief fund to provide grants 25
to individuals and small businesses for assistance with recovery 26
after a disaster. The grants shall be used to pay for damage to or 27
loss of real or personal property, and for disaster recovery 28
expenses, such as removal of disaster-generated debris. The 29
maximum grant allowed for each individual or small business is ten 30
thousand dollars, or the amount of the damage or loss, whichever 31
is less. 32

(E) To be eligible to receive a grant under the pilot 33
program, an individual or small business shall satisfy all of the 34
following criteria: 35

(1) Suffer damage or loss not covered by insurance as a 36
result of a disaster; and 37

(2) Be located in a municipal corporation, county, or 38
township where the mayor, board of county commissioners, or board 39
of township trustees, respectively, has declared that a disaster 40
occurred and the declaration has been accepted by the governor. 41

(F)(1) An individual or the owner or chief executive officer 42
of a small business may apply for a grant under the pilot program 43
by filing an application with the emergency management agency, on 44
a form furnished by the agency, setting forth the facts 45
establishing the individual's or small business's eligibility, and 46
certifying that, if approved, all grant moneys received will be 47
used to pay for damage to or loss of real or personal property, 48
and for disaster recovery expenses, such as removal of 49
disaster-generated debris. An individual or the owner or chief 50

executive officer of a small business shall provide detailed 51
factual information to indicate to the agency how the disaster 52
caused the damage to or loss of real or personal property or 53
necessitated disaster recovery expenses. An application must be 54
submitted within sixty days following the declaration that a 55
disaster occurred. Only one individual per household or one owner 56
or chief executive officer per small business is entitled to apply 57
for a grant. 58

(2) The emergency management agency shall review an 59
application to determine whether the individual or small business 60
meets the eligibility criteria. The agency shall make an 61
eligibility determination within fifteen days following receipt of 62
the application. 63

(G)(1) The emergency management agency shall establish 64
procedures for the accounting of expenditures of grant moneys 65
received by an individual or small business through the pilot 66
program. 67

(2) The agency shall require an individual and small business 68
that has received a grant to complete a form, furnished by the 69
agency, to demonstrate the grant was used to pay for damage to or 70
loss of real or personal property, or for disaster recovery 71
expenses. The agency may require an individual or small business 72
to provide invoices, receipts, or other documents necessary to 73
demonstrate the grant was properly used. 74

(3) The agency may investigate the expenditures of an 75
individual or small business that has received a grant. 76

(4) The agency shall recover from the individual or small 77
business all moneys not used to pay for damage to or loss of real 78
or personal property, or for disaster recovery expenses, by 79
requiring an individual or small business to repay all such 80
moneys. If the agency is not able to recover all moneys not used 81

to pay for damage to or loss of real or personal property, or for 82
disaster recovery expenses, from an individual or small business, 83
the agency shall notify the attorney general and shall request 84
that the attorney general recover such moneys. The attorney 85
general shall commence a civil action against the individual or 86
small business to recover all moneys not used to pay for damage to 87
or loss of real or personal property, or for disaster recovery 88
expenses. 89

(H) A mayor, board of county commissioners, or board of 90
township trustees may declare, for purposes of the individual 91
disaster relief pilot program, that a disaster has occurred in a 92
municipal corporation, county, or township. The mayor, board of 93
county commissioners, or board of township trustees shall notify 94
the governor of the disaster declaration not later than 95
forty-eight hours after making the declaration. The governor shall 96
either accept or reject a disaster declaration and shall notify 97
the mayor, board of county commissioners, or board of township 98
trustees of the governor's decision not later than forty-eight 99
hours after receiving notification of a disaster declaration. The 100
governor's acceptance of a disaster declaration under this section 101
is not a declaration by the governor that a state of emergency or 102
disaster exists. 103

(I) The emergency management agency may conduct an 104
adjudication under Chapter 119. of the Revised Code as necessary 105
in the course of administering the individual disaster relief 106
fund. 107

(J) Not later than ninety days after the conclusion of the 108
pilot program, the emergency management agency shall prepare a 109
report regarding the pilot program. The report shall include all 110
of the following information: 111

(1) The number of applications received and the number of 112
applications accepted and denied; 113

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| <u>(2) The number and amount of grants provided, classified into</u> | 114 |
| <u>descriptive ranges;</u> | 115 |
| <u>(3) A description of the damages or losses sustained by grant</u> | 116 |
| <u>recipients and how grant moneys have been used to pay for the</u> | 117 |
| <u>damage or loss; and</u> | 118 |
| <u>(4) Any other information the agency considers necessary to</u> | 119 |
| <u>give an appropriate account of the pilot program.</u> | 120 |
| <u>The agency shall submit the report to the governor, the</u> | 121 |
| <u>president and minority leader of the senate, and the speaker and</u> | 122 |
| <u>minority leader of the house of representatives.</u> | 123 |
| Section 2. Notwithstanding section 131.43 and division (D) of | 124 |
| section 127.14 of the Revised Code, as soon as a declaration of | 125 |
| disaster has been accepted by the Governor, the Director of Budget | 126 |
| and Management shall transfer up to \$15,000,000 cash from the | 127 |
| Budget Stabilization Fund to the Individual Disaster Relief Fund. | 128 |