

OHIO

SENATE

JOURNAL

THURSDAY, JUNE 6, 2013

FIFTY-SEVENTH DAY
Senate Chamber, Columbus, Ohio
Thursday, June 6, 2013, 9:00 o'clock a.m.

The Senate met pursuant to adjournment.

Prayer was offered by Chaplain Tom McCullough, The Capitol Commission, Granville, Ohio, followed by the Pledge of Allegiance to the Flag.

The journal of the last legislative day was read and approved.

On the motion of Senator Widener, the Senate recessed until 10:03 a.m.

The Senate met pursuant to the recess.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Faber submitted the following report:

The Standing Committee on Rules to which were referred the appointments by the Governor of:

Wanda L. Carter, from Upper Arlington, Franklin County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning March 1, 2013, ending at the close of business January 1, 2021.

James F. Dicke, from New Bremen, Auglaize County, Ohio, as Member of the Ohio Arts Council for a term beginning April 5, 2013, ending at the close of business July 1, 2017, replacing Charles A. McWeeny, term expired.

Robert J. Hankins, from Canton, Stark County, Ohio, as Member of the Ohio Arts Council for a term beginning April 8, 2013, ending at the close of business July 1, 2017, replacing Thomas B. Schorgl, term expired.

Stacey L. Hoffman, from Cleveland Heights, Cuyahoga County, Ohio, as Member of the Ohio Historic Site Preservation Advisory Board for a term beginning April 12, 2013, ending at the close of business January 14, 2016.

Kenneth L. Kutina, from Cleveland, Cuyahoga County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning February 28, 2012, ending at the close of business January 1, 2020.

Bruce A. Langos, from Dayton, Montgomery County, Ohio, as Member of the Third Frontier Commission for a term beginning April 10, 2013, ending at the close of business April 1, 2016.

Kenneth C. Miller, from Centerville, Montgomery County, Ohio, as a Member of the State Board of Career Colleges and Schools for a term beginning February 4, 2013, ending at the close of business November 20,

2013.

Jamie K. Oxendine, from Toledo, Lucas County, Ohio, as Member of the Ohio Historic Site Preservation Advisory Board for a term beginning April 12, 2013, ending at the close of business January 14, 2015, replacing Joseph Leonard, term expired.

Kay E. Reiter, from Fremont, Sandusky County, Ohio, as Member of the Terra State Community College Board of Trustees for a term beginning April 1, 2013, ending at the close of business December 30, 2018, replacing Helene Zielinski, term expired.

James R. Wilson, from New Concord, Muskingum County, Ohio, as a Member of the Ohio Higher Educational Facility Commission for a term beginning March 27, 2012, ending at the close of business January 1, 2014, replacing Samuel Speck, resigned.

Having had the same under consideration, reports back the recommendation that the Senate advise and consent to said appointments.

YES - 10: CHRIS WIDENER, TOM PATTON, LARRY OBHOF, SCOTT OELSLAGER, DAVE BURKE, BILL COLEY, JIM HUGHES, EDNA BROWN, NINA TURNER, ERIC H. KEARNEY.

NO - 0.

The question being, "Shall the Senate advise and consent to the appointments by the Governor?"

The yeas and nays were taken and resulted - yeas 33, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Seitz	Skindell	Smith
Tavares	Turner	Uecker	Widener
			Faber-33.

So the Senate advised and consented to said appointments.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 59-Representative Amstutz.

Cosponsors: Representatives Anielski, Baker, Beck, Blair, Boose, Brown,

Burkley, Conditt, Dovilla, Grossman, Hackett, Hagan, C., Hayes, Lynch, McClain, McGregor, Pelanda, Rosenberger, Ruhl, Sears, Sprague, Stebelton, Thompson.

To amend sections 9.03, 9.15, 9.231, 9.239, 9.24, 9.833, 9.90, 9.901, 101.39, 101.391, 102.02, 103.144, 103.63, 107.033, 107.12, 109.06, 109.36, 109.57, 109.572, 109.71, 109.746, 109.77, 109.85, 109.86, 109.90, 111.02, 111.15, 111.28, 113.02, 113.061, 117.03, 117.10, 117.20, 119.01, 120.06, 121.02, 121.03, 121.22, 121.35, 121.37, 121.372, 122.075, 122.083, 122.17, 122.171, 122.175, 122.28, 122.30, 122.31, 122.32, 122.33, 122.34, 122.35, 122.36, 122.58, 122.657, 122.658, 122.66, 122.67, 122.68, 122.69, 122.70, 122.701, 122.76, 122.861, 123.01, 123.10, 123.11, 123.201, 123.21, 123.27, 124.11, 124.14, 124.18, 124.30, 124.341, 124.381, 124.57, 124.84, 125.05, 125.21, 125.212, 125.28, 125.602, 125.603, 125.832, 125.836, 126.07, 126.14, 126.32, 126.35, 126.45, 126.46, 126.47, 126.48, 127.14, 127.16, 131.51, 133.01, 133.06, 135.143, 135.22, 135.35, 135.61, 135.71, 135.80, 135.81, 135.85, 140.01, 140.03, 140.05, 145.01, 145.012, 145.037, 145.22, 149.01, 149.12, 149.311, 149.43, 149.431, 149.54, 151.11, 152.09, 153.692, 154.01, 154.17, 154.20, 154.22, 154.23, 154.25, 156.02, 156.03, 156.04, 156.05, 166.02, 166.03, 166.04, 166.08, 166.25, 167.03, 169.02, 169.05, 169.07, 169.08, 173.03, 173.14, 173.17, 173.19, 173.20, 173.21, 173.23, 173.25, 173.26, 173.27, 173.28, 173.39, 173.391, 173.392, 173.394, 173.40, 173.401, 173.402, 173.403, 173.404, 173.42, 173.43, 173.431, 173.432, 173.434, 173.45, 173.47, 173.48, 173.50, 173.501, 173.99, 175.04, 187.10, 191.01, 191.02, 191.04, 191.06, 301.28, 305.23, 306.35, 307.07, 307.674, 307.86, 309.09, 317.06, 317.08, 317.32, 317.321, 317.36, 321.35, 321.44, 323.158, 329.04, 329.051, 329.06, 329.14, 333.01, 333.02, 333.03, 333.04, 333.05, 339.02, 339.05, 339.06, 339.07, 340.01, 340.011, 340.02, 340.021, 340.03, 340.031, 340.032, 340.04, 340.05, 340.07, 340.09, 340.091, 340.10, 340.11, 340.12, 340.13, 340.15, 340.16, 341.192, 349.01, 349.04, 351.021, 715.013, 715.691, 721.01, 721.03, 731.091, 737.41, 742.14, 755.06, 901.21, 901.22, 901.23, 903.11, 903.99, 905.06, 909.15, 924.02, 924.06, 927.54, 935.01, 935.03, 935.041, 935.12, 955.01, 955.05, 955.06, 955.07, 955.08, 955.09, 955.12, 955.14, 955.201, 956.07, 956.18, 959.131, 959.132, 959.99, 991.03, 991.04, 991.06, 1309.521, 1321.51, 1321.535, 1321.55, 1322.01, 1322.051, 1327.46, 1327.48, 1327.50, 1327.501, 1327.61, 1327.99, 1332.26, 1337.11, 1347.08, 1501.011, 1501.45, 1506.21, 1506.30, 1509.01, 1509.02, 1509.062, 1509.10, 1509.11, 1509.22, 1509.226, 1509.50, 1511.02, 1511.022, 1519.05, 1531.06, 1531.17, 1545.071, 1547.05, 1547.051, 1547.052, 1547.06, 1547.542, 1547.99, 1548.02, 1551.33, 1551.35, 1555.15, 1711.07, 1721.10, 1724.03, 1739.061, 1751.01, 1751.11, 1751.12, 1751.14, 1751.271, 1751.31, 1751.60, 1901.10, 1901.12, 1901.33, 1907.14, 1923.14, 2101.08, 2101.24, 2108.05, 2113.041, 2113.06, 2117.061, 2117.25, 2133.01, 2133.25, 2151.011, 2151.3514, 2151.362, 2151.83, 2151.86, 2152.54, 2152.59, 2301.14, 2301.20, 2301.23, 2301.24, 2301.25, 2303.201, 2305.234, 2307.65, 2311.14, 2317.02, 2317.422, 2335.09, 2335.11, 2501.16, 2505.02, 2701.03, 2701.031, 2743.03, 2743.09, 2743.121, 2743.191, 2743.20, 2743.48, 2743.52, 2743.53, 2743.531,

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(5165.81), 5111.55 (5165.82), 5111.56 (5165.83), 5111.57 (5165.84), 5111.58 (5165.85), 5111.59 (5165.86), 5111.60 (5165.87), 5111.61 (5165.88), 5111.62 (5162.66), 5111.63 (5165.89), 5111.66 (5165.50), 5111.661 (5165.501), 5111.67 (5165.51), 5111.671 (5165.511), 5111.672 (5165.512), 5111.673 (5165.513), 5111.674 (5165.514), 5111.675 (5165.515), 5111.676 (5165.516), 5111.677 (5165.517), 5111.68 (5165.52), 5111.681 (5165.521), 5111.682 (5165.522), 5111.683 (5165.523), 5111.684 (5165.524), 5111.685 (5165.525), 5111.686 (5165.526), 5111.687 (5165.527), 5111.688 (5165.528), 5111.689 (5165.53), 5111.70 (5163.09), 5111.701 (5163.091), 5111.702 (5163.092), 5111.703 (5163.093), 5111.704 (5163.094), 5111.705 (5163.095), 5111.706 (5163.096), 5111.707 (5163.097), 5111.708 (5163.098), 5111.709 (5163.099), 5111.7011 (5163.0910), 5111.71 (5162.36), 5111.711 (5162.361), 5111.712 (5162.362), 5111.713 (5162.363), 5111.714 (5162.64), 5111.715 (5162.364), 5111.83 (5162.30), 5111.84 (5166.03), 5111.85 (5166.02), 5111.851 (5166.04), 5111.852 (5166.05), 5111.853 (5166.06), 5111.854 (5166.07), 5111.855 (5166.08), 5111.856 (5166.10), 5111.86 (5166.11), 5111.861 (5166.12), 5111.862 (5166.121), 5111.863 (5166.13), 5111.864 (5166.14), 5111.865 (5166.141), 5111.87 (5166.20), 5111.871 (5166.21), 5111.872 (5166.22), 5111.873 (5166.23), 5111.874 (5124.60), 5111.875 (5124.61), 5111.876 (5124.62), 5111.877 (5124.63), 5111.878 (5124.64), 5111.879 (5124.65), 5111.88 (5166.30), 5111.881 (5166.301), 5111.882 (5166.302), 5111.883 (5166.303), 5111.884 (5166.304), 5111.885 (5166.305), 5111.886 (5166.306), 5111.887 (5166.307), 5111.888 (5166.308), 5111.889 (5166.309), 5111.8810 (5166.3010), 5111.89 (173.54), 5111.891 (173.541), 5111.892 (173.544), 5111.893 (173.547), 5111.894 (173.542), 5111.90 (5162.32), 5111.91 (5162.35), 5111.911 (5162.37), 5111.912 (5162.371), 5111.914 (5164.58), 5111.915 (5162.11), 5111.92 (5162.40), 5111.93 (5162.41), 5111.94 (5162.54), 5111.941 (5162.52), 5111.943 (5162.50), 5111.944 (5162.58), 5111.945 (5162.56), 5111.96 (5164.90), 5111.97 (5166.35), 5111.98 (5162.031), 5111.981 (5164.91), 5111.982 (5167.21), 5111.99 (5165.99), 5112.01 (5168.01), 5112.03 (5168.02), 5112.04 (5168.05), 5112.05 (5168.03), 5112.06 (5168.06), 5112.07 (5168.07), 5112.08 (5168.09), 5112.09 (5168.08), 5112.10 (5168.04), 5112.11 (5168.10), 5112.17 (5168.14), 5112.18 (5168.11), 5112.19 (5168.12), 5112.21 (5168.13), 5112.30 (5168.60), 5112.31 (5168.61), 5112.32 (5168.62), 5112.33 (5168.63), 5112.331 (5168.64), 5112.34 (5168.65), 5112.341 (5168.66), 5112.35 (5168.67), 5112.37 (5168.68), 5112.371 (5168.69), 5112.38 (5168.70), 5112.39 (5168.71), 5112.40 (5168.20), 5112.41 (5168.21), 5112.42 (5168.22), 5112.43 (5168.23), 5112.44 (5168.24), 5112.45 (5168.25), 5112.46 (5168.26), 5112.47 (5168.27), 5112.48 (5168.28), 5112.99 (5168.99), 5112.991 (5168.991), 5119.01 (5119.10), 5119.012 (5119.141), 5119.02 (5119.14), 5119.06 (5119.21), 5119.061 (5119.40), 5119.07 (5119.11), 5119.071 (5119.18), 5119.072 (5119.181), 5119.08 (5119.182), 5119.10 (5119.184), 5119.101 (5119.185), 5119.11 (5119.186), 5119.12 (5119.187), 5119.14 (5119.08), 5119.16 (5119.44), 5119.161 (5119.45), 5119.17 (5119.51), 5119.18 (5119.46), 5119.20 (5119.33), 5119.201 (5119.331), 5119.202 (5119.332), 5119.21

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5160.051, 5160.052, 5160.06, 5160.10, 5160.11, 5160.12, 5160.13, 5160.16, 5160.20, 5160.21, 5160.22, 5160.23, 5160.30, 5160.31, 5160.371, 5160.46, 5160.47, 5160.48, 5160.481, 5160.50, 5160.52, 5160.99, 5161.01, 5162.01, 5162.02, 5162.021, 5162.022, 5162.05, 5162.06, 5162.07, 5162.12, 5162.31, 5162.60, 5162.62, 5163.01, 5163.03, 5163.04, 5163.05, 5163.06, 5163.061, 5163.08, 5164.01, 5164.03, 5164.30, 5164.33, 5164.55, 5164.59, 5164.60, 5164.61, 5164.71, 5164.72, 5164.73, 5164.78, 5164.881, 5164.911, 5165.02, 5165.072, 5165.082, 5165.102, 5165.103, 5165.104, 5165.105, 5165.106, 5165.109, 5165.152, 5165.154, 5165.191, 5165.193, 5165.32, 5165.33, 5165.41, 5165.42, 5165.43, 5165.44, 5165.45, 5165.46, 5165.49, 5165.771, 5166.01, 5166.16, 5167.01, 5167.02, 5168.41, 5540.18, 5703.75, 5703.76, 5705.55, 5735.013, 5736.01 to 5736.14, 5736.99, 5741.032, 5751.55, 5910.08, 5919.342, and 6133.041; and to repeal sections 122.076, 122.15, 122.151, 122.152, 122.153, 122.154, 122.29, 122.97, 123.23, 125.837, 125.838, 149.51, 149.55, 166.22, 166.28, 173.425, 173.433, 183.28, 184.04, 340.022, 340.033, 340.06, 340.14, 1513.371, 1531.34, 1547.721, 1547.722, 1547.723, 1547.724, 1547.725, 1547.726, 1901.121, 2301.26, 2743.54, 3302.043, 3304.24, 3304.26, 3304.38, 3313.481, 3313.482, 3313.4811, 3314.088, 3314.13, 3317.012, 3317.014, 3317.018, 3317.02, 3317.022, 3317.029, 3317.0217, 3317.051, 3317.052, 3317.053, 3317.11, 3317.16, 3317.62, 3317.63, 3317.64, 3318.023, 3323.16, 3326.39, 3345.81, 3353.09, 3353.15, 3353.20, 3383.02, 3383.03, 3383.04, 3383.05, 3383.06, 3383.08, 3383.09, 3506.22, 3517.1010, 3701.072, 3701.263, 3701.343, 3701.90, 3701.901, 3701.902, 3701.903, 3701.904, 3701.905, 3701.906, 3701.907, 3721.026, 3793.02, 3793.03, 3793.04, 3793.041, 3793.05, 3793.06, 3793.061, 3793.08, 3793.09, 3793.19, 3793.20, 3793.21, 3793.99, 5101.503, 5101.514, 5101.515, 5101.518, 5101.523, 5101.525, 5101.526, 5101.528, 5101.529, 5111.012, 5111.014, 5111.015, 5111.0110, 5111.0111, 5111.0113, 5111.0115, 5111.0120, 5111.0121, 5111.0122, 5111.0123, 5111.0124, 5111.0125, 5111.176, 5111.211, 5111.236, 5111.65, 5111.8710, 5111.8811, 5111.913, 5111.942, 5111.946, 5119.011, 5119.013, 5119.03, 5119.05, 5119.47, 5119.623, 5119.64, 5119.65, 5119.66, 5119.67, 5119.68, 5507.65, 5507.66, 5707.05, 5727.41, 5733.35, 5747.211, 5747.33, 6101.451, and 6111.029 of the Revised Code; to amend Section 1 of Sub. H.B. 34 of the 130th General Assembly; to amend Sections 205.10, 506.10, and 755.30 of Am. Sub. H.B. 51 of the 130th General Assembly; to amend Section 753.30 of Am. Sub. H.B. 153 of the 129th General Assembly; to amend Section 4 of Am. Sub. H.B. 279 of the 129th General Assembly; to amend Section 11 of Sub. H.B. 303 of the 129th General Assembly; to amend Section 4 of Am. Sub. H.B. 472 of the 129th General Assembly; to amend Sections 201.80, 205.83, and 509.40 of Sub. H.B. 482 of the 129th General Assembly; to amend Sections 301.11, 301.12, and 301.13 of Am. Sub. H.B. 487 of the 129th General Assembly; to amend Section 205.80 of Sub. H.B. 482 of the 129th General Assembly, as subsequently amended; to amend Section 4 of Sub. S.B. 171 of the 129th General Assembly, as subsequently amended; to amend Section 105.05 of Am. Sub. H.B. 2 of the 128th General Assembly; to repeal Section 267.60.31

of Am. Sub. H.B. 153 of the 129th General Assembly; to repeal Section 125.10 of Am. Sub. H.B. 1 of the 128th General Assembly as subsequently amended; to repeal Section 514.03 of Am. Sub. H.B. 66 of the 126th General Assembly; to repeal Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly as subsequently amended; to amend Sections 203.30.40, 203.30.70, 203.30.80, 203.90.10, 203.90.20, 205.10.20, 205.30.90, 205.50.70, and 207.10.10 of Sub. S.B. 312 of the 129th General Assembly; to amend the versions of sections 109.57, 2151.011, 2923.126, 5104.012, 5104.013, 5104.03, 5104.08, and 5104.32 of the Revised Code that are scheduled to take effect January 1, 2014, to continue the provisions of this act on and after that effective date; to amend the versions of sections 4501.01, 4507.01, and 4507.06 of the Revised Code that are scheduled to take effect January 1, 2017, to continue the provisions of this act on and after that effective date; to amend section 3313.88 of the Revised Code as it results from Section 101.01 of this act for the purpose of adopting new section number 3313.482 on July 1, 2014; to make operating appropriations for the biennium beginning July 1, 2013, and ending June 30, 2015; to provide authorization and conditions for the operation of state programs; to repeal sections 5168.20, 5168.21, 5168.22, 5168.23, 5168.24, 5168.25, 5168.26, 5168.27, and 5168.28 of the Revised Code on October 1, 2015, to terminate the operation of those sections on that date; to repeal sections 5168.01, 5168.02, 5168.03, 5168.04, 5168.05, 5168.06, 5168.07, 5168.08, 5168.09, 5168.10, 5168.11, 5168.12, 5168.13, 5168.99, and 5168.991 of the Revised Code on October 16, 2015, to terminate the operation of those sections on that date; and to repeal section 5124.67 of the Revised Code on July 1, 2018, to terminate the operation of that section on that date, was considered the third time.

The question being, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Oelslager moved to amend as follows:

In line 94949, strike through the semicolon and insert an underlined colon

In line 120819, after "1945" insert "(h)(1)"

In line 120822, after "1945" insert "(h)(4)"

In line 126020, delete "11281(c)" and insert "1128I(c)"

In line 151787, delete "5126.01" and insert "5123.022"

In line 155930, delete "an" and insert "a community"

In line 155932, delete "an" and insert "a community"

In line 156541, delete "division" and insert "divisions"

In line 156815, after "INPATIENT" insert "SERVICES"

In line 162056, after "the" insert "Broadcast"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Bacon moved to amend as follows:

In line 1760, after the underlined period insert "This provision shall not apply during the term of a specific, separate agreement with a political subdivision to maintain enrollment for a specified period, not to exceed three years."

The question being, "Shall the motion be agreed to?"

The yeas and nays were taken and resulted - yeas 32, nays 0, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Brown
Burke	Cafaro	Coley	Eklund
Gardner	Gentile	Hite	Hughes
Jones	Jordan	Kearney	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Sawyer	Schaffer
Schiavoni	Skindell	Smith	Tavares
Turner	Uecker	Widener	Faber-32.

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Turner moved to amend as follows:

In line 1066, after "3317.25," insert "3317.26,"

Between lines 61369 and 61370, insert:

" **Sec. 3317.26.** (A) As used in this section:

(1) "OGT performance index" means the quotient of (i) the statewide average success rate of students who took the Ohio graduation test prescribed under division (B)(1) of section 3301.0710 of the Revised Code for the first time across all subject areas divided by (ii) the average success rate of a district's students who took the Ohio graduation test for the first time across all subject areas.

(2) "KRA-L performance index" means the quotient of (i) the statewide average score on the kindergarten readiness assessment in literacy prescribed

under section 3301.0715 of the Revised Code divided by (ii) a school district's average score on the kindergarten readiness assessment in literacy.

(B) The department of education shall annually compute targeted investment funds to be paid to school districts, as follows:

(1) Calculate a district's targeted investment score rounded to the fourth decimal place, using the following formula:

$(0.5 \times \text{the square root of the district's economically disadvantaged index}) + \{0.5 \times [(0.55 \times \text{the district's OGT performance index}) + (0.45 \times \text{the district's KRA-L performance index})]\}$

(2) Determine the district's amount of targeted investment funds as follows:

(a) If the district's targeted investment score is less than 0.9, then the district's amount of targeted investment funds is equal to zero.

(b) If the district's targeted investment score is greater than or equal to 0.9 but less than 1, then the district's amount of targeted investment funds is equal to \$125 times the district's formula ADM.

(c) If the district's targeted investment score is greater than or equal to 1 but less than 1.16, then the district's amount of targeted investment funds is equal to \$187.50 times the district's formula ADM.

(d) If the district's targeted investment score is greater than or equal to 1.16, then the district's amount of targeted investment funds is equal to \$247.50 times the district's formula ADM.

(C) In addition to the payments made elsewhere in this chapter, the department shall pay a school district the amount computed under division (B) of this section.

(D) A school district shall use the funds paid under this section for professional development, student intervention and remediation programs, early childhood education, or programs to increase reading success in kindergarten through third grade."

In line 141023, delete " one-half" and insert " thirty-two per cent"

In line 141024, delete " eighty-seven" and insert " twenty"

In line 141025, delete " five hundred"

In line 141026, delete " three hundred"

In line 141027, delete " seventy-five" and insert " two hundred forty"

In line 152435, delete "\$505,013,527 \$521,013,527" and insert "\$521,413,527 \$534,313,527"

In line 152441, delete "\$5,808,098,389 \$6,151,463,768" and insert "\$6,044,098,389 \$6,373,863,768"

In line 152444, delete "\$7,985,459,657 \$8,425,307,295" and insert "\$8,237,859,657 \$8,661,007,295"

In line 152516, delete "\$11,520,265,322 \$12,038,468,929" and insert "\$11,772,665,322 \$12,274,168,929"

Between lines 153130 and 153131, insert:

"The remainder of appropriation item 200502, Pupil Transportation, shall be used to distribute additional transportation aid to city, local, and exempted village school districts in accordance with the section of this act entitled "TRANSPORTATION TRANSITIONAL AID."

Section 263. ___. TRANSPORTATION TRANSITIONAL AID

The Department of Education shall distribute funds within appropriation item 200502, Pupil Transportation, for transportation transitional aid in each fiscal year to each qualifying city, local, and exempted village school district.

For fiscal years 2014 and 2015, the Department shall pay transportation transitional aid to each city, local, or exempted village school district that experiences any decrease in its transportation funding for the current fiscal year from its transportation funding guarantee base. The amount of the transportation transitional aid shall equal the difference between its transportation funding for the current fiscal year and its transportation funding guarantee base for the current fiscal year. If the computation made under this division results in a negative number, the district's funding under this section shall be zero.

As used in this section, transportation funding for each city, local, and exempted village school district for a given fiscal year equals the amounts calculated for the district under divisions (G)(1) and (2) of section 3317.0212 of the Revised Code, as amended by this act, for that fiscal year.

The transportation funding guarantee base for each city, local, and exempted village school district for fiscal year 2014 equals the amount allocated for pupil transportation for the district for fiscal year 2011, as calculated for the district under divisions (L)(1) and (2) of section 3306.12 of the Revised Code, as that section existed prior to July 1, 2011.

The transportation funding guarantee base for each city, local, and exempted village school district for fiscal year 2015 equals the amount computed for transportation funding for the district for fiscal year 2014."

Between lines 153389 and 153390, insert:

"Of the foregoing appropriation item 200550, Foundation Funding, up to \$216,000,000 in each fiscal year shall be used to distribute the amounts calculated for targeted investment aid under section 3317.26 of the Revised Code, as enacted by this act. If necessary, the Department shall pay each applicable school district a pro rata portion of the amounts calculated so that the amount appropriated is not exceeded."

In line 153450, delete everything after "act"

Delete line 153451

In line 153452, delete everything before the period

In line 153457, after "Assembly" insert "minus the amount allocated for pupil transportation for the district for fiscal year 2011, as calculated for the district under divisions (L)(1) and (2) of section 3306.12 of the Revised Code, as that section existed prior to July 1, 2011"

In line 153484, delete everything after the second comma

Delete line 153485

In line 153486, delete everything before "proportionately"

In line 528 of the title, after "3317.25," insert "3317.26,"

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelsluger
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Turner moved to amend as follows:

In line 152441, delete "\$5,808,098,389 \$6,151,463,768" and insert "\$5,834,442,389 \$6,177,807,768"

In line 152444, delete "\$7,985,459,657 \$8,425,307,295" and insert "\$8,011,803,657 \$8,451,651,295"

In line 152516, delete "\$11,520,265,322 \$12,038,468,929" and insert "\$11,546,609,322 \$12,064,812,929"

Between lines 153371 and 153372, insert:

"Of the foregoing appropriation item 200550, Foundation Funding, up to \$26,344,000 in each fiscal year shall be distributed to the Cleveland Municipal School District under the section of this act entitled "FUNDING FOR EDUCATION IN CLEVELAND."

Between lines 153584 and 153585, insert:

"Section 263. ___. FUNDING FOR EDUCATION IN CLEVELAND

The Department of Education shall distribute funds within appropriation item 200550, Foundation Funding, to the Cleveland Municipal School District for the purpose of increasing the level of achievement and success for the children of Cleveland. Funds distributed under this section shall be used for all of the following initiatives:

(A) Increase enrollment in high-quality preschools;

(B) Introduce research-based, highly effective models and curricula in up to ten low-performing schools. Funds used for this purpose may be used for teacher professional development or to purchase materials that support the models or curricula, including, but not limited to, trade books, disposable workbooks, manipulatives, technology upgrades, and additional technologies such as laptop computers and computer tablets;

(C) Extend the school year or add summer enrichment programs for up to ten low-performing schools in order to eliminate the summer learning gap;

(D) Lengthen the school day by one hour and provide summer enrichment programs in up to ten low-performing schools for the purpose of providing additional learning opportunities, vocabulary acquisition, and increasing individual proficiency in reading and mathematics;

(E) Increase high school graduation rates by offering additional services to students in middle school and high school, and implement research-based interventions in identified middle schools and high schools;

(F) Improve college and career readiness."

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Schiavoni moved to amend as follows:

Between lines 152442 and 152443, insert:

"GRF 200591 School Safety \$ 34,150,000 \$ 34,150,000"

In line 152444, delete "\$7,985,459,657 \$8,425,307,295" and insert "\$8,019,609,657 \$8,459,457,295"

In line 152516, delete "\$11,520,265,322 \$12,038,468,929" and insert "\$11,554,415,322 \$12,072,618,929"

Between lines 153587 and 153588, insert:

Section 263.____. SCHOOL SAFETY

The foregoing appropriation item 200591, School Safety, shall be distributed to school districts to be used for school safety purposes. Upon approval of an application, the funds shall be distributed based on school district enrollment as follows: (1) up to \$25,000 per year to a district with fewer than 1,000 enrolled students, (2) up to \$50,000 per year to a district with between 1,000 and 2,000 enrolled students, (3) up to \$75,000 per year to a district with greater than 2,000 but fewer than 10,000 enrolled students, and (4) up to \$100,000 per year to a district with 10,000 or more enrolled students.

Section 263.____. BUDGET STABILIZATION FUND TRANSFER

Notwithstanding section 131.43 and division (D) of section 127.14 of the Revised Code, the Director of Budget and Management may transfer up to \$34,150,000 cash in fiscal year 2014 and fiscal year 2015, from the Budget Stabilization Fund to the General Revenue Fund to fund appropriation item 200591, School Safety."

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Sawyer moved to amend as follows:

In line 736, after "3313.911," insert "3313.97, 3313.974,"

In line 737, after "3313.981," insert "3313.982,"

In line 738, after "3314.06," insert "3314.07,"

In line 739, after "3315.07," insert "3315.18,"

In line 748, after "3323.142," insert "3323.143,"

In line 749, after "3326.45," insert "3326.51,"; after "3327.02," insert "3327.05,"

In line 1064, after "3313.849," insert "3313.984,"

In line 50029, after ""Parent"" strike through the balance of the line

In line 50030, strike through everything before the period and insert "means either of the natural or adoptive parents of a student, except under the following conditions:

(1) When the marriage of the natural or adoptive parents of the student has been terminated by a divorce, dissolution of marriage, or annulment or the natural or adoptive parents of the student are living separate and apart under a legal separation decree and the court has issued an order allocating the parental rights and responsibilities with respect to the student, "parent" means the

residential parent as designated by the court except that "parent" means either parent when the court issues a shared parenting decree.

(2) When a court has granted temporary or permanent custody of the student to an individual or agency other than either of the natural or adoptive parents of the student, "parent" means the legal custodian of the child.

(3) When a court has appointed a guardian for the student, "parent" means the guardian of the student"

In line 50448, after the comma strike through the balance of the line
Strike through line 50449

In line 50450, strike through "Revised Code,"

In line 53611, after "(4)" insert " (a)"

In line 53615, strike through "unless" and insert " .

(b) If"; after "such" insert " an"

In line 53616, after the comma strike through the balance of the line
Strike through lines 53617 through 53621

In line 53622, strike through "3313.98 of the Revised Code" and insert " the district in which the pupil is attending school shall provide transportation for the pupil within the boundaries of that district upon the request of a parent, provided the district offers transportation to pupils of the same grade level and distance from school under section 3327.01 of the Revised Code, and provided that the district shall be required to pick up and drop off a nondisabled student only at a regular school bus stop designated in accordance with the district's transportation policy. Pursuant to rules of the state board of education, the district may reimburse the parent from funds received under section 3317.0212 of the Revised Code for the reasonable cost of transportation from the pupil's home to the designated school bus stop if the pupil's family has an income below the federal poverty line"

Between lines 54696 and 54697, insert:

"Sec. 3313.97. Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this section does not apply to any joint vocational or cooperative education school district.

(A) As used in this section:

(1) "Parent" has the same meaning as in section ~~3313.64~~ 3310.01 of the Revised Code.

(2) "Alternative school" means a school building other than the one to which a student is assigned by the district superintendent.

(3) "IEP" has the same meaning as in section 3323.01 of the Revised Code.

(B) The board of education of each city, local, and exempted village school district shall adopt an open enrollment policy allowing students entitled to attend school in the district pursuant to section 3313.64 or 3313.65 of the Revised Code to enroll in an alternative school. Each policy shall provide for the following:

(1) Application procedures, including deadlines for application and for notification of students and principals of alternative schools whenever a student's application is accepted. The policy shall require a student to apply only if the student wishes to attend an alternative school.

(2) The establishment of district capacity limits by grade level, school building, and education program;

(3) A requirement that students enrolled in a school building or living in any attendance area of the school building established by the superintendent or board be given preference over applicants;

(4) Procedures to ensure that an appropriate racial balance is maintained in the district schools.

Each policy may permit a student to permanently transfer to an alternative school so that the student need not reapply annually for permission to attend the alternative school.

(C) Except as provided in section 3313.982 of the Revised Code, the procedures for admitting applicants to alternative schools shall not include:

(1) Any requirement of academic ability, or any level of athletic, artistic, or other extracurricular skills;

(2) Limitations on admitting applicants because of disabling conditions, except that a board may require a student receiving services under Chapter 3323. of the Revised Code to attend school where the services described in the student's IEP are available;

(3) A requirement that the student be proficient in the English language;

(4) Rejection of any applicant because the student has been subject to disciplinary proceedings, except that if an applicant has been suspended or expelled for ten consecutive days or more in the term for which admission is sought or in the term immediately preceding the term for which admission is sought, the procedures may include a provision denying admission of such applicant to an alternative school.

(D)(1) Notwithstanding Chapter 3327. of the Revised Code, and except as provided in division (D)(2) of this section, a district board is not required to provide transportation to a nondisabled student enrolled in an alternative school unless such student can be picked up and dropped off at a regular school bus stop designated in accordance with the board's transportation policy or unless the board is required to provide additional transportation to the student in accordance with a court-approved desegregation plan.

(2) A district board shall provide transportation to any student described in 20 U.S.C. 6316(b)(1)(F) to the extent required by division (E) of section 3302.04 of the Revised Code, except that no district board shall be required to provide transportation to any such student after the school in which the student was enrolled immediately prior to enrolling in the alternative school makes adequate yearly progress, as defined in section 3302.01 of the Revised Code, for two consecutive school years.

(E) Each school board shall provide information about the policy adopted under this section and the application procedures and deadlines to the parent of each student in the district and to the general public.

(F) The state board of education shall monitor school districts to ensure compliance with this section and the districts' policies.

Sec. 3313.974. As used in this section and in sections 3313.975 to 3313.979 of the Revised Code:

(A) "Individualized education program" and "child with a disability" have the same meanings as in section 3323.01 of the Revised Code.

(B) "Mainstreamed student with a disability" means a child with a disability who has an individualized education program providing for the student to spend more than half of each school day in a regular school setting with nondisabled students.

(C) "Separately educated student with a disability" means a child with a disability who has an individualized education program providing for the student to spend at least half of each school day in a class or setting separated from nondisabled students.

(D) "Low-income family" means a family whose income is below the level which the superintendent of public instruction shall establish.

(E) "Parent" has the same meaning as in section ~~3313.98~~ 3310.01 of the Revised Code.

(F) "Registered private school" means a school registered with the superintendent of public instruction pursuant to section 3313.976 of the Revised Code.

(G) "Alternative school" means a registered private school located in a school district or a public school located in an adjacent school district.

(H) "Tutorial assistance" means instructional services provided to a student outside of regular school hours approved by the commission on school choice pursuant to section 3313.976 of the Revised Code."

Between lines 55304 and 55305, insert:

"Sec. 3313.982. Notwithstanding division (C)(1) of section 3313.97 ~~and division (C)(1) of section 3313.98~~ of the Revised Code:

(A) Any school district board operating any schools on October 1, 1989, admission to which was restricted to students possessing certain academic, athletic, artistic, or other skills, may continue to restrict admission to such schools.

(B) Any district board that did not operate any schools described by division (A) of this section on October 1, 1989, and that desires to begin restricting admission to any school on the basis of student academic, athletic, artistic, or other skills, may submit a plan proposing such restricted admission to the state board of education. If the board finds that the plan will generally promote increased educational opportunities for students in the district and will not unduly restrict opportunities for some students, it may approve the plan and the district board may implement it during the next ensuing school year.

Sec. 3313.984. The department of education shall conduct a study on the implementation and effectiveness of the interdistrict open enrollment policies under sections 3313.98, 3313.981, and 3313.983 of the Revised Code. The study shall focus on the effects of open enrollment in providing educational benefit to students and the fiscal impact on school districts. In addition, the study shall closely assess the impact of open enrollment on low-wealth school districts.

Through the course of the study, the department shall:

(A) Investigate the ramifications of requiring each school district to maintain an adjacent district or statewide open enrollment policy;

(B) Compare the fiscal and administrative effects of counting open enrollment students where those students are educated versus counting students where they reside;

(C) Consider other funding model alternatives;

(D) Examine whether an amount representing only the state share of funding should be transferred to a school district that enrolls open enrollment students, if students continue to be counted where they reside."

Between lines 56321 and 56322, insert:

"**Sec. 3314.07.** (A) The expiration of the contract for a community school between a sponsor and a school shall be the date provided in the contract. A successor contract may be entered into pursuant to division (E) of section 3314.03 of the Revised Code unless the contract is terminated or not renewed pursuant to this section.

(B)(1) A sponsor may choose not to renew a contract at its expiration or may choose to terminate a contract prior to its expiration for any of the following reasons:

(a) Failure to meet student performance requirements stated in the contract;

(b) Failure to meet generally accepted standards of fiscal management;

(c) Violation of any provision of the contract or applicable state or federal law;

(d) Other good cause.

(2) A sponsor may choose to terminate a contract prior to its expiration if the sponsor has suspended the operation of the contract under section 3314.072 of the Revised Code.

(3) Not later than the first day of February in the year in which the sponsor intends to terminate or take actions not to renew the community school's contract, the sponsor shall notify the school of the proposed action in writing. The notice shall include the reasons for the proposed action in detail, the effective date of the termination or nonrenewal, and a statement that the school may, within fourteen days of receiving the notice, request an informal hearing before the sponsor. Such request must be in writing. The informal hearing shall be held within fourteen days of the receipt of a request for the hearing. Not later than fourteen days after the informal hearing, the sponsor shall issue a written decision either affirming or rescinding the decision to terminate or not renew the contract.

(4) A decision by the sponsor to terminate a contract may be appealed to the state board of education. The notice of appeal shall be filed with the state board not later than fourteen days following receipt of the sponsor's written decision to terminate the contract. Within sixty days of receipt of the notice of appeal, the state board shall conduct a hearing and issue a written decision on the appeal. The written decision of the state board shall include the reasons for affirming or rescinding the decision of the sponsor. The decision by the state board pertaining to an appeal under this division is final. If the sponsor is the state board, its decision to terminate a contract under division (B)(3) of this section shall be final.

(5) The termination of a contract under this section shall be effective upon the occurrence of the later of the following events:

(a) The date the sponsor notifies the school of its decision to terminate the contract as prescribed in division (B)(3) of this section;

(b) If an informal hearing is requested under division (B)(3) of this section and as a result of that hearing the sponsor affirms its decision to terminate the contract, the effective date of the termination specified in the notice issued under division (B)(3) of this section, or if that decision is appealed to the state board under division (B)(4) of this section and the state board affirms that decision, the date established in the resolution of the state board affirming the sponsor's decision.

(6) Any community school whose contract is terminated under division (B) of this section shall close permanently at the end of the current school year or on a date specified in the notification of termination under division (B)(3) of this section. Any community school whose contract is terminated under this

division shall not enter into a contract with any other sponsor.

(C) A child attending a community school whose contract has been terminated, nonrenewed, or suspended or that closes for any reason shall be admitted to the schools of the district in which the child is entitled to attend under section 3313.64 or 3313.65 of the Revised Code. Any deadlines established for the purpose of admitting students under section 3313.97 ~~or 3313.98~~ of the Revised Code shall be waived for students to whom this division pertains.

(D) If a community school does not intend to renew a contract with its sponsor, the community school shall notify its sponsor in writing of that fact at least one hundred eighty days prior to the expiration of the contract. Such a community school may enter into a contract with a new sponsor in accordance with section 3314.03 of the Revised Code upon the expiration of the previous contract.

(E) A sponsor of a community school and the officers, directors, or employees of such a sponsor are immune from civil liability for any action authorized under this chapter or the contract entered into with the school under section 3314.03 of the Revised Code that is taken to fulfill the sponsor's responsibility to oversee and monitor the school. The sponsor and its officers, directors, or employees are not liable in damages in a tort or other civil action for harm allegedly arising from either of the following:

(1) A failure of the community school or any of its officers, directors, or employees to perform any statutory or common law duty or responsibility or any other legal obligation;

(2) An action or omission of the community school or any of its officers, directors, or employees that results in harm.

(F) As used in this section:

(1) "Harm" means injury, death, or loss to person or property.

(2) "Tort action" means a civil action for damages for injury, death, or loss to person or property other than a civil action for damages for a breach of contract or another agreement between persons."

Between lines 57883 and 57884, insert:

"Sec. 3315.18. (A) The board of education of each city, exempted village, local, and joint vocational school district shall establish a capital and maintenance fund. Each board annually shall deposit into that fund an amount derived from revenues received by the district that would otherwise have been deposited in the general fund that is equal to three per cent of the formula amount for the preceding fiscal year, as defined in section 3317.02 of the Revised Code, or another percentage if established by the auditor of state under division (B) of this section, multiplied by the district's student population for the preceding fiscal year, except that money received from a permanent improvement levy authorized by section 5705.21 of the Revised Code may

replace general revenue moneys in meeting the requirements of this section. Money in the fund shall be used solely for acquisition, replacement, enhancement, maintenance, or repair of permanent improvements, as that term is defined in section 5705.01 of the Revised Code. Any money in the fund that is not used in any fiscal year shall carry forward to the next fiscal year.

(B) The state superintendent of public instruction and the auditor of state jointly shall adopt rules in accordance with Chapter 119. of the Revised Code defining what constitutes expenditures permitted by division (A) of this section. The auditor of state may designate a percentage, other than three per cent, of the formula amount multiplied by the district's student population that must be deposited into the fund.

(C) Within its capital and maintenance fund, a school district board of education may establish a separate account solely for the purpose of depositing funds transferred from the district's reserve balance account established under former division (H) of section 5705.29 of the Revised Code. After April 10, 2001, a board may deposit all or part of the funds formerly included in such reserve balance account in the separate account established under this section. Funds deposited in this separate account and interest on such funds shall be utilized solely for the purpose of providing the district's portion of the basic project costs of any project undertaken in accordance with Chapter 3318. of the Revised Code.

(D)(1) Notwithstanding division (A) of this section, in any year a district is in fiscal emergency status as declared pursuant to section 3316.03 of the Revised Code, the district may deposit an amount less than required by division (A) of this section, or make no deposit, into the district capital and maintenance fund for that year.

(2) Notwithstanding division (A) of this section, in any fiscal year that a school district is either in fiscal watch status, as declared pursuant to section 3316.03 of the Revised Code, or in fiscal caution status, as declared pursuant to section 3316.031 of the Revised Code, the district may apply to the superintendent of public instruction for a waiver from the requirements of division (A) of this section, under which the district may be permitted to deposit an amount less than required by that division or permitted to make no deposit into the district capital and maintenance fund for that year. The superintendent may grant a waiver under division (D)(2) of this section if the district demonstrates to the satisfaction of the superintendent that compliance with division (A) of this section that year will create an undue financial hardship on the district.

(3) Notwithstanding division (A) of this section, not more often than one fiscal year in every three consecutive fiscal years, any school district that does not satisfy the conditions for the exemption described in division (D)(1) of this section or the conditions to apply for the waiver described in division (D)(2) of this section may apply to the superintendent of public instruction for a waiver from the requirements of division (A) of this section, under which the district

may be permitted to deposit an amount less than required by that division or permitted to make no deposit into the district capital and maintenance fund for that year. The superintendent may grant a waiver under division (D)(3) of this section if the district demonstrates to the satisfaction of the superintendent that compliance with division (A) of this section that year will necessitate the reduction or elimination of a program currently offered by the district that is critical to the academic success of students of the district and that no reasonable alternatives exist for spending reductions in other areas of operation within the district that negate the necessity of the reduction or elimination of that program.

(E) Notwithstanding any provision to the contrary in Chapter 4117. of the Revised Code, the requirements of this section prevail over any conflicting provisions of agreements between employee organizations and public employers entered into after November 21, 1997.

(F) As used in this section, "student population" means the average, daily, full-time equivalent number of students in kindergarten through twelfth grade receiving any educational services from the school district during the first full school week in October, excluding students enrolled in adult education classes, but including all of the following:

~~(1) Adjacent or other district students enrolled in the district under an open enrollment policy pursuant to section 3313.98 of the Revised Code;~~

~~(2) Students receiving services in the district pursuant to a compact, cooperative education agreement, or a contract, but who are entitled to attend school in another district pursuant to section 3313.64 or 3313.65 of the Revised Code;~~

~~(3) (2) Students for whom tuition is payable pursuant to sections 3317.081 and 3323.141 of the Revised Code.~~

The department of education shall determine a district's student population using data reported to it under section 3317.03 of the Revised Code for the applicable fiscal year."

In line 59529, strike through the semicolon and insert " .Division (A)(1)(b) of this section does not apply after June 30, 2015."

In line 59558, strike through the semicolon and insert " .Division (A)(2)(d) of this section does not apply after June 30, 2015."

In line 59625, strike through the semicolon and insert " .Division (B)(3)(c) of this section does not apply after June 30, 2015."

In line 59923, strike through the semicolon and insert " .Division (D)(1)(b) of this section does not apply after June 30, 2015."

In line 61503, after "in" insert " former"

In line 61511, after "under" insert " former"

In line 61513, after the period insert " For fiscal years after fiscal year

2015, each district's open enrollment net gain is zero."

In line 61515, after "under" insert " former"

Between lines 63833 and 63834, insert:

"Sec. 3323.143. If a child with a disability's custodial parent has made a unilateral placement of the child, the parent shall be responsible for payment of tuition to the program or facility the child is attending as a result of that placement as long as the district of residence has offered a free appropriate public education to that child. As used in this section, "unilateral placement" means withdrawing a child with a disability from a program or facility operated by the district of residence or from a program or facility with which the district of residence has arranged for education of the child and instead enrolling that child in another program or facility that is not a home, as defined in section 3313.64 of the Revised Code ~~, or that is not a facility or program available to the child pursuant to an open enrollment policy under section 3313.98 or 3313.983 of the Revised Code.~~"

Between lines 64211 and 64212, insert:

"Sec. 3326.51. (A) As used in this section:

(1) "Resident district" has the same meaning as in section 3326.31 of the Revised Code.

(2) "STEM school sponsoring district" means a municipal, city, local, exempted village, or joint vocational school district that governs and controls a STEM school pursuant to this section.

(B) Notwithstanding any other provision of this chapter to the contrary:

(1) If a proposal for a STEM school submitted under section 3326.03 of the Revised Code proposes that the governing body of the school be the board of education of a municipal, city, local, exempted village, or joint vocational school district that is one of the partners submitting the proposal, and the STEM committee approves that proposal, that school district board shall govern and control the STEM school as one of the schools of its district.

(2) The STEM school sponsoring district shall maintain a separate accounting for the STEM school as a separate and distinct operational unit within the district's finances. The auditor of state, in the course of an annual or biennial audit of the school district serving as the STEM school sponsoring district, shall audit that school district for compliance with the financing requirements of this section.

(3) With respect to students enrolled in a STEM school whose resident district is the STEM school sponsoring district:

(a) The department of education shall make no deductions under section 3326.33 of the Revised Code from the STEM school sponsoring district's state payments.

(b) The STEM school sponsoring district shall ensure that it allocates to the STEM school funds equal to or exceeding the amount ~~that would be calculated pursuant to division (B) of section 3313.981~~ sections 3326.31 to 3326.49 of the Revised Code for the students attending the school whose resident district is the STEM school sponsoring district.

(c) The STEM school sponsoring district is responsible for providing children with disabilities with a free appropriate public education under Chapter 3323. of the Revised Code.

(d) The STEM school sponsoring district shall provide student transportation in accordance with laws and policies generally applicable to the district.

(4) With respect to students enrolled in the STEM school whose resident district is another school district, the department shall make ~~no payments or~~ and deductions under sections 3326.31 to 3326.49 of the Revised Code. ~~Instead, the students shall be considered as open enrollment students and the department shall make payments and deductions in accordance with section 3313.981 of the Revised Code.~~ The STEM school sponsoring district shall allocate the payments to the STEM school. The STEM school sponsoring district may enter into financial agreements with the students' resident districts, which agreements may provide financial support in addition to the funds received ~~from the open enrollment calculation~~ under sections 3326.31 to 3326.49 of the Revised Code. The STEM school sponsoring district shall allocate all such additional funds to the STEM school.

(5) Where the department is required to make, deny, reduce, or adjust payments to a STEM school sponsoring district pursuant to this section, it shall do so in such a manner that the STEM school sponsoring district may allocate that action to the STEM school.

(6) A STEM school sponsoring district and its board may assign its district employees to the STEM school, in which case section 3326.18 of the Revised Code shall not apply. The district and board may apply any other resources of the district to the STEM school in the same manner that it applies district resources to other district schools.

(7) Provisions of this chapter requiring a STEM school and its governing body to comply with specified laws as if it were a school district and in the same manner as a board of education shall instead require such compliance by the STEM school sponsoring district and its board of education, respectively, with respect to the STEM school. Where a STEM school or its governing body is required to perform a specific duty or permitted to take a specific action under this chapter, that duty is required to be performed or that action is permitted to be taken by the STEM school sponsoring district or its board of education, respectively, with respect to the STEM school.

(8) No provision of this chapter limits the authority, as provided otherwise by law, of a school district and its board of education to levy taxes and

issue bonds secured by tax revenues.

(9) The treasurer of the STEM school sponsoring district or, if the STEM school sponsoring district is a municipal school district, the chief financial officer of the district, shall have all of the respective rights, authority, exemptions, and duties otherwise conferred upon the treasurer or chief financial officer by the Revised Code."

Between lines 64392 and 64393, insert:

"**Sec. 3327.05.** (A) Except as provided in division (B) of this section, no board of education of any school district shall provide transportation for any pupil who is a school resident of another school district unless ~~the pupil is enrolled pursuant to section 3313.98 of the Revised Code or~~ the board of the other district has given its written consent thereto. If the board of any school district files with the state board of education a written complaint that transportation for resident pupils is being provided by the board of another school district contrary to this division, the state board of education shall make an investigation of such complaint. If the state board of education finds that transportation is being provided contrary to this section, it may withdraw from state funds due the offending district any part of the amount that has been approved for transportation pursuant to section 3317.0212 of the Revised Code or other provisions of law.

(B) Notwithstanding division (D) of section 3311.19 and division (D) of section 3311.52 of the Revised Code, this division does not apply to any joint vocational or cooperative education school district.

A board of education may provide transportation to and from the nonpublic school of attendance if both of the following apply:

(1) The parent, guardian, or other person in charge of the pupil agrees to pay the board for all costs incurred in providing the transportation that are not reimbursed pursuant to Chapter 3317. of the Revised Code;

(2) The pupil's school district of residence does not provide transportation for public school pupils of the same grade as the pupil being transported under this division, or that district is not required under section 3327.01 of the Revised Code to transport the pupil to and from the nonpublic school because the direct travel time to the nonpublic school is more than thirty minutes.

Upon receipt of the request to provide transportation, the board shall review the request and determine whether the board will accommodate the request. If the board agrees to transport the pupil, the board may transport the pupil to and from the nonpublic school and a collection point in the district, as determined by the board. If the board transports the pupil, the board may include the pupil in the district's transportation ADM reported to the department of education under section 3317.03 of the Revised Code and, accordingly, may receive a state payment under section 3317.0212 of the Revised Code or other provisions of law for transporting the pupil.

If the board declines to transport the pupil, the board, in a written communication to the parent, guardian, or other person in charge of the pupil, shall state the reasons for declining the request."

In line 66472, strike through "3313.98,"

In line 146907, after "3313.911," insert "3313.97, 3313.974,"

In line 146908, after "3313.981," insert "3313.982,"

In line 146909, after "3314.06," insert "3314.07,"

In line 146910, after "3315.07," insert "3315.18,"

In line 146919, after "3323.142," insert "3323.143,"

In line 146920, after "3326.45," insert "3326.51,"; after "3327.02," insert "3327.05,"

Between lines 149435 and 149436, insert:

"**Section 125.**____. Section 3313.983 of the Revised Code, sections 3313.98 and 3313.981 of the Revised Code, as amended by this act, and section 3313.984 of the Revised Code, as enacted by this act, are hereby repealed, effective July 1, 2015."

Between lines 163765 and 163766, insert:

"**Section 733.**____. It is the intent of the General Assembly to determine renewal of interdistrict open enrollment laws following its examination of the Department of Education's findings under section 3313.984 of the Revised Code."

Between lines 164301 and 164302, insert:

"The amendment of sections 3313.97, 3313.974, 3313.982, 3314.07, 3315.18, 3323.143, 3326.51, and 3327.05 of the Revised Code takes effect July 1, 2015."

In line 164313, delete "5727.84,"

In line 164361, delete ", the" and insert "":

(1) The"

In line 164363, delete "(1)" and insert "(a)"

In line 164364, delete "(2)" and insert "(b)"

In line 164365, delete "(3)" and insert "(c)"

Between lines 164366 and 164367, insert:

"(2) The amendments to divisions (A)(1)(b), (A)(2)(d), (B)(3)(c), and (D)(1)(b) shall take effect July 1, 2015."

Between lines 164401 and 164402, insert:

"Section 812._____. The amendments to sections 3310.01, 3310.06, 3313.64, 3318.011, and 3365.01 of the Revised Code are subject to the referendum under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, and therefore take effect on the ninety-first day after this act is filed with the Secretary of State. However, the following shall take effect July 1, 2015:

(A) The amendments to division (C) of section 3310.01 of the Revised Code;

(B) The strike through of "in the schools of another school district pursuant to an open enrollment policy adopted under section 3313.98 of the Revised Code," in section 3310.06 of the Revised Code;

(C) The amendments to division (I)(4) of section 3313.64 of the Revised Code;

(D) The amendments to divisions (A)(5), (6), and (7) of section 3318.011 of the Revised Code;

(E) The amendments to division (B) of section 3365.01 of the Revised Code.

Section 812.____. The repeal and reenactment of section 3327.02 of the Revised Code is subject to the referendum under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, but shall take effect on July 1, 2014. However:

(A) "Parent" has the same meaning as in section 3313.98 of the Revised Code until July 1, 2015. On that date, the definition of that term in division (A)(2) of section 3327.02 of the Revised Code as it appears in this act shall take effect.

(B) The second sentence of division (C)(3) of section 3327.02 of the Revised Code as it appears in this act shall take effect on July 1, 2015."

In line 96 of the title, after "3313.911," insert "3313.97, 3313.974,"

In line 97 of the title, after "3313.981," insert "3313.982,"

In line 98 of the title, after "3314.06," insert "3314.07,"

In line 100 of the title, after "3315.07," insert "3315.18,"

In line 112 of the title, after "3323.142," insert "3323.143,"

In line 113 of the title, after "3326.45," insert "3326.51,"

In line 114 of the title, after "3327.02," insert "3327.05,"

In line 526 of the title, after "3313.849," insert "3313.984,"

In line 656 of the title, after the semicolon insert "to repeal certain other provisions of this act on July 1, 2015, by repealing sections 3313.98, 3313.981, 3313.983, and 3313.984 of the Revised Code on that date;"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Tavares moved to amend as follows:

In line 805, after "5103.42," insert "5104.01, 5104.011,"

Between lines 99872 and 99873, insert:

"Sec. 5104.01. As used in this chapter:

(A) "Administrator" means the person responsible for the daily operation of a center or type A home. The administrator and the owner may be the same person.

(B) "Approved child day camp" means a child day camp approved pursuant to section 5104.22 of the Revised Code.

(C) "Authorized provider" means a person authorized by a county director of job and family services to operate a certified type B family day-care home.

(D) "Border state child care provider" means a child care provider that is located in a state bordering Ohio and that is licensed, certified, or otherwise approved by that state to provide child care.

(E) "Career pathways model" means an alternative pathway to meeting the requirements to be a child-care staff member or administrator that does both

of the following:

(1) Uses a framework approved by the director of job and family services to document formal education, training, experience, and specialized credentials and certifications;

(2) Allows the child-care staff member or administrator to achieve a designation as an early childhood professional level one, two, three, four, five, or six.

(F) "Caretaker parent" means the father or mother of a child whose presence in the home is needed as the caretaker of the child, a person who has legal custody of a child and whose presence in the home is needed as the caretaker of the child, a guardian of a child whose presence in the home is needed as the caretaker of the child, and any other person who stands in loco parentis with respect to the child and whose presence in the home is needed as the caretaker of the child.

(G) "Certified type B family day-care home" and "certified type B home" mean a type B family day-care home that is certified by the director of the county department of job and family services pursuant to section 5104.11 of the Revised Code to receive public funds for providing child care pursuant to this chapter and any rules adopted under it.

(H) "Chartered nonpublic school" means a school that meets standards for nonpublic schools prescribed by the state board of education for nonpublic schools pursuant to section 3301.07 of the Revised Code.

(I) "Child" includes an infant, toddler, preschool-age child, or school-age child.

(J) "Child care block grant act" means the "Child Care and Development Block Grant Act of 1990," established in section 5082 of the "Omnibus Budget Reconciliation Act of 1990," 104 Stat. 1388-236 (1990), 42 U.S.C. 9858, as amended.

(K) "Child day camp" means a program in which only school-age children attend or participate, that operates for no more than seven hours per day, that operates only during one or more public school district's regular vacation periods or for no more than fifteen weeks during the summer, and that operates outdoor activities for each child who attends or participates in the program for a minimum of fifty per cent of each day that children attend or participate in the program, except for any day when hazardous weather conditions prevent the program from operating outdoor activities for a minimum of fifty per cent of that day. For purposes of this division, the maximum seven hours of operation time does not include transportation time from a child's home to a child day camp and from a child day camp to a child's home.

(L) "Child care" means administering to the needs of infants, toddlers, preschool-age children, and school-age children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood,

marriage, or adoption ~~for any part of the twenty-four-hour day~~ in a place or residence other than a child's own home ~~for any part of the twenty-four-hour day~~ or, in the case of a type B family day-care home, for any part or all of the twenty-four-hour day.

(M) "Child day-care center" and "center" mean any place in which child care or publicly funded child care is provided for thirteen or more children at one time or any place that is not the permanent residence of the licensee or administrator in which child care or publicly funded child care is provided for seven to twelve children at one time. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted. "Child day-care center" and "center" do not include any of the following:

(1) A place located in and operated by a hospital, as defined in section 3727.01 of the Revised Code, in which the needs of children are administered to, if all the children whose needs are being administered to are monitored under the on-site supervision of a physician licensed under Chapter 4731. of the Revised Code or a registered nurse licensed under Chapter 4723. of the Revised Code, and the services are provided only for children who, in the opinion of the child's parent, guardian, or custodian, are exhibiting symptoms of a communicable disease or other illness or are injured;

(2) A child day camp;

(3) A place that provides child care, but not publicly funded child care, if all of the following apply:

(a) An organized religious body provides the child care;

(b) A parent, custodian, or guardian of at least one child receiving child care is on the premises and readily accessible at all times;

(c) The child care is not provided for more than thirty days a year;

(d) The child care is provided only for preschool-age and school-age children.

(N) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.

(O) "Child care resource and referral services" means all of the following services:

(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;

(2) Provision of individualized consumer education to families seeking child care;

- (3) Provision of timely referrals of available child care providers to families seeking child care;
- (4) Recruitment of child care providers;
- (5) Assistance in the development, conduct, and dissemination of training for child care providers and provision of technical assistance to current and potential child care providers, employers, and the community;
- (6) Collection and analysis of data on the supply of and demand for child care in the community;
- (7) Technical assistance concerning locally, state, and federally funded child care and early childhood education programs;
- (8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher quality for their employees and for the community;
- (9) Provision of written educational materials to caretaker parents and informational resources to child care providers;
- (10) Coordination of services among child care resource and referral service organizations to assist in developing and maintaining a statewide system of child care resource and referral services if required by the department of job and family services;
- (11) Cooperation with the county department of job and family services in encouraging the establishment of parent cooperative child care centers and parent cooperative type A family day-care homes.

(P) "Child-care staff member" means an employee of a child day-care center or type A family day-care home who is primarily responsible for the care and supervision of children. The administrator may be a part-time child-care staff member when not involved in other duties.

(Q) "Drop-in child day-care center," "drop-in center," "drop-in type A family day-care home," and "drop-in type A home" mean a center or type A home that provides child care or publicly funded child care for children on a temporary, irregular basis.

(R) "Employee" means a person who either:

- (1) Receives compensation for duties performed in a child day-care center or type A family day-care home;
- (2) Is assigned specific working hours or duties in a child day-care center or type A family day-care home.

(S) "Employer" means a person, firm, institution, organization, or agency that operates a child day-care center or type A family day-care home subject to licensure under this chapter.

(T) "Federal poverty line" means the official poverty guideline as revised

annually in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

(U) "Head start program" means a comprehensive child development program that receives funds distributed under the "Head Start Act," 95 Stat. 499 (1981), 42 U.S.C.A. 9831, as amended, and is licensed as a child day-care center.

(V) "Income" means gross income, as defined in section 5107.10 of the Revised Code, less any amounts required by federal statutes or regulations to be disregarded.

(W) "Indicator checklist" means an inspection tool, used in conjunction with an instrument-based program monitoring information system, that contains selected licensing requirements that are statistically reliable indicators or predictors of a child day-care center or type A family day-care home's compliance with licensing requirements.

(X) "Infant" means a child who is less than eighteen months of age.

(Y) "In-home aide" means a person who does not reside with the child but provides care in the child's home and is certified by a county director of job and family services pursuant to section 5104.12 of the Revised Code to provide publicly funded child care to a child in a child's own home pursuant to this chapter and any rules adopted under it.

(Z) "Instrument-based program monitoring information system" means a method to assess compliance with licensing requirements for child day-care centers and type A family day-care homes in which each licensing requirement is assigned a weight indicative of the relative importance of the requirement to the health, growth, and safety of the children that is used to develop an indicator checklist.

(AA) "License capacity" means the maximum number in each age category of children who may be cared for in a child day-care center or type A family day-care home at one time as determined by the director of job and family services considering building occupancy limits established by the department of commerce, amount of available indoor floor space and outdoor play space, and amount of available play equipment, materials, and supplies. For the purposes of a provisional license issued under this chapter, the director shall also consider the number of available child-care staff members when determining "license capacity" for the provisional license.

(BB) "Licensed child care program" means any of the following:

(1) A child day-care center licensed by the department of job and family services pursuant to this chapter;

(2) A type A family day-care home licensed by the department of job and

family services pursuant to this chapter;

(3) A type B family day-care home certified by a county department of job and family services pursuant to this chapter;

(4) A licensed preschool program or licensed school child program.

(CC) "Licensed preschool program" or "licensed school child program" means a preschool program or school child program, as defined in section 3301.52 of the Revised Code, that is licensed by the department of education pursuant to sections 3301.52 to 3301.59 of the Revised Code.

(DD) "Licensee" means the owner of a child day-care center or type A family day-care home that is licensed pursuant to this chapter and who is responsible for ensuring its compliance with this chapter and rules adopted pursuant to this chapter.

(EE) "Operate a child day camp" means to operate, establish, manage, conduct, or maintain a child day camp.

(FF) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity.

(GG) "Parent cooperative child day-care center," "parent cooperative center," "parent cooperative type A family day-care home," and "parent cooperative type A home" mean a corporation or association organized for providing educational services to the children of members of the corporation or association, without gain to the corporation or association as an entity, in which the services of the corporation or association are provided only to children of the members of the corporation or association, ownership and control of the corporation or association rests solely with the members of the corporation or association, and at least one parent-member of the corporation or association is on the premises of the center or type A home during its hours of operation.

(HH) "Part-time child day-care center," "part-time center," "part-time type A family day-care home," and "part-time type A home" mean a center or type A home that provides child care or publicly funded child care for no more than four hours a day for any child.

(II) "Place of worship" means a building where activities of an organized religious group are conducted and includes the grounds and any other buildings on the grounds used for such activities.

(JJ) "Preschool-age child" means a child who is three years old or older but is not a school-age child.

(KK) "Protective child care" means publicly funded child care for the direct care and protection of a child to whom either of the following applies:

(1) A case plan prepared and maintained for the child pursuant to section 2151.412 of the Revised Code indicates a need for protective care and the child resides with a parent, stepparent, guardian, or another person who stands in loco

parentis as defined in rules adopted under section 5104.38 of the Revised Code;

(2) The child and the child's caretaker either temporarily reside in a facility providing emergency shelter for homeless families or are determined by the county department of job and family services to be homeless, and are otherwise ineligible for publicly funded child care.

(LL) "Publicly funded child care" means administering to the needs of infants, toddlers, preschool-age children, and school-age children under age thirteen during any part of the twenty-four-hour day by persons other than their caretaker parents for remuneration wholly or in part with federal or state funds, including funds available under the child care block grant act, Title IV-A, and Title XX, distributed by the department of job and family services.

(MM) "Religious activities" means any of the following: worship or other religious services; religious instruction; Sunday school classes or other religious classes conducted during or prior to worship or other religious services; youth or adult fellowship activities; choir or other musical group practices or programs; meals; festivals; or meetings conducted by an organized religious group.

(NN) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above but is less than fifteen years old.

(OO) "School-age child care center" and "school-age child type A home" mean a center or type A home that provides child care for school-age children only and that does either or both of the following:

(1) Operates only during that part of the day that immediately precedes or follows the public school day of the school district in which the center or type A home is located;

(2) Operates only when the public schools in the school district in which the center or type A home is located are not open for instruction with pupils in attendance.

(PP) "Serious risk noncompliance" means a licensure or certification rule violation that leads to a great risk of harm to, or death of, a child, and is observable, not inferable.

(QQ) "State median income" means the state median income calculated by the department of development pursuant to division (A)(1)(g) of section 5709.61 of the Revised Code.

(RR) "Title IV-A" means Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended.

(SS) "Title XX" means Title XX of the "Social Security Act," 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended.

(TT) "Toddler" means a child who is at least eighteen months of age but less than three years of age.

(UU) "Type A family day-care home" and "type A home" mean a

permanent residence of the administrator in which child care or publicly funded child care is provided for seven to twelve children at one time or a permanent residence of the administrator in which child care is provided for four to twelve children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. "Type A family day-care home" and "type A home" do not include any child day camp.

(VV) "Type B family day-care home" and "type B home" mean a permanent residence of the provider in which child care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" and "type B home" do not include any child day camp.

Sec. 5104.011. (A) The director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code governing the operation of child day-care centers, including, but not limited to, parent cooperative centers, part-time centers, drop-in centers, and school-age child care centers, which rules shall reflect the various forms of child care and the needs of children receiving child care or publicly funded child care and shall include specific rules for school-age child care centers that are developed in consultation with the department of education. The rules shall not require an existing school facility that is in compliance with applicable building codes to undergo an additional building code inspection or to have structural modifications. The rules shall include the following:

(1) Submission of a site plan and descriptive plan of operation to demonstrate how the center proposes to meet the requirements of this chapter and rules adopted pursuant to this chapter for the initial license application;

(2) Standards for ensuring that the physical surroundings of the center are safe and sanitary including, but not limited to, the physical environment, the physical plant, and the equipment of the center;

(3) Standards for the supervision, care, and discipline of children receiving child care or publicly funded child care in the center;

(4) Standards for a program of activities, and for play equipment, materials, and supplies, to enhance the development of each child; however, any educational curricula, philosophies, and methodologies that are developmentally appropriate and that enhance the social, emotional, intellectual, and physical development of each child shall be permissible. As used in this division, "program" does not include instruction in religious or moral doctrines, beliefs, or values that is conducted at child day-care centers owned and operated by churches and does include methods of disciplining children at child day-care centers.

(5) Admissions policies and procedures, health care policies and procedures, including, but not limited to, procedures for the isolation of children with communicable diseases, first aid and emergency procedures, procedures for discipline and supervision of children, standards for the provision of nutritious meals and snacks, and procedures for screening children and employees, that may include any necessary physical examinations and immunizations;

(6) Methods for encouraging parental participation in the center and methods for ensuring that the rights of children, parents, and employees are protected and that responsibilities of parents and employees are met;

(7) Procedures for ensuring the safety and adequate supervision of children traveling off the premises of the center while under the care of a center employee;

(8) Procedures for record keeping, organization, and administration;

(9) Procedures for issuing, denying, and revoking a license that are not otherwise provided for in Chapter 119. of the Revised Code;

(10) Inspection procedures;

(11) Procedures and standards for setting initial license application fees;

(12) Procedures for receiving, recording, and responding to complaints about centers;

(13) Procedures for enforcing section 5104.04 of the Revised Code;

(14) A standard requiring the inclusion, on and after July 1, 1987, of a current department of job and family services toll-free telephone number on each center provisional license or license which any person may use to report a suspected violation by the center of this chapter or rules adopted pursuant to this chapter;

(15) Requirements for the training of administrators and child-care staff members in first aid, in prevention, recognition, and management of communicable diseases, and in child abuse recognition and prevention. Training requirements for child day-care centers adopted under this division shall be consistent with divisions (B)(6) and (C)(1) of this section.

(16) Standards providing for the special needs of children who are handicapped or who require treatment for health conditions while the child is receiving child care or publicly funded child care in the center;

(17) A procedure for reporting of injuries of children that occur at the center;

(18) Any other procedures and standards necessary to carry out this chapter.

(B)(1) The child day-care center shall have, for each child for whom the center is licensed, at least thirty-five square feet of usable indoor floor space

wall-to-wall regularly available for the child care operation exclusive of any parts of the structure in which the care of children is prohibited by law or by rules adopted by the board of building standards. The minimum of thirty-five square feet of usable indoor floor space shall not include hallways, kitchens, storage areas, or any other areas that are not available for the care of children, as determined by the director, in meeting the space requirement of this division, and bathrooms shall be counted in determining square footage only if they are used exclusively by children enrolled in the center, except that the exclusion of hallways, kitchens, storage areas, bathrooms not used exclusively by children enrolled in the center, and any other areas not available for the care of children from the minimum of thirty-five square feet of usable indoor floor space shall not apply to:

(a) Centers licensed prior to or on September 1, 1986, that continue under licensure after that date;

(b) Centers licensed prior to or on September 1, 1986, that are issued a new license after that date solely due to a change of ownership of the center.

(2) The child day-care center shall have on the site a safe outdoor play space which is enclosed by a fence or otherwise protected from traffic or other hazards. The play space shall contain not less than sixty square feet per child using such space at any one time, and shall provide an opportunity for supervised outdoor play each day in suitable weather. The director may exempt a center from the requirement of this division, if an outdoor play space is not available and if all of the following are met:

(a) The center provides an indoor recreation area that has not less than sixty square feet per child using the space at any one time, that has a minimum of one thousand four hundred forty square feet of space, and that is separate from the indoor space required under division (B)(1) of this section.

(b) The director has determined that there is regularly available and scheduled for use a conveniently accessible and safe park, playground, or similar outdoor play area for play or recreation.

(c) The children are closely supervised during play and while traveling to and from the area.

The director also shall exempt from the requirement of this division a child day-care center that was licensed prior to September 1, 1986, if the center received approval from the director prior to September 1, 1986, to use a park, playground, or similar area, not connected with the center, for play or recreation in lieu of the outdoor space requirements of this section and if the children are closely supervised both during play and while traveling to and from the area and except if the director determines upon investigation and inspection pursuant to section 5104.04 of the Revised Code and rules adopted pursuant to that section that the park, playground, or similar area, as well as access to and from the area, is unsafe for the children.

(3) The child day-care center shall have at least two responsible adults available on the premises at all times when seven or more children are in the center. The center shall organize the children in the center in small groups, shall provide child-care staff to give continuity of care and supervision to the children on a day-by-day basis, and shall ensure that no child is left alone or unsupervised. Except as otherwise provided in division (E) of this section, the maximum number of children per child-care staff member and maximum group size, by age category of children, are as follows:

Age Category of Children	Maximum Number of Children Per Child-Care Staff Member	Maximum Group Size
(a) Infants: (i) Less than twelve months old	5:1, or 12:2 if two child-care staff members are in the room	12
(ii) At least twelve months old, but less than eighteen months old	6:1	12
(b) Toddlers: (i) At least eighteen months old, but less than thirty months old	7:1	14
(ii) At least thirty months old, but less than three years old	8:1	16
(c) Preschool-age children:		
(i) Three years old	12:1	24
(ii) Four years old and five years old who are not school children	14:1	28
(d) School-age children:		
(i) A child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above, but is less than eleven years old	18:1	36
(ii) Eleven through fourteen years old	20:1	40

Except as otherwise provided in division (E) of this section, the maximum number of children per child-care staff member and maximum group size requirements of the younger age group shall apply when age groups are combined.

(C)(1) Each child day-care center shall have on the center premises and readily available at all times at least one child-care staff member who has

completed a course in first aid, one staff member who has completed a course in prevention, recognition, and management of communicable diseases which is approved by the state department of health, and a staff member who has completed a course in child abuse recognition and prevention training which is approved by the department of job and family services.

(2) The administrator of each child day-care center shall maintain enrollment, health, and attendance records for all children attending the center and health and employment records for all center employees. The records shall be confidential, except that they shall be disclosed by the administrator to the director upon request for the purpose of administering and enforcing this chapter and rules adopted pursuant to this chapter. Neither the center nor the licensee, administrator, or employees of the center shall be civilly or criminally liable in damages or otherwise for records disclosed to the director by the administrator pursuant to this division. It shall be a defense to any civil or criminal charge based upon records disclosed by the administrator to the director that the records were disclosed pursuant to this division.

(3)(a) Any parent who is the residential parent and legal custodian of a child enrolled in a child day-care center and any custodian or guardian of such a child shall be permitted unlimited access to the center during its hours of operation for the purposes of contacting their children, evaluating the care provided by the center, evaluating the premises of the center, or for other purposes approved by the director. A parent of a child enrolled in a child day-care center who is not the child's residential parent shall be permitted unlimited access to the center during its hours of operation for those purposes under the same terms and conditions under which the residential parent of that child is permitted access to the center for those purposes. However, the access of the parent who is not the residential parent is subject to any agreement between the parents and, to the extent described in division (C)(3)(b) of this section, is subject to any terms and conditions limiting the right of access of the parent who is not the residential parent, as described in division (I) of section 3109.051 of the Revised Code, that are contained in a parenting time order or decree issued under that section, section 3109.12 of the Revised Code, or any other provision of the Revised Code.

(b) If a parent who is the residential parent of a child has presented the administrator or the administrator's designee with a copy of a parenting time order that limits the terms and conditions under which the parent who is not the residential parent is to have access to the center, as described in division (I) of section 3109.051 of the Revised Code, the parent who is not the residential parent shall be provided access to the center only to the extent authorized in the order. If the residential parent has presented such an order, the parent who is not the residential parent shall be permitted access to the center only in accordance with the most recent order that has been presented to the administrator or the administrator's designee by the residential parent or the parent who is not the residential parent.

(c) Upon entering the premises pursuant to division (C)(3)(a) or (b) of this section, the parent who is the residential parent and legal custodian, the parent who is not the residential parent, or the custodian or guardian shall notify the administrator or the administrator's designee of the parent's, custodian's, or guardian's presence.

(D) The director of job and family services, in addition to the rules adopted under division (A) of this section, shall adopt rules establishing minimum requirements for child day-care centers. The rules shall include, but not be limited to, the requirements set forth in divisions (B) and (C) of this section and sections 5104.031, 5104.032, and 5104.033 of the Revised Code. Except as provided in section 5104.07 of the Revised Code, the rules shall not change the square footage requirements of division (B)(1) or (2) of this section; the maximum number of children per child-care staff member and maximum group size requirements of division (B)(3) of this section; the educational and experience requirements of section 5104.031 of the Revised Code; the age, educational, and experience requirements of section 5104.032 of the Revised Code; the number and type of inservice training hours required under section 5104.033 of the Revised Code; however, the rules shall provide procedures for determining compliance with those requirements.

(E)(1) When age groups are combined, the maximum number of children per child-care staff member shall be determined by the age of the youngest child in the group, except that when no more than one child thirty months of age or older receives services in a group in which all the other children are in the next older age group, the maximum number of children per child-care staff member and maximum group size requirements of the older age group established under division (B)(3) of this section shall apply.

(2) The maximum number of toddlers or preschool-age children per child-care staff member in a room where children are napping shall be twice the maximum number of children per child-care staff member established under division (B)(3) of this section if all the following criteria are met:

(a) At least one child-care staff member is present in the room.

(b) Sufficient child-care staff members are on the child day-care center premises to meet the maximum number of children per child-care staff member requirements established under division (B)(3) of this section.

(c) Naptime preparations are complete and all napping children are resting or sleeping on cots.

(d) The maximum number established under division (E)(2) of this section is in effect for no more than two hours during a twenty-four-hour day.

(F) The director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code governing the operation of type A family day-care homes, including, but not limited to, parent cooperative type A homes, part-time type A homes, drop-in type A homes, and school-age child type A

homes, which shall reflect the various forms of child care and the needs of children receiving child care. The rules shall include the following:

- (1) Submission of a site plan and descriptive plan of operation to demonstrate how the type A home proposes to meet the requirements of this chapter and rules adopted pursuant to this chapter for the initial license application;
- (2) Standards for ensuring that the physical surroundings of the type A home are safe and sanitary, including, but not limited to, the physical environment, the physical plant, and the equipment of the type A home;
- (3) Standards for the supervision, care, and discipline of children receiving child care or publicly funded child care in the type A home;
- (4) Standards for a program of activities, and for play equipment, materials, and supplies, to enhance the development of each child; however, any educational curricula, philosophies, and methodologies that are developmentally appropriate and that enhance the social, emotional, intellectual, and physical development of each child shall be permissible;
- (5) Admissions policies and procedures, health care policies and procedures, including, but not limited to, procedures for the isolation of children with communicable diseases, first aid and emergency procedures, procedures for discipline and supervision of children, standards for the provision of nutritious meals and snacks, and procedures for screening children and employees, including, but not limited to, any necessary physical examinations and immunizations;
- (6) Methods for encouraging parental participation in the type A home and methods for ensuring that the rights of children, parents, and employees are protected and that the responsibilities of parents and employees are met;
- (7) Procedures for ensuring the safety and adequate supervision of children traveling off the premises of the type A home while under the care of a type A home employee;
- (8) Procedures for record keeping, organization, and administration;
- (9) Procedures for issuing, denying, and revoking a license that are not otherwise provided for in Chapter 119. of the Revised Code;
- (10) Inspection procedures;
- (11) Procedures and standards for setting initial license application fees;
- (12) Procedures for receiving, recording, and responding to complaints about type A homes;
- (13) Procedures for enforcing section 5104.04 of the Revised Code;
- (14) A standard requiring the inclusion, on or after July 1, 1987, of a current department of job and family services toll-free telephone number on each

type A home provisional license or license which any person may use to report a suspected violation by the type A home of this chapter or rules adopted pursuant to this chapter;

(15) Requirements for the training of administrators and child-care staff members in first aid, in prevention, recognition, and management of communicable diseases, and in child abuse recognition and prevention;

(16) Standards providing for the special needs of children who are handicapped or who require treatment for health conditions while the child is receiving child care or publicly funded child care in the type A home;

(17) Standards for the maximum number of children per child-care staff member;

(18) Requirements for the amount of usable indoor floor space for each child;

(19) Requirements for safe outdoor play space;

(20) Qualifications and training requirements for administrators and for child-care staff members;

(21) Procedures for granting a parent who is the residential parent and legal custodian, or a custodian or guardian access to the type A home during its hours of operation;

(22) Standards for the preparation and distribution of a roster of parents, custodians, and guardians;

(23) Any other procedures and standards necessary to carry out this chapter.

(G) The director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code governing the certification of type B family day-care homes.

(1) The rules shall include all of the following:

(a) Procedures, standards, and other necessary provisions for granting limited certification to type B family day-care homes that are operated by the following adult providers:

(i) Persons who provide child care for eligible children who are great-grandchildren, grandchildren, nieces, nephews, or siblings of the provider or for eligible children whose caretaker parent is a grandchild, child, niece, nephew, or sibling of the provider;

(ii) Persons who provide child care for eligible children all of whom are the children of the same caretaker parent;

(b) Procedures for the director to ensure, that type B homes that receive a limited certification provide child care to children in a safe and sanitary manner;

(c) Requirements for the type B home to notify parents with children in the type B home that the type B home is also certified as a foster home under section 5103.03 of the Revised Code.

With regard to providers who apply for limited certification, a provider shall be granted a provisional limited certification on signing a declaration under oath attesting that the provider meets the standards for limited certification. Such provisional limited certifications shall remain in effect for no more than sixty calendar days and shall entitle the provider to offer publicly funded child care during the provisional period. Except as otherwise provided in division (G)(1) of this section, section 5104.013 or 5104.09 of the Revised Code, or division (A)(2) of section 5104.11 of the Revised Code, prior to the expiration of the provisional limited certificate, a county department of job and family services shall inspect the home and shall grant limited certification to the provider if the provider meets the requirements of this division. Limited certificates remain valid for two years unless earlier revoked. Except as otherwise provided in division (G)(1) of this section, providers operating under limited certification shall be inspected annually.

If a provider is a person described in division (G)(1)(a)(i) of this section or a person described in division (G)(1)(a)(ii) of this section who is a friend of the caretaker parent, the provider and the caretaker parent may verify in writing to the county department of job and family services that minimum health and safety requirements are being met in the home. Except as otherwise provided in section 5104.013 or 5104.09 or in division (A)(2) of section 5104.11 of the Revised Code, if such verification is provided, the county shall waive any inspection required by this chapter and grant limited certification to the provider.

(2) The rules shall provide for safeguarding the health, safety, and welfare of children receiving child care or publicly funded child care in a certified type B home and shall include the following:

(a) Standards for ensuring that the type B home and the physical surroundings of the type B home are safe and sanitary, including, but not limited to, physical environment, physical plant, and equipment;

(b) Standards for the supervision, care, and discipline of children receiving child care or publicly funded child care in the home;

(c) Standards for a program of activities, and for play equipment, materials, and supplies to enhance the development of each child; however, any educational curricula, philosophies, and methodologies that are developmentally appropriate and that enhance the social, emotional, intellectual, and physical development of each child shall be permissible;

(d) Admission policies and procedures, health care, first aid and emergency procedures, procedures for the care of sick children, procedures for discipline and supervision of children, nutritional standards, and procedures for screening children and authorized providers, including, but not limited to, any necessary physical examinations and immunizations;

(e) Methods of encouraging parental participation and ensuring that the rights of children, parents, and authorized providers are protected and the responsibilities of parents and authorized providers are met;

(f) Standards for the safe transport of children when under the care of authorized providers;

(g) Procedures for issuing, renewing, denying, refusing to renew, or revoking certificates;

(h) Procedures for the inspection of type B homes that require, at a minimum, that each type B home be inspected prior to certification to ensure that the home is safe and sanitary;

(i) Procedures for record keeping and evaluation;

(j) Procedures for receiving, recording, and responding to complaints;

(k) Standards providing for the special needs of children who are handicapped or who receive treatment for health conditions while the child is receiving child care or publicly funded child care in the type B home;

(l) Requirements for the amount of usable indoor floor space for each child;

(m) Requirements for safe outdoor play space;

(n) Qualification and training requirements for authorized providers;

(o) Procedures for granting a parent who is the residential parent and legal custodian, or a custodian or guardian access to the type B home during its hours of operation;

(p) Requirements for the type B home to notify parents with children in the type B home that the type B home is also certified as a foster home under section 5103.03 of the Revised Code;

(q) Standards that permit a type B home to provide child care on a twenty-four-hour basis without subjecting the type B home to the requirements set forth in section 5103.03 of the Revised Code;

(r) Any other procedures and standards necessary to carry out this chapter.

(H) The director shall adopt rules pursuant to Chapter 119. of the Revised Code governing the certification of in-home aides. The rules shall include procedures, standards, and other necessary provisions for granting limited certification to in-home aides who provide child care for eligible children who are great-grandchildren, grandchildren, nieces, nephews, or siblings of the in-home aide or for eligible children whose caretaker parent is a grandchild, child, niece, nephew, or sibling of the in-home aide. The rules shall require, and shall include procedures for the director to ensure, that in-home aides that receive a limited certification provide child care to children in a safe and sanitary

manner. The rules shall provide for safeguarding the health, safety, and welfare of children receiving publicly funded child care in their own home and shall include the following:

(1) Standards for ensuring that the child's home and the physical surroundings of the child's home are safe and sanitary, including, but not limited to, physical environment, physical plant, and equipment;

(2) Standards for the supervision, care, and discipline of children receiving publicly funded child care in their own home;

(3) Standards for a program of activities, and for play equipment, materials, and supplies to enhance the development of each child; however, any educational curricula, philosophies, and methodologies that are developmentally appropriate and that enhance the social, emotional, intellectual, and physical development of each child shall be permissible;

(4) Health care, first aid, and emergency procedures, procedures for the care of sick children, procedures for discipline and supervision of children, nutritional standards, and procedures for screening children and in-home aides, including, but not limited to, any necessary physical examinations and immunizations;

(5) Methods of encouraging parental participation and ensuring that the rights of children, parents, and in-home aides are protected and the responsibilities of parents and in-home aides are met;

(6) Standards for the safe transport of children when under the care of in-home aides;

(7) Procedures for issuing, renewing, denying, refusing to renew, or revoking certificates;

(8) Procedures for inspection of homes of children receiving publicly funded child care in their own homes;

(9) Procedures for record keeping and evaluation;

(10) Procedures for receiving, recording, and responding to complaints;

(11) Qualifications and training requirements for in-home aides;

(12) Standards providing for the special needs of children who are handicapped or who receive treatment for health conditions while the child is receiving publicly funded child care in the child's own home;

(13) Any other procedures and standards necessary to carry out this chapter.

(I) To the extent that any rules adopted for the purposes of this section require a health care professional to perform a physical examination, the rules shall include as a health care professional a physician assistant, a clinical nurse specialist, a certified nurse practitioner, or a certified nurse-midwife.

(J)(1) The director of job and family services shall do all of the following:

(a) Provide or make available in either paper or electronic form to each licensee notice of proposed rules governing the licensure of child day-care centers and type A homes;

(b) Give public notice of hearings regarding the rules to each licensee at least thirty days prior to the date of the public hearing, in accordance with section 119.03 of the Revised Code;

(c) At least thirty days before the effective date of a rule, provide, in either paper or electronic form, a copy of the adopted rule to each licensee.

(2) The director shall do all of the following:

(a) Send to each county director of job and family services a notice of proposed rules governing the certification of type B family homes and in-home aides that includes an internet web site address where the proposed rules can be viewed;

(b) Give public notice of hearings regarding the proposed rules not less than thirty days in advance;

(c) Provide to each county director of job and family services an electronic copy of each adopted rule at least forty-five days prior to the rule's effective date.

(3) The county director of job and family services shall provide or make available in either paper or electronic form to each authorized provider and in-home aide copies of proposed rules and shall give public notice of hearings regarding the rules to each authorized provider and in-home aide at least thirty days prior to the date of the public hearing, in accordance with section 119.03 of the Revised Code. At least thirty days before the effective date of a rule, the county director of job and family services shall provide, in either paper or electronic form, copies of the adopted rule to each authorized provider and in-home aide.

(4) Additional copies of proposed and adopted rules shall be made available by the director of job and family services to the public on request at no charge.

(5) The director of job and family services may adopt rules pursuant to Chapter 119. of the Revised Code for imposing sanctions on persons and entities that are licensed or certified under this chapter. Sanctions may be imposed only for an action or omission that constitutes a serious risk noncompliance. The sanctions imposed shall be based on the scope and severity of the violations.

The director shall make a dispute resolution process available for the implementation of sanctions. The process may include an opportunity for appeal pursuant to Chapter 119. of the Revised Code.

(6) The director of job and family services shall adopt rules pursuant to Chapter 119. of the Revised Code that establish standards for the training of individuals whom any county department of job and family services employs, with whom any county department of job and family services contracts, or with whom the director of job and family services contracts, to inspect or investigate type B family day-care homes pursuant to section 5104.11 of the Revised Code. The department shall provide training in accordance with those standards for individuals in the categories described in this division.

(K) The director of job and family services shall review all rules adopted pursuant to this chapter at least once every seven years.

(L) Notwithstanding any provision of the Revised Code, the director of job and family services shall not regulate in any way under this chapter or rules adopted pursuant to this chapter, instruction in religious or moral doctrines, beliefs, or values."

In line 100646, after "funds" insert " ;

(8) That, in the case of a certified type B family day-care home, the provider will be paid according to one of the following reimbursement rates:

(a) An hourly rate when publicly funded child care is provided for less than seven authorized hours of care per week;

(b) A part-time weekly rate when publicly funded child care is provided for at least seven and less than twenty-five authorized hours of care per week;

(c) A full-time weekly rate when publicly funded child care is provided for at least twenty-five authorized hours of care per week."

In line 146977, after "5103.42," insert "5104.01, 5104.011,"

In line 147216, after "2923.126," insert "5104.01,"; after "5104.013," insert "5104.018,"

Between lines 148314 and 148315, insert:

"Sec. 5104.01. As used in this chapter:

(A) "Administrator" means the person responsible for the daily operation of a center, type A home, or type B home. The administrator and the owner may be the same person.

(B) "Approved child day camp" means a child day camp approved pursuant to section 5104.22 of the Revised Code.

(C) "Border state child care provider" means a child care provider that is located in a state bordering Ohio and that is licensed, certified, or otherwise approved by that state to provide child care.

(D) "Career pathways model" means an alternative pathway to meeting the requirements to be a child-care staff member or administrator that does both of the following:

(1) Uses a framework approved by the director of job and family services to document formal education, training, experience, and specialized credentials and certifications;

(2) Allows the child-care staff member or administrator to achieve a designation as an early childhood professional level one, two, three, four, five, or six.

(E) "Caretaker parent" means the father or mother of a child whose presence in the home is needed as the caretaker of the child, a person who has legal custody of a child and whose presence in the home is needed as the caretaker of the child, a guardian of a child whose presence in the home is needed as the caretaker of the child, and any other person who stands in loco parentis with respect to the child and whose presence in the home is needed as the caretaker of the child.

(F) "Chartered nonpublic school" means a school that meets standards for nonpublic schools prescribed by the state board of education for nonpublic schools pursuant to section 3301.07 of the Revised Code.

(G) "Child" includes an infant, toddler, preschool-age child, or school-age child.

(H) "Child care block grant act" means the "Child Care and Development Block Grant Act of 1990," established in section 5082 of the "Omnibus Budget Reconciliation Act of 1990," 104 Stat. 1388-236 (1990), 42 U.S.C. 9858, as amended.

(I) "Child day camp" means a program in which only school-age children attend or participate, that operates for no more than seven hours per day, that operates only during one or more public school district's regular vacation periods or for no more than fifteen weeks during the summer, and that operates outdoor activities for each child who attends or participates in the program for a minimum of fifty per cent of each day that children attend or participate in the program, except for any day when hazardous weather conditions prevent the program from operating outdoor activities for a minimum of fifty per cent of that day. For purposes of this division, the maximum seven hours of operation time does not include transportation time from a child's home to a child day camp and from a child day camp to a child's home.

(J) "Child care" means administering to the needs of infants, toddlers, preschool-age children, and school-age children outside of school hours by persons other than their parents or guardians, custodians, or relatives by blood, marriage, or adoption ~~for any part of the twenty-four-hour day~~ in a place or residence other than a child's own home for any part of the twenty-four-hour day or, in the case of a type B family day-care home, for any part or all of the twenty-four-hour day.

(K) "Child day-care center" and "center" mean any place in which child care or publicly funded child care is provided for thirteen or more children at one

time or any place that is not the permanent residence of the licensee or administrator in which child care or publicly funded child care is provided for seven to twelve children at one time. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted. "Child day-care center" and "center" do not include any of the following:

(1) A place located in and operated by a hospital, as defined in section 3727.01 of the Revised Code, in which the needs of children are administered to, if all the children whose needs are being administered to are monitored under the on-site supervision of a physician licensed under Chapter 4731. of the Revised Code or a registered nurse licensed under Chapter 4723. of the Revised Code, and the services are provided only for children who, in the opinion of the child's parent, guardian, or custodian, are exhibiting symptoms of a communicable disease or other illness or are injured;

(2) A child day camp;

(3) A place that provides child care, but not publicly funded child care, if all of the following apply:

(a) An organized religious body provides the child care;

(b) A parent, custodian, or guardian of at least one child receiving child care is on the premises and readily accessible at all times;

(c) The child care is not provided for more than thirty days a year;

(d) The child care is provided only for preschool-age and school-age children.

(L) "Child care resource and referral service organization" means a community-based nonprofit organization that provides child care resource and referral services but not child care.

(M) "Child care resource and referral services" means all of the following services:

(1) Maintenance of a uniform data base of all child care providers in the community that are in compliance with this chapter, including current occupancy and vacancy data;

(2) Provision of individualized consumer education to families seeking child care;

(3) Provision of timely referrals of available child care providers to families seeking child care;

(4) Recruitment of child care providers;

(5) Assistance in the development, conduct, and dissemination of training for child care providers and provision of technical assistance to current and

potential child care providers, employers, and the community;

(6) Collection and analysis of data on the supply of and demand for child care in the community;

(7) Technical assistance concerning locally, state, and federally funded child care and early childhood education programs;

(8) Stimulation of employer involvement in making child care more affordable, more available, safer, and of higher quality for their employees and for the community;

(9) Provision of written educational materials to caretaker parents and informational resources to child care providers;

(10) Coordination of services among child care resource and referral service organizations to assist in developing and maintaining a statewide system of child care resource and referral services if required by the department of job and family services;

(11) Cooperation with the county department of job and family services in encouraging the establishment of parent cooperative child care centers and parent cooperative type A family day-care homes.

(N) "Child-care staff member" means an employee of a child day-care center or type A family day-care home who is primarily responsible for the care and supervision of children. The administrator may be a part-time child-care staff member when not involved in other duties.

(O) "Drop-in child day-care center," "drop-in center," "drop-in type A family day-care home," and "drop-in type A home" mean a center or type A home that provides child care or publicly funded child care for children on a temporary, irregular basis.

(P) "Employee" means a person who either:

(1) Receives compensation for duties performed in a child day-care center or type A family day-care home;

(2) Is assigned specific working hours or duties in a child day-care center or type A family day-care home.

(Q) "Employer" means a person, firm, institution, organization, or agency that operates a child day-care center or type A family day-care home subject to licensure under this chapter.

(R) "Federal poverty line" means the official poverty guideline as revised annually in accordance with section 673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the family of the person whose income is being determined.

(S) "Head start program" means a comprehensive child development

program that receives funds distributed under the "Head Start Act," 95 Stat. 499 (1981), 42 U.S.C.A. 9831, as amended, and is licensed as a child day-care center.

(T) "Income" means gross income, as defined in section 5107.10 of the Revised Code, less any amounts required by federal statutes or regulations to be disregarded.

(U) "Indicator checklist" means an inspection tool, used in conjunction with an instrument-based program monitoring information system, that contains selected licensing requirements that are statistically reliable indicators or predictors of a child day-care center's type A family day-care home's, or licensed type B family day-care home's compliance with licensing requirements.

(V) "Infant" means a child who is less than eighteen months of age.

(W) "In-home aide" means a person who does not reside with the child but provides care in the child's home and is certified by a county director of job and family services pursuant to section 5104.12 of the Revised Code to provide publicly funded child care to a child in a child's own home pursuant to this chapter and any rules adopted under it.

(X) "Instrument-based program monitoring information system" means a method to assess compliance with licensing requirements for child day-care centers, type A family day-care homes, and licensed type B family day-care homes in which each licensing requirement is assigned a weight indicative of the relative importance of the requirement to the health, growth, and safety of the children that is used to develop an indicator checklist.

(Y) "License capacity" means the maximum number in each age category of children who may be cared for in a child day-care center or type A family day-care home at one time as determined by the director of job and family services considering building occupancy limits established by the department of commerce, amount of available indoor floor space and outdoor play space, and amount of available play equipment, materials, and supplies. For the purposes of a provisional license issued under this chapter, the director shall also consider the number of available child-care staff members when determining "license capacity" for the provisional license.

(Z) "Licensed child care program" means any of the following:

(1) A child day-care center licensed by the department of job and family services pursuant to this chapter;

(2) A type A family day-care home or type B family day-care home licensed by the department of job and family services pursuant to this chapter;

(3) A licensed preschool program or licensed school child program.

(AA) "Licensed preschool program" or "licensed school child program" means a preschool program or school child program, as defined in section 3301.52 of the Revised Code, that is licensed by the department of education

pursuant to sections 3301.52 to 3301.59 of the Revised Code.

(BB) "Licensed type B family day-care home" and "licensed type B home" mean a type B family day-care home for which there is a valid license issued by the director of job and family services pursuant to section 5104.03 of the Revised Code.

(CC) "Licensee" means the owner of a child day-care center, type A family day-care home, or type B family day-care home that is licensed pursuant to this chapter and who is responsible for ensuring its compliance with this chapter and rules adopted pursuant to this chapter.

(DD) "Operate a child day camp" means to operate, establish, manage, conduct, or maintain a child day camp.

(EE) "Owner" includes a person, as defined in section 1.59 of the Revised Code, or government entity.

(FF) "Parent cooperative child day-care center," "parent cooperative center," "parent cooperative type A family day-care home," and "parent cooperative type A home" mean a corporation or association organized for providing educational services to the children of members of the corporation or association, without gain to the corporation or association as an entity, in which the services of the corporation or association are provided only to children of the members of the corporation or association, ownership and control of the corporation or association rests solely with the members of the corporation or association, and at least one parent-member of the corporation or association is on the premises of the center or type A home during its hours of operation.

(GG) "Part-time child day-care center," "part-time center," "part-time type A family day-care home," and "part-time type A home" mean a center or type A home that provides child care or publicly funded child care for no more than four hours a day for any child.

(HH) "Place of worship" means a building where activities of an organized religious group are conducted and includes the grounds and any other buildings on the grounds used for such activities.

(II) "Preschool-age child" means a child who is three years old or older but is not a school-age child.

(JJ) "Protective child care" means publicly funded child care for the direct care and protection of a child to whom either of the following applies:

(1) A case plan prepared and maintained for the child pursuant to section 2151.412 of the Revised Code indicates a need for protective care and the child resides with a parent, stepparent, guardian, or another person who stands in loco parentis as defined in rules adopted under section 5104.38 of the Revised Code;

(2) The child and the child's caretaker either temporarily reside in a facility providing emergency shelter for homeless families or are determined by the county department of job and family services to be homeless, and are

otherwise ineligible for publicly funded child care.

(KK) "Publicly funded child care" means administering to the needs of infants, toddlers, preschool-age children, and school-age children under age thirteen during any part of the twenty-four-hour day by persons other than their caretaker parents for remuneration wholly or in part with federal or state funds, including funds available under the child care block grant act, Title IV-A, and Title XX, distributed by the department of job and family services.

(LL) "Religious activities" means any of the following: worship or other religious services; religious instruction; Sunday school classes or other religious classes conducted during or prior to worship or other religious services; youth or adult fellowship activities; choir or other musical group practices or programs; meals; festivals; or meetings conducted by an organized religious group.

(MM) "School-age child" means a child who is enrolled in or is eligible to be enrolled in a grade of kindergarten or above but is less than fifteen years old.

(NN) "School-age child care center" and "school-age child type A home" mean a center or type A home that provides child care for school-age children only and that does either or both of the following:

(1) Operates only during that part of the day that immediately precedes or follows the public school day of the school district in which the center or type A home is located;

(2) Operates only when the public schools in the school district in which the center or type A home is located are not open for instruction with pupils in attendance.

(OO) "Serious risk noncompliance" means a licensure or certification rule violation that leads to a great risk of harm to, or death of, a child, and is observable, not inferable.

(PP) "State median income" means the state median income calculated by the department of development pursuant to division (A)(1)(g) of section 5709.61 of the Revised Code.

(QQ) "Title IV-A" means Title IV-A of the "Social Security Act," 110 Stat. 2113 (1996), 42 U.S.C. 601, as amended.

(RR) "Title XX" means Title XX of the "Social Security Act," 88 Stat. 2337 (1974), 42 U.S.C. 1397, as amended.

(SS) "Toddler" means a child who is at least eighteen months of age but less than three years of age.

(TT) "Type A family day-care home" and "type A home" mean a permanent residence of the administrator in which child care or publicly funded child care is provided for seven to twelve children at one time or a permanent residence of the administrator in which child care is provided for four to twelve

children at one time if four or more children at one time are under two years of age. In counting children for the purposes of this division, any children under six years of age who are related to a licensee, administrator, or employee and who are on the premises of the type A home shall be counted. "Type A family day-care home" and "type A home" do not include any child day camp.

(UU) "Type B family day-care home" and "type B home" mean a permanent residence of the provider in which child care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the provider and who are on the premises of the type B home shall be counted. "Type B family day-care home" and "type B home" do not include any child day camp."

Between lines 148551 and 148552, insert:

"**Sec. 5104.018.** The director of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code governing the licensure of type B family day-care homes. The rules shall provide for safeguarding the health, safety, and welfare of children receiving child care or publicly funded child care in a licensed type B family day-care home and shall include all of the following:

(A) Requirements for the type B home to notify parents with children in the type B home that the type B home is certified as a foster home under section 5103.03 of the Revised Code.

(B) Standards for ensuring that the type B home and the physical surroundings of the type B home are safe and sanitary, including physical environment, physical plant, and equipment;

(C) Standards for the supervision, care, and discipline of children receiving child care or publicly funded child care in the home;

(D) Standards for a program of activities, and for play equipment, materials, and supplies to enhance the development of each child; however, any educational curricula, philosophies, and methodologies that are developmentally appropriate and that enhance the social, emotional, intellectual, and physical development of each child shall be permissible;

(E) Admission policies and procedures, health care, first aid and emergency procedures, procedures for the care of sick children, procedures for discipline and supervision of children, nutritional standards, and procedures for screening children and administrators, including any necessary physical examinations and immunizations;

(F) Methods of encouraging parental participation and ensuring that the rights of children, parents, and administrators are protected and the responsibilities of parents and administrators are met;

(G) Standards for the safe transport of children when under the care of

administrators;

(H) Procedures for issuing, denying, or revoking licenses;

(I) Procedures for the inspection of type B homes that require, at a minimum, that each type B home be inspected prior to licensure to ensure that the home is safe and sanitary;

(J) Procedures for record keeping and evaluation;

(K) Procedures for receiving, recording, and responding to complaints;

(L) Standards providing for the special needs of children who are handicapped or who receive treatment for health conditions while the child is receiving child care or publicly funded child care in the type B home;

(M) Requirements for the amount of usable indoor floor space for each child;

(N) Requirements for safe outdoor play space;

(O) Qualification and training requirements for administrators;

(P) Procedures for granting a parent who is the residential parent and legal custodian, or a custodian or guardian access to the type B home during its hours of operation;

(Q) Requirements for the type B home to notify parents with children in the type B home that the type B home is certified as a foster home under section 5103.03 of the Revised Code;

(R) Standards that permit a type B home to provide child care on a twenty-four-hour basis without subjecting the type B home to the requirements set forth in section 5103.03 of the Revised Code;

(S) Any other procedures and standards necessary to carry out the provisions of this chapter regarding licensure of type B homes."

In line 148801, after "funds" insert " ;

(8) That, in the case of a licensed type B family day-care home, the provider will be paid according to one of the following reimbursement rates:

(a) An hourly rate when publicly funded child care is provided for less than seven authorized hours of care per week;

(b) A part-time weekly rate when publicly funded child care is provided for at least seven and less than twenty-five authorized hours of care per week;

(c) A full-time weekly rate when publicly funded child care is provided for at least twenty-five authorized hours of care per week."

In line 148851, after "2923.126," insert "5104.01,"; after "5104.013," insert "5104.018,"

Between lines 155604 and 155605, insert:

"Section 301. ____ . MINIMUM REIMBURSEMENT RATES FOR PUBLICLY FUNDED CHILD CARE

For fiscal year 2014, the Department of Job and Family Services shall establish reimbursement rates for publicly funded child care that are not less than the rates at the fiftieth percentile according to the information the Department obtains pursuant to division (B)(3) of section 5104.03 of the Revised Code for fiscal year 2012."

In line 190 of the title, after "5103.42," insert "5104.01, 5104.011,"

In line 636 of the title, after "2923.126," insert "5104.01,"

In line 637 of the title, after "5104.013," insert "5104.018,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Sawyer moved to amend as follows:

In line 729, delete "3310.02,"

Delete lines 50036 through 50100

In line 50106, reinsert the stricken "or"; delete " . or (D)"

In line 50112, reinsert "(G)"; delete " (H)"

In line 50137, reinsert "is eligible to enroll in kindergarten"; delete " will be"

In line 50138, delete " enrolling in school in this state for the first time"

In line 50139, after "sought" delete the balance of the line

Delete line 50140

In line 50141, delete everything before "and"

In line 50142, delete " in the school year for"

In line 50143, delete " which a scholarship is sought."

In line 50155, reinsert "is eligible to enroll in kindergarten"; delete " will"

In line 50156, delete " be both enrolling in school in this state for the first time and"

In line 50157, delete " at least five years of age by the first day of January of"

In line 50163, reinsert "kindergarten or"

In line 50164, reinsert "community school"; reinsert ", respectively,"

In line 50168, reinsert "(G)"; delete " (H)"

In line 50201, reinsert "is eligible to enroll in kindergarten"; delete " will be"

In line 50202, delete " enrolling in school in this state for the first time"

In line 50203, after "sought" delete the balance of the line

Delete lines 50204 and 50205

In line 50206, delete everything before "and"

In line 50207, delete " in the school year for which a"

In line 50208, delete " a scholarship is sought."

In line 50225, delete everything after "(D)"

Delete lines 50226 through 50242

In line 50243, delete " (E)"

In line 50251, reinsert the stricken "or"; delete the first underlined comma; delete " , or (D)"

In line 50259, reinsert "(E)"; delete " (F)"

In line 50277, delete everything after "(3)"

Delete lines 50278 through 50282

In line 50283, delete " (4)"

In line 50285, reinsert "(D)"; delete " (E)"

In line 50286, reinsert "(F)"; delete " (G)"

In line 50287, reinsert "(D)"; delete " (E)"

In line 50289, reinsert "(G)"; delete " (H)"

In line 50389, delete " (E)" and insert " (D)"

In line 50423, delete " (E)" and insert " (D)"

In line 50425, delete " (E)" and insert " (D)"

In line 146900, delete "3310.02,"

In line 153783, delete "(E)" and insert "(D)"

In line 87 of the title, delete "3310.02,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Sawyer moved to amend as follows:

In line 1066, after "3317.017," insert "3317.019,"

Between lines 58409 and 58410, insert:

" **Sec. 3317.019.** Beginning on the effective date of this section, the general assembly shall do all of the following:

(A) Devise, organize, and conduct proceedings to deliberate and determine the components of a high quality public education so that those components are prescribed by statute enacted not later than July 1, 2014, which statute shall become effective on July 1, 2015;

(B) Devise, organize, and conduct proceedings to deliberate and determine the actual cost of each component of a high quality public education, so that the cost of each component is prescribed by statute enacted not later than December 31, 2014, which statute shall become effective on July 1, 2015;

(C) Deliberate and enact necessary changes to the provisions of this chapter, Chapters 3310., 3312., 3313., 3314., 3326., 3328., and 3365. of the Revised Code, and other related provisions of law, to do all of the following, effective July 1, 2015:

(1) Prescribe funding weights for various categories of students by grade level, educational service, and other demographic or geographic factors, which weights shall be used in determining state funding for each public primary and secondary school;

(2) Provide sufficient state funds to each city, exempted village, and local school district such that, when those funds are combined with a local revenue contribution of two per cent of the district's total taxable value, each public primary or secondary school in the district has the funds necessary to pay the actual cost of a high quality public education for each student enrolled in that school, as determined by the general assembly;

(3) Provide commensurate state funds to each joint vocational school district such that, when those funds are combined with a local revenue contribution determined appropriate by the general assembly, the district has the

funds necessary to pay the actual cost of a high quality public education for each student enrolled in the district's programs, as determined by the general assembly;

(4) Prescribe the extent to which the taxes levied by a joint vocational or county school financing district shall count toward the local revenue contribution of each city, exempted village, or city school district that belongs to the joint vocational or county school financing district;

(5) Provide commensurate state funds to each educational service center, community school established under Chapter 3314., STEM school established under Chapter 3326., college-preparatory boarding school established under Chapter 3328. of the Revised Code, and any other public education service provider so that the service center, school, or other provider has the funds necessary to pay the actual cost of a high quality public education for each student enrolled in the service center's, school's, or provider's programs, as determined by the general assembly;

(6) Prescribe an annual inflation factor for the actual cost of each component of a high quality public education and the funding weights for categories of students, as initially determined under divisions (B) and (C)(1) of this section, to be applied in each intervening fiscal year between the reviews required under division (E) of this section;

(7) Require that the state moneys appropriated for payments to public primary and secondary education schools for operating expenses be deposited in an education trust fund that shall be created by the general assembly and prohibit the use of those funds for any other purpose.

(D) Review and enact additional changes to the provisions prescribed in divisions (C)(1) to (6) of this section, as determined necessary by the general assembly, not later than June 30, 2017, and once every two years thereafter;

(E) Enact a method for the general assembly to do all of the following:

(1) Review and prescribe changes in the components of a high quality public education, as initially determined under division (A) of this section, not later than July 1, 2017, and once every six years thereafter;

(2) Review and prescribe changes in the actual cost of each component of a high quality public education and the funding weights for categories of students, as initially determined under divisions (B) and (C)(1) of this section, not later than December 31, 2017, and once every six years thereafter."

In line 527 of the title, after "3317.017," insert "3317.019,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Schiavoni moved to amend as follows:

Between lines 160575 and 160576, insert:

"Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Urban and Regional Studies at Youngstown State University."

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Gentile moved to amend as follows:

Delete lines 13326 through 13369 and insert:

"**Sec. 131.51.** (A) On or before July 5, 2013, the tax commissioner shall compute the ~~following amounts and certify those amounts to the director of budget and management:~~

~~(1) A percentage calculated by multiplying one hundred by the quotient obtained by dividing the total amount credited to the local government fund in fiscal year 2013 by the total amount of tax revenue credited to the general revenue fund in fiscal year 2013. The percentage shall be rounded to the nearest one-hundredth of one per cent.~~

~~(2) A percentage ~~calculated~~ obtained by multiplying one hundred by the~~

quotient obtained by dividing the total amount credited to the public library fund in fiscal year 2013 by the total amount of tax revenue credited to the general revenue fund in fiscal year 2013. The percentage shall be rounded to the nearest one-hundredth of one per cent. The commissioner shall certify the percentage to the director of budget and management.

(B) On or before the seventh day of each month beginning July 2013, the director of budget and management shall credit to the local government fund ~~an amount equal to the product obtained by multiplying the percentage calculated under division (A)(1) of this section by two and fifty-two one-hundredths per cent~~ of the total tax revenue credited to the general revenue fund during the preceding month, plus any amount necessary to implement the minimum distribution requirement prescribed by division (B)(1)(a) of section 5747.501 of the Revised Code. In determining the total tax revenue credited to the general revenue fund during the preceding month, the director shall include amounts transferred from the fund during the preceding month under this division and division (C) of this section. Money shall be distributed from the local government fund as required under section 5747.50 of the Revised Code during the same month in which it is credited to the fund.

(C) On or before the seventh day of each month, the director of budget and management shall credit to the public library fund an amount equal to the product obtained by multiplying the percentage calculated under division (A)(2) of this section by the total tax revenue credited to the general revenue fund during the preceding month. In determining the total tax revenue credited to the general revenue fund during the preceding month, the director shall include amounts transferred from the fund during the preceding month under this division and division (B) of this section. Money shall be distributed from the public library fund as required under section 5747.47 of the Revised Code during the same month in which it is credited to the fund.

(D) The director of budget and management shall develop a schedule identifying the specific tax revenue sources to be used to make the monthly transfers required under divisions (B) and (C) of this section. The director may, from time to time, revise the schedule as the director considers necessary."

In line 142648, delete "To the extent necessary to implement this minimum"

Delete lines 142649 and 142650

In line 160955, delete "\$363,600,000 \$376,400,000" and insert "\$559,000,000 \$587,000,000"

In line 160960, delete "\$1,873,899,000 \$1,857,799,000" and insert "\$2,069,299,000 \$2,068,399,000"

In line 160961, delete "\$4,824,132,626 \$4,930,808,268" and insert "\$5,019,532,626 \$5,141,408,268"

In line 161795, after "borrowing" insert ";

(E) To the Local Government Fund (Fund 7069), a cash amount of up to \$406,000,000 to provide sufficient distributions from Fund 7069"

Delete lines 164005 through 164016

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Cafaro moved to amend as follows:

In line 1055, after "121.483," insert "122.084, 122.177,"

In line 1076, after "5101.804," insert "5101.88,"

In line 1100, after "5705.55," insert "5733.60,"

In line 1102, after "5741.032," insert "5747.82,"

Between lines 6302 and 6303, insert:

" **Sec. 122.084.** As used in this section, a "small business" is a business that has fewer than five hundred employees and that conducts operations in this state.

The director of development services, under Chapter 119. of the Revised Code, shall adopt, and may amend and rescind, as necessary and proper, to improve, rules that establish and provide for the administration of a small business microloan revolving loan program to assist small businesses. The

director shall include the following in the rules:

(A) Qualifications to be met by small businesses that seek to receive microloans through the program;

(B) Procedures according to which small businesses shall apply for microloans through the program;

(C) Criteria for reviewing applications for microloans, and criteria for selecting small businesses that are entitled to receive microloans;

(D) Standards for determining the amount of microloans;

(E) Specifications identifying the purposes to which microloans may be applied, and methods through which the use of microloans can be accounted for;

(F) Standards for setting the interest to be paid on microloans, and standards for fixing the terms according to which microloans are to be repaid;

(G) Procedures to be implemented upon default in repayment of microloans;

(H) Qualifications to be met by, and procedures for approving, business training programs in which individuals having control of small businesses are required to have participated in as a condition of receiving microloans;

(I) Any other qualifications, procedures, criteria, specifications, methods, or standards necessary and proper for efficient and successful establishment and administration of the small business microloan revolving loan program as a coherent program to assist small businesses.

The director may prescribe forms that are necessary for efficient and successful administration of the small business microloan revolving loan program. The forms do not need to be prescribed by rule.

The small business microloan revolving loan program is for the general purposes of assisting small businesses to meet capitalization requirements, expand business operations, and create and retain jobs. A small business may not use a microloan to pay debts that are outstanding at the time the microloan is disbursed to the small business.

The amount of a microloan may not exceed fifty thousand dollars. The interest charged on a microloan shall be a fixed rate that is at or below the market rate in the community in which the microloan applicant is doing business.

The director shall disburse microloans through the several Ohio small business development centers. The individual or individuals having control of a small business, as a condition of receiving a microloan, shall have participated in and successfully completed an approved business training program provided by or through a small business development center or the development services agency.

There is hereby created the small business microloan revolving loan fund in the state treasury. The fund consists of money appropriated to the fund, money received in repayment of microloans made from the fund, and investment earnings on money in the fund. The director shall use money in the fund to make microloans to qualified small businesses through the small business microloan revolving loan program, and to pay reasonable costs of administering the program. All investment earnings on money in the fund shall be credited to the fund."

Between lines 7364 and 7365, insert:

" **Sec. 122.177.** (A) As used in this section:

(1) "Qualifying new employee" means a full-time employee hired by a qualifying small business on or after July 1, 2013, who is paid a qualifying wage by the qualifying small business.

(2) "Qualifying small business" means a taxpayer, nonprofit organization, or a professional employer organization that on July 1, 2013, employed fifty or fewer full-time employees.

(3) "Qualifying employment period" means twelve consecutive months.

(4) "Qualifying wage" means a wage or salary equal to or greater than the lesser of ten dollars per hour or eighteen thousand two hundred dollars for the qualifying employment period.

(5) "Full-time" means not less than one thousand eight hundred twenty hours during the year or qualifying employment period, as applicable.

(6) "Taxpayer" has the same meaning as in section 5747.01 of the Revised Code.

(7) "Professional employer organization" has the same meaning as in section 4125.01 of the Revised Code.

(B) The director of development services may make grants under this section to foster small business job creation in this state. Such a grant shall take the form of a refundable credit allowed against the tax imposed by section 5733.06 or 5747.02 of the Revised Code as provided in section 5733.60 or 5747.82 of the Revised Code.

(C) A qualifying small business that proposes to employ one or more qualifying new employees in this state may apply to the director of development services for a tax credit certificate under this section. The director of development services shall prescribe the form of the application. After receipt of an application, the director shall issue a tax credit certificate authorizing the qualifying small business to claim the credit under section 5733.60 or 5747.82 of the Revised Code if it determines all of the following:

(1) The applicant is a qualifying small business.

(2) The applicant has employed one or more qualifying new employees

for a qualifying employment period.

(3) During the entire qualifying employment period, the employee or employees on the basis of which the applicant is applying for a credit were qualifying new employees.

(D) The aggregate value of all certificates issued by the director of development services under this section shall not exceed one hundred million dollars. An applicant shall not receive a certificate under this section if the application is received by the director on or after July 1, 2015.

(E) The director of development services may award a certificate for a credit under section 5733.60 of the Revised Code to only a qualifying small business that is a nonprofit organization or a professional employer organization.

(F) The director of development services may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to administer this section."

Between lines 99619 and 99620, insert:

" **Sec. 5101.88.** (A) As used in this section:

(1) "Eligible recipient" means any of the following:

(a) A workforce development agency;

(b) An institution of higher education;

(c) A school district;

(d) Any other recipient designated by the director of job and family services by rule that engages in workforce development activity associated with the development and production of oil and gas from horizontal wells.

(2) "Workforce development agency" and "workforce development activity" have the same meanings as in section 6301.01 of the Revised Code.

(3) "Institution of higher education" means all of the following:

(a) An institution of higher education, as defined in section 3345.12 of the Revised Code;

(b) An institution authorized by the board of regents under Chapter 1713. of the Revised Code to grant degrees and that is accredited by the appropriate regional and professional accrediting associations within whose jurisdiction it falls;

(c) A private career school holding a program authorization issued by the state board of career colleges and schools under division (C) of section 3332.05 of the Revised Code;

(d) A private institution exempt from regulation under Chapter 3332. of the Revised Code as prescribed in section 3333.046 of the Revised Code.

(4) "School district" means a city, local, exempted village, or joint

vocational school district, a community school established under Chapter 3314., a STEM school established under Chapter 3326., a college-preparatory boarding school established under Chapter 3328. of the Revised Code, a career-technical planning district that is not another district described in this division, or any combination of such schools or districts.

(B) There is hereby created in the department of job and family services the oil and gas workforce development program to provide funding for the workforce development needs associated with the development and production of oil and gas from horizontal wells. The director of job and family services shall adopt rules in accordance with Chapter 119. of the Revised Code establishing procedures and criteria for distributing funds from the oil and gas workforce development fund to eligible recipients and procedures for monitoring the use of such money by eligible recipients.

(C) There is hereby created in the state treasury the oil and gas workforce development fund. The fund shall consist of money appropriated to the fund. The director shall use money in the fund to provide funding for the workforce development needs associated with the development and production of oil and gas from horizontal wells."

Between lines 136023 and 136024, insert:

" **Sec. 5733.60.** (A) Any term used in this section has the same meaning as in section 122.177 of the Revised Code.

(B) There is allowed a refundable credit against the tax imposed by section 5733.06 of the Revised Code for any nonprofit organization or professional employer organization that is the certificate owner of a tax credit certificate issued under section 122.177 of the Revised Code. The credit shall be claimed for the taxable year in which the certificate is issued by the director of development services. The credit amount equals the amount stated in the certificate, which shall be five thousand dollars per qualifying new employee.

(C) A nonprofit organization or professional employer organization qualifying for the credit may file an annual report under section 5733.02 of the Revised Code and claim the credit authorized by this section as if the organization were a taxpayer."

Between lines 136106 and 136107, insert:

" (36) The refundable small business job creation tax credit under section 5733.60 of the Revised Code."

Between lines 142714 and 142715, insert:

" **Sec. 5747.82.** (A) Any term used in this section has the same meaning as in section 122.177 of the Revised Code, except that "qualifying small business" does not include a nonprofit organization or professional employer organization.

(B) There is allowed a refundable credit against the tax imposed by

section 5747.02 of the Revised Code for a qualifying small business that is the certificate owner of a tax credit certificate issued under section 122.177 of the Revised Code. The credit shall be claimed for the taxable year in which the certificate is issued by the director of development services. The credit amount equals the amount stated in the certificate, which shall be five thousand dollars per qualifying new employee. The credit shall be claimed in the order required under section 5747.98 of the Revised Code. If the credit amount exceeds the tax otherwise due under section 5747.02 of the Revised Code after deducting all other credits in that order, the excess shall be refunded.

(C) If the certificate is issued to a pass-through entity, a taxpayer that holds a direct or indirect equity interest in the pass-through entity may claim the taxpayer's distributive or proportionate share of the credit for the taxpayer's taxable year that includes the last day of the entity's taxable year."

Between lines 142800 and 142801, insert:

" (39) The refundable small business job creation tax credit under section 5747.82 of the Revised Code."

Between lines 151114a and 151115, insert:

"5KS0 195666 Small Business Revolving \$ 25,000,000 \$ 25,000,000"
Microloans

In line 151124, delete "\$474,628,375 \$463,028,371" and insert "\$499,628,375 \$488,028,371"

In line 151147, delete "\$1,278,155,191 \$1,230,371,035" and insert "\$1,303,155,191 \$1,255,371,035"

Between lines 151412 and 151413, insert:

"SMALL BUSINESS REVOLVING MICROLOANS

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$50,000,000 cash from the Budget Stabilization Fund to the Small Business Microloan Revolving Loan Fund (Fund 5KS0). The foregoing appropriation item 195666, Small Business Revolving Microloans, shall be used for the purposes of section 122.084 of the Revised Code."

In line 516 of the title, after "121.483," insert "122.084, 122.177,"

In line 541 of the title, after "5101.804," insert "5101.88,"

In line 572 of the title, after "5705.55," insert "5733.60,"

In line 573 of the title, after "5741.032," insert "5747.82,"

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Gentile moved to amend as follows:

In line 862, after "5119.99," insert "5120.05,"

In line 876, after "5502.011," insert "5502.62,"

Between lines 105467 and 105468, insert:

"Sec. 5120.05. The department of rehabilitation and correction may maintain, operate, manage, and govern all state institutions for the custody, control, training, and rehabilitation of persons convicted of crime and sentenced to correctional institutions.

The department may designate correctional institutions by appropriate respective names.

The department may receive from the department of youth services any children in the custody of the department of youth services, committed to the department of rehabilitation and correction by the department of youth services, upon the terms and conditions that are agreed upon by the departments.

The director of the department of rehabilitation and correction shall not enter into a contract or agreement with a private entity for the operation of food services at any institution under the department's jurisdiction other than an institution operated pursuant to a contract entered into under section 9.06 of the Revised Code."

In line 105545, after "**5120.09.**" insert "(A)"

In line 105548, strike through "(A)" and insert "(1)"

In line 105557, strike through "(B)" and insert "(2)"

In line 105559, strike through "(C)" and insert "(3)"

In line 105564, strike through "(D)" and insert "(4)"

In line 105574, strike through "(E)" and insert "(5)"

In line 105578, strike through "(D)" and insert "(A)(4)"

In line 105579, strike through "(F) Enter" and insert "(6) Subject to division (B) of this section, enter"

In line 105586, strike through "(G)" and insert "(7)"

Between lines 105587 and 105588, insert:

" (B) The division of business administration shall not enter into a

contract or agreement with a private entity for the operation of food services at any institution under the department's jurisdiction other than an institution operated pursuant to a contract entered into under section 9.06 of the Revised Code."

Between lines 131036 and 131037, insert:

"**Sec. 5502.62.** (A) There is hereby created in the department of public safety a division of criminal justice services. The director of public safety, with the concurrence of the governor, shall appoint an executive director of the division of criminal justice services. The executive director shall be the head of the division. The executive director shall serve at the pleasure of the director of public safety. To carry out the duties assigned under this section and to comply with sections 5502.63 to 5502.66 of the Revised Code, the executive director, subject to the direction and control of the director of public safety, may appoint and maintain any necessary staff and may enter into any necessary contracts and other agreements. The executive director of the division, and all professional and technical personnel employed within the division who are not public employees as defined in section 4117.01 of the Revised Code, shall be in the unclassified civil service, and all other persons employed within the division shall be in the classified civil service.

(B) Subject to division (F) of this section and subject to divisions ~~(D)~~ ~~(A)~~(4) to ~~(F)~~ (6) of section 5120.09 of the Revised Code insofar as those divisions relate to federal criminal justice acts that the governor requires the department of rehabilitation and correction to administer, the division of criminal justice services shall do all of the following:

(1) Serve as the state criminal justice services agency and perform criminal justice system planning in the state, including any planning that is required by any federal law;

(2) Collect, analyze, and correlate information and data concerning the criminal justice system in the state;

(3) Cooperate with and provide technical assistance to state departments, administrative planning districts, metropolitan county criminal justice services agencies, criminal justice coordinating councils, agencies, offices, and departments of the criminal justice system in the state, and other appropriate organizations and persons;

(4) Encourage and assist agencies, offices, and departments of the criminal justice system in the state and other appropriate organizations and persons to solve problems that relate to the duties of the division;

(5) Administer within the state any federal criminal justice acts that the governor requires it to administer;

(6) Administer funds received under the "Family Violence Prevention and Services Act," 98 Stat. 1757 (1984), 42 U.S.C.A. 10401, as amended, with all powers necessary for the adequate administration of those funds, including

the authority to establish a family violence prevention and services program;

(7) Implement the state comprehensive plans;

(8) Audit grant activities of agencies, offices, organizations, and persons that are financed in whole or in part by funds granted through the division;

(9) Monitor or evaluate the performance of criminal justice system projects and programs in the state that are financed in whole or in part by funds granted through the division;

(10) Apply for, allocate, disburse, and account for grants that are made available pursuant to federal criminal justice acts, or made available from other federal, state, or private sources, to improve the criminal justice system in the state. All money from such federal grants that require that the money be deposited into an interest-bearing fund or account, that are intended to provide funding to local criminal justice programs, and that require that investment earnings be distributed for program purposes shall be deposited in the state treasury to the credit of the federal justice programs funds, which are hereby created. A separate fund shall be established each federal fiscal year. All investment earnings of a federal justice programs fund shall be credited to that fund and distributed in accordance with the terms of the grant under which the money is received. If the terms under which the money is received do not require the money to be deposited into an interest-bearing fund or account, all money from such federal grants shall be deposited into the state treasury to the credit of the federal justice grants fund, which is hereby created. Money credited to the fund shall be used or distributed pursuant to the federal grant programs under which the money is received.

(11) Contract with federal, state, and local agencies, foundations, corporations, businesses, and persons when necessary to carry out the duties of the division;

(12) Oversee the activities of metropolitan county criminal justice services agencies, administrative planning districts, and criminal justice coordinating councils in the state;

(13) Advise the director of public safety, general assembly, and governor on legislation and other significant matters that pertain to the improvement and reform of criminal and juvenile justice systems in the state;

(14) Prepare and recommend legislation to the director of public safety, general assembly, and governor for the improvement of the criminal and juvenile justice systems in the state;

(15) Assist, advise, and make any reports that are requested or required by the governor, director of public safety, attorney general, or general assembly;

(16) Develop and maintain the Ohio incident-based reporting system in accordance with division (C) of this section;

(17) Subject to the approval of the director of public safety, adopt rules

pursuant to Chapter 119. of the Revised Code;

(18)(a) Not later than June 1, 2007, and subject to the approval of the director of public safety, adopt rules for the establishment and maintenance of a mcgruff house program by any sponsoring agency. The rules shall include the following:

- (i) The adoption of the mcgruff house symbol to be used exclusively in all mcgruff house programs in this state;
- (ii) The requirements for any sponsoring agency to establish and maintain a mcgruff house program;
- (iii) The criteria for the selection of volunteers to participate in a mcgruff house program that shall include, but not be limited to, criminal background checks of those volunteers;
- (iv) Any other matters that the division of criminal justice services considers necessary for the establishment and maintenance of mcgruff house programs by sponsoring agencies and the participation of volunteers in those programs.

(b) The division of criminal justice services shall distribute materials and provide technical assistance to any sponsoring agency that establishes and maintains a mcgruff house program, any volunteer group or organization that provides assistance to that sponsoring agency, or any volunteer who participates in a mcgruff house program.

(C) The division of criminal justice services shall develop and maintain the Ohio incident-based reporting system to facilitate the sharing of information with the federal bureau of investigation and participating law enforcement agencies in Ohio. The Ohio incident-based reporting system shall be known as OIBRS. In connection with OIBRS, the division shall do all of the following:

- (1) Collect and organize statistical data for reporting to the national incident-based reporting system operated by the federal bureau of investigation for the purpose of securing federal criminal justice grants;
- (2) Analyze and highlight mapping data for participating law enforcement agencies;
- (3) Distribute data and analyses to participating law enforcement agencies;
- (4) Encourage nonparticipating law enforcement agencies to participate in OIBRS by offering demonstrations, training, and technical assistance;
- (5) Provide assistance, advice, and reports requested by the governor, the general assembly, or the federal bureau of investigation;
- (6) Require every law enforcement agency that receives federal criminal justice grants or state criminal justice information system general revenue funds through the division to participate in OIBRS or in the uniform crime reporting

program of the federal bureau of investigation. An agency that submits OIBRS data to the Ohio local law enforcement information sharing network shall be considered to be in compliance with division (C)(6) of this section if both of the following apply:

(a) The Ohio local law enforcement information sharing network is capable of collecting OIBRS data.

(b) The division of criminal justice services has the ability to extract the OIBRS data for reporting to the national incident-based reporting system in the manner required by the federal bureau of investigation.

(D) Upon the request of the director of public safety or governor, the division of criminal justice services may do any of the following:

(1) Collect, analyze, or correlate information and data concerning the juvenile justice system in the state;

(2) Cooperate with and provide technical assistance to state departments, administrative planning districts, metropolitan county criminal justice service agencies, criminal justice coordinating councils, agency offices, and the departments of the juvenile justice system in the state and other appropriate organizations and persons;

(3) Encourage and assist agencies, offices, and departments of the juvenile justice system in the state and other appropriate organizations and persons to solve problems that relate to the duties of the division.

(E) Divisions (B), (C), and (D) of this section do not limit the discretion or authority of the attorney general with respect to crime victim assistance and criminal justice programs.

(F) Nothing in this section is intended to diminish or alter the status of the office of the attorney general as a criminal justice services agency or to diminish or alter the status or discourage the development and use of other law enforcement information systems in Ohio."

In line 147034, after "5119.99," insert "5120.05,"

In line 147048, after "5502.011," insert "5502.62,"

In line 266 of the title, after "5119.99," insert "5120.05,"

In line 285 of the title, after "5502.011," insert "5502.62,"

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Gentile moved to amend as follows:

In line 158591, delete "\$2,500,000 \$2,500,000" and insert "\$4,500,000 \$4,500,000"

In line 158601, delete "\$98,280,489 \$101,568,536" and insert "\$100,280,489 \$103,568,536"

In line 158695, delete "\$325,741,676 \$327,247,664" and insert "\$327,741,676 \$329,247,664"

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Tavares moved to amend as follows:

In line 1102, after "5741.032," insert "5747.71,"

In line 141950, after "Code" insert " ;

(n) The refundable earned income tax credit under section 5747.71 of the Revised Code"

Between lines 142672 and 142673, insert:

" Sec. 5747.71. For taxable years beginning on or after January 1, 2013, there is hereby allowed a refundable credit against the tax imposed by section 5747.02 of the Revised Code for a taxpayer who is an "eligible individual," as defined in section 32 of the Internal Revenue Code. The credit shall equal ten per cent of the credit allowed on the taxpayer's federal income tax return pursuant to section 32 of the Internal Revenue Code for the taxable year. The credit shall be claimed in the order prescribed by section 5747.98 of the Revised Code. If the amount of the credit exceeds the amount of tax due after deducting all other credits that precede the credit allowed by this section in that order, the taxpayer shall receive a refund of the excess."

In line 142797, strike through the period and insert an underlined semicolon

In line 142800, after "Code" insert " ;

(39) The refundable earned income tax credit under section 5747.71 of the Revised Code"

In line 573 of the title, after "5741.032," insert "5747.71,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Cafaro moved to amend as follows:

In line 1092, delete "5163.04,"

Delete lines 116752 and 116753

In line 116809, delete "sections 5163.04 and" and insert "section"

Delete lines 116824 through 116829

In line 562 of the title, delete "5163.04,"

The question being, "Shall the motion be agreed to?"

Senator Obhof moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Turner moved to amend as follows:

In line 84996, delete "individual's spouse" and insert "individual"; after "is" insert "the spouse or a dependent of"

In line 84998, after the first underlined comma insert "the spouse or individual holds a United States uniformed services identification and privilege card."; delete "spouse" and insert "member"

In line 84999, delete "individual's spouse" and insert "member"

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Tavares moved to amend as follows:

In line 723, delete "3125.18,"

In line 758, delete "3702.30,"

In line 800, delete "5101.461,"

In line 804, delete "5101.80, 5101.801,"

In line 1069, delete "3701.033,"

In line 1070, delete "3702.302,"

Delete line 1071

In line 1076, delete "5101.101, 5101.804,"

Delete lines 46801 through 46806

In line 69912, delete "Funds from"

Delete lines 69913 through 69949

Delete lines 71431 through 71734

Delete lines 97884 through 97916

In line 98747, reinsert "or"; delete ". or (g)"

Delete lines 98868 through 98872

Delete lines 98935 through 98979

Delete lines 99276 through 99531

Delete lines 99566 through 99619

In line 114198, reinsert "(f)"; delete "(g)"
 In line 146894, delete "3125.18,"
 In line 146929, delete "3702.30,"
 In line 146971, delete "5101.461,"
 In line 146976, delete "5101.80, 5101.801,"
 In line 78 of the title, delete "3125.18,"
 In line 126 of the title, delete "3702.30,"
 In line 183 of the title, delete "5101.461,"
 In line 189 of the title, delete "5101.80, 5101.801,"
 In line 532 of the title, delete "3701.033,"
 In line 533 of the title, delete "3702.302,"
 Delete line 534 of the title
 In line 535 of the title, delete "3702.308,"
 In line 540 of the title, delete "5101.101,"
 In line 541 of the title, delete "5101.804,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

A roll call was requested which was properly supported.

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Tavares moved to amend as follows:

In line 158564, delete "\$889,100 \$878,975" and insert "\$4,739,100 \$4,728,975"

In line 158566, delete "\$1,580,637 \$1,580,637" and insert "\$5,430,637 \$5,430,637"

In line 158575, delete "\$1,745,637 \$1,745,637" and insert "\$5,595,637 \$5,595,637"

Between lines 158575 and 158577, insert:

"Section ____. Ohio Disparities Reduction initiative

(A) Of the foregoing appropriation item 149501, Minority Health Grants, \$3,850,000 in each fiscal year shall be used for the Ohio Disparities Reduction Initiative. Of this amount \$3,700,000 in each fiscal year shall be used to award Initiative Grants in the following counties: Cuyahoga, Franklin, Hamilton, Lucas, Mahoning, Montgomery, and Summit. The Commission on Minority Health shall request proposals from organizations in each county to develop and administer the initiative. The Commission shall evaluate the proposals and award the grants to appropriate organizations. Funds shall be distributed evenly among the seven counties. The remaining \$150,000 in each fiscal year shall be used by the Commission for administrative costs associated with the Initiative. The Initiative shall operate during the FY 2014 - FY 2015 biennium.

Each Initiative shall combine medical and public health principles to deliver high quality patient-centered primary care services. Each grantee shall do all of the following:

(1) Monitor and assess client health interventions from a community perspective so that both client and population health are being addressed and improved over time;

(2) Aim to medically manage all patients with a specific chronic diagnosis or need to maximize health outcomes of defined populations at the lowest possible cost;

(3) Focus on outcomes versus resource utilization indicators to provide the parameters for instituting appropriate interventions and developing practice guidelines;

(4) Utilize evidence-based practices that are based on epidemiology and biostatistics to inform both medical and public health practice; and

(5) Employ health promotion and prevention strategies to improve individual and community health status.

(B) The focus of the Initiative shall be on developing scientifically valid community behavioral change programs in tobacco use reduction, weight loss,

healthy diets, and exercise.

(C) Each Initiative grantee shall partner with, or seek input from, hospital systems, local offices of minority health, community organizations that address health disparities, public health departments, the American Cancer Society, the American Diabetes Association, and the American Heart Association, as well as community nonprofit organizations. The purpose of this collaboration is to assist in the adoption of an approach to primary care and public health that emphasizes population health principles. In addition, the grantee shall seek input from institutions of higher learning to assist in guiding research and providing educational and professional development opportunities for medical and healthcare professionals.

Each grantee shall seek community input by facilitating meetings with community residents and developing advisory groups."

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

On the motion of Senator Widener, the Senate recessed until 1:40 p.m.

The Senate met pursuant to the recess.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Brown moved to amend as follows:

In line 1093, after "5163.061," insert "5163.07,"

In line 116849, after " (D)" delete the balance of the line

Delete lines 116850 through 116856

In line 116857, delete " (F)"

In line 116860, delete " (G)" and insert " (E)"

In line 116862, delete the underlined semicolon

Delete lines 116863 and 116864

In line 116865, delete " 1396u-1"

Between lines 116948 and 116949, insert:

" **Sec. 5163.07.** (A) As used in this section, "actual income" means the amount of an individual's income before any disregarded amounts or other deductions are applied pursuant to an income eligibility methodology.

(B) In transitioning to the use of modified adjusted gross income and household income methodologies to determine an individual's income eligibility for the medicaid program pursuant to the "Social Security Act," section 1902(e)(14), 42 U.S.C. 1396a(e)(14), and except as provided in division (C) of this section, the medicaid director shall provide for both of the following to qualify for the medicaid program:

(1) All individuals who would qualify for medicaid pursuant to former section 5111.0110 or 5111.0120 of the Revised Code using the applicable income eligibility methodology in effect on the day immediately preceding the effective date of this section;

(2) All individuals who would qualify for medicaid pursuant to the optional eligibility group specified in the "Social Security Act," section 1902(a)(a)(10)(A)(ii)(XXI), 42 U.S.C. 1396a(a)(10)(A)(ii)(XXI), using the applicable income eligibility methodology in effect on the day immediately preceding the effective date of this section.

(C) An individual whose actual income exceeds one hundred thirty-eight per cent of the federal poverty line may not qualify for medicaid pursuant to division (B) of this section."

In line 154979, delete "\$823,217 \$823,217" and insert "\$2,923,217 \$2,923,217"

In line 154995, delete "\$88,607,614 \$88,607,614" and insert "\$90,707,614 \$90,707,614"

In line 155046, delete "\$651,804,547 \$654,958,390" and insert "\$653,904,547 \$657,058,390"

Between lines 155159 and 155160, insert:

"Section 285. __. CASH TRANSFER FROM THE BUDGET STABILIZATION FUND TO THE GENERAL REVENUE FUND

Notwithstanding any law to the contrary, on July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$2,100,000 cash from the Budget Stabilization Fund to the General Revenue Fund, for the purposes of the foregoing appropriation item 440438, Breast and Cervical Cancer Screening."

In line 563 of the title, after "5163.061," insert "5163.07,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Turner moved to amend as follows:

In line 782, after "4501.01," insert "4501.023,"

Between lines 86913 and 86914, insert:

"Sec. 4501.023. (A) The registrar of motor vehicles shall designate an employee of the bureau of motor vehicles to be in charge of and responsible for voter registration within the bureau. Each deputy registrar of motor vehicles shall designate an employee in that deputy registrar's office to be in charge of and responsible for voter registration within that office.

(B) The registrar shall provide, in cooperation with the secretary of state, a voter registration training program and materials for initial training in voter registration and for ongoing training for all deputy registrars, ~~and their~~ all employees of the registrar or of a deputy registrar, who interact with individuals who are applying for or renewing driver's licenses or identification cards issued under Chapter 4507. of the Revised Code.

Each such deputy registrar shall complete the training program not more than three months after the deputy registrar enters into the deputy registrar's first contract with the registrar and not less than once annually thereafter. Each such employee shall complete the training program not more than three months after beginning employment and not less than once annually thereafter. A deputy registrar or employee who holds that position as of the date this division applies to that person shall complete the training program not more than one year after that date and not less than once annually thereafter.

This division applies to a deputy registrar and that deputy registrar's employees only after the deputy registrar enters into a new contract with the registrar after the effective date of this amendment.

(C) The registrar shall report to the secretary of state at least once annually the number of applicants for licenses served and the number of voter registration transactions completed and transmitted to the board of elections by the registrar and all deputy registrars."

In line 146953, after "4501.01," insert "4501.023,"

Between lines 163786 and 163787, insert:

"Section 745. ____. (A) There is hereby created the Motor Voter Act Study Committee, consisting of eight members. Two members shall be appointed by the President of the Senate, two members shall be appointed by the Minority

Leader of the Senate, two members shall be appointed by the Speaker of the House of Representatives, and two members shall be appointed by the Minority Leader of the House of Representatives. The Committee shall elect from among its members a co-chairperson from the House of Representatives and a co-chairperson from the Senate, neither of whom shall be from the same political party. The Committee shall hold a minimum of three public meetings.

(B) The Committee shall do all of the following:

(1) Study whether Ohio is in compliance with the National Voter Registration Act of 1993, also known as the Motor Voter Act;

(2) Determine whether Ohio is complying with its duties under the Motor Voter Act and otherwise is in compliance with the Act, and if Ohio is not in compliance, determine whether that lack of compliance jeopardizes federal funding that assists with elections in Ohio;

(3) Determine whether Ohio, through the Secretary of State, county election officials, the Bureau of Motor Vehicles, and deputy registrars, is meeting its obligation under federal and state law to offer voter registration to every person who engages in a transaction with the Bureau of Motor Vehicles or a deputy registrar;

(4) Determine whether funding levels of the Department of Public Safety and the Bureau of Motor Vehicles are adequate to comply with the Motor Voter Act;

(5) Compare the rates of voter registration at offices of the Bureau of Motor Vehicles and deputy registrars among and within counties in Ohio and among Ohio and other states;

(6) Use resources such as census data, U.S. Election Assistance Commission reports, and other data to evaluate how Ohio compares with other states in terms of pro-active voter registration efforts, dedication of resources to voter registration, and compliance with the Motor Voter Act;

(7) Formulate recommendations as to how Ohio may improve its voter registration process and carry out the purpose of the Motor Voter Act, to promote the exercise of the fundamental right to vote;

(8) Make recommendations to the General Assembly relative to the measures that can be taken to improve voter registration efforts through the offices of the Registrar of Motor Vehicles and deputy registrars.

(C) The Committee shall consult with and receive input from voters, voting rights advocates, county election officials, state election officials from the office of the Secretary of State, officials from the Department of Public Safety and Bureau of Motor Vehicles, and deputy registrars.

The Bureau of Motor Vehicles, the Secretary of State, county boards of elections, and deputy registrars shall cooperate with the Committee and make records from their respective offices available to the Committee in a prompt

manner, and shall not hinder the Committee in the performance of its duties.

(D) The Committee shall compile a report containing its findings and recommendations, and not later than October 1, 2013, shall furnish a copy of its report to the Governor, the President of the Senate, the Minority Leader of the Senate, the Speaker of the House of Representatives, and the Minority Leader of the House of Representatives. After the reports have been so distributed, the Committee shall cease to exist."

In line 159 of the title, after "4501.01," insert "4501.023,"

The question being, "Shall the motion be agreed to?"

Senator Patton moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Sawyer moved to amend as follows:

In line 669, after "117.10," insert "117.11,"

In line 1055, after "103.83," insert "117.102,"

In line 1064, after "3313.849," insert "3314.031,"

Between lines 4748 and 4749, insert:

" **Sec. 117.102.** (A) As used in this section:

(1) "Community school" means a school established under Chapter 3314. of the Revised Code.

(2) "Operator" has the same meaning as in section 3314.02 of the Revised Code.

(B) The auditor of state annually shall audit each community school operator and each community school sponsor described in division (C)(1) of section 3314.02 or section 3314.021 or 3314.027 of the Revised Code. In the case of a nonpublic operator or sponsor, the audit shall cover only those accounts, reports, records, and files regarding the operator's or sponsor's receipt or expenditure of public funds relating to the operation or sponsorship of a community school.

Sec. 117.11. (A) Except as otherwise provided in this division and in sections 117.102, 117.112, and 117.113 of the Revised Code, the auditor of state shall audit each public office at least once every two fiscal years. The auditor of state shall audit a public office each fiscal year if that public office is required to

be audited on an annual basis pursuant to "The Single Audit Act of 1984," 98 Stat. 2327, 31 U.S.C.A. 7501 et seq., as amended. In the annual or biennial audit, inquiry shall be made into the methods, accuracy, and legality of the accounts, financial reports, records, files, and reports of the office, whether the laws, rules, ordinances, and orders pertaining to the office have been observed, and whether the requirements and rules of the auditor of state have been complied with. Except as otherwise provided in this division or where auditing standards or procedures dictate otherwise, each audit shall cover at least one fiscal year. If a public office is audited only once every two fiscal years, the audit shall cover both fiscal years.

(B) In addition to the annual or biennial audit provided for in division (A) of this section, the auditor of state may conduct an audit of a public office at any time when so requested by the public office or upon the auditor of state's own initiative if the auditor of state has reasonable cause to believe that an additional audit is in the public interest.

(C)(1) The auditor of state shall identify any public office in which the auditor of state will be unable to conduct an audit at least once every two fiscal years as required by division (A) of this section and shall provide immediate written notice to the clerk of the legislative authority or governing board of the public office so identified. Within six months of the receipt of such notice, the legislative authority or governing board may engage an independent certified public accountant to conduct an audit pursuant to section 117.12 of the Revised Code.

(2) When the chief fiscal officer of a public office notifies the auditor of state that an audit is required at a time prior to the next regularly scheduled audit by the auditor of state, the auditor of state shall either cause an earlier audit to be made by the auditor of state or authorize the legislative authority or governing board of the public office to engage an independent certified public accountant to conduct the required audit. The scope of the audit shall be as authorized by the auditor of state.

(3) The auditor of state shall approve the scope of an audit under division (C)(1) or (2) of this section as set forth in the contract for the proposed audit before the contract is executed on behalf of the public office that is to be audited. The independent accountant conducting an audit under division (C)(1) or (2) of this section shall be paid by the public office.

(4) The contract for attest services with an independent accountant employed pursuant to this section or section 115.56 of the Revised Code may include binding arbitration provisions, provisions of Chapter 2711. of the Revised Code, or any other alternative dispute resolution procedures to be followed in the event a dispute remains between the state or public office and the independent accountant concerning the terms of or services under the contract, or a breach of the contract, after the administrative provisions of the contract have been exhausted.

(D) If a uniform accounting network is established under section 117.101

of the Revised Code, the auditor of state or a certified public accountant employed pursuant to this section or section 115.56 or 117.112 of the Revised Code shall, to the extent practicable, utilize services offered by the network in order to conduct efficient and economical audits of public offices.

(E) The auditor of state shall, in accordance with division (A)(3) of section 9.65 of the Revised Code and this section, audit an annuity program for volunteer fire fighters established by a political subdivision under section 9.65 of the Revised Code. As used in this section, "volunteer fire fighters" and "political subdivision" have the same meanings as in division (C) of section 9.65 of the Revised Code."

In line 55960, strike through "and will comply with section 3319.111"

Between lines 55961 and 55962, insert:

" (j) The school annually shall evaluate its teachers in compliance with sections 3319.111 and 3319.112 of the Revised Code as if it were a school district."

Between lines 56119 and 56120, insert:

" Sec. 3314.031. Each nonpublic operator of a community school and each nonpublic entity that sponsors a community school shall comply with section 149.43 of the Revised Code as if it were a public office with respect to all records pertaining to the management or sponsorship of the school."

In line 146840, after "117.10," insert "117.11,"

In line 6 of the title, after "117.10," insert "117.11,"

In line 515 of the title, after "103.83," insert "117.102,"

In line 526 of the title, after "3313.849," insert "3314.031,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Tavares moved to amend as follows:

In line 1099, after "5540.18," insert "5703.481,"

Between lines 131846 and 131847, insert:

" Sec. 5703.481. (A) As used in this section:

(1) "Tax incentive" means any exemption, either in whole or in part, of the income, goods, services, or property of a business from the effect of taxes established in the Revised Code or in an ordinance, resolution, regulation, or rule of a taxing authority in this state. "Tax incentive" includes, but is not limited to, tax exemptions, deferrals, exclusions, allowances, credits, reimbursements, and preferential tax rates. "Tax incentive" does not include tax deductions.

(2) "Business" means a sole proprietorship, a corporation for profit, or a pass-through entity as defined in section 5733.04 of the Revised Code.

(B) Before the first day of July of each even-numbered year, the tax commissioner shall compile a comprehensive report detailing all tax incentives granted by the state and all other taxing authorities. The report, for each business that receives a tax incentive, shall describe all the tax incentives received by the business, identify the section of the Revised Code or the ordinance, resolution, regulation, or rule of the taxing authority that authorizes each incentive, provide a detailed estimate of the approximate amount of revenue not available to the state or taxing authority in the preceding two fiscal years as a result of the operation of the tax incentives, indicate whether each incentive is temporary or ongoing, and include any other information deemed by the commissioner to be helpful in evaluating the effectiveness of the tax incentives.

(C) The report shall be completed in electronic searchable format and provided to the governor, the speaker and minority leader of the house of representatives, and the president and minority leader of the senate.

(D) The tax commissioner may require any business that receives tax incentives or any taxing authority that grants tax incentives to produce any books, papers, records, and federal income tax returns necessary for the commissioner to comply with the reporting requirements under this section. Upon written request of the commissioner, every business and taxing authority subject to this division is required to furnish the opportunity for the commissioner, or an employee or agent thereof, to examine such books, papers, records, and federal income tax returns at a reasonable time and place designated in the request.

(E) The tax commissioner shall adopt any rules necessary to administer this section. Such rules may include uniform requirements as to the keeping of records and other pertinent documents by businesses and taxing authorities for the purpose of compiling the report required under this section.

(F) Sections 5703.21, 5715.49, and 5715.50 of the Revised Code do not prohibit the divulgence of information in the report to the extent required under this section or the divulgence of information at the request of the tax commissioner for the purpose of compiling the report."

In line 572 of the title, after "5540.18," insert "5703.481,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Smith moved to amend as follows:

In line 155340, delete "\$6,000,000 \$6,000,000" and insert "\$8,500,000 \$8,500,000"

In line 155345, delete "\$717,380,115 \$717,380,115" and insert "\$719,880,115 \$719,880,115"

In line 155347, delete "\$755,582,672 \$755,582,672" and insert "\$758,082,672 \$758,082,672"

In line 155401, delete "\$3,570,858,989 \$3,534,471,446" and insert "\$3,573,358,989 \$3,536,971,446"

In line 155465, after the comma delete the balance of the line

In line 155466, delete "the Ohio Association of Food Banks in this section,"

In line 155468, after "funds" insert ", including GRF dollars appropriated in appropriation item 600540, Food Banks,"

In line 155469, delete "the" and insert "\$17,000,000."

Delete lines 155470 and 155471

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Tavares moved to amend as follows:

In line 1060, delete "743.50,"

Delete lines 28189 through 28208

In line 520 of the title, delete "743.50,"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Schiavoni moved to amend as follows:

In line 5502, delete the underlined semicolon

Delete lines 5503 through 5509

In line 5510, delete all before the period

In line 5512, reinsert "(7)"; delete "(8)"

The question being, "Shall the motion be agreed to?"

Senator Widener moved that the amendment be laid on the table.

The question being, "Shall the motion be agreed to?"

Pursuant to Senate Rule No. 63, the President called for a division of the Senate.

The amendment was laid on the table.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Obhof moved to amend as follows:

In line 156044, delete "\$500,000 \$500,000" and insert "\$300,000 \$300,000"

In line 156045, delete "\$21,742,475 \$21,822,475" and insert "\$21,542,475 \$21,622,475"

In line 156052, delete "\$21,982,475 \$22,062,475" and insert "\$21,782,475 \$21,862,475"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

Senator Jones moved to amend as follows:

In line 131359, after " section" insert " , a project being undertaken by two or more transportation improvement districts"

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

The question recurred, "Shall the bill, **Sub. H. B. No. 59**, pass?"

The yeas and nays were taken and resulted - yeas 23, nays 10, as follows:

Those who voted in the affirmative were: Senators

Bacon	Balderson	Beagle	Burke
Coley	Eklund	Gardner	Hite
Hughes	Jones	Jordan	LaRose
Lehner	Manning	Obhof	Oelslager
Patton	Peterson	Schaffer	Seitz
Uecker	Widener		Faber-23.

Those who voted in the negative were: Senators

Brown	Cafaro	Gentile	Kearney
Sawyer	Schiavoni	Skindell	Smith
Tavares			Turner-10.

So the bill passed.

The question being, "Shall the title be agreed to?"

Senator Oelslager moved to amend the title as follows:

Add the names: "Beagle, Burke, Coley, Faber, Hite, Lehner, Oelslager, Peterson, Schaffer, Uecker, Widener."

The question being, "Shall the motion be agreed to?"

The motion was agreed to and the title so amended.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bill was introduced and considered the first time:

S. B. No. 141-Senators Obhof, Hughes.

To amend section 3772.99 of the Revised Code to create penalties related to casino gaming and transacting with a casino facility.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bills in which the concurrence of the Senate is requested:

Am. H. B. No. 72 -Representatives Brenner, Gerberry

Cosponsors: Representatives Adams, R., Anielski, Antonio, Baker, Barborak, Beck, Blair, Blessing, Boose, Buchy, Burkley, Carney, Celebrezze, Conditt, Damschroder, Derickson, Driehaus, Duffey, Fedor, Green, Grossman, Hackett, Hayes, Letson, Lundy, Lynch, Mallory, Milkovich, O'Brien, Patterson, Pillich, Ramos, Retherford, Rogers, Ruhl, Sprague, Stebelton, Stinziano, Strahorn, Thompson, Wachtmann, Speaker Batchelder

To amend sections 135.807, 149.52, 317.02, 317.04, 317.05, 317.07, 317.08, 317.09, 317.10, 317.111, 317.112, 317.12, 317.13, 317.15, 317.17, 317.18, 317.19, 317.20, 317.22, 317.26, 317.28, 317.29, 317.31, 317.32, 317.35, 317.36, 319.203, 323.43, 503.13, 703.16, 707.09, 709.06, 709.32, 709.38, 709.39, 723.04, 723.05, 961.02, 961.05, 971.15, 1311.06, 1311.35, 1311.42, 1337.08, 1513.33, 1513.37, 1701.73, 1701.81, 1701.811, 1702.38, 1702.43, 1702.462, 1705.38, 1705.381, 1729.38, 1776.70, 1776.74, 1782.433, 1782.4310, 2113.62, 2505.13, 2937.27, 3929.18, 4123.76, 4123.78, 4141.23, 4961.39, 5301.01, 5301.14, 5301.21, 5301.25, 5301.255, 5301.28, 5301.32, 5301.33, 5301.331, 5301.332, 5301.34, 5301.35, 5301.52, 5301.56, 5302.15, 5302.17, 5302.171, 5302.222, 5309.13, 5309.41, 5309.64, 5715.701, 5719.04, 5721.35, 5747.451, and 5815.15 and to repeal sections 317.201 and 711.12 of the Revised Code generally to modernize and make other changes regarding how the county recorder's office maintains records.

Sub. H. B. No. 147 -Representatives Patmon, Wachtmann

Cosponsors: Representatives Ramos, Barnes, Hackett, Burkley, Grossman, Antonio, Bishoff, Brown, Schuring, Adams, R., Anielski, Ashford, Baker, Barborak, Beck, Blair, Blessing, Brenner, Buchy, Butler, Celebrezze, Curtin, Damschroder, Derickson, Dovilla, Driehaus, Duffey, Fedor, Foley, Gerberry, Gonzales, Green, Hagan, C., Hagan, R., Hall, Hayes, Heard, Henne, Hill, Hottinger, Huffman, Kunze, Landis, Letson, Lundy, Lynch, Maag, Mallory, McClain, Milkovich, O'Brien, Patterson, Pelanda, Pillich, Reece, Rogers, Romanchuk, Rosenberger, Sears, Slaby, Slesnick, Smith, Sprague, Stautberg, Stebelton, Strahorn, Sykes, Terhar, Winburn, Young, Speaker Batchelder

To enact section 4731.73 of the Revised Code to require a surgeon performing a mastectomy in a hospital to guide the patient and provide referrals in a manner consistent with the standards of the National Accreditation Program for Breast Centers and to name this act the "Lizzie B. Byrd Act."

Attest:

Bradley J. Young,
Clerk.

Said bills were considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 16 -Representatives Beck, Adams, J.

Cosponsors: Representatives Hottinger, Grossman, Duffey, Baker, Brenner, Pillich, Thompson, Stinziano, Hood, Derickson, Buchy, Green, Ruhl, Mallory, Hill, Strahorn, Stebelton, Brown, Adams, R., Rosenberger, Heard, Maag, Lundy, Boyce, Barnes, Dovilla, Gerberry, Perales, Cera, Clyde, Curtin, Amstutz, Anielski, Antonio, Barborak, Blair, Blessing, Boose, Budish, Burkley, Butler, Carney, Celebrezze, Conditt, Damschroder, DeVitis, Driehaus, Fedor, Hackett, Hagan, C., Hagan, R., Hall, Hayes, Henne, Huffman, Kunze, Landis, Letson, Lynch, McClain, McGregor, Milkovich, O'Brien, Pelanda, Phillips, Ramos, Reece, Retherford, Roegner, Rogers, Romanchuk, Scherer, Schuring, Sears, Slaby, Slesnick, Smith, Sprague, Stautberg, Sykes, Wachtmann, Williams, Winburn, Young, Speaker Batchelder

Honoring the State of Israel on its Sixty-fifth Anniversary.

Attest:

Bradley J. Young,
Clerk.

The question being, "Shall the resolution, **H. C. R. No. 16**, be adopted?"

On the motion of Senator Widener, **H. C. R. No. 16**, was referred to the Committee on Reference.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has adopted the following concurrent resolution in which the concurrence of the Senate is requested:

H. C. R. No. 19 -Representative Schuring

Cosponsors: Representatives Wachtmann, Ramos, Cera, Brenner, Hottinger, Brown, Antonio, Slaby, Hayes, Duffey, Buchy, Strahorn, Bishoff, Hagan, R., Adams, J., Adams, R., Amstutz, Anielski, Baker, Barnes, Beck, Blair, Blessing, Budish, Burkley, Butler, Carney, Celebrezze, Derickson, DeVitis,

Dovilla, Driehaus, Fedor, Gerberry, Gonzales, Green, Grossman, Hagan, C., Kunze, Landis, Letson, Lundy, Maag, Mallory, McClain, Milkovich, Patmon, Patterson, Pelanda, Phillips, Reece, Roegner, Rogers, Rosenberger, Ruhl, Scherer, Sears, Slesnick, Smith, Stebelton, Stinziano, Sykes, Williams, Young, Speaker Batchelder

To memorialize the Congress of the United States to oppose any legislation that requires Social Security coverage for members of any of Ohio's state retirement systems.

Attest:

Bradley J. Young,
Clerk.

The question being, "Shall the resolution, **H. C. R. No. 19**, be adopted?"

On the motion of Senator Widener, **H. C. R. No. 19**, was referred to the Committee on Reference.

On the motion of Senator Widener, the Senate adjourned until Tuesday, June 11, 2013 at 1:30 p.m.

Attest:

VINCENT L. KEERAN,
Clerk.