



Ohio Legislative Service Commission

Bill Analysis

Megan Cummiskey

S.B. 185*

128th General Assembly

(As Reported by S. Finance and Financial Institutions)

Sens. Jones, Buehrer, Grendell, Husted, Schaffer, Wagoner

BILL SUMMARY

- Prohibits the Director of Budget and Management from making cash transfers to the General Revenue Fund (GRF) from non-General Revenue Funds that include cash from donations.
- Imposes additional conditions on cash transfers made by the Director from non-General Revenue Funds to the GRF.
- Prohibits the Controlling Board from authorizing certain transfers of cash balances in excess of needs from any fund of the state that includes cash from donations.

CONTENT AND OPERATION

Cash transfers made by the Director of Budget and Management

(R.C. 126.231; Sections 3 and 4)

The current biennial budget bill permits the Director of Budget and Management to transfer cash during fiscal years 2010 and 2011 from non-General Revenue Funds that are not constitutionally restricted to the General Revenue Fund (GRF) in order to ensure that available GRF receipts are sufficient to support GRF appropriations. Before September 1 of each fiscal year, the Director must prepare quarterly estimates identifying the funds in the state treasury from which such transfers will be made and the anticipated amount of the transfers. The Director is also required to prepare

* This analysis was prepared before the report of the Senate Finance and Financial Institutions Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.

quarterly summaries that compare the estimated and actual amounts of these cash transfers by fund.¹

The bill modifies this uncodified provision by: (1) adding that the non-General Revenue Funds from which such transfers are permitted also cannot include cash from donations, (2) requiring that such transfers comply with the bill (see directly below), and (3) removing the requirement that the Director prepare quarterly estimates of such transfers before September 1 of each fiscal year.

The bill enacts a provision of permanent law specifying that--if the Director is authorized to transfer cash from non-General Revenue Funds in the state treasury to the GRF--both of the following conditions apply:

(1) The transfer cannot be made from a fund that includes cash from donations.

(2) The transfer cannot be made until at least 90 days after the Director's intention to make the transfer has been indicated in a quarterly estimate required by the bill. These quarterly estimates must identify the funds from which the cash transfers will be made and the anticipated amount of the transfers. The estimates are to be provided to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives, as well as to members of the press, radio and television stations, and broadcasting networks in Ohio.

Cash transfers authorized by the Controlling Board

(R.C. 127.14)

Under existing law, the Controlling Board may, at the request of a state agency or the Director of Budget and Management, authorize certain transfers related to the provisions of an appropriation act. One such transfer is the transfer of all or part of the cash balance in excess of needs from any fund of the state to (1) the General Revenue Fund or (2) any other fund of the state to which the money would have been credited if the fund from which the transfer is to be made did not exist. However, the law lists numerous funds from which such a transfer cannot be made. The bill adds "a fund that includes cash from donations" to that list.

Effective date

(Section 5)

The bill has an immediate effective date.

¹ Section 512.60 of Am. Sub. H.B. 1 of the 128th General Assembly.

HISTORY

ACTION

DATE

Introduced
Reported, S. Finance & Financial Institutions

10-15-09

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