



COMPARISON DOCUMENT BASE

House Bill 49
132nd General Assembly

Main Operating Budget Bill
(FY 2018 – FY 2019)

As Introduced

www.lsc.ohio.gov

February 23, 2017

Introduction

The Comparison Document provides brief descriptions and fiscal estimates of the provisions that make up the executive recommended version and subsequent versions of the biennial main operating budget bill of the 132nd General Assembly, House Bill 49. This Comparison Document Base edition contains the executive recommendations for H.B. 49, As Introduced. The document is arranged in alphabetical order by state agency. It also includes three nonagency items for which appropriations are made: Employee Benefits Fund (PAY), Pension Subsidies (PEN), and Revenue Distribution Funds (RDF). A Table of Contents follows this Introduction. Two indices are located at the end of the document. The first index gives the page number of each particular item within the sections; the second index lists cross-references by agency.

Generally within an agency's section, items that involve Revised Code changes come first, followed by items that involve uncodified (i.e., temporary) law provisions. The sections for the Department of Education and the Department of Taxation are first arranged by general topic areas. If an item affects more than one agency, it is described under one of the affected agencies, rather than all of the agencies. However, the other agencies are listed in the cross-referencing index at the end of the document. This index lists, for each agency, all entries that affect the agency but are not included in that agency's section as well as the page numbers for these entries. A reader who is interested in all provisions affecting a certain agency should consult the cross-referencing index in addition to the agency's section.

Each item is assigned a unique identification number. This number begins with an agency's three-letter Central Accounting System (CAS) code followed by a comparison document reference ("CD") and a number (TAXCD15, for example). A reader who wants to track an item across several versions of the Comparison Document may find the identification number useful.

The Comparison Document does not include appropriation amounts for the agencies. Please see the Legislative Service Commission's Budget in Detail spreadsheet for that information. For a complete discussion of the statutory changes in H.B. 49, see the Legislative Service Commission's Bill Analysis for H.B. 49.

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Executive

ADJCD2 Cyber ranges**Section: 205.20**

(1) Requires the Adjutant General's Department, in conjunction and collaboration with the Department of Administrative Services, the Department of Public Safety, the Department of Higher Education, and the Department of Education, to establish and maintain a cyber range, and permits the Department federal agencies to assist in accomplishing this objective.

(2) Requires the cyber range to provide cyber training and education to K-12 students, higher education students, Ohio National Guardsmen, federal employees, and state and local government employees, and to provide for emergency preparedness exercises and training.

(3) Permits the state agencies identified in the above provision (1) to procure any necessary goods and services including, but not limited to, contracted services, hardware, networking services, maintenance costs, and the training and management costs of a cyber range. Requires those state agencies to determine the amount of funds each agency will contribute from available funds and appropriations enacted in the bill in order to establish and maintain a cyber range.

Fiscal effect: Uncertain.

ADJCD4 National Guard benefits**Section: 205.20**

(1) Requires GRF appropriation item 745407, National Guard Benefits, to be used for the purpose of paying reimbursement of active duty members for life insurance premiums (R.C. 5919.31), and death benefits where an active duty member dies while performing active duty (R.C. 5919.33), and administrative costs of the associated programs.

(2) Permits the Adjutant General, if necessary in order to pay benefits pursuant to R.C. 5919.31 and 5919.33 in a timely manner, to request the Director of Budget and Management transfer appropriation from any appropriation item used by the Adjutant General to GRF appropriation item 745407, National Guard Benefits. Allows the Adjutant General to seek Controlling Board approval to restore the appropriation in any appropriation item for which such a transfer was made.

(3) Requires, for active duty members of the National Guard who died after October 7, 2001, while performing active duty, the death benefit being paid pursuant to R.C. 5919.33 be paid to the beneficiary or beneficiaries designated on the member's Servicemembers' Group Life Insurance Policy.

Executive

ADJCD5 State active duty costs**Section: 205.20**

(1) Earmarks \$50,000 in each fiscal year of GRF appropriation item 745409, Central Administration, for the purpose of paying expenses related to state active duty of members of the Ohio organized militia, in accordance with a proclamation of the Governor. Specifies that expenses include, but are not limited to, the cost of equipment, supplies, and services, as determined by the Adjutant General's Department.

(2) Permits the Adjutant General, on June 1 of each fiscal year, to determine if any portion of \$50,000 in that fiscal year will not be used for state active duty expenses, and to encumber that portion for maintenance expenses.

(3) Requires the Adjutant General, if before the end of that fiscal year state active duty expenses occur, to cancel those encumbrances to pay for expenses related to state active duty.

ADJCD3 Federally funded capital projects**Section: 610.30**

Amends Section 203.10 of S.B. 310 of the 131st General Assembly to permit, if the Adjutant General is approved by the federal government to complete additional, unanticipated 100% federally funded projects after July 1, 2017, and before October 1, the appropriations for these additional projects to be released upon written approval of the Director of Budget and Management.

Executive

DASCD24 Repeal of the Ohio Building Authority Law

R.C. *123.011, 154.11, Repealed: 152.01, 152.02, 152.04, 152.05, 152.06, 152.07, 152.09, 152.091, 152.10, 152.11, 152.12, 152.13, 152.14, 152.15, 152.16, 152.17, 152.18, 152.19, 152.21, 152.22, 152.23, 152.24, 152.241, 152.242, 152.26, 152.27, 152.28, 152.31, 152.32, and 152.33*

Repeals the Ohio Building Authority (OBA) Law.

Codifies DAS's authority to provide facility management services and charge rentals and other charges for the use of its facilities.

Retains the provision of the OBA Law that permits, under certain circumstances, firearms in motor vehicles in the Riffe Center parking garage.

Fiscal effect: None, since the provision codifies existing practices. Uncodified law of H.B. 153 of the 129th General Assembly transferred the building and facility operations and management functions of OBA to DAS and superseded and replaced OBA with the Treasurer of State as the issuing authority for obligations to finance capital facilities housing agencies of state government, however, the OBA Law was retained at that time.

DASCD26 Veteran's and reservist's preference in classified civil service

R.C. *124.23, 124.26, and 124.27*

Expands eligibility for preference in the classified civil service to any person who either: (1) has been honorably discharged from the armed forces including the (a) Army, Navy, Air Force, Marine Corps, Coast Guard (current law), or any reserve component of those forces, (b) the national guard of any state (current law), (c) the commissioned corps of the United States public health service (current law), (d) the merchant marine service during wartime, or other service as may be designated by congress, or € the Ohio organized militia when engaged in full-time national guard duty for a period or more than 30 days; or (2) is a member in good standing of a reserve component of the armed forces who has successfully completed initial entry-level training.

Executive

Eliminates the different civil service examination preferences for veterans (20%) and reservists (15%) in the U.S. Armed Forces and applies a single preference (20%) to both.

Removes residency requirements from veteran's and reservist's preference in the classified civil service.

Fiscal effect: Negligible.

DASCD27 State procurement emergency

R.C. 125.061, 125.04

Allows DAS to suspend state purchasing and contracting requirements in current law for any state agency experiencing a "state procurement emergency." Defines "state procurement emergency" as a situation that creates (1) a threat to public health, safety, or welfare, (2) an immediate and serious need for supplies or services that cannot be met through normal procurement methods required by state law, and (3) a serious threat of harm to the functioning of state government, the preservation or protection of property, or the health or safety of any person.

Requires the director or administrative head of the state agency where the state procurement emergency exists to request DAS to suspend purchasing and contracting requirements in Chapter 125. of the Revised Code. Specifies that the request must include information detailing the immediacy of the state procurement emergency and a description of the necessary supplies or services that cannot be acquired through normal procurement methods in a timely manner.

Requires, when practical, the agency to obtain a release and permit from DAS before making purchases under the procurement emergency.

Requires the Director of Administrative Services to send notice of the suspension as approved to the Director of Budget and Management and to the members of the Controlling Board. Requires the notice to provide details of the request for suspension and a copy of the Director's approval.

Fiscal effect: Under current law the Director of Administrative Services may suspend normal procurement requirements for emergency purchases of the Emergency Management Agency or other state agencies involved in response and recovery activities under an emergency declared by Congress, the President, the Governor, or certain other chief executives.

Although these provisions would allow suspension of procurement requirements in situations that do not rise to the level of a declared emergency, suspension of state procurement requirements for state procurement emergencies would likely be rare. Any fiscal effects would depend on the individual circumstances of any state procurement emergencies.

Executive

DASCD20 Creation of the Professions Licensing System Fund

R.C. 125.18

Creates the Professions Licensing System Fund (Fund 5JQ0) for the purpose of operating an electronic licensing system used by the state's occupational licensing boards.

Allows the DAS Office of Information Technology to assess a transaction fee to an individual who uses the state's enterprise electronic licensing system to apply for or renew a license or registration in an amount determined by DAS not to exceed \$3.50. Allows DAS to collect the fee or require a state agency for which the system is being operated to collect the fee. Requires that these fees be deposited into Fund 5JQ0.

DASCD25 Tenant improvement services

R.C. 125.28, Section 512.90

Removes authorization for DAS to provide minor construction project management services to state agencies and instead authorizes DAS to provide tenant improvement services and collect reimbursement costs for providing those services.

Requires money collected for those services to be deposited to the credit of the Building Management Fund (Fund 1320). Removes the requirement that money collected for minor construction project management be deposited to the credit of the Minor Construction Project Management Fund (Fund 5C30).

Requires the Director of Budget and Management to transfer the cash balance in Fund 5C30 to Fund 1320 and then abolishes Fund 5C30.

Fiscal effect: Although charges to state agencies for minor modification and renovation services within state-owned buildings will be redirected from Fund 5C30 to Fund 1320, this change has no effect on overall expenditures by state agencies for these services or charges collected by DAS.

DASCD28 Statewide state agency data sharing program

R.C. 125.32

Allows DAS to establish an enterprise data management and analytics program to gather, combine, and analyze unspecified types of data provided under the program by state agencies that participate in the program.

Executive

Specifies the purposes of the program are to measure outcomes of state-funded programs, to develop policies to promote effective, efficient, and best use of state resources, and to identify, prevent, or eliminate fraudulent use of state funds, resources, or programs.

Notwithstanding the entire Revised Code to specify that a state agency providing data under the program is not in violation of any confidentiality requirements under the Revised Code applicable to the data the state agency provides.

Specifies that a state agency providing data under the program retains ownership over the data. Notwithstanding the entire Revised Code to provide that only the state agency that provides data must comply with Ohio law regarding requests for records or information including, specifically, public records requests, subpoenas, warrants, and investigatory requests.

Subjects data provided under the program to any confidentiality laws applicable to the data when in the possession of the state agency that provided the data. Subjects employees of DAS and other state agencies who have access to data under the program to any confidentiality laws or duty to maintain confidentiality of the data applicable to the state agencies that provided the data.

Specifies that results of the data analysis are subject to the most stringent confidentiality obligations applicable to the source data.

Requires DAS to develop a data-sharing protocol and a data security plan that participating state agencies must follow.

States that the protocol must specify (1) how participating state agencies may use confidential data in accordance with confidentiality laws applicable to the provided data; (2) who has authority to access data gathered under the program; and (3) how participating state agencies must make, verify, and retain corrections to personal information gathered under the program.

Requires any system with personal information derived under the program to comply with Personal Information Systems Law.

Fiscal effect: If DAS implements a data sharing program, DAS and participating state agencies would likely incur some costs to produce, organize, and analyze the shared data. Any costs would depend on the amount and types of data shared.

Executive**DASCD29 Antitrust review****R.C. 125.92**

Requires the Director of Administrative Services to review and approve or disapprove actions or proposed actions of regulatory and licensing boards and commissions that have been referred to the Director and that may have antitrust implications. Includes within the scope of this antitrust review actions or proposed actions that directly or indirectly have the effect of: (1) fixing prices, limiting price competition, or increasing prices of goods or services; (2) dividing, allocating, or assigning customers or markets; (3) excluding present or future competitors; or (4) limiting the output or supply of goods or services in Ohio.

Exempts the following actions taken by regulatory or licensing boards from DAS review, unless the action is referred to the Director of DAS by a party granted a stay in a pending antitrust suit: (1) denying a license application if the applicant has violated Ohio law or administrative rules; and (2) taking disciplinary action a licensed individual or corporation that has violated Ohio law or administrative rules. Specifies that an action is not subject to review if participation in the action is statutorily limited to only the public members of a board or commission.

Permits the following to refer actions for review by the Director of DAS: (1) a board or commission that has taken or is proposing to take an action; (2) a person who is affected or could be affected by an action or proposed action; and (3) a person who has been granted a stay by a court.

Specifies the procedure to be followed when an action is referred to the Director of DAS for review, including the submission of a brief statement explaining the action and describing its consistency or inconsistency with state or federal antitrust law, as well as a copy of the action or proposed action in question, if it is in writing.

Requires the Director of DAS to approve an action if the review determines that the action is consistent with a clearly articulated state policy and the state policy is not a pretext for allowing anticompetitive conduct. Requires the Director to disapprove an action upon finding that it is inconsistent with a clearly articulated state policy or that the state policy is a pretext for allowing anticompetitive conduct. Voids any disapproved action. Requires the Director of DAS to prepare a memorandum explaining the reasons for approval or disapproval of an action, send it to all parties involved, and post it on the DAS website.

Requires a person affected by an action or proposed action to refer the action to the Director of DAS for review within 30 days after receiving notice of the action. Requires that an ongoing or proposed action that has been referred to the Director of DAS for review be ceased or prevented from taking effect until the Director prepares and transmits the memorandum described immediately above.

Executive

Generally requires any person who has standing to commence and prosecute a state or federal antitrust action against a board or commission to seek a review of an action by the Director of DAS before pursuing the antitrust claim. Excludes the Attorney General, county prosecutors, or assistant prosecutors from this requirement.

Allows the state, a board or commission, or members thereof to request a stay of a pending antitrust suit if the action that forms the basis of the suit has not been reviewed by the Director of DAS. Requires the court to grant the stay unless the suit was initiated by the Attorney General, a county prosecutor, or an assistant prosecutor. Requires the stay to be continued until the Director has completed and transmitted the memorandum described above.

Fiscal effect: DAS might need to hire or contract with experts in antitrust matters, most likely attorneys that specialize in antitrust law. As a result, DAS could incur new costs, potentially significant, depending upon the number of actions referred to the Director for review.

DASCD1 Enterprise Data Center Solutions Lease Rental Payments**Section: 207.20**

Requires GRF appropriation item 100413, Enterprise Data Center Solutions Lease Rental Payments, to be used to make payments for the costs of the acquisition, development, installation, and implementation of the Enterprise Data Center Solutions initiative. Appropriates additional amounts for this purpose if necessary.

DASCD2 MARCS Lease Rental Payments**Section: 207.20**

Requires GRF appropriation item 100414, MARCS Lease Rental Payments, to be used to make payments for the costs of the acquisition, development, installation, and implementation of the Multi-Agency Radio Communications System (MARCS). Appropriates additional amounts for this purpose if necessary.

Executive

DASCD3 Ohio Administrative Knowledge System Lease Rental Payments**Section: 207.20**

Requires GRF appropriation item 100415, OAKS Lease Rental Payments, to be used to make payments for the costs of the acquisition, development, installation, and implementation of the Ohio Administrative Knowledge System. Appropriates additional amounts for this purpose if necessary

DASCD4 STARS Lease Rental Payments**Section: 207.20**

Requires GRF appropriation item 100416, STARS Lease Rental Payments, to be used to make payments for the costs of the acquisition, development, installation, and implementation of the State Taxation Accounting and Revenue System (STARS). Appropriates additional amounts for this purpose if necessary.

DASCD5 Administrative Buildings Lease Rental Bond Payments**Section: 207.20**

Requires that GRF appropriation item 100447, Administrative Buildings Lease Rental Bond Payments, be used to make payments pursuant to leases and agreements entered into by the state. Specifies that the appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to R.C.152. and R.C. 154.

Executive

DASCD6 Multi-Agency Radio Communication System debt service payments**Section: 207.20**

Requires the Director of Administrative Services, in consultation with the Multi-Agency Radio Communication System (MARCS) Steering Committee and the Director of Budget and Management, to determine the share of debt service payments attributable to spending for MARCS components that are not specific to any one agency and requires that these payments be charged to the Highway Safety Fund (Fund 7036). Requires that these payments be calculated for MARCS capital disbursements made beginning July 1, 1997.

Requires the Director of Administrative Services, within thirty days of any payment made from GRF appropriation item 100447, Administrative Building Lease Rental Bond Payments, to certify to the Director of Budget and Management the share of debt service payments not attributable to any one agency, and requires the Director of Budget and Management to transfer such amounts to the GRF from the State Highway Safety Fund (Fund 7036).

DASCD7 DAS - Building operating payments and Building Management Fund**Section: 207.20**

Allows the Director of Budget and Management, following the conveyance of the Michael V. DiSalle Government Center pursuant to Section 753.20 of Am. Sub. H.B. 64 of the 131st General Assembly, to adjust FY 2018 and FY 2019 GRF appropriations of DAS and other state agencies to reflect accurately the rental amounts agencies will pay the lessor of the Michael V. DiSalle Government Center for space that is supported by the GRF. Specifies that total GRF appropriations may decrease but not increase as a result of the appropriation adjustments.

Permits appropriation item 130321, State Agency Support Services, to also be used to provide funding for the cost of property appraisals or building studies that DAS may be required to obtain for property that is being sold by the state or under consideration to be renovated or purchased by the state.

Permits appropriation item 130321, State Agency Support Services, notwithstanding RC 125.28, to also be used to pay the operating expenses or other costs of state facilities maintained by DAS that are not billed to building tenants, or other costs associated with the Voinovich Center in Youngstown. Specifies that these expenses may include, but are not limited to, the costs for vacant space, space undergoing renovation, and the rent expense of tenants that are relocated because of building renovations. Allows DAS to process these payments through intrastate transfer voucher to the credit of the Building Management Fund (Fund 1320).

Executive

Requires that, at least once per year, the portion of appropriation item 130321, State Agency Support Services, not used for the regular expenses of the appropriation item be processed by DAS through intrastate transfer voucher to the credit of the Building Improvement Fund (Fund 5KZ0).

DASCD8 Cash transfer from the MARCS Administration Fund to the GRF**Section: 207.20**

Allows the Director of Budget and Management, upon the request of the Director of Administrative Services, to transfer unobligated cash in the MARCS Administration Fund (Fund 5C20) to the GRF to reimburse the GRF for lease rental payments made on behalf of the MARCS upgrade.

DASCD9 Professional Development Fund**Section: 207.30**

Requires appropriation item 100610, Professional Development, to be used to make payments from the Professional Development Fund (Fund 5L70) under R.C.124.182. Appropriates additional amounts if the Director of Budget and Management determines it is necessary.

DASCD10 911 Program**Section: 207.30**

Requires appropriation item 100663, 911 Program, to be used by DAS to pay the administrative, marketing, and educational costs of the Statewide Emergency Services Internet Protocol Network program.

Executive

DASCD11 Employee Educational Development**Section: 207.30**

Requires that appropriation item 100619, Employee Educational Development, be used to make payments from the Employee Development Fund (Fund 5V60) to pay the costs of administering educational programs (generally tuition reimbursement) under existing collective bargaining agreements with District 1199 of the Health Care and Social Service Union, Service Employees International Union; State Council of Professional Educators; Ohio Education Association and National Education Association; the Fraternal Order of Police Ohio Labor Council, Unit 2; and the Ohio State Troopers Association, Units 1 and 15. Appropriates additional amounts if determined they are necessary by the Director of Budget and Management.

DASCD13 Central Service Agency Fund**Section: 207.40**

Requires that appropriation item 100632, Central Service Agency, be used to purchase equipment, products, and services that are needed to maintain existing automated applications for the professional licensing boards and the Casino Control Commission to support board licensing functions in FY 2018 until these functions are replaced by the Ohio Professionals Licensing System. Requires DAS to establish charges for recovering the costs of carrying out these functions that are to be billed to the professional licensing boards and the Casino Control Commission. Requires that these amounts be deposited via intrastate transfer vouchers into the Central Service Agency Fund (Fund 1150).

Authorizes the Director of Budget and Management, upon implementation of the replacement Ohio Professionals Licensing System and the decommissioning of the existing automated applications, to transfer any cash balances remaining in Fund 1150 that are attributable to the operation of the existing automated applications to the Ohio Professions Licensing System Fund (Fund 5JQ0).

Executive

DASCD14 General service charges**Section: 207.40**

Requires DAS to establish, with the approval of the Director of Budget and Management, charges for recovering the costs of administering the programs funded by the General Services Fund (Fund 1170) and the State Printing Fund (Fund 2100).

DASCD15 Collective bargaining arbitration expenses**Section: 207.40**

Allows DAS to seek reimbursement from state agencies for the actual costs and expenses that DAS incurs in the collective bargaining arbitration process. Requires the reimbursements to be processed through intrastate transfer vouchers and credited to the Collective Bargaining Fund (Fund 1280).

DASCD16 Equal Opportunity Program**Section: 207.40**

Requires DAS, with the approval of the Director of Budget and Management, to establish charges for recovering the costs of administering the activities supported by the State EEO Fund (Fund 1880). Specifies that the charges be deposited to the credit of Fund 1880 upon payment by state agencies, state-supported or state-assisted institutions of higher education, and tax-supported agencies, municipal corporations, and other political subdivisions of the state.

DASCD17 Consolidated IT Purchases**Section: 207.40**

Specifies that Fund 2290 appropriation item 100640, Consolidated IT Purchases, be used by DAS to make information technology purchases for the benefit of one or more government entities at a lower aggregate cost than each individual government entity could obtain than if they were making the purchase independently.

Executive

DASCD18 Investment Recovery Fund**Section: 207.40**

Allows cash balances in the Investment Recovery Fund (Fund 4270) to be used to support the operating expenses of the Federal Surplus Operating Program created in R.C 125.84 through 125.90.

DASCD19 Major IT purchases charges**Section: 207.40**

Allows DAS to bill agencies for actual expenditures made on major IT purchases if those expenditures are not recovered as part of the information technology service rates the Department charges and deposits into the Information Technology Fund (Fund 1330). Requires that these charges be deposited into the Major IT Purchases Fund (Fund 4N60).

DASCD21 Building Improvement Fund**Section: 207.40**

Requires that Fund 5KZ0 appropriation item 100659, Building Improvement, be used to make payments for major maintenance or improvements required in facilities maintained by DAS.

Requires DAS to conduct or contract for regular assessments of these buildings and maintain a cash balance in the Building Improvement Fund (Fund 5KZ0) equal to the cost of the repairs and improvements that are recommended to occur within the next five years, except that the Director of DAS may request the Director of OBM to permit a cash transfer from Fund 5KZ0 to the Building Management Fund (Fund 1320) to pay costs of operating and maintaining the buildings that are not charged to tenants during the same fiscal year.

Allows the Director of Administrative Services to request the Director of Budget and Management to transfer cash from Fund 1320 to Fund 5KZ0 in amount equal to the initial transfer plus interest if the cash balance in Fund 1320 is determined to be sufficient.

Executive

DASCD22 Information Technology Development Fund**Section: 207.40**

Establishes the Information Technology Development Fund (Fund 5LJ0). Specifies that Fund 5LJ0 appropriation item 100661, IT Development, be used by DAS to pay the costs of modernizing the state's information technology management and investment practices to a statewide methodology supporting development of enterprise solutions. Allows the Director of DAS, with approval from the Director of Budget and Management, to charge state agencies an information technology development assessment based on state agencies' information technology expenditures or other methodology. Requires the revenues from this assessment to be deposited into Fund 5LJ0.

DASCD23 Enterprise applications**Section: 207.40**

Creates the Enterprise Application Fund (Fund 5PC0) and requires Fund 5PC0 appropriation item 100665, Enterprise Applications, to be used for the operation and management of information technology applications that support state agencies' objectives. Requires that charges billed to benefiting agencies be deposited to the credit of Fund 5PC0.

DASCD30 Professions Licensing System**Section: 207.40**

Requires Fund 5JQ0 appropriation item 100658, Ohio Professionals Licensing System, to be used to purchase the equipment, products, and services necessary to develop and maintain a replacement automated licensing system for the professional licensing boards.

Authorizes the Director of Budget and Management, upon request by the Director of Administrative Services, to transfer up to \$14,000,000 in cash from the Occupational Licensing and Regulatory Fund (Fund 4K90), the State Medical Board Operating Fund (Fund 5C60), and the Casino Control Commission – Operating Fund (Fund 5HS0), to the Professions Licensing System Fund (Fund 5JQ0) during the FY 2018-FY 2019 biennium.

Executive

Requires the amounts to be transferred from each fund to be based on the number of current licenses issued by each licensing board and commission that uses each fund listed above. Requires the number of anticipated licenses in addition to the number of current licenses issued by the Casino Control Commission to be included when determining the amount to be transferred from Fund 5HS0.

Requires that the transferred amounts be used for the initial acquisition and development of the Professions Licensing System. Appropriates the transferred amounts. Allows for the unobligated, unexpended amount of cash transferred during FY 2018 under this provision to be reappropriated for the same purpose in FY 2019.

Requires DAS, effective with the implementation of the replacement licensing system, to establish charges for recovering the costs of ongoing maintenance of the system. Creates the Professions Licensing System Fund (Fund 5JQ0). Requires DAS to establish charges for the state agencies, boards, and commissions that use the enterprise electronic licensing system and specifies that these amounts are to be deposited via intrastate transfer vouchers into Fund 5JQ0.

Allows DAS to assess a transaction fee to an individual who uses the state's enterprise electronic licensing system to apply for or renew a license or registration in an amount determined by DAS not to exceed \$3.50. Allows the Director of Administrative Services to collect the fee or require a state agency for which the system is being operated to collect the fee. Requires that these fees be deposited into Fund 5JQ0.

DASCD12**Enterprise IT strategy implementation****Section: 207.50**

(1) Requires the Director of Administrative Services to determine and implement strategies that benefit the state by improving efficiency, reducing costs, or enhancing capacity of information technology (IT) services.

(2) Allows the Director of Administrative Services, notwithstanding any provision of law to the contrary, to request the Director of Budget and Management to consolidate or transfer IT-specific budget authority between agencies or within an agency as necessary to implement enterprise IT cost containment strategies and related efficiencies.

(3) Allows the Director of Budget and Management to transfer appropriations, funds, and cash as needed to implement proposed initiatives to achieve the IT cost containment strategies and efficiencies if cost advantageous. Requires Controlling Board approval to establish any new fund or appropriation that may be necessary to implement these new IT strategies.

(4) Allows the Director of Budget and Management and the Director of Administrative Services to transfer any employees, assets, and liabilities, including but not limited to records, contracts, and agreements, in order to facilitate these strategies.

Executive

DASCD31 Electronic Pollbook Fund abolishment**Section: 512.90**

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible, to transfer the cash balance in the Electronic Pollbook Fund (Fund 5RT0) to the GRF and then abolishes Fund 5RT0.

Executive

AGECD8 State Long-Term Care Ombudsman Program

**R.C. 173.01, 173.14, 173.15, 173.17, 173.19,
173.191, 173.20, 173.21, 173.22, 173.24,
173.28, 173.99, and 5101.61**

Requires the State Long-Term Care Ombudsman to conduct advocacy visits with long-term care providers, residents, or recipients. Requires the State Ombudsman to authorize other representatives of the Ombudsman Office to conduct advocacy visits.

Prohibits a long-term care provider or other entity, provider or entity employee, or individual from the following: (1) denying a representative of the Office the right of private communication with a resident, recipient, or sponsor or the right of access to any facility or site; or (2) willfully interfering with a representative of the Office in the performance of any duties or exercising of any rights.

Expands the law prohibiting a long-term care provider, other entities, or provider or entity employee from retaliating against a resident or recipient for providing information to, or participating in, the registering of a complaint with the Office in the following ways: (1) prohibits any individual from engaging in retaliatory actions; (2) prohibits retaliation against provider or entity employees, representatives of the Office, or other individuals; and (3) includes discharge and termination of employment within the list of prohibited retaliatory actions.

Prohibits the State Long-Term Care Ombudsman from delegating any authority or duties to a staff member that federal law requires the State Ombudsman to exercise or perform. Exempts the State Ombudsman and representatives of the Office from the law requiring certain individuals to report suspected adult abuse, neglect, or exploitation to county departments of job and family services.

Eliminates provisions regarding investigations by ODA of alleged violations of long-term care facility Residents' Rights law, but retains the State Ombudsman's role as a residents' rights advocate.

Authorizes the State Ombudsman and representatives of the Office to report to appropriate authorities any suspected violation of state law discovered during an investigation or advocacy visit.

Eliminates the requirement that, in the case of records maintained by a long-term care provider, the resident's or recipient's oral consent must be witnessed in writing by an employee of the long-term care provider. Eliminates the requirement that each long-term care provider designate one or more employees to be responsible for witnessing the giving of oral consent.

Executive

Eliminates the requirement that the State Ombudsman take necessary action to return records obtained from a long-term care provider during the course of an investigation to the provider not later than three years after the investigation's completion.

Specifies that records relating to advocacy visits contained within the Office's investigative files are not public records.

Exempts from the law governing the maintenance of personal information systems by state or local agencies the investigative files of the Office, including any proprietary records of a long-term care provider or any records relating to advocacy visits made by representatives of the Office contained within such files.

Fiscal effect: None, the provision conforms state law to federal law.

AGECD4 Long-term care consultation program**R.C. 173.42, 173.424**

Eliminates provisions specifying the categories of individuals to whom a long-term care consultation must or may be provided.

Permits the ODA Director to adopt rules specifying criteria for identifying individuals for whom a consultation is appropriate.

Eliminates provisions specifying time frames within which a long-term care consultation must be provided or completed and permits the time frames to be specified by rule.

Permits, rather than requires, that the consultation program assist an individual in accessing all sources of appropriate care and services as part of the long-term care consultation program.

Permits the ODA Director to adopt rules specifying any additional standards or procedures the Director considers necessary for the program.

Fiscal effect: Potential increase in administrative costs for rule promulgation, any other changes would depend on rules adopted.

AGECD1 Long-Term Care Consumer Guide fee deadline and late fee**R.C. 173.48**

Permits ODA to establish a deadline for the payment of annual fees by long-term care facilities for the publication of the Ohio Long-Term Care Consumer Guide.

Executive

Permits ODA to require payment of a late penalty if the annual fee is not received within 90 days of any deadline it establishes.

Requires any late penalty paid by a long-term care facility to be reimbursed through the Medicaid Program, unless prohibited by federal law.

Fiscal effect: Potential gain in late fee revenue of approximately \$35,000 per fiscal year.

AGECD3 Choices Program

**R.C. 173.53 (repealed), 173.42, 173.51, 173.55,
and 5166.16**

Repeals references to the defunct Choices Program, formerly administered by ODA as a Medicaid Waiver Program.

Fiscal effect: None, the program ceased operations on June 30, 2014.

AGECD2 Assisted Living Waiver settings

R.C. 173.541, 173.544

Permits the ODA Director to specify via rule additional settings where Assisted Living services may be provided under both the Medicaid-funded and state-funded components of the Assisted Living Program.

Fiscal effect: According to ODA, a study will be conducted over the next biennium to determine if additional settings could provide Assisted Living services. Any rule changes would depend on the results of the study.

AGECD16 Nonvoting members of the Board of Executives of Long-Term Services and Supports

R.C. 4751.03

Specifies that the representatives of the Department of Health and the Office of the State Long-Term Care Ombudsman, respectively, are nonvoting members on the Board of Executives of Long-Term Services and Supports.

Specifies that a majority of the voting members of the Board constitutes a quorum, and requires a quorum for the Board to act.

Fiscal effect: None.

Executive

AGECD5 Board of Executives of Long-term Services and Supports disciplinary authority**R.C. 4751.04, 4751.10, 4751.14, and 4751.99**

Revises the authority of the Board of Executives of Long-Term Services and Supports to take disciplinary action against a nursing home administrator by doing all of the following:

- (1) Permits the Board to impose civil penalties, fines, and other Board-authorized sanctions against a nursing home administrator (in addition to suspending or revoking a license or registration, as under current law);
- (2) Permits, rather than requires, a court to fine or imprison a person who violates the nursing home administrator licensing law and revises the possible fine amounts to not more than \$500 for each violation (instead of a fine of \$50 to \$500 for a first violation and \$100 to \$500 for each subsequent violation, as under current law); and
- (3) Specifies that a court's existing authority to fine or imprison a person for violating the law does not preclude the Board from imposing other civil penalties or fines.

Eliminates current law's requirement that disciplinary proceedings to suspend or revoke a license or registration be instituted by the Board or begin by filing written charges with the Board.

Requires civil penalties and fines collected to be deposited into the Board of Executives of Long-Term Services and Supports (Fund 5MT0).

Fiscal effect: Potential gain in fine revenue deposited in Fund 5MT0.

AGECD13 Training and education programs for nursing home administrators**R.C. 4751.043, 4751.04, 4751.14**

Modifies the Board of Executives of Long-Term Services and Supports' authority to create education and training programs for nursing home administrators by permitting the Board to do the following: conduct the programs online or in-person, charge a fee for the programs; and contract with a government or private entity to develop or conduct the programs.

Fiscal effect: Potential increase in costs to conduct programs or to contract with entities to conduct or develop the programs. Potential gain in fee revenues.

Executive

AGECD15 Approval of continuing education courses for nursing home administrators**R.C. 4751.044, 4751.14**

Requires the Board of Executives of Long-Term Services and Supports to approve continuing education courses for nursing home administrators.

Authorizes the Board to establish a fee for approval of such courses.

Fiscal effect: Potential increase in administrative costs to approve courses, but potential gain in fee revenue for approval of these courses.

AGECD6 Long-term care**Section: 209.20**

Permits, pursuant to an interagency agreement, the Ohio Department of Medicaid (ODM) to designate ODA to perform level of care assessments.

Requires ODA to provide long-term care consultations to assist individuals in planning for their long-term health care needs.

Requires ODA to administer the Medicaid waiver-funded PASSPORT Home Care Program, the Assisted Living Program, and PACE as delegated by ODM in an interagency agreement.

AGECD10 Performance-based reimbursement**Section: 209.20**

Permits ODA to design and utilize a payment method for PASSPORT Administrative Agency (PAA) operations that includes a pay-for-performance incentive component that is earned by a PAA when defined consumer and policy outcomes are achieved.

Fiscal effect: Potential impact on earnings received by PAAs depending on whether or not the pay-for-performance is utilized and outcomes are achieved.

Executive

AGECD7 MyCare Ohio**Section: 209.30**

Extends the authority of the Office of the State Long Term Care Ombudsman to MyCare Ohio during the period of the federal financial alignment demonstration program.

Fiscal effect: Potential increase in administrative costs.

AGECD11 Senior Community Services**Section: 209.30**

Permits GRF appropriation item 490411, Senior Community Services, to be used for programs, services, and activities designated by ODA. Permits ODA to use these funds to provide grants to community organizations to support and expand evidence-based/informed programming. Requires priority to be given to low-income, frail, and/or cognitively impaired persons 60 years of age and older.

AGECD12 National Senior Service Corps**Section: 209.30**

Permits GRF appropriation item 490506, National Senior Service Corps, to be used by ODA to fund grants to organizations that receive federal funds from the Corporation for National and Community Service to support the following Senior Corps programs: (1) the Foster Grandparents Program; (2) the Senior Companion Program, and (3) the Retired Senior Volunteer Program.

Requires a grant recipient to use funds to support priorities established by ODA and the Ohio State Office of the Corporation for National and Community Service.

Specifies that neither ODA nor any area agencies on aging that are involved in the distribution of funds to lower-tiered grant recipients may use funds to cover administrative costs.

Executive

AGECD14 Board of Executives of Long-Term Services and Supports**Section: 209.40**

Permits DPF Fund 5MT0 appropriation item 490627, Board of Executives of Long-Term Care Services and Supports, to be used by the Board to administer and enforce the Nursing Home Administrators law and rules adopted under it.

AGECD9 Fund abolishments**Section: 512.90**

Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer the cash balances from the following funds to the GRF: (1) Passport/Preferred Choices Fund (Fund 4J40), (2) Ohio's Best Rx Administration Fund (Fund 5AA0), and (3) Ohio Reads/Stars Fund (Fund 5R50)

Abolishes Funds 4J40, 5AA0, and 5R50 after the cash transfer is complete.

Abolishes the following funds on the effective date of their repeal: the General Operations Fund (Fund 4H10) and the Special Projects Fund (Fund 5CE0).

Executive

AGRCD14 Ohio Agriculture Scholarship Program - Agro Ohio Fund

**R.C. 901.04, 901.90 (Repealed), 4503.503,
4503.77, Section 512.90**

Alters the purposes for which money generated from the registration and renewal of "Ohio Agriculture" license plates may be used by requiring the Director of AGR to use all of the money for promoting agriculture, rather than requiring the money also to be used to provide agriculturally related college scholarships.

Eliminates the Ohio Agriculture License Plate Scholarship Program and Ohio Agriculture License Plate Scholarship Fund Board, which makes decisions relating to the Program.

Requires money generated from the registration and renewal of "Ohio Agriculture" license plates to be deposited in the Agro Ohio Fund (Fund 4900) rather than the Ohio Agriculture License Plate Scholarship Fund (Fund 5CP0) that is repealed under the bill.

Requires the Director of Budget and Management to transfer the cash balance in Fund 5CP0 to Fund 4900 on July 1, 2017 or as soon as possible thereafter. Abolishes Fund 5CP0 on completion of the transfer.

Revises the purposes for which money in Fund 4900 may be used, including eliminating the Agro Ohio Fund grant program under which the Director of AGR awards grants for the purpose of promoting agriculture in Ohio.

Fiscal effect: The cash balance in Fund 5CP0 is approximately \$39,000. This would be deposited into Fund 4900.

AGRCD15 Brand Registration Fund

R.C. 901.43, 947.06, Section 512.90

Reallocates money generated from the registration and renewal of livestock brands to the existing Animal and Consumer Protection Laboratory Fund (Fund 6520) rather than the Brand Registration Fund (Fund 5880) as provided under current law.

Requires the Director of Budget and Management to transfer the cash balance of Fund 5880 to Fund 6520. Abolishes Fund 5880 on completion of the transfer.

Fiscal effect: The cash balance in Fund 5880 is approximately \$6,900. This would be deposited into Fund 6520.

Executive

AGRCD12 Bee colony and equipment inspection fee allocationR.C. **909.10**

Reallocates money generated from inspection fees charged for the inspection of bee colonies and beekeeping equipment to the existing Plant Pest Program Fund (Fund 5FC0) rather than the GRF as provided under current law.

Fiscal effect: None. This is a technical change, as the bee colony and equipment inspection fee is currently being deposited into Fund 5FC0. In FY 2016, \$43,280 was deposited into Fund 5FC0 from this fee. The bee colony and equipment inspection fee is fifty cents per bee colony plus a flat rate of \$20 per day.

AGRCD13 Interstate Pest Control Compact

R.C. **921.60, 921.61, 921.62, 921.63, 921.64,
921.65 (All Repealed)**

Eliminates the Interstate Pest Control Compact, which serves to remedy funding restraints, bridge the jurisdictional gaps that exist among federal and state governments, and address the realities of dynamic plant pest infestations or outbreaks.

Fiscal effect: None. According to AGR, these functions are now performed under the National Association of State Departments of Agriculture Pest Eradication Assistance and Resources Program.

AGRCD11 Nursery stock collector or dealer license fee exemption

R.C. **927.55**

Revises an exemption from the nursery stock collector or dealer license fee for a person who is not a nurseryman, dealer, or collector by specifying that the exemption applies to persons who (1) conduct the sale of nursery stock as a fund raiser for a nonprofit organization for no more than two days a year, and (2) makes no more than \$2,000 in revenue from the sale of nursery stock during a calendar year, rather than \$200 as in current law.

Fiscal effect: Potential minimal decrease in revenue from the nursery dealer's license fee deposited into the Plant Pest Program Fund (Fund 5FC0). The annual license fee is \$125.

Executive

AGRCD16 Agricultural operation and management plan law**R.C. 939.02**

Makes a corrective cross-reference change in the law governing agricultural operation and management plans.

AGRCD10 Appraisal of animals destroyed**R.C. 941.12, 941.55**

Allows the Director of AGR to order the destruction of an animal because of disease before it is appraised, rather than prohibiting the destruction order until after appraisal as under current law.

Requires the Director to take an inventory of each animal that is destroyed and record sufficient information in order for an appraisal to be conducted.

Revises procedures in current law requiring the Director of AGR to appraise an animal that is destroyed instead to authorize the owner of an animal that is ordered destroyed to have the deceased animal appraised, to request an appraisal by the Department of Agriculture, and, if the two appraisals are not in agreement, to have a third appraisal conducted by a disinterested party.

Requires the owner of an animal to have an appraisal conducted or to request an appraisal by the Department within 30 days of the destruction order, otherwise the owner waives the right to indemnification.

Fiscal effect: None apparent.

AGRCD9 Captive deer licenses - civil penalties**R.C. 943.23**

Authorizes the Director of Agriculture to assess a civil penalty for violations of the law that requires captive deer propagators and animals preserves with captive deer to be licensed, and requires such receipts to be deposited into the Captive Deer Fund (Fund 5MS0).

Specifies that the civil penalties cannot exceed \$500 for a first offense in a five-year time period, \$2,500 for a second offense within a five-year time period, and \$10,000 for a third or subsequent offense within a five-year time period.

Executive

Fiscal effect: Potential minimal increase in revenue deposited into the Captive Deer Fund (Fund 5MS0).

AGRCD8 Food processing establishment registration

R.C. 3715.041

Authorizes the Director of AGR to assess a civil penalty against a person who is operating a food processing establishment without registering the establishment.

Specifies that the civil penalty cannot exceed \$500 for a first offense within a five-year time period, \$1,500 for a second offense within a five-year time period, or \$5,000 for a third or subsequent offense within a five-year time period.

Expands the exemption from the payment of a food processing establishment registration fee to all bakeries, rather than solely home bakeries as under current law.

Fiscal effect: May increase the amount of revenue deposited into the Food Safety Fund (Fund 4P70) from civil penalties. Exempting all bakeries rather than just home bakeries from the registration requirement will, however, reduce revenue.

AGRCD7 Wine tax revenue credited to the Ohio Grape Industries Fund

R.C. 4301.43

Extends through June 30, 2019, the two cents per-gallon wine tax revenue that is credited to the Ohio Grape Industries Fund (Fund 4960).

Fiscal effect: Maintains the current amount of wine tax revenue credited to DPF Fund 4960 through the FY 2018-FY 2019 biennium to support marketing and production in the grape industry. Fund 4960 received nearly \$1.1 million from this portion of wine tax proceeds in FY 2016 and is estimated to receive about \$1.2 million in FY 2017. Receipts from the wine tax are otherwise credited to the GRF.

AGRCD2 Dangerous and Restricted Wild Animals

Section: 211.10

Specifies that GRF appropriation item 700426, Dangerous and Restricted Animals, be used to administer the Dangerous and Restricted Wild Animal Permitting Program.

Executive

AGRCD3 County Agricultural Societies**Section: 211.10**

Requires that GRF appropriation item 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

AGRCD4 Western Lake Erie Basin earmark**Section: 211.10**

Earmarks \$350,000 in each fiscal year from GRF appropriation item 700509, Soil and Water District Support, to be used by the Department of Agriculture for a program to support soil and water conservation districts in the Western Lake Erie Basin to comply with provisions of Sub. S.B. 1 of the 131st G.A. Specifies that a soil and water district's application for funding must demonstrate that the money will be used for but not limited to providing technical assistance, developing nutrient or manure management plans, hiring and training staff on best conservation practices, or other activities that assist farmers in the Western Lake Erie Basin comply with S.B. 1 of the 131st G.A.

AGRCD5 Soil and Water Districts**Section: 211.10**

Allows the Department of Agriculture, in addition to state payments to soil and water conservation districts authorized by R.C. 940.08, to use DPF Fund 5BV0 appropriation item 700661, Soil and Water Districts, to pay any soil and water conservation district an annual amount not to exceed \$40,000 upon receipt of request and justification from the district and approval by the Ohio Soil and Water Conservation Commission.

Executive

AGRCD6 Clean Ohio Agricultural Easement Operating Expenses**Section: 211.10**

Requires CLF Fund 7057 appropriation item 700632, Clean Ohio Agricultural Easement Operating, to be used to administer the Clean Ohio Agricultural Easement Purchase Program under sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised Code.

Executive

AIRCD2 Advance energy bonds and air quality bonds

**R.C. 3706.26, 166.08, 166.11, 3706.05, and
 3706.27**

Repeals the authority of the Ohio Air Quality Development Authority (OAQDA) to issue bonds to fund loans and grants for advance energy projects, but retains OAQDA authority to issue such loans and grants from any money remaining in the Advanced Energy Research and Development Fund (Fund 7005) or the Advance Energy Research and Development Taxable Fund (Fund 7004).

Clarifies that bonds issued by the OAQDA for air quality projects are not general obligations.

Fiscal effect: None. Revenue bonds to fund loans and grants for advance energy projects are no longer outstanding or issued after the state's liquor enterprise was transferred to JobsOhio in February 2013.

AIRCD1 Reimbursement to Air Quality Development Authority Trust Account

Section: 213.20

Authorizes the Ohio Air Quality Development Authority (OAQDA) to reimburse the trust account established in section 3706.10 of the Revised Code to hold bond proceeds and related revenue from all operating funds of the Authority for the expenses related to OAQDA's administration and shared costs and other responsibilities under Chapter 3706. of the Revised Code.

Executive**ARTCD1****Federal Support****Section: 217.10**

Specifies that FED Fund 3140 appropriation item 370601, Federal Support, be used by the Council for subsidies only, and not for its administrative costs, unless the Council is required to use funds for administrative costs under conditions of the federal grant.

Executive

AGOCD1 Ohio Center for the Future of Forensic Science**Section: 221.20**

Earmarks \$600,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, to be used for the Ohio Center for the Future of Forensic Science at Bowling Green State University for the purpose of fostering forensic science research techniques (BCI Eminent Scholar) and creating professional training opportunities to students (BCI Scholars) in the forensic science fields.

AGOCD2 County sheriffs' pay supplement**Section: 221.20**

- (1) Requires GRF appropriation item 055411, County Sheriffs' Pay Supplement, be used for the purpose of supplementing the annual compensation of county sheriffs as required by R.C. 325.06.
- (2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055411 to be used for the purpose of funding the supplemental annual compensation of county sheriffs.
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AGOCD3 County prosecutors' pay supplement**Section: 221.20**

- (1) Requires GRF appropriation item 055415, County Prosecutors' Pay Supplement, be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by R.C. 325.111.
- (2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055415 to be used for the purpose of funding the supplemental annual compensation of county prosecutors.
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Executive

AGOCD4 Workers' Compensation Section**Section: 221.20**

(1) Permits the Workers' Compensation Fund (Fund 1950) to receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund legal services provided by the Attorney General to those two state agencies.

(2) Requires the Bureau of Workers' Compensation to transfer quarterly payments for the support of the Attorney General's Workers' Compensation Fraud Unit.

(3) Requires that the amounts of these quarterly payments be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

AGOCD5 General holding account**Section: 221.20**

Requires that HLD Fund R004 appropriation item 055631, General Holding Account, be used to distribute money under the terms of relevant court orders or other settlements received in cases involving the Attorney General. Appropriates additional amounts if it is determined that they are necessary for this purpose.

AGOCD6 Antitrust settlements**Section: 221.20**

Requires that HLD Fund R005 appropriation item 055632, Antitrust Settlements, be used to distribute money under the terms of relevant court orders or other out of court settlements in antitrust cases or antitrust matters involving the Attorney General. Appropriates additional amounts if it is determined that they are necessary for this purpose.

Executive

AG OCD7 Consumer frauds**Section: 221.20**

Requires that HLD Fund R018 appropriation item 055630, Consumer Frauds, be used for distribution of money from court-ordered judgments against sellers in actions brought by the Attorney General under certain R.C. sections to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments. Appropriates additional amounts if it is determined that they are necessary for this purpose.

AG OCD8 Organized Crime Commission distributions**Section: 221.20**

Requires that HLD Fund 042 appropriation item 055601, Organized Crime Commission Distributions, be used by the Organized Crime Investigations Commission to reimburse political subdivisions for expenses incurred when their law enforcement officers participate in an organized crime task force. Appropriates additional amounts if it is determined that they are necessary for this purpose.

AG OCD9 Collection payment redistribution**Section: 221.20**

Requires that HLD Fund R054 appropriation item 055650, Collection Payment Redistribution, be used for the purpose of paying contingency counsel fees for cases where debtors mistakenly paid the client agencies instead of the Attorney General's Collections Enforcement Section. Appropriates additional amounts if it is determined that they are necessary for this purpose.

Executive

AUDCD1 School district performance audits**Section: 223.10**

Requires appropriation item 070409, School District Performance Audits, to be used by the Auditor of State, in consultation with the Department of Education and Office of Budget and Management, for expenses incurred in the Auditor of State's role relating to fiscal watch, fiscal caution, and fiscal emergency activities pursuant to section 3316.042 of the Revised Code.

Executive

BHPCD1 Creation of the State Behavioral Health and Social Work Board

R.C. *4744.04, conforming changes in Chapters 4732., 4757., and 4758., and other R.C. sections, and Section 515.30*

Creates the State Behavioral Health and Social Work Board (BHP) by consolidating the Chemical Dependency Professionals Board, the Counselor, Social Worker, and Marriage and Family Therapist Board, and the State Board of Psychology. Abolishes the existing boards on January 21, 2018. Specifies that any existing licenses, certificates, permits, registrations, or endorsements issued before January 21, 2018 by any of these abolished boards will continue in effect as if issued by BHP.

Specifies that BHP will have nine board members appointed by the Governor. Specifies the terms of office and that members will receive a per diem for performing official duties as well as actual and necessary expenses. Requires BHP to hire an executive director.

Requires BHP to appoint a school psychology examination committee consisting of five school psychologists.

Establishes regulatory procedures for BHP that are similar to current law provisions that apply to the boards abolished.

Requires BHP to establish a code of ethical practice for each occupation it will regulate and authorizes BHP to take disciplinary action against an applicant or license holder for violating a code of ethics (currently occupations that are to be regulated by BHP include these provisions).

Provides that employees of the applicable abolished boards are transferred to BHP and are to retain their positions and benefits. Allows the BHP Executive Director, beginning January 21, 2018 through June 30, 2019, to establish, change, and abolish positions on BHP and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all BHP employees.

Allows the boards abolished to, at the board's discretion and with the approval of the Office of Budget and Management, establish a retirement incentive plan for its employees who are members of the Public Employees Retirement System. Specifies that the plan remains in effect until January 20, 2018.

Requires license applicants for all occupations regulated by BHP to undergo criminal records checks to receive a license (continuing law generally requires a criminal records check for most professions as a condition of licensure, but the bill adds these provisions for chemical dependency licenses).

Executive

Generally provides for electronic occupational license applications and renewals by eliminating current law requirements that applications for psychology and school psychology licenses, behavior analyst certificates, and licenses and certificates issued under the Counselors, Social Workers, and Marriage and Family Therapists and the Chemical Dependency Professionals licensing laws be written.

Fiscal effect: BHP is appropriated \$1.1 million in FY 2018 and \$2.6 million in FY 2019 to perform the duties required by the bill.

Executive

ETCCD1 Statehouse News Bureau**Section: 281.20**

Specifies that GRF appropriation item 935401, Statehouse News Bureau, be used solely to support the operation of the Ohio Statehouse News Bureau.

ETCCD2 Ohio Government Telecommunications Services**Section: 281.20**

Specifies that GRF appropriation item 935402, Ohio Government Telecommunications Services, be used solely to support the operations of Ohio Government Telecommunications Services, which include providing multimedia support to the state government and its affiliated organizations and broadcasting the activities of the legislative, judicial, and executive branches of government.

ETCCD3 Content Development, Acquisition, and Distribution**Section: 281.20**

Specifies that GRF appropriation item 935410, Content Development, Acquisition, and Distribution, be used for the development, acquisition, and distribution of information resources by public media and radio reading services and for educational use in the classroom and online. Makes the following earmarks:

- (1) Up to \$1,008,099 in each fiscal year to be allocated equally among Ohio's educational television stations for the production of interactive instructional programming, which must be targeted to the needs of the one-third lowest capacity school districts as determined by the state share index calculated by the Department of Education.
- (2) Up to \$2,654,095 in each fiscal year to support the operations of Ohio's qualified public educational television stations and radio stations. Specifies that funds be distributed pursuant to an allocation formula used by the former Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by BEMC in consultation with Ohio's qualified public educational television stations and radio stations.

Executive

(3) Up to \$294,900 in each fiscal year to support the operations of Ohio's qualified radio reading services. Specifies that the funds be distributed pursuant to an allocation formula used by the former Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by BEMC in consultation with Ohio's qualified radio reading services

Executive

OBMCD18 Monetary settlements with state agencies**R.C. 109.112, 126.071**

Requires the Attorney General to notify and consult the Director of Budget and Management to determine the appropriate fund or funds in which to transfer any money received from a court order in which the state of Ohio or any agency or officer of the state is named. Requires the Attorney General to transfer the money from the Attorney General Court Order Fund to the appropriate fund.

Prohibits any state agency from agreeing to any monetary settlement that obligates payment from a fund in the State Treasury without consulting the Director of Budget and Management.

OBMCD9 OBM review of law changes affecting public obligations**R.C. 126.11**

Requires state agencies and state issuers seeking changes to certain state public obligations laws to timely submit those changes to the Director of Budget and Management for review and comment.

Fiscal effect: There will be minimal regulatory and administration costs added as the result of the new review procedures. Costs are expected to be absorbed by OBM and any other affected state agency or institution.

OBMCD10 OBM authority to correct errors**R.C. 126.22**

Authorizes the Director of Budget and Management to correct accounting errors committed by any state agency or state institution of higher education, including, but not limited to, the reestablishment of encumbrances cancelled in error.

Fiscal effect: Codifies a provision which has been included in uncodified law of budget acts in the 129th, 130th, and 131st General Assemblies. A similar temporary law provision can be found in Section 503.60 of H.B. 49 of the 132nd General Assembly [see OBMCD24].

Executive

OBMCD11 Audit costs**Section: 229.20**

Requires all costs associated with single audit schedules or financial statements prepared in conformance with generally accepted accounting principles for the state to be paid from ISA Fund 1050 appropriation item 042603, Financial Management.

Requires costs associated with the audit of the Auditor of State to be paid from GRF appropriation item 042321, Budget Development and Implementation.

OBMCD13 Shared services**Section: 229.20**

Requires GRF appropriation item 042425, Shared Services Development, and ISA Fund 1050 appropriation item 042620, Shared Services Operating, to be used by the Director of OBM to support the Shared Services program.

Requires the Director of OBM to include the recovery of costs to operate the Shared Services program in the accounting and budgeting services payroll rate and through direct charges using intrastate transfer vouchers billed to agencies for services rendered using a methodology determined by the Director of OBM and cost recovery revenues to be deposited into the Accounting and Budgeting Fund (Fund 1050).

OBMCD14 Internal audit**Section: 229.20**

Requires the Director of OBM to include the recovery of costs to operate the Internal Audit Program in the accounting and budgeting services payroll rate and through direct charges using intrastate transfer vouchers billed to agencies reviewed by the program using a methodology determined by the Director of OBM. Requires such cost recovery revenues to be deposited into Fund 1050.

Executive

OBMCD15 Forgery recovery**Section: 229.20**

Requires Fund 5EH0 appropriation item 042604, Forgery Recovery, to be used to reissue warrants that have been certified as forgeries by the rightful recipient as determined by the Bureau of Criminal Identification and Investigation and the Treasurer of State. Requires the Director of OBM to reissue a state warrant upon receipt of funds to cover the reissuance of the warrant. Appropriates any additional amounts needed to reissue warrants backed by receipt of funds.

OBMCD19 Personal service expenses**Section: 503.10**

Requires any appropriation from which personal service expenses are paid to bear the employer's share of various costs, unless otherwise prohibited by law. Requires that these costs be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by OBM. Permits expenditures from appropriation item 070601, Public Audit Expense - Intra-State, to be exempted from this requirement.

OBMCD20 Satisfaction of judgments and settlements against the state**Section: 503.20**

Permits the use of certain appropriations to satisfy judgments, settlements, and administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state.

Executive

OBMCD21 Capital project settlements**Section: 503.30**

Specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of OBM determines that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation.

OBMCD22 Re-issuance of voided warrants**Section: 503.40**

Provides funds for the reissuance of voided warrants under R.C. 126.37, when approved by OBM.

OBMCD23 Reappropriation of unexpended encumbered balances of operating appropriations**Section: 503.50**

- (1) Reappropriates on July 1 of the following fiscal year an unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year from the fund from which it was originally appropriated or reappropriated for various time periods based on the type of encumbrance.
- (2) Requires any operating appropriations for which unexpended balances are reappropriated for an encumbrance for an item of special order manufacture not available on state contract or in the open market to be reported to the Controlling Board by the Director of OBM by December 31 each year. Requires the report on each such item to include the item, the cost of the item, and the name of the vendor. Requires the report to be updated on a quarterly basis for encumbrances remaining open.
- (3) Specifies that a reappropriation made pursuant to this provision lapses upon the expiration of the reappropriation time periods referenced in this section and requires the Director of OBM to cancel the encumbrance of the unexpended reappropriation no later than the end of the weekend following the expiration of the reappropriation period.

Executive

(4) Specifies that if the Controlling Board approved a purchase, that approval remains in effect so long as the appropriation used to make that purchase remains encumbered.

OBMCD24 Correction of accounting errors**Section: 503.60**

(1) Permits the Director of OBM to correct accounting errors committed by OBM staff, such as reestablishing encumbrances or appropriations cancelled in error, during the cancellation of operating encumbrances in November and of nonoperating encumbrances in December.

(2) Permits the Director of OBM to correct accounting errors committed by the staff of a state agency or state institution of higher education, such as reestablishing prior year nonoperating encumbrances canceled or modified in error. Appropriates the reestablished encumbrance amounts.

OBMCD25 Temporary revenue holding**Section: 503.70**

Permits the Director of Budget and Management to create funds in the state treasury for the purpose of temporarily holding revenue required to be credited to a fund in the state treasury, whose disposition is not immediately known at the time of receipt. Requires the Director to credit the revenue to the appropriate fund in the state treasury, once it is identified.

OBMCD26 Appropriations related to cash transfers and re-establishment of encumbrances**Section: 503.80**

Specifies that any cash transferred by the Director of OBM under R.C. 126.15 (for the purpose of making adjustments to capital or operating budgets) and any amounts necessary to re-establish appropriations or encumbrances under that section are appropriated.

Executive

OBMCD27 Income tax distribution to counties**Section: 503.100**

Appropriates from the GRF sufficient funds to make income tax distribution payments to counties required by R.C. 5747.03(B)(2).

OBMCD28 Transfers to the General Revenue Fund of interest earned**Section: 512.10**

Authorizes the Director of OBM to transfer to the GRF interest earned in any state fund, with the exception of funds that are restricted or protected by the Ohio Constitution, federal tax law, or the federal Cash Management Improvement Act.

OBMCD29 Cash transfers to the General Revenue Fund from non-GRF funds**Section: 512.20**

Permits the Director of OBM to transfer up to \$200 million cash during the FY 2018-FY 2019 biennium from non-GRF funds that are not constitutionally restricted to the GRF.

OBMCD30 Unclaimed fund remittance**Section: 512.40**

Permits the Director of Budget and Management to request the Director of Commerce to remit to the GRF, during the FY 2018-FY 2019 biennium, up to \$200 million of unclaimed funds that have been reported by holders of unclaimed funds to the unclaimed funds trust fund. Requires the Director of Commerce to remit the funds at the time requested by the Director of Budget and Management.

Executive

OBMCD31 FY 2017 GRF ending balance**Section: 512.50**

Requires the Director of OBM to allocate cash from the FY 2017 surplus GRF revenue that would otherwise be transferred to the Budget Stabilization Fund (Fund 7013) or the Income Tax Reduction Fund (Fund 4R80) as follows:

- (1) Transfer up to \$207,000,000 cash to the Medicaid Local Sales Tax Transition Fund
 - (2) Transfer up to \$273,415 cash to the Lake Erie Protection Fund
-

OBMCD40 Accounting and encumbrance changes related to consolidation of health boards**Section: 515.35**

Requires the Director of Budget and Management to make any accounting changes made necessary by the transfers and consolidations related to the creation of the State Vision and Hearing Professionals Board, the State Behavioral Health and Social Work Board, and the State Physical Health Services Board.

Permits the Director of Budget and Management to cancel an existing encumbrance of an abolished agency, and to reestablish the encumbrance under one of the newly created boards, the State Pharmacy Board, or the State Medical Board, and appropriates those amounts.

OBMCD32 General obligation debt service payments**Section: 518.10**

Specifies that certain appropriations of the bill are for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state. Appropriates additional amounts to fully fund those costs if additional amounts are necessary.

Executive

OBMCD33 Lease rental payments for debt service**Section: 518.20**

Specifies that certain appropriations of the bill are for the purpose of making lease rental payments pursuant to leases and agreements related to certain bonds or notes of the state. Appropriates additional amounts to fully fund those costs if additional amounts are necessary.

OBMCD34 Authorization for Treasurer of State and OBM to effectuate certain debt service payments**Section: 518.30**

Directs OBM to process payments from general obligation and lease rental payment appropriation items during the FY 2018-FY 2019 biennium relating to bonds or notes issued under Sections 2i, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 2r, 2s, and 15 of Article VIII, Ohio Constitution, and Chapters 151., 152., and 154. of the Revised Code. Requires payments to be made upon certification by the Treasurer of State of the dates and the amounts due on those dates.

OBMCD35 State and local rebate authorization**Section: 521.10**

Appropriates, from the funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code. Requires OBM to approve and voucher rebate payments.

Executive

OBMCD36 Statewide indirect cost recovery**Section: 521.20**

Appropriates from available receipts amounts required for statewide indirect costs when the Director of OBM has determined that an appropriation made to a state agency for this purpose is insufficient.

OBMCD37 Transfers on behalf of the statewide indirect cost allocation plan**Section: 521.30**

(1) Prohibits total transfers made from the GRF by the Director of OBM under these provisions from exceeding the amounts transferred into the GRF for the purpose of recovering statewide indirect costs under R.C. 126.12.

(2) Allows the director of an agency to certify to the Director of OBM the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan (SWICAP) under federal regulations, from any fund included in the SWICAP, prepared as required by R.C. 126.12.

(3) Permits the Director of OBM, upon determining that no alternative source of funding is available to pay for such expenses, to transfer funds from the GRF to the fund for which the certification is made up to the amount of the certification. Requires the director of an agency receiving such funds to include a request for funding for such activities from an alternative source as part of the next budget submission.

(4) Allows the director of an agency to certify to the Director of OBM the amount of expenses paid in error from a fund included in the SWICAP. Allows the Director of OBM to transfer cash from the fund from which the expenditure should have been made into the fund from which the expenses were erroneously paid, up to the amount of the certification.

(5) Allows the director of an agency to certify to the Director of OBM the amount of expenses or revenues not allowed to be included in the SWICAP under federal regulations, for any fund included in the SWICAP, for which the federal government requires payment. Appropriates from the available receipts of such a fund, up to the amount of the certification, the amount required by the federal government if the Director of OBM determines that an appropriation made to a state agency is insufficient to make the payment.

Executive

OBMCD38 Federal government interest requirements**Section: 521.40**

Authorizes the Director of OBM to designate the funds that are to retain their own interest earnings in order to reduce the payment of adjustments to the federal government, as determined by the Statewide Indirect Cost Allocation Plan prepared pursuant to R.C. 126.12(A).

OBMCD39 Federal Cash Management Improvement Act**Section: 521.50**

Allows the Director of OBM to cancel and reestablish all or part of encumbrances in like amounts within the funds identified by the plan required to be prepared under R.C. 131.36 for compliance with the Federal Cash Management Improvement Act. Appropriates the amounts necessary to reestablish all or part of the encumbrances.

Executive

CSRCD1 Removal of obsolete reference in Capitol Square Review and Advisory Board law**R.C. 105.41**

Removes an obsolete reference in the Capitol Square Review and Advisory Board Law that pertains to the Board's prior involvement in the management of the Ohio Governmental Telecommunications System (this involvement was terminated in 2001 by Am. Sub. H.B. 94 of the 124th G.A.).

Fiscal effect: None.

CSRCD2 Operating Expenses**Section: 231.10**

Permits the Executive Director of CSRAB to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 874320, Maintenance and Equipment, at the end of FY 2017 and FY 2018 to be reappropriated to FY 2018 and FY 2019, respectively, and reappropriates those amounts.

CSRCD3 Underground Parking Garage Fund**Section: 231.10**

Permits the Underground Parking Garage Fund (Fund 2080) to be used for personnel and operating costs related to the operations of the Statehouse and the Statehouse Underground Parking Garage, notwithstanding provisions of the Revised Code requiring the fund to be used only for the garage.

CSRCD4 House and Senate Parking Reimbursement**Section: 231.10**

Requires the Director of OBM to transfer \$500,000 cash in each fiscal year from the GRF to the Underground Parking Garage Fund (Fund 2080) for the reimbursement of House and Senate parking costs.

Executive

COMCD14 Financial Institutions

R.C. ***1123.01, 1123.02, 1123.03, 1121.10, 1121.24, 1121.29, 1121.30, 1123.03, 1155.07, 1155.10, 1163.09, 1163.13, and 1181.06; Repealed: 1181.16-1181.18; Sections 512.90, 512.120, and 803.30***

Eliminates the Savings and Loan Associations and Savings Banks Board and, instead, increases the membership of the Banking Commission by two and revises the qualifications of members to include directors or officers of savings banks, savings associations, bank holding companies, or savings and loan holding companies.

Eliminates the Savings Institutions Fund (Fund 5450) and, instead, requires that the assessments, examination and other fees, and forfeitures paid by savings and loan associations and savings banks be deposited into the Banks Fund (Fund 5440). Allows the Director of Budget and Management to transfer the cash balance of Fund 5450 to Fund 5440 in FY 2018. Requires the Superintendent to preserve bank examination reports for 10 rather than 20 years, as is required under current law.

Reinstates the authority of the Superintendent of Financial Institutions to (1) charge banks application fees and the costs of special or follow-up examinations and visitations and (2) assess banks, savings banks, and savings and loan associations as necessary to fund the operations of the Division of Financial Institutions. (This authority was repealed in 2015 by H.B. 340 of the 131st G.A.)

Fiscal effect: The cash balance in Fund 5450 is \$2.1 million and would be transferred to Fund 5440. Also, increases revenue deposited into Fund 5440 from reinstating assessments charged by the Division of Financial Institutions on banks, savings and loan associations, and savings banks to fund the operations of the Division.

COMCD2 Bedding and toy tests

R.C. ***3713.04***

Continues the current law authority for the Superintendent of Industrial Compliance to designate private laboratories for tests and analysis of bedding and stuffed toys, but removes a specification that these laboratories be in various sections of the state.

Fiscal effect: None.

Executive

COMCD1 State fire marshal vacancy

R.C. 3737.21

Revises the role of the State Fire Council in gathering candidates to fill the position of State Fire Marshal by eliminating requirements that the State Fire Council (1) notify all known or discoverable fire chiefs and fire protection engineers of the vacancy, and (2) make a list of all qualified applicants for the position. Retains the requirement that the State Fire Council submit the names of at least three qualified candidates to the Director of Commerce.

Fiscal effect: Possible negligible decrease in administrative costs to the State Fire Marshal Fund (Fund 5460) that is used to pay State Fire Council expenses.

COMCD3 Boilers - certificates of operation fees

R.C. 4104.15, 4104.18

Eliminates the requirement of a satisfactory inspector's report for the Superintendent of Industrial Compliance to issue or renew a certificate of operation for newly installed or operating power boilers, high pressure, high temperature water boilers, low pressure boilers, and process boilers, but maintains the inspection report requirement for certain boilers used to control corrosion.

Requires the Superintendent, in considering whether to issue or renew a certificate, to find that the owner or user of boilers used to control corrosion kept certain records and did not operate the boiler at pressures exceeding the safe working pressure.

Replaces the Director of COM with the Superintendent of Industrial Compliance as the person who may increase the fees for licensing, inspections, and issuing certificates of operation.

Authorizes the Superintendent to establish fees to pay the costs necessary to fulfill the duties of the Division of Industrial Compliance in relation to boilers.

Fiscal effect: Allows COM to establish fees to pay the costs necessary to regulate boilers. Fees are deposited into the Industrial Compliance Operating Fund (Fund 5560).

Executive

COMCD10 Elevator fees

R.C. 4105.17

Limits the authority of the Division of Industrial Compliance to charge fees for elevator, escalator, and moving walk inspections to attempted inspections by a general inspector that failed through no fault of the inspector or the Division; eliminates the fee for successful inspections.

Requires any person who fails to pay a certificate of operation fee within 45 days after expiration to pay a late fee equal to 25% of the inspection fee.

Allows the Superintendent of Industrial Compliance to increase the inspection fees and the fees for issuing and renewing certificated of operation by rule under the Chapter 119. process, but requires that these fees bear some reasonable relationship to the cost of administering and enforcing elevator inspection and operation laws.

Allows the Superintendent to establish fees to pay the costs of the Division incurred in connection with administering and enforcing the Elevator Law.

Fiscal effect: Allows COM to increase and establish fees to pay the cost of the Division of Industrial Compliance to fulfill these duties. Fees are deposited into the Industrial Compliance Operation Fund (Fund 5560).

COMCD4 Licenses for real estate brokers and salespersons

R.C. 4745.01

Clarifies that licensed real estate brokers and salespersons are not subject to the Standard Renewal Procedure Law, which requires a licensee to send any license renewal materials to the State Treasurer. Continuing law requires the Division of Real Estate, not the State Treasurer, to process license renewals for real estate brokers and salespersons.

Fiscal effect: None.

Executive

COMCD13 Merger of the Manufactured Homes Commission into the Department of Commerce

**R.C. *4781, with conforming changes in 1923.02,
3781.06, 4505.181, Sections 515.20, 515.21***

Abolishes the Manufactured Homes Commission and transfers all of its duties to the Department of Commerce and the Director of Commerce, including (1) the licensure of manufactured housing installers, including the issuance of fees for license applications and renewals, (2) the review of design plans and periodic inspection of manufactured homes and manufactured home installation, (3) the investigation of complaints concerning violations of Ohio's Manufactured Homes Law, and (4) the adoption of rules to administer Ohio's Manufactured Homes Law.

Requires the Director of Budget and Management on January 21, 2018, or as soon as possible thereafter, to transfer the cash balance in the Manufactured Homes Commission Regulatory Fund (Fund 5MC0) to the Industrial Compliance Operating Fund (Fund 5560). Abolishes Fund 5MC0 upon completion of the transfer.

Requires the Director of Commerce on or before March 21, 2018, to certify to the Director of Budget and Management an amount of cash in the Occupational Licensing Regulatory Fund (Fund 4K90) representing the amount of remaining receipts deposited into the fund by the Manufactured Homes Commission. Allows the Director of Budget and Management to transfer up to the amount certified to the Manufactured Homes Regulatory Fund (Fund 5SU0).

Allows the Director of Budget and Management, upon the written request of the Director of Commerce, to transfer up to \$200,000 in cash from Fund 5560 to Fund 5SU0 in FY 2018 to support the additional regulatory and licensing functions.

Requires the Director of Budget and Management on January 21, 2018, or as soon as possible thereafter, to cancel any existing encumbrances against appropriation item 996610, Manufactured Homes Regulation, and reestablish them against appropriation item 800615, Industrial Compliance. Requires the Director of Budget and Management on or before March 21, 2018, to cancel any existing encumbrances against appropriation item 996609, Manufactured Homes Operating Expenses, and reestablish them against appropriation item 800649, Manufactured Homes Regulation.

Allows the Director of Budget and Management to make budget changes necessary as a result of the transfer. Requires the Director of Commerce to certify the additional appropriation if it is determined to be needed in appropriation item 800615, Industrial Compliance, and appropriation item 800649, Manufactured Homes Regulation, to the Director of Budget and Management. Appropriates up to such certified amounts upon approval of the Director of Budget and Management.

Executive

COMCD5 Unclaimed funds payments**Section: 243.20**

Requires DPF Fund 5430 appropriation item 800625, Unclaimed Funds-Claims, to be used to pay claims under R.C.169.08 and permits the Director of Commerce to request that the Director of Budget and Management appropriate additional amounts if needed. Appropriates the additional amounts.

COMCD6 Division of Real Estate and Professional Licensing**Section: 243.20**

Requires DPF Fund 4B20 appropriation item 800631, Real Estate Appraisal Recovery, to be used to pay settlements, judgments, and court orders under R.C. 4763.16. Permits the Director of Commerce to request that the Director of Budget and Management appropriate additional amounts if needed. Appropriates the additional amounts.

Requires DPF Fund 5480 appropriation item 800611, Real Estate Recovery, to be used to pay settlements, judgments, and court orders under R.C. 4735.15 and, as above, appropriates additional amounts for this purpose if necessary.

COMCD7 Fire Department Grants**Section: 243.20**

(1) Requires that DPF Fund 5460 appropriation item 800639, Fire Department Grants, to make grants to volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships.

(2) Requires the grants to be used to purchase firefighting or rescue equipment or gear or similar items, to provide full or partial reimbursement for the documented costs of firefighter training, or, at the discretion of the State Fire Marshal, to cover fire department costs for providing fire protection services in the grant recipient's jurisdiction.

Executive

(3) Earmarks up to \$1,000,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to pay for the State Fire Marshal's costs of providing certain firefighter training classes at no cost to selected students, and allows the State Fire Marshal to establish the qualification and selection process for such classes.

(4) Earmarks up to \$3,000,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to be used for Multi-Agency Radio Communication System (MARCS) grants. Establishes the criteria for the awarding of these grants, including authority for the State Fire Marshal to give a preference to grants that will enhance emergency communication networks in the geographic region that includes and is adjacent to the applicant's jurisdiction. Specifies that the awards may be up to \$50,000 annually per recipient

(5) Limits grant awards for firefighter or rescue equipment or gear or fire department costs of providing fire protection services to \$15,000 per fiscal year, or up to \$25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded, and up to \$15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training, which could be in addition to any grant funds awarded for equipment or fire protection services. Requires the State Fire Marshal to determine the total amounts to be allocated for each eligible purpose.

(6) Requires the State Fire Marshal to administer the grant program in accordance with rules adopted as part of the State Fire Code, which may further define eligible entities and establish criteria for the awarding and expenditure of grant funds.

(7) Permits any appropriations in excess of the amount allocated for the grants to be used to administer the grant program.

COMCD8**Cash transfers to Division of Real Estate Operating Fund****Section: 243.20**

Allows the Director of Budget and Management, upon the request of the Director of Commerce, to transfer up to \$500,000 in cash from the Real Estate Recovery Fund (Fund 5480) and up to \$250,000 in cash from the Real Estate Appraiser Recovery Fund (Fund 4B20) to the Division of Real Estate Operating Fund (Fund 5490) during the biennium.

Executive

COMCD9 Cash transfer to the Small Government Fire Department Services Revolving Loan Program**Section: 243.20**

Allows the Director of Budget and Management, upon the request of the Director of Commerce, to transfer up to \$300,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Small Government Fire Department Services Revolving Loan Fund (Fund 5F10) during the FY 2018-FY 2019 biennium.

COMCD15 Medical Marijuana Control Program Repayments**Section: 512.70**

Requires the Director of COM and the Executive Director of the Pharmacy Board to consult with Director of Budget and Management to determine a repayment schedule during the biennium to fully repay the FY 2017 transfer from the Emergency Purposes/Contingency Fund (Fund 5KM0) to the Medical Marijuana Control Program Fund (Fund 5YS0).

Fiscal effect: The transfer from Fund 5KM0 to Fund 5YS0 was about \$1.8 million. Of this amount, \$923,077 was transferred to COM under appropriation item 800650, Medical Marijuana Control Program. The remaining \$882,400 was transferred to the Pharmacy Board under appropriation item 887613, Medical Marijuana Control Program. These repayments will be deposited into the GRF.

COMCD11 Liquor Control Fund**Section: 512.90**

Requires the Director of Budget and Management to transfer the cash balance remaining in the Liquor Control Fund (Fund 7043) to GRF. Abolishes Fund 7043 after the transfer.

Fiscal effect: The remaining cash balance in Fund 7043 is approximately \$14,700.

Executive

CEBCD2 Federal share**Section: 247.20**

Requires the Controlling Board, in transferring appropriations to and from appropriation items that have federal shares identified in the bill, to add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in the bill, and appropriates such changes.

CEBCD3 Disaster services**Section: 247.20**

- (1) Requires the Controlling Board to use the Disaster Services Fund (Fund 5E20), pursuant to requests submitted by state agencies, to transfer cash used for the payment of state agency disaster relief program expenses for disasters having a written Governor's authorization, if the Director of Budget and Management determines that sufficient funds exist.
 - (2) Permits the Department of Public Safety to request, and the Controlling Board to approve, cash transfers from Fund 5E20 to any fund used by the Department to provide for assistance to political subdivisions made necessary by natural disasters or emergencies. Permits such transfers to be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.
 - (3) Requires Public Safety's Emergency Management Agency (EMA) to use the cash to fund: (a) the State Disaster Relief Program for disasters that qualify for the program by written authorization of the Governor, and (b) the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization from the Governor. Requires the EMA to publish and make available application packets for those two programs.
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Executive

CEBCD1 Controlling Board approval of expenditures and appropriation increases**Section: 503.110**

Appropriates for the biennium ending June 30, 2019, any money that the Controlling Board approves for expenditure or any increase in appropriation that the Controlling Board approves under sections 127.14, 131.15, and 131.39 of the Revised Code or any other provision of law.

Executive

COSCD3 Straight-razor license**R.C. 4709.07, 4709.01**

Creates a straight-razor license that barbers must obtain prior to being able to shave or trim the facial hair and prohibits this practice without a straight-razor license on or after April 21, 2018. Requires the Board to set the application fee and establish the license fee by rule.

Establishes the requirements to obtain a straight-razor license, including that the applicant: (1) Be at least 18 years of age; (2) have an eighth grade education; and (3) complete 240 hours in training from a barber school or 120 hours if the applicant holds a current cosmetology or hair designer license. Specifies that no hours of instruction under (3) count if earned five or more years prior to the individual's application for a straight-razor license.

Fiscal effect: Increase in fee revenue.

COSCD2 Combination of State Cosmetology and Barber Boards into State Cosmetology and Barber Board

**R.C. 4713.02, Barber Laws: 4709.02, 4709.05,
4709.07-4709.10, 4709.12-4709.14, and
4709.23. Repeals 4709.04, 4709.06, 4709.26,
and 4709.27. Cosmetology Laws: 4713.01-
4713.07, and various other sections. Section
515.40**

Renames the State Board of Cosmetology to the State Cosmetology and Barber Board effective January 21, 2018.

Adds two barbers to the membership of the State Cosmetology and Barber Board, specifying that one must be an employer barber and that one must be an employee barber, both of whom must have been licensed in Ohio for at least five years. Permits the Governor to remove any member of the Board for cause.

Abolishes the Barber Board on January 21, 2018, and transfers its duties and employees to the State Cosmetology and Barber Board. Establishes the process for assigning and reassigning personnel of the merged board, including: (1) specifying that employees of the former Barber Board retain their positions and benefits; (2) during the period beginning January 21, 2018, and ending June 30, 2019, authorizing the Executive Director of the State Cosmetology and Barber Board to establish, change, and abolish positions and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all exempt employees; and (3) specifying that personnel actions affecting exempt employees are not subject to

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appeal to the State Personnel Board of Review.

Allows the Barber Board, at the Board's discretion and with approval from OBM, to establish a retirement incentive plan for eligible employees of the Barber Board who are members of the Public Employees Retirement System through January 20, 2018.

Transfers all equipment, assets, supplies, records, and other property of the Barber Board to the State Cosmetology and Barber Board on January 21, 2018.

Allows the Director of Budget and Management, to make the necessary budget changes, including cancelling encumbrances against the Barber Board and reestablishing them against the State Cosmetology and Barber Board. Appropriates the reestablished encumbrances.

Fiscal effect: Depends on the various administrative and personnel changes that occur as part of the merger.

COSCD1**Cosmetology fee adjustments and caps****R.C. 4713.10**

Allows the Board to raise the following existing fees and establishes fee caps as follows: (1) Temporary pre-examination work permit, from \$7.50 to not more than \$15; (2) Initial application to take an examination, from \$31.50 to not more than \$40; (3) Take an examination after previously failing to show, from \$40 to not more than \$55; (4) Retake an examination after previously failing, from \$31.50 to not more than \$40; (5) Issuance of practice, advanced, or instructor license from \$45 to not more than \$75 (6) Renewal of practice, advanced, instructor, or reciprocal license, from \$45 to not more than \$70; (7) Issuance of a salon license, from \$75 to not more than \$100; (8) Salon ownership or name change, from \$75 to not more than \$100; (9) Salon license renewal, from \$60 to not more than \$90; and (10) Issuance of a license duplicate, from \$20 to not more than \$30.

Specifies that existing law amounts for the following where an exact fee is specified is instead the maximum the Board is allowed to charge: (1) Issuance of a reciprocal license, from \$70 to not more than \$70; (2) Issuance or renewal of a cosmetology school license, from \$250 to not more than \$250; (3) Lapsed renewal fee for restored practicing, advanced, or instructor license, from \$45 to not more than \$45 per renewal period; and (4) Preparing and mailing licensee records to another state, from \$50 to not more than \$50.

Requires the Board to adjust fees biennially within the specified limits to provide sufficient revenues to meet expenses.

Executive

Fiscal effect: The bill modifies the fees for cosmetology licenses by removing specific amounts that must be charged for particular licenses and instead allows the board discretion to establish the fees up to specified maximum amounts. This may result in an increase in license revenue collected by the Board. However, any changes to the amount of revenue collected will ultimately depend on the fees the Board chooses to charge for particular licenses.

Executive

CLACD2 Court of Claims Public Records Fund**R.C. 2743.75**

Requires that: (1) the filing fees collected by the Court of Claims for complaints alleging a denial of access to public records be deposited into the Public Records Fund, which is created by the bill, (2) all investment earnings of the fund be credited to the fund, and (3) the Court use the money to defray the costs it incurs in resolving the complaints.

CLACD1 Public records adjudication**Section: 253.10**

Requires GRF appropriation item 015403, Public Records Adjudication, to be used by the Court of Claims to perform its duties and responsibilities as directed by S.B. 321 of the 131st General Assembly.

Fiscal effect: None, as the provision simply creates a fund for fees "kept" by the Court for this purpose under current law.

Executive

DENCD2 Dental professional fees

**R.C. 4715.13, 4715.14, 4715.16, 4715.21, 4715.24,
4715.27, 4715.362, 4715.363, 4715.369,
4715.37, 4715.53, 4715.62, 4715.63, and
4715.70**

Increases fees charged to dentists from: \$210 to \$267 for a license issued in an odd-numbered year and from \$357 to \$454 for a license issued in an even-numbered year; \$245 to \$312 for a biennial renewal license; \$300 to \$381 for a license reinstatement (plus biennial registration fee as under current law); \$100 to \$127 for a late renewal fee (plus biennial registration fee as under current law); \$10 to \$13 for a limited resident's license; \$101 to \$127 for a limited teaching license and an initial temporary limited continuing education license; \$75 to \$94 for a renewal of a temporary limited continuing education license; and \$20 to \$25 for an initial and renewal oral health access supervision permit.

Increases fees charged to dental hygienists from: \$96 to \$120 for a certificate issued in an odd-numbered year and from \$147 to \$184 for a certificate issued in an even-numbered year; \$115 to \$144 for a biennial renewal registration; \$31 to \$39 for certificate reinstatement (plus biennial registration fee as under current law); \$58 to \$73 for a limited hygiene teaching certificate; and \$20 to \$25 for initial and renewal of a permit to practice under the oral health access supervision of a dentist.

Increases fees for other dental professionals from: \$25 to \$32 for an initial and renewal dental x-ray machine operator certificate; and \$20 to \$25 for an initial and renewal expanded function dental auxiliary registration.

Increases from \$20 to \$40 the amount of the dentists' biennial registration fee allocated to the Dentist Loan Repayment Fund (Fund 5Z70), used by the Ohio Department of Health.

Requires all individuals seeking licenses, permits, registrations, and certificates from the Dental Board to pay a \$5 financial services fee.

Eliminates the express requirement that biennial registration fees for practicing dentists be paid to the Treasurer of State.

Eliminates the option to pay the fee for a permit to practice under oral health access supervision of a dentists with a personal check.

Fiscal effect: License fee changes result in a gain in revenue of approximately \$680,050 in even-numbered fiscal years, of which approximately \$140,000 will be transferred to the Ohio Department of Health for the Dental Loan Repayment Program, and a gain of \$100,000 in odd-numbered fiscal years. The \$5 financial services fee will result in a gain of revenue of approximately \$179,000 over the course of a biennium.

Executive

BDPCD1 Board of Deposit Expense Fund**Section: 257.10**

Requires that after receiving certification of expenses from the Treasurer of State, the Director of Budget and Management transfer cash from the Investment Earnings Redistribution Fund (Fund 6080) to the Board of Deposit Expense Fund (Fund 4M20) to pay for any and all necessary expenses of the Board of Deposit or for banking charges and fees required for the operation of the State of Ohio Regular Account.

Executive

DEVCD5 TourismOhio Advisory Board**R.C. 122.071**

Authorizes the Chief Investment Officer (CIO) of JobsOhio to designate an individual to serve on the CIO's behalf on the TourismOhio Advisory Board. (Currently, the CIO serves on the board along with nine members appointed by the Governor representing various tourism-related industries.)

Fiscal effect: None.

DEVCD3 Duties of DSA's Office of Small Business**R.C. 122.08, 122.081**

Renames the Office of Small Business within DSA the Office of Small Business and Entrepreneurship (OSBE).

Requires OSBE to provide information regarding the resources available on the OhioMeansJobs website and at the OhioMeansJobs one-stop centers.

Eliminates requirements under current law that the Office receive, compile, and analyze a list of complaints from small businesses concerning government activity and annually report on the number of rules affecting small business created by state agencies.

Fiscal effect: Minimal.

DEVCD2 Tax credit fee revenue to Tax Incentive Operating Fund**R.C. 122.174, 122.17, 122.171, 122.175, 122.85,
122.86, 3735.672, 5709.68, 5725.33**

Creates the Tax Incentives Operating Fund, consolidating tax credit application fee revenue received into various funds under current law, including (1) the Business Assistance Fund, (2) the Ohio New Markets Tax Credit Operating Fund, and (3) the Invest Ohio Support Fund.

Executive

Fiscal effect: Practically, the various tax credit fees will continue to support the Business Services Division as under current law. Technically, the provision consolidates the tax credit fees into the newly named Tax Incentives Operating Fund (Fund 5JR0), resulting in increased annual revenue to the fund, with offsetting costs to pay administrative expenses involved with the additional tax credit programs which the fund will cover.

DEVCD4 Extension of the deadline for Community Reinvestment Area designations

R.C. 3735.66

Extends the deadline by which a municipal corporation or county must petition DSA to approve the local government's designation of a Community Reinvestment Area (CRA), from 15 to 60 days after the subdivision's adoption of the designating resolution. (Under continuing law, property in a CRA may be eligible for property tax exemptions on new construction or remodeling projects, but a CRA is not established until DSA determines that a resolution designating a CRA contains valid findings and comports with applicable zoning regulations.)

Fiscal effect: None.

DEVCD6 Coal Research and Development Program

Section: 259.20

Requires GRF appropriation item 195402, Coal Research and Development Program, to be used for the operating expenses of the Community Services Division in support of the Ohio Coal Development Office.

DEVCD7 Minority Business Development

Section: 259.20

Requires GRF appropriation item 195405, Minority Business Development, to support the activities of the Minority Business Development Division, including providing grants to local nonprofit organizations to support economic development activities that promote minority business development, in conjunction with local organizations funded through GRF appropriation item 195454, Small Business and Export Assistance.

Executive

DEVCD8 Business Development Services**Section: 259.20**

Requires GRF appropriation item 195415, Business Development Services, to be used for the operating expenses of the Business Services Division and the regional economic development offices.

DEVCD9 Redevelopment Assistance**Section: 259.20**

Requires GRF appropriation item 195426, Redevelopment Assistance, to be used to fund the costs of administering energy, redevelopment, and other revitalization programs that DSA may implement, and allows the line item to be used to match federal grant funding.

DEVCD10 Technology Programs and Grants**Section: 259.20**

Earmarks the following under GRF appropriation item 195453, Technology Programs and Grants:

- (1) Up to \$10 million in each fiscal year for the program pursuant to sections 122.28 to 122.36 of the Revised Code, of which not more than 10% may be used for operating expenses incurred in administering the program; and
 - (2) Up to \$547,341 in each fiscal year for operating expenses incurred in administering the Third Frontier Program.
-

DEVCD11 Small Business and Export Assistance**Section: 259.20**

Allows GRF appropriation item 195454, Small Business and Export Assistance, to be used to provide a range of business assistance, including grants to local organizations to support economic development activities that promote small business development, entrepreneurship, and exports of Ohio's goods and services, in conjunction with local organizations funded through GRF line item 195405, Minority Business Development.

Executive

Allows the line item to also be used to match grants from the U.S. Small Business Administration and other federal agencies.

DEVCD12**Appalachian Assistance****Section: 259.20**

(1) Allows GRF appropriation item 195455, Appalachian Assistance, to be used for (A) the administrative costs of planning and liaison activities for the Governor's Office of Appalachia; (B) financial assistance to projects in Ohio's Appalachian counties; (C) support of the four local development districts; (D) payment of dues for the Appalachian Regional Commission; and (E) match of federal funding received from the Appalachian Regional Commission.

(2) Requires that programs funded through the appropriation item be identified and recommended by the local development districts and approved by the Governor's Office of Appalachia.

(3) Requires DSA to conduct compliance and regulatory review of the programs recommended by the local development districts, and allows moneys allocated under the appropriation item to be used to fund projects including, but not limited to, those designated by the local development districts as community investment and rapid response projects.

(4) Earmarks the following amounts from the line item to support four local development districts to pay operating costs involved with coordinating with the Governor's Office of Appalachia, in the following amounts in each fiscal year: (A) \$170,000 to Ohio Valley Regional Development Commission, (B) \$170,000 to Ohio Mid-Eastern Government Association, (C) \$170,000 to Buckeye Hills - Hocking Valley Regional Development District, and (D) \$70,000 to Eastgate Regional Council of Governments. Requires the districts receiving this funding to use the funds for the implementation and administration of programs and duties under section 107.21 of the Revised Code.

DEVCD13**CDBG Operating Match****Section: 259.20**

Requires GRF appropriation item 195497, CDBG Operating Match, to be used as matching state funds for federal assistance received from the U. S. Department of Housing and Urban Development according to the requirements of the Community Development Block Grant Program.

Executive

DEVCD14 Ohio-Israel Agricultural Initiative**Section: 259.20**

Requires GRF appropriation item 195537, Ohio-Israel Agricultural Initiative, to be used for the Ohio-Israel Agricultural Initiative.

DEVCD15 General Obligation bond debt service payments**Section: 259.20**

(1) Requires GRF appropriation item 195901, Coal Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2018 and FY 2019 for obligations issued under sections 151.01 and 151.07 of the Revised Code.

(2) Requires GRF appropriation item 195905, Third Frontier Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2018 and FY 2019 for obligations issued under sections 151.01 and 151.10 of the Revised Code.

(3) Requires GRF appropriation item 195912, Job Ready Site Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2018 and FY 2019 for obligations issued under sections 151.01 and 151.11 of the Revised Code.

DEVCD16 Minority Business Bonding Program**Section: 259.30**

(1) Permits the Director of Development Services, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10 million in unclaimed funds in the FY 2018-FY 2019 biennium allocated to the Minority Business Bonding Program.

(2) Permits any transfer of unclaimed funds from the Unclaimed Funds Trust Fund (Fund 5430) to the Minority Bonding Fund (Fund 4490), but specifies that the transfer shall only occur after proceeds of the initial transfer of \$2.7 million authorized by the Controlling Board have been used for that purpose.

Executive

(3) Requires that any expenditures made to pay losses arising from the Minority Business Bonding Program be made from Fund 4490 appropriation item 195658, Minority Business Bonding Contingency, and appropriates such amounts.

DEVCD17 Business Assistance Programs**Section: 259.30**

Requires Fund 4510 appropriation item 195649, Business Assistance Programs, to be used to cover the administrative expenses associated with the operation of loan incentives within the Office of Strategic Business Investments.

DEVCD18 State Special Projects Fund**Section: 259.30**

Permits the State Special Projects Fund (Fund 4F20) to be used for the deposit of funds from private utility companies and other miscellaneous state funds, and allows funds to be used to match federal grants and to support low-income energy assistance programs.

DEVCD19 Minority Business Enterprise Loan Fund**Section: 259.30**

Requires all repayments from the Minority Development Financing Advisory Board Loan Program to be credited to the Minority Business Enterprise Loan Fund (Fund 4W10).

DEVCD20 Cash Transfer to Tax Incentive Operating Fund**Section: 259.30**

Requires the transfer of \$700,000 cash in FY 2018 from the Vacant Facilities Grant Fund (Fund 5MK0) to the Tax Incentives Operating Fund (Fund 5JR0).

Executive

DEVCD21 Local Government Innovation**Section: 259.30**

Requires Fund 5KN0 appropriation item 195640, Local Government Innovation, to be used to make loans and grants to political subdivisions under the Local Government Innovation Program.

Allows up to \$275,000 of the line item to be used in each fiscal year for administrative costs.

DEVCD22 Advanced Energy Loan Programs**Section: 259.30**

(1) Requires Fund 5M50 appropriation item 195660, Advanced Energy Loan Programs, to be used to provide financial assistance to customers for eligible advanced energy projects for residential, commercial, and industrial businesses; local governments; educational institutions; nonprofits; and agriculture customers.

(2) Allows the line item to be used to match federal grant funding and to pay administrative costs of the program

(3) Requires the transfer of cash in FY 2018 in the amount of the unexpended, unencumbered balance of the Advanced Energy Research and Development Taxable Fund (Fund 7004), from Fund 7004 to the Advanced Energy Fund (Fund 5M50).

Fiscal effect: Fund 7004 has a current balance of approximately \$7.8 million and no encumbrances on line items that are supported by the fund; thus, Fund 5M50 could receive up to \$7.8 million in revenue from the cash transfer. For context, the balance of Fund 5M50 is currently \$24.3 million.

DEVCD23 Travel and Tourism Cooperative Projects**Section: 259.30**

Requires Fund 5W50 appropriation item 195690, Travel and Tourism Cooperative Projects, to be used for the marketing and promotion of travel and tourism in Ohio, and specifies that Fund 5W50 shall consist solely of leveraged private sector paid advertising dollars received in tourism marketing assistance and co-op programs.

Executive

DEVCD24 Volume Cap Administration**Section: 259.30**

Requires Fund 6170 appropriation item 195654, Volume Cap Administration, to be used for expenses related to the administration of the Volume Cap Program, and specifies that revenues received by the Volume Cap Administration Fund (Fund 6170) shall consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

DEVCD25 Development Services Operations**Section: 259.40**

Authorizes the Director of Development Services to assess DSA's divisions for the costs of central service operations, requires assessments to contain the characteristics of administrative ease and uniform application, and requires such payments to be credited to the Supportive Services Fund (Fund 1350) using an intrastate transfer voucher.

DEVCD26 Development Services Reimbursable Expenditures**Section: 259.40**

Requires Fund 6850 appropriation item 195636, Development Services Reimbursable Expenditures, to be used for reimbursable costs, and requires revenues to the General Reimbursement Fund (Fund 6850) to consist of moneys charged for administrative costs that are not central service costs and repayment of loans, including the interest thereon, made from the Water and Sewer Fund (Fund 4440).

Executive

DEVCD27 Capital Access Loan Program**Section: 259.50**

Requires Fund 5S90 appropriation item 195628, Capital Access Loan Program, to be used for operating, program, and administrative expenses of the Capital Access Loan Program, and requires program funds to be used to assist participating financial institutions in making program loans to eligible businesses that face barriers in accessing working capital and obtaining fixed-asset financing.

Requires the transfer of \$1 million cash in each fiscal year from the Minority Business Enterprise Loan Fund (Fund 4W10) to the Capital Access Loan Fund (Fund 5S90).

DEVCD28 Innovation Ohio**Section: 259.50**

Requires Fund 7009 appropriation item 195664, Innovation Ohio, to be used for Innovation Ohio Program loan guarantees and loans under Chapter 166., and particularly sections 166.12 to 166.16, of the Revised Code.

DEVCD29 Research and Development**Section: 259.50**

Requires Fund 7010 appropriation item 195665, Research and Development, to be used for research and development purposes, including loans, under Chapter 166., and particularly sections 166.17 to 166.21, of the Revised Code.

DEVCD30 Facilities Establishment**Section: 259.50**

Specifies that Fund 7037 appropriation item 195615, Facilities Establishment, be used for the purposes of the Facilities Establishment Fund (Fund 7037) under Chapter 166. of the Revised Code.

Executive

Allows the transfer of cash from Fund 7037, in the following amounts in each fiscal year: (1) up to \$3.5 million to the Business Assistance Fund (Fund 4510); (2) up to \$2 million to the Minority Business Enterprise Loan Fund (Fund 4W10); and (3) up to \$2 million to the Capital Access Loan Fund (Fund 5S90).

DEVCD31 Third Frontier Program operating costs**Section: 259.60**

Requires appropriation items 195686 and 195620 to be used for Third Frontier Program operating expenses under sections 184.10 to 184.20 of the Revised Code.

Restricts expenses paid from line item 195686 to costs related to the administration of projects funded from the Third Frontier Research & Development Fund (Fund 7011), and expenses paid from line item 195620 to costs related the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

DEVCD32 Third Frontier Program funding for research and development projects**Section: 259.60**

Requires appropriation items 195687 and 195692 to be used to fund selected projects, which may include the Ohio Tech Internship Program. Specifies that eligible costs are the costs of the projects to which the Third Frontier Research and Development Fund (Fund 7011) and the Research and Development Taxable Bond Project Fund (Fund 7014) are to be applied.

Restricts expenses paid from line item 195686 to costs related to the administration of projects funded from the Third Frontier Research & Development Fund (Fund 7011), and expenses paid from line item 195620 to costs related the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

Executive

DEVCD33 Transfers of appropriations supporting the Third Frontier Program**Sections: 259.60, 503.90**

(1) Permits the Director of Budget and Management to approve written requests from the Director of Development Services for the transfer of appropriations between appropriation items 195687 and 195692 based upon Third Frontier Program awards recommended by the Third Frontier Commission.

(2) Authorizes the Director of Development Services to request that the Director of Budget and Management reappropriate any unexpended, unencumbered balance of the FY 2018 appropriations to line items 195687 and 195692 for the same purposes in FY 2019. Allows the Director of Budget and Management to request additional information to evaluate the requests before making the cash transfers. Reappropriates the cash transfer amounts approved by the Director of Budget and Management.

(3) Separate from the provisions contained in (1) and (2) above, allows the Director of Budget and Management to transfer appropriations between Fund 7011 and Fund 7014 as necessary to maintain the exemption from federal taxation with respect to Third Frontier projects funded by federally tax-exempt bonds, the proceeds of which are deposited into Fund 7011.

(4) Allows the Director of Budget and Management to create new appropriation items within Fund 7014 and make transfers of appropriations to them for projects originally funded from Fund 7011.

DEVCD34 Clean Ohio Revitalization Operating**Section: 259.70**

Requires Fund 7003 appropriation item 195663, Clean Ohio Revitalization Operating, to be used to administer brownfield redevelopment projects under the Clean Ohio Revitalization Fund (Fund 7003) pursuant to sections 122.65 to 122.658 of the Revised Code.

Executive

DEVCD35 HEAP Weatherization**Section: 259.80**

Allows up to 15% of the federal funds credited to the Home Energy Assistance Block Grant Fund (Fund 3K90) to be spent from appropriation item 195614, HEAP Weatherization, to be used to provide home weatherization services as determined by the Director of Development Services.

Requires any transfers or increases in the appropriation to line item 195614 or Fund 3K90 appropriation item 195611, Home Energy Assistance Block Grant, to be subject to Controlling Board approval.

DEVCD36 Transfer to the Tourism Fund**Section: 512.60**

Requires the Tax Commissioner, by October 20, 2018, to calculate the growth in FY 2017 revenue relative to FY 2016 from the sales tax on categories that have been determined to be related to tourism and to certify that amount to the Director of Budget and Management.

Allows the Director of Budget and Management, by October 31, 2018, to transfer from the GRF to the Tourism Fund (Fund 5MJ0) the amount certified by the Tax Commissioner, except that the transfer amount shall not exceed the amount transferred from the GRF to Fund 5MJ0 in FY 2018.

Fiscal effect: Allows the cash transfer of up to around \$10 million to \$11 million from the GRF to the Tourism Fund (Fund 5MJ0) to pay for the activities of the Office of TourismOhio in FY 2019. The Tourism Fund is currently funded under a pilot program for the five-year period from FY 2014 to FY 2018 under the manner described above, as authorized in S.B. 314 of the 129th General Assembly; thus this provision allows this funding arrangement to continue for FY 2019.

DEVCD37 Economic Development Contingency Fund**Section: 512.90**

Requires the Director of Budget and Management to transfer the cash balance of the Economic Development Contingency Fund (Fund 5Y60) to the GRF in FY 2018. Abolishes Fund 5Y60 after the transfer.

Fiscal effect: The remaining cash balance in Fund 5Y60 is approximately \$1,800.

Executive

DDDCD1 Nonfederal share of Medicaid expenditures for ICFs/IID**R.C. 5123.38**

Requires a county board of developmental disabilities (county DD board) to pay the nonfederal share of Medicaid expenditures for all individuals who have been involuntarily committed to a state-operated intermediate care facility for individuals with intellectual disabilities (ICF/IID), as opposed to only those individuals who are receiving supported living or home and community-based services funded by the county DD board and are involuntarily committed.

Repeals exemptions to the requirement when the county DD board begins funding supported living or home and community-based services within 90 days of commitment to the ICF/IID.

Adds an exemption if the county DD board, within 180 days of commitment, arranges for the provision of alternative services and discharges the individual from the ICF/IID.

Fiscal effect: Potential increase in costs for county DD boards to pay the nonfederal share for all individuals who are involuntarily committed to an ICF/IID; however, the 180-day exemption could potentially reduce costs for county DD boards.

DDDCD3 Use of community adult and early childhood facility sale proceeds**R.C. 5123.377, 5123.378**

Permits a county DD board or board of county commissioners to use the proceeds from the sale of a community adult or early childhood facility to renovate or make accessible housing for individuals with developmental disabilities.

Permits the Director of the Ohio Department of Developmental Disabilities (ODODD) to establish, and extend, a deadline by which the county DD board or board of county commissioners must use the proceeds of the sale.

Defines "renovation" as work done to a building, including architectural and structural changes and modernization of mechanical and electrical systems, to restore it to an acceptable condition and to make it functional for use by individuals with developmental disabilities.

Fiscal effect: None.

Executive

DDDCD26 Medicaid payment rates for ICFs/IID

R.C. 5124.01, 5124.101, 5124.15, 5124.151, 5124.155, 5124.17, 5124.19, 5124.191, 5124.21, 5124.25, 5124.26, 5124.28 (repealed), 5124.30, 5124.38, 5124.39, Sections 261.170 and 261.180

Increases, beginning in FY 2019, the number of ICF/IID peer groups to five (from three).

Modifies, beginning in FY 2019, the general formula established in statute that is used in determining the Medicaid payment rates for ICFs/IID in the following ways: (1) replaces payments based on reasonable capital costs with payment rates for capital, which are based on an ICF/IID's fair rental value, and (2) modifies the calculation of payment rates for direct care costs and indirect care.

Modifies the Medicaid payment rate formula for new ICFs/IID by setting the initial payment rate for capital as the median rate for all ICFs/IID in the new ICF/IID's peer group.

Modifies, for FY 2018, the formula to be used in determining the Medicaid payment rates for ICFs/IID in peer groups 1 and 2.

Does the following for FY 2019: (1) modifies the formula to be used in determining the Medicaid payment rates for ICFs/IID in peer groups 1, 2, 3, and 4; and (2) requires ODODD to adjust the total per Medicaid day rate for each ICF/IID by a percentage that equals the percentage by which the mean total per Medicaid day rate for peer groups 1, 2, 3, and 4 is greater or less than either of the following: (a) \$297.35 if a new ICF/IID reimbursement methodology has been fully implemented; or (b) \$290.10 if the methodology has not been implemented.

Adds, beginning in FY 2020, a quality incentive payment rate add on to the Medicaid payment rate calculation for ICFs/IID.

Replaces references to the chronic behaviors and typical adaptive needs classification and the typical adaptive needs and non-significant behaviors classification with the infrequent need for assistance classification with regards to ODODD's grouper methodology.

Sets the maximum per Medicaid day payment rate for ICF/IID services provided to a recipient who is in the infrequent need for assistance classification at \$179.06.

Permits, for FY 2018, ODODD to revise the requirement to submit resident assessment data.

Repeals a provision permitting the ODODD Director to adopt rules providing for the determination of a combined maximum payment limit for indirect care costs and costs of ownership for ICFs/IID in peer group 2.

Executive

Adds a change in an ICF/IID's quarterly case-mix score of 25% or greater to the list of extreme circumstances under which ODODD may increase an ICF/IID's payment rate through the rate reconsideration process and removes approved nonextensive renovations from the list.

Repeals a provision permitting ODODD to increase an ICF/IID's rate for capital costs for the costs of adding or replacing Medicaid-certified beds.

Fiscal effect: In FY 2018, the payment rates will remain unchanged. In FY 2019, the provision will result in an increase of 2.5% in total costs (\$13.5 million all funds; \$5.1 million state share) related to the adoption of a new reimbursement methodology.

DDDCD2 Ventilator-dependent ICF/IID residents**R.C. 5124.25**

Eliminates a requirement that a resident of an ICF/IID be under 22 years of age to qualify for outlier ICF/IID services available to certain Medicaid recipients dependent on a ventilator.

Fiscal effect: Increase of \$2.7 million (\$1.0 million state share) in each fiscal year.

DDDCD4 Developmental Disabilities Facilities Lease-Rental Bond Payments**Section: 261.20**

Requires ODODD to use GRF appropriation item 320415, Developmental Disabilities Facilities Lease-Rental Bond Payments, to meet all payments pursuant to leases and agreements made under state law regarding capital facilities. Specifies that the appropriations in that appropriation item are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.

DDDCD5 Screening and Early Identification**Section: 261.30**

Requires GRF appropriation item 322420, Screening and Early Identification, to be used, at the discretion of ODODD, for professional and program development related to early identification/screening and intervention for children with autism and other complex developmental disabilities and their families.

Executive

DDDCD6 Family Support Services subsidy

Section: 261.40

Permits GRF appropriation item 322451, Family Support Services, to be used for the following purposes:

- (1) To provide a subsidy in quarterly installments to county DD boards for family support services provided under section 5126.11 of the Revised Code according to a formula developed by the ODODD Director in consultation with representatives of county DD boards; and
- (2) To distribute funds to county DD boards for the purpose of addressing economic hardships and to promote efficiency of operations.

Specifies that a county DD board is not to use more than 7% of its subsidy for administrative costs.

DDDCD7 State subsidy to county DD boards

Section: 261.50

Requires that, except for the amounts used for the nonfederal share of an ICF bed, GRF appropriation item 322501, County Boards Subsidies, be used for the following purposes:

- (1) To provide a subsidy to county DD boards, allocated quarterly in accordance with a formula developed by the ODODD Director in consultation with the county DD boards, for early childhood and adult services, service and support administration, and supported living;
- (2) To provide funding, as determined necessary by the ODODD Director, for residential services, including room and board, and support services that enable individuals with DD to live in the community; and
- (3) To distribute funds to county DD boards, in an amount and by criteria determined by the ODODD Director in consultation with the boards, to address economic hardships and to promote efficiency of operations.

Allows a county DD board, in consultation with the county's family and children first council, to transfer portions of funds received under this section to a flexible funding pool.

Executive

DDDCD8 Employment First Initiative**Section: 261.60**

Requires that GRF appropriation item 322508, Employment First Initiative, be used to increase employment opportunities for individuals with DD through the existing Employment First Initiative.

Requires the ODODD Director in each fiscal year to transfer from GRF appropriation item 322508, to the Opportunities for Ohioans with Disabilities Agency (OOD), an amount agreed upon by the ODODD Director and the OOD Executive Director to support the Employment First Initiative and requires that the transfer be made via an intrastate transfer voucher.

Requires OOD to use the funds transferred as state matching funds to obtain available federal grant dollars for vocational rehabilitation services, and requires that any federal match dollars received by OOD be used for the initiative.

Requires the ODODD Director and the OOD Executive Director to enter into an interagency agreement that will specify the responsibilities of each agency under the initiative, and specifies that OOD must retain responsibility for eligibility determination, order of selection, plan approval, plan amendment, and release of vendor payments.

Requires that the remainder of GRF appropriation item 322508 be used to develop a long term, sustainable system that places individuals with DD in community employment.

Fiscal effect: Potential gain in federal vocational rehabilitation (VR) dollars to OOD in each fiscal year depending upon the amount that is transferred to OOD. The federal government provides a match to the state of \$3.69 for every \$1 expended for VR services.

DDDCD9 Community Supports and Rental Assistance**Section: 261.70**

Allows the ODODD Director to use appropriation item 322509, Community Supports and Rental Assistance, to provide funding to county DD boards for rental assistance to individuals with developmental disabilities receiving home and community-based services under certain circumstances and individuals with developmental disabilities who enroll in a Medicaid waiver component providing home and community-based services after receiving preadmission counseling.

Requires the ODODD Director to establish methodology for determining the amount and distribution of the funding to county DD boards for rental assistance.

Executive

DDDCD10 Medicaid Services**Section: 261.80**

Requires GRF appropriation item 653407, Medicaid Services, to be used for the following: (1) to fund home and community-based services; (2) to implement the requirements of the agreements settling the consent decrees in Sermak vs. Manuel and Martin v. Strickland; (3) ICF/IID services; and (4) other programs identified by the ODODD Director.

Requires up to \$3,000,000 in each fiscal year to be used to increase employment opportunities for Medicaid-eligible individuals with developmental disabilities through the Employment First Initiative.

Allows up to \$14,000,000 in each fiscal year to be used to distribute funds to county DD boards to address economic hardships and promote efficiency of operations. Requires the ODODD Director to determine, in consultation with representatives of county DD boards, the amount of funds to distribute for these purposes and the criteria for distributing the funds.

DDDCD11 Central Office Operating Expenses**Section: 261.90**

Requires \$100,000 in each fiscal year in DPF Fund 5GE0 appropriation item 320606, Central Office Operating Expenses, be provided to the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

DDDCD12 Nonfederal match for active treatment services**Section: 261.100**

Requires that any funds received by ODODD from county DD boards for active treatment be deposited into the Developmental Disabilities Operating Fund (Fund 4890).

Executive

DDDCD13 System Transformation Supports**Section: 261.110**

Allows the ODODD Director to use DPF Fund 5QM0 appropriation item 320607, System Transformation Supports, to purchase residential facility beds in order to reduce the number of beds certified for participation in Medicaid as ICF/IID beds and to fund other system transformation initiatives identified by the ODODD Director.

Requires the ODODD Director to establish priorities for the purchase of beds and requires that the purchase price of a bed be the price the ODODD Director determines is reasonable based on the established priorities.

DDDCD14 Community Social Service Programs**Section: 261.120**

Allows FED Fund 3250 appropriation item 322612, Community Social Service Programs, to be used by the ODODD Director to purchase one or more residential facility beds for the purpose of reducing the number of beds that are certified for participation in Medicaid as ICF/IID beds in Ohio.

Requires the ODODD Director to establish priorities for the purchase of beds and requires that the purchase price of a bed be the price the Director determines is reasonable based on the established priorities.

DDDCD15 County board share of waiver services**Section: 261.130**

Requires the ODODD Director to establish a methodology to be used in FY 2018 and FY 2019 to estimate the quarterly amount each county DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible.

Requires the ODODD Director to provide written notice of the amount owed by each county DD board for each quarter.

Executive

DDDCD16 Withholding of funds owed ODODD**Section: 261.140**

Permits ODODD to withhold any amount due to a county DD board if the county DD board does not fully pay any amount owed to ODODD by the due date established by ODODD. Allows the ODODD Director to transfer cash to any other fund used by ODODD in an amount equal to the amount owed to ODODD that the county DD board did not pay. Specifies that transfers under this section must be made using an intrastate transfer voucher.

DDDCD17 Developmental center billing for services**Section: 261.150**

Permits a developmental center to provide services to persons with developmental disabilities who live in the community or to providers of services to such persons and authorizes ODODD to develop a methodology for recovering all costs associated with provision of these services.

DDDCD18 ODODD innovative pilot projects**Section: 261.160**

Permits the ODODD Director to authorize the continuation or implementation of innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county DD boards.

Requires the ODODD Director, before authorizing a pilot project, to consult with entities interested in the issue of developmental disabilities, including the Ohio Provider Resource Association, the Ohio Association of County Boards of Developmental Disabilities, the Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, the Values and Faith Alliance, and the ARC of Ohio.

Specifies that the ODODD Director may not authorize a pilot project to be implemented in a manner that would cause the state to be out of compliance with any requirements for a program funded in whole or in part with federal funds.

Executive

DDDCD19 ICF/IID Medicaid Rate Workgroup**Section: 261.190**

Reconvenes the previously created ICF/IID Medicaid Rate Workgroup to assist ODODD during FY 2018 and FY 2019 with its evaluation of revisions to the formula used to determine Medicaid payment rates for ICF/IID services. Requires the Workgroup, in conducting the evaluation, to (1) focus primarily on the service needs of individuals with complex challenges that ICFs/IID are able to meet; and (2) pursue the goal of reducing the Medicaid-certified capacity of individual ICFs/IID and the total number of ICF/IID beds in the state for the purpose of increasing the service choices and community integration of individuals eligible for ICF/IID services.

Fiscal effect: Potential administrative costs.

DDDCD20 Nonfederal share of ICF/IID services**Section: 261.200**

Requires the ODODD Director to pay the nonfederal share of a claim for ICF/IID services using subsidies otherwise allocated to county DD boards if (1) Medicaid covers the services, (2) the services are provided to a Medicaid recipient who is eligible for the services and who does not occupy a bed in the ICF/IID that used to be included in the Medicaid-certified capacity of another ICF/IID certified before June 1, 2003, (3) the services are provided by an ICF/IID whose Medicaid certification was initiated or supported by a county DD board, and (4) the provider has a valid Medicaid provider agreement for the time the services are provided.

Requires the ODODD Director to use certain funds from GRF appropriation 322501, County Boards Subsidies, to pay any claims.

DDDCD21 Payment rates for homemaker/personal care services**Section: 261.210**

Provides for the Medicaid payment rate for each 15 minutes of routine homemaker/personal care services provided to a qualifying enrollee of the Individual Options (IO) Waiver Program to be, for 12 months, 52 cents higher than the Medicaid payment rate for such services provided to an IO enrollee who is not a qualifying enrollee.

Executive

Specifies that portions of GRF appropriation item 653407, Medicaid Services, and FED Fund 3A40 appropriation item 653654, Medicaid Services, are to be used to pay the Medicaid payment rate determined for routine homemaker/personal care services provided to qualifying IO enrollees.

Fiscal effect: The fiscal impact depends on service utilization and the number of individuals who qualify for the increased rate.

DDDCD22 Updating authorizing statute citations**Section: 261.220**

Specifies that the ODODD Director is not required to amend any rule for the sole purpose of updating the citation in the Ohio Administrative Code to the rule's authorizing statute to reflect that the bill renumbers the authorizing statute or relocates it to another Revised Code section and specifies that such citations are to be updated as the ODODD Director amends the rules for other purposes.

Fiscal effect: Potential minimal administrative savings.

DDDCD23 Fund abolishments**Section: 512.90**

Requires the OBM Director, on July 1, 2017, or as soon as possible thereafter, to transfer the cash balance in: the Intensive Behavioral Needs Fund (Fund 5CT0) to the Operating and Services Fund (Fund 5GE0); the Community Alternative Funding Source Fund (Fund 3M70) to the Medicaid-Medicare Fund (Fund 3A40); and the Medicaid Waiver Fund (Fund 3G60) to the Medicaid-Medicare Fund (Fund 3A40).

Abolishes Funds 5CT0, 3M70, and 3G60 when the transfers are complete.

Requires the OBM Director, on July 1, 2017, or as soon as possible thereafter, to cancel the existing encumbrance in Fund 5CT0 appropriation item 653607, Intensive Behavioral Needs, and reestablish it against Fund 5GE0 appropriation item 653606, ICF/IID and Waiver Match and to cancel the existing encumbrances in Fund 3M70 appropriation item 653650, CAFS Medicaid, and Fund 3G60 appropriation item 653639, Medicaid Waiver Program Support, and reestablish them against Fund 3A40 appropriation item DC and Residential Facilities Services and Supports.

Appropriates any reestablished encumbrances.

Executive

School Funding**EDUCD56 Community and STEM school funding formula****R.C. 3314.08, 3326.33, 3326.41**

Maintains the FY 2017 dollar amounts used to calculate per pupil deductions from school districts and transfers to community and STEM schools for FY 2018 and FY 2019.

Provides an additional payment for the third grade reading bonus to each STEM school based on how many of its third grade students score at a proficient level or higher on the English language arts assessment (this payment is provided to traditional school districts and community schools under current law. Recent amendments authorize STEM schools to enroll students in any of grades K-6). Calculates the bonuses in the same manner as those for traditional school districts, but does not use the state share index.

Fiscal effect: In FY 2016, transfers of state aid to community and STEM schools amounted to about \$940 million. In addition to the transfers described here, community and STEM schools are provided direct state funding through per-pupil funding for facilities costs (see EDUCD10) and performance bonuses. Bonus payments to STEM schools will increase as a result of the bill's provision extending the third grade reading bonus payments to STEM schools. Overall, bonus payments for community and STEM schools totaled \$2.6 million in FY 2016.

EDUCD85 School district TPP replacement payments**R.C. 3317.018 (repealed), 3317.019 (repealed),
conforming change in R.C. 5709.92**

Repeals sections of the existing school funding law that prescribe the calculation of school districts' capacity measures for the tangible personal property (TPP) reimbursement in the tax code (These calculations were performed once, in FY 2016, for purposes of the TPP reimbursement. These sections are not used for any calculations in the school funding formula.)

Fiscal effect: None. Starting in FY 2018, continuing law requires that reimbursement payments for fixed-rate operating levies be reduced based on a uniform 5/8 mill (0.000625) of the average of the total taxable value of the district for tax years 2014, 2015, and 2016 instead of by a certain percentage of a district's total resources each year that depends on the district's property wealth and income, as was used in FY 2016 and FY 2017.

Executive

EDUCD58 Traditional school district funding

Sections: *265.220, R.C. 3317.013, 3317.014, 3317.017, 3317.02, 3317.022, 3317.0212, 3317.0218*

Maintains the dollar amounts and formulas from FY 2017 used to calculate core foundation funding for both years of the biennium. Specifies that three-year average valuation equals the following: (1) for the purposes of the state share index in FY 2018 and FY 2019, the average of total taxable value for tax years 2014, 2015, and 2016, (2) for the purposes of targeted assistance and capacity aid, the average of total taxable value for tax years 2014, 2015, and 2016 for FY 2018 and the average of total taxable value for tax years 2015, 2016, and 2017 for FY 2019.

Modifies the pupil transportation formula by decreasing the minimum state share applied to a district's calculated transportation cost from 50%, as under current law, to 37.5% in FY 2018 and 25% in FY 2019.

Makes the following adjustments to core foundation funding to calculate final core funding:

(1) Guarantees that all districts receive at least the same amount of state aid in FY 2018 and FY 2019 that was received in FY 2017, except as follows:

(a) If a district's percentage change in total ADM between FY 2011 and FY 2016 is a decrease of 10% or more, guarantees the district, in both FY 2018 and FY 2019, 95% of the district's amount of state aid in FY 2017.

(b) If a district's percentage change in total ADM between FY 2011 and FY 2016 is a decrease between 5% and 10%, guarantees the district, in both FY 2018 and FY 2019, a scaled amount between 95% and 100% of the district's amount of state aid in FY 2017.

(c) Exempts career-technical education funds, career-technical education associated services funds, the third grade reading bonus, and the graduation bonus from the guarantee.

(2) Limits foundation funding in FY 2018 and FY 2019 to 1.05 times the district's state aid in the prior fiscal year, and requires ODE to proportionately reduce payments for all components subject to the limitation, except special education additional aid, transportation funding, and the transportation supplement, to comply with the cap unless those amounts are insufficient, in which case those three components are also to be proportionately reduced. Exempts career-technical education funds, career-technical associated services funds, the third grade reading bonus, and the graduation bonus from the cap.

Requires ODE to adjust, as necessary, the base of school districts that participate in the establishment of a JVSD that first begins receiving funding under the JVSD funding formula in FY 2018 or FY 2019 according to the amounts received by the districts in the prior fiscal year for career-technical education students who attend the newly established JVSD.

Executive

Fiscal effect: Allocates \$7.92 billion in FY 2018 and \$8.05 billion in FY 2019 for final core funding for traditional school districts.

EDUCD59 Joint vocational school district funding

Sections: 265.230, R.C. 3317.16, 3317.02

Maintains the dollar amounts and formulas from FY 2017 used to calculate JVSD core foundation funding for both years of the biennium. Specifies that three-year average valuation equals the average of total taxable value for tax years 2014, 2015, and 2016 for FY 2018 and the average of total taxable value for tax years 2015, 2016, and 2017 for FY 2019.

Adjusts core foundation funding by guaranteeing and limiting foundation funding in substantially the same manner as traditional school districts, including exempting career-technical education funds, career-technical education associated service funds, and the graduation bonus from the guarantee and the cap (See EDUCD58).

Requires ODE to establish the base of a JVSD that first begins receiving funding under the JVSD funding formula in FY 2018 or FY 2019 as the absolute value of the sum of the associated adjustments of any local school district's base (see EDUCD58).

Fiscal effect: Allocates an estimated \$292.4 million in both FY 2018 and FY 2019 for final core funding to JVSDs.

EDUCD77 Educational service centers funding

Section: 265.360

Sets the per-pupil state payment amount in each fiscal year to \$20 for high-performing ESC's and \$18 for all other ESC's and, if necessary, requires ODE to prorate the payment amounts to fit the earmark for state payment of ESCs (see EDUCD68).

Requires the Superintendent to establish criteria and guidelines for the use of these funds and requires ESCs to use the funds to reduce client school district expenditures and support improvement of student achievement at schools and districts identified by ODE.

Fiscal effect: The bill earmarks \$31.0 million in each fiscal year for state funding of ESCs.

Executive

EDUCD35 Foundation and transitional aid funding reimbursement**Section: 265.430**

Specifies that no school district for which a reduction was made in its reported formula ADM for FY 2005 based on community school enrollment reports and, accordingly, for which a reduction was made in its foundation or transitional aid funding for FY 2005, FY 2006, or FY 2007, has a legal right to reimbursement for that reduction in funding except as expressly provided in a final court judgment or a settlement agreement executed on or before June 1, 2009.

Fiscal effect: None.

EDUCD36 Flexible funding for families and children**Section: 265.440**

Permits school districts, community schools, STEM schools, JVSDs, ESCs, and county DD boards that receive state aid to transfer portions of their allocations to a flexible funding pool created by a county family and children first council to support the provision of services to families and children.

Fiscal effect: None.

Scholarship Programs**EDUCD23 Application periods for the income-based Educational Choice Scholarship****R.C. 3310.16, Section 265.260**

Specifies that, beginning in the 2017-2018 school year, ODE does not need to conduct a second application period for the income-based expansion of the Ed Choice Scholarship Program if the income-based scholarships awarded in the first application period for any school year uses the entirety of the amount appropriated by the General Assembly for such scholarships for that school year.

Requires ODE to conduct a second application period if there are funds remaining to award income-based EdChoice scholarships after the first application period.

Fiscal effect: May decrease ODE's administrative costs for the scholarship program.

Executive

Community Schools

EDUCD24 STEAM schools, equivalents, and programs of excellence

R.C. 3326.01, 3326.03, 3326.032, 3326.04,
3326.09, 3326.11

Authorizes the creation of science, technology, engineering, arts, and mathematics (STEAM) schools, equivalents, and programs of excellence, which are types of STEM schools, STEM school equivalents, and STEM programs of excellence, respectively.

Requires a proposal for a STEAM school or STEAM school equivalent to contain all of the same information as that of a STEM school or equivalent as well as all of the following: (1) evidence that the curriculum will integrate arts and design into the study of STEM (under current law, a STEM school or equivalent must include the "arts and humanities" in its curriculum); (2) in the case of a STEAM school, evidence that the school will operate in collaboration with a partnership that includes arts organizations (as well as institutions of higher education and businesses as under current law for STEM schools); (3) in the case of a STEAM school equivalent, evidence that the school has a working partnership with public and private entities that includes arts organizations (as well as higher education entities and business organizations as under current law for STEM schools); and (4) assurances that the school has received in-kind commitments of sustained and verifiable fiscal and in-kind support from arts organizations.

Permits STEM and STEAM schools and equivalents to offer all-day kindergarten in the same manner as school districts to conform with provisions of current law enacted by S.B. 3 of the 131st General Assembly that permit STEM schools and equivalents to offer any of grades K-12.

Fiscal effect: STEM school enrollment is not likely to change significantly, as there is no funding incentive associated with STEM and STEAM schools (they are funded exactly like community schools). If additional students opt to attend STEM or STEAM schools instead of their resident district schools, deductions of state aid from the students' resident district will increase. Districts may also experience a decrease in expenditures due to educating fewer students, depending on the number of students who attend STEM or STEAM schools under the bill.

Executive**EDUCD34 Community school operation from residential facilities****Section: 265.410**

Permits a community school that was open for operation as of May 1, 2005, to operate from certain institutions, foster homes, group homes, or other residential facilities.

Fiscal effect: None.

Educator Provisions**EDUCD40 New career-technical educator licenses****R.C. 3319.229 (*repealed and reenacted*)**

- (1) Creates two new educator licenses (Career-Technical Educator Levels I and II) for individuals teaching in career-technical and workforce development subject areas in any of grades 7-12 and, as of July 1, 2018, requires new applicants for a career-technical educator license to obtain one of the new licenses, rather than the current professional career-technical teaching license.
- (2) Requires the State Board of Education, in collaboration with the Chancellor of Higher Education, to adopt rules for the licenses.
- (3) Prescribes the following for the Career-Technical Educator Level I license: (a) is valid for two years in the school district that requests the individual's licensure, (b) requires a high school diploma, five years of work experience in the subject area, and an industry-recognized credential (if applicable for the subject area) to obtain the license, (c) requires the individual to enroll in an education program that qualifies the individual for Level II licensure, and (d) is renewable if making sufficient progress in both the education program and teaching position.
- (4) Prescribes the following for the Career-Technical Educator Level II license: (a) is valid for five years, (b) requires an individual to demonstrate mastery in the competencies of the teaching position and complete an education program offered by a higher education institution that meets certain requirements to obtain the license, and (c) is renewable, in consultation with a local professional development committee.
- (5) Permits the State Board of Education to continue issuing the current professional career-technical teaching license until June 30, 2018.

Executive

(6) Authorizes both of the following individuals to continue to renew the professional career-technical teaching license, rather than obtain one of the new licenses, for the remainder of the individual's teaching career: (a) an individual who holds a professional career-technical teaching license as of July 1, 2018 and (b) an individual who holds an alternative resident educator license as of July 1, 2018 and, upon expiration of that alternative license, applies for a professional career-technical teaching license.

Fiscal effect: May increase the administrative responsibilities of the State Board, ODE, and the Department of Higher Education to develop the rules for the new licenses.

EDUCD47 Teacher externship experiences

R.C. 3319.236

Requires, beginning September 1, 2018, educator license holders to complete an on-site work experience with a local business or chamber of commerce as a condition for the renewal of educator's license.

Permits an educator who completes on-site work experience under this provision to use that experience to fulfill continuing education requirements.

Requires each school's local professional development committee to assist teachers in identifying local work experience opportunities that meet this requirement.

Fiscal effect: May increase the administrative responsibilities of local professional development committees.

EDUCD38 New Leaders for Ohio Schools Board membership

R.C. 3319.271

Removes the Governor, the Superintendent of Public Instruction, and the Chancellor of Higher Education (or each of these officials' designees) from the membership of the Board of Directors of the nonprofit corporation that implements the Bright New Leaders for Ohio Schools Program (reducing the number of members on the board from 11 to eight).

Fiscal effect: None.

Executive**Early Childhood****EDUCD12****Early Childhood Education****Section: 265.20**

Continues the GRF-funded early childhood education program at school districts, JVSDs, ESCs, community schools sponsored by an exemplary sponsor, chartered nonpublic schools, and licensed childcare providers that meet at least the third highest tier of the "Step Up to Quality Program" established in R.C. 5104.29 for children who are at least four years old but not yet eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines.

Specifies the following for participating programs: (1) prohibits development and administration costs from exceeding 15% of the cost of each program, (2) requires maintenance of fiscal records, (3) requires implementation of a corrective action plan, when needed, (4) requires certain qualifications for teachers, (5) requires alignment of curriculum to the early learning content standards, (6) requires documentation and reporting of child progress, (7) requires adherence to early learning program standards, (8) requires certain child or program assessments, (9) requires charging a fee, based on a sliding scale, to families who earn more than the 200% of the federal poverty guidelines, (10) requires participation in the Step Up to Quality program, (11) requires providers who are highly rated to comply with the requirements under the Step Up to Quality system, and (12) requires providers who are not highly rated to meet certain qualifications.

Requires ODE to provide an annual report regarding early childhood education programs and the early learning program standards.

Requires that per-pupil funding be sufficient to provide eligible children with services for a standard early childhood schedule, defined as a minimum of 12.5 hours per week, for the minimum school year.

Requires ODE to conduct an annual survey of each provider to determine whether the provider charges families tuition or fees, the amount the families are charged relative to family income levels, and the number of families and students charged.

Requires eligible expenditures to be claimed each fiscal year to help meet the state's TANF maintenance of effort requirement and requires the Superintendent of Public Instruction and the Director of Job and Family Services to enter into an interagency agreement to fulfill this requirement including developing reporting guidelines for these expenditures.

Requires ODE and the Department of Job and Family Services to continue to align the application process, program eligibility, funding, attendance policies, and attendance tracking for early childhood programs in both agencies.

Earmarks up to 2% of GRF appropriation item 200408, Early Childhood Education, to be used by ODE for program support and technical assistance.

Executive

Requires ODE to distribute the remainder to pay the costs of early childhood programs that serve eligible children.

Fiscal effect: The bill appropriates \$70.3 million in FY 2018 and 2019 to GRF appropriation item 200408 for early childhood education programs, including an earmark of 2% for ODE's administrative costs.

EDUCD13 Early Childhood Education Parent Choice Demonstration Pilot Program**Section: 265.20**

Allows a portion of GRF appropriation item 200408, Early Childhood Education, to be used by ODE to establish a pilot program that employs one or more parent choice models to deliver services to eligible children.

Requires ODE to designate one or more geographical areas within the state in which to operate the pilot program and allows it to consider designating areas with multiple providers of high-quality early childhood education programs that have a capacity to serve additional eligible children for the purpose of identifying obstacles to implement a parent choice model.

Requires ODE to establish procedures for implementation of the pilot program, including a process for parents to apply for the program. Allows ODE to expand the definition of "eligible child" for the pilot program to include a child who is at least three years of age as of the district entry date for kindergarten and has one or more additional risk factors including: (1) exited Help Me Grow Home Visiting, (2) exited Early Intervention and not eligible for preschool special education, or (3) currently placed in foster care.

Requires ODE to collaborate with the departments of Job and Family Services, Developmental Disabilities, Health, and Mental Health and Addiction Services, as needed, in establishing a parent choice pilot program and allows ODE to select non-state entities with which to partner on the pilot program.

Allows ODE to set aside a portion of the funds for an evaluation of the pilot program.

Other Education Provisions**EDUCD39 Sick leave payout for unclassified employees****R.C. 124.384**

Limits the ability of an unclassified ODE employee to receive payment on separation of employment for sick leave accumulated while employed by a school district to an employee who began employment with ODE before October 1, 2017 (under current law, any unclassified ODE employee initially employed on or after July 5, 1987, may receive such a payment).

Executive

Fiscal effect: Potential decrease in such accumulated sick leave payments. ODE employees hired after October 1, 2017 would only be paid for sick leave accumulated while working at ODE.

EDUCD80 Release of state required test questions

R.C. 3301.0711, Section 733.10

Requires that at least 40% of questions from each elementary state assessment and high school end-of-course exam become public records beginning in the 2017-2018 school year (current law requires all questions and preferred answers on an assessment to become public record in phases over a two-year period following the administration). Requires ODE to determine which questions will be needed for reuse on a future assessment and specifies that those questions shall not be public records and must be redacted from the assessment prior to its release as a public record.

Requires ODE, for each redacted question, to inform city, local, and exempted village school districts of the corresponding statewide academic standard adopted by the state board and the corresponding benchmark to which the question relates.

Prohibits ODE from making any questions from the elementary English language arts and mathematics assessments administered in the 2015-2016 school year a public record in 2017.

Fiscal effect: Decrease in state assessment system costs from having to develop or purchase fewer test questions to replace those released as public records. The 2015-2016 school year was the first in which ODE administered new state tests in English language arts and mathematics developed by the American Institutes for Research (AIR). Pursuant to current law, ODE released 40% of the questions and answers from the 2015-2016 tests in 2016. The remainder otherwise would be released over the course of 2017 and 2018.

EDUCD5 Advisory members of school district boards of education

**R.C. 3313.011, 3301.07, 3311.19, Repealed:
3313.82**

Repeals the requirement that each school district board of education and educational service center (ESC) governing board appoint a business advisory council and instead requires the superintendent of each school district to appoint to the board of education three nonvoting, advisory members who represent local business interests but does not establish a similar requirement for ESCs.

Specifies that the advisory members of a district board serve at the pleasure of the appointing authority.

Executive

Specifies that the advisory members must advise and make recommendations to the board on matters specified by the board, including matters related to employment skills and relevant curriculum, economic changes and how it affects the job market, and suggestions on how to establish a working relationship with businesses, labor organizations, and educational personnel (these functions are substantially the same as those fulfilled by the business advisory councils under current law.)

Fiscal effect: None.

EDUCD81 Credit for integrated course content

R.C. 3313.603, Section 733.40

Permits public and chartered nonpublic schools to integrate academic content in subject areas for which the State Board of Education has adopted standards into a course in a different subject area, including a career-technical education course.

Specifies that a school may administer to students a related end-of-course exam in a subject in an integrated course.

Requires ODE, in consultation with the Department of Higher Education and the Governor's Office of Workforce Transformation, to, no later than July 1, 2018, develop (1) a plan that permits and encourages schools to integrate academic content so that students may earn simultaneous credit and (2) guidance to assist schools on appropriate teacher licensure required for course integration.

Fiscal effect: School districts and schools that opt to offer integrated content courses may incur some costs for making necessary content changes to course curriculum. However, school districts and schools may also be able to reduce ongoing operating costs through more efficient course delivery.

EDUCD84 Credit for subject area competency

R.C. 3313.603, 3314.03, Section 265.470

Requires ODE to develop a framework for school districts and community schools to use in granting units of high school credit to students who demonstrate subject area competency through work-based learning experiences, internships, or cooperative education and requires each district and community school to comply with the framework beginning with the 2018-2019 school year (continuing law requires the State Board to adopt and update a statewide plan to award high school credit based on demonstrated competency; it appears that ODE's framework under the bill is in addition to the State Board's framework).

Executive

Requires each district and community school to review any policy it has adopted regarding the demonstration of subject area competency to identify ways to incorporate work-based learning experiences, internships, and cooperative education into the policy in order to increase student engagement and opportunities to earn units of high school credit.

Requires ODE to provide assistance to the State Board for purposes of updating the statewide plan on subject area competency and to, upon completion of the plan, inform students, parents, and schools of the updated plan.

Specifically permits the Superintendent of Public Instruction to form partnerships with Ohio's business community to implement initiatives that connect students with the business community to increase student engagement and job readiness. If the Superintendent forms such a partnership, requires that the initiatives do all of the following:

- (1) Support the career connection learning strategies included in model curriculum developed by the State Board and workforce development entities;
- (2) Provide an opportunity for students to earn high school credit or to meet curriculum requirements in accordance with the State Board's plan on subject area competency;
- (3) Inform the development of student success plans for students who are at-risk of dropping out of school.

Fiscal effect: Potential increase in administrative costs for ODE to develop the framework and update and disseminate information about the subject area competency plan, but these costs are not expected to exceed minimal. Potential increase in administrative costs for school districts and community schools to review adopted policies and comply with the framework.

EDUCD82 Adult Diploma Program payments**R.C. 3313.902**

Specifies that an entity other than ODE make full or partial payments for a student participating in the Adult Diploma Program to the student's school, if the Superintendent of Public Instruction and the Chancellor of Higher Education determine that it is appropriate for that entity to make those payments.

Fiscal effect: Allows providers to use local sources of funding to support the Adult Diploma program. According to ODE, demand for the Adult Diploma program has previously exceeded funding and is expected to grow as providers scale up operations. Adults participating in the program would not be charged, but private philanthropy, scholarship funds, endowments, and businesses are all potential sources of funds.

Executive

EDUCD33 Pre-apprenticeship training programs**R.C. 3313.904**

Requires ODE and the Department of Job and Family Services to establish an option for career-technical education students to participate in pre-apprenticeship training programs that impart the skills and knowledge needed for successful participation in a registered apprenticeship occupation course.

Fiscal effect: Likely no more than a minimal, as it appears to primarily codify an option already available for Ohio students. Registered apprenticeship training and recognized pre-apprenticeship programs are overseen by the Ohio State Apprenticeship Council, within ODJFS.

EDUCD53 Approval of industry-recognized credentials and licenses**R.C. 3313.6112, 3302.03, 3313.618**

Requires the Superintendent of Public Instruction, in collaboration with the Governor's Office of Workforce Transformation and representatives of business organizations, by January 1, 2018, to establish a committee to develop and update biannually a list of industry-recognized credentials and licenses for high school graduation and state report card purposes.

Fiscal effect: Increases the administrative responsibilities of ODE.

EDUCD83 OhioMeansJobs Readiness Seal**R.C. 3313.6112, 3313.618 and 3313.6110**

Requires the Superintendent of Public Instruction, in consultation with the Chancellor of Higher Education and the Governor's Office of Workforce Transformation, to establish the OhioMeansJobs-Readiness Seal and requires the seal to be attached to the diplomas and transcripts of high school students and homeschooled students who (1) satisfy certain requirements, including demonstration of work-readiness and work ethic competencies, and (2) submit a form validated by at least three individuals, each of whom have been an employer, teacher, business mentor, community leader, faith-based leader, school leader, or coach of the student.

Fiscal effect: Potential minimal increase in administrative costs for ODE to establish the seal and for districts and schools to make the appropriate designation on the diplomas and transcripts of qualifying students.

Executive

EDUCD50 College Credit Plus - student eligibility**R.C. 3365.03, Section 733.20**

Beginning with students seeking to participate in the College Credit Plus (CCP) program during the 2018-2019 school year, requires a student, as a condition of eligibility, to either: (1) be considered "remediation-free" on one of the assessments established by the college presidents for the purpose of determining a student's remediation-free status; or (2) score within one standard error of measurement below the remediation-free threshold for one of those assessments and either (a) have a GPA of at least 3.0 or (b) receive a recommendation from a school counselor, principal, or career-technical program advisor.

Requires the student to meet the college's established standards for enrollment (in addition to the college's standards for admission and course placement, as under current law), as well as the relevant academic program's established standards for admission, enrollment, and course placement.

Fiscal effect: May reduce participation in the CCP program, and thus, the amounts deducted from school district state foundation aid allocations to pay the costs of the program for public school students. Any reduction is likely to be small; the Department of Higher Education indicated that it has identified between 2% and 4% of CCP participants as "underperforming." CCP payments to colleges amounted to about \$39 million for FY 2016.

EDUCD52 College credit plus - appeals**R.C. 3365.03, 3365.12**

Changes to whom a student may appeal a principal's decision, with regard to the student's participation in the CCP Program, from the State Board of Education to the district superintendent (if enrolled in a school district) or the applicable governing entity (if enrolled in other types of public schools). Specifies that the district superintendent's or governing entity's decision on the appeal is final.

Changes to whom a participant may appeal a dispute, with regard to the granting of credit for CCP courses, from the State Board to ODE.

Fiscal effect: May reduce the administrative duties of the State Board and increase those of district superintendents and applicable governing authorities.

Executive

EDUCD41 College Credit Plus - annual deadline to provide program information**R.C. 3365.04**

Moves to February 1 (from March 1 as under current law) the annual deadline by which a high school must provide information abo CCP to all students in grades 6-11.

Fiscal effect: None.

EDUCD51 College Credit Plus - notice to the Department of Education**R.C. 3365.05**

Removes provisions requiring public and participating private colleges to notify the Superintendent of Public Instruction of a CCP participant's (1) admission to the college under CCP, (2) courses and hours of enrollment, and (3) chosen participation option (Option A or B).

Fiscal effect: Negligible.

EDUCD42 College Credit Plus - courses eligible for funding**R.C. 3365.06**

Requires the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, to adopt rules specifying which courses under the CCP program are eligible for funding from ODE.

Requires the rules to address (1) whether courses must be taken in a specified sequence, (2) whether to restrict funding and limit eligibility to certain types of courses, including those in the statewide articulation and transfer system, those that apply to multiple degree pathways or are applicable to in-demand jobs, or other types of courses; (3) whether courses with private instruction, as defined by the Chancellor, are eligible for funding; and (4) the school year for which implementation of the rules first apply.

Requires the Chancellor, when developing the rules, to establish a process to receive input from high schools, colleges, and interested parties.

Fiscal effect: Uncertain.

Executive

EDUCD45 College Credit Plus - default payment structure

R.C. 3365.07, 3365.01, *conforming change in R.C.*
3301.0712

Prohibits payments made by the Department for a CCP course under an alternative payment structure from being below the default floor amount (in FY 2017, the default floor amount per credit hour is \$42).

Prohibits payments made by ODE for a CCP course under an alternative payment structure from exceeding the college's standard rate for an undergraduate course, if that rate is less than the default ceiling amount (the default ceiling rate per credit hour for FY 2017 is \$166). Defines "standard rate" for the purposes of the CCP program as the in-state, undergraduate tuition cost per credit hour for non-CCP students.

Specifies that if ODE is required to pay the default ceiling amount or 50% of the default ceiling amount for a CCP course under the default payment structure, ODE must instead pay the college's standard rate if that rate is less than the default ceiling amount or 50% of that amount, whichever is applicable.

Maintains the default ceiling amount per credit hour and the default floor amount per credit hour at their FY 2017 levels in FY 2018 and FY 2019.

Fiscal effect: May increase or decrease the aggregate amounts paid to colleges under CCP, which are funded through deductions of school district state foundation aid for public school students and direct appropriations for chartered nonpublic and home-instructed students. On one hand, colleges with agreements below the default floor amount will experience a gain in revenue while, conversely, school districts that have entered into such agreements will experience an increase in the amount deducted from their state foundation aid for each applicable participant in CCP. On the other hand, there will be a revenue loss for colleges that will be limited to charging their standard rate. Due to their lower tuition rates, this provision primarily affects community colleges and could also affect some university branch campuses. Accordingly, deductions of state aid from school districts may decrease.

Executive

EDUCD48 College Credit Plus - textbooks

R.C. 3365.072, 3365.01, 3365.07, conforming change in R.C. 3301.0712, Section 733.30

Requires, beginning in the 2018-2019 school year, each public and nonpublic high school to enter into an agreement with each college that enrolls the school's participants under Option B of CCP to specify arrangements for the provision of textbooks. Specifies that a textbook agreement is separate from any CCP funding agreement that the school and college enter into for the payment of tuition and fees under the program.

Requires the agreement to include the following provisions:

- (1) The college must provide all required textbooks to participants.
- (2) The high school must pay for the textbooks under one of the following two options:
 - (a) the school pays the college \$10 per credit hour per participant, the college owns the textbooks, and the participant returns the textbooks to the college; or
 - (b) the school and the college agree on an amount, which the school pays to the college, and specify who owns the textbooks and to whom the participant returns the textbooks.
- (3) Participants cannot be charged for required textbooks.
- (4) The procedures established for the efficient distribution of textbooks to participants, which must include specified administrative and procedural information.

Prescribes a different structure for home-instructed participants to procure textbooks under CCP by requiring the participant to choose one of the following arrangements and notify the college of the option selected:

- (1) The participant pays the college \$10 per credit hour to rent the textbooks, the college owns the textbooks, and the participant returns the textbooks to the college.
- (2) The participant purchases and owns the textbooks.

Defines "textbook" as any paper, electronic, or other purchased coursework material.

Permits multi-year textbook agreements for textbooks required for courses that are delivered at the high school on a regular basis and taught by a high school teacher.

Requires high schools to include information on the school's textbook agreements in the counseling information currently provided to students.

Requires the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, to collect regular feedback regarding textbook agreements from schools, colleges, and interested parties.

Executive

Fiscal effect: The overall effect is uncertain given that textbook arrangements under current law vary depending on the type of high school, college, and availability of alternative CCP payment arrangements. However, it is possible that the provision shifts responsibility for a portion of the costs of textbooks for some CCP participants to the college by limiting the high school's cost to \$10 per credit hour per participant as one funding option. Under current law, public and chartered nonpublic high schools must pay for a student's textbooks if the student is enrolled in a public college and ODE pays the default payment amounts under CCP. However, if the high school and college enter into an agreement establishing an alternative payment structure, the high school and college may determine an alternative arrangement for which entity is responsible for the student's textbooks. In other circumstances, textbook arrangements are left to the high school and the college to determine under an alternative payment structure.

EDUCD46

College Credit Plus - underperforming students

R.C. 3365.091

Requires the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, to adopt rules specifying conditions under which participants determined to be underperforming may continue participating in CCP.

Requires the rules to at least address the following topics: (1) the definition of an underperforming participant, (2) additional conditions for participants with repeated underperformance to satisfy, (3) the timeframe for notifying an underperforming participant who is determined to be eligible for participation of such ineligibility, (4) mechanisms to assist underperforming participants, (5) the role of school guidance counselors and college academic advisors in assisting underperforming participants, (6) if a student is determined to be ineligible for participation, any consequences that ineligibility may have on the student's ability to complete the high school's graduation requirements, and (7) the school year for which implementation of the rules first apply.

Requires the Chancellor of Higher Education, in consultation with the Superintendent of Public Instruction, to establish a process to receive input from public and private high schools and colleges, and other interested parties.

Fiscal effect: Depending on the rules adopted, may reduce participation in the CCP program, and thus, the amounts deducted from school district state foundation aid allocations to pay the costs of the program for public school students. Any reduction is likely to be small. The Department of Higher Education has identified between 2% and 4% of CCP participants as "underperforming."

Executive

EDUCD6 Exemption from minor labor law requirements**R.C. 4109.06**

Specifies that the employers of minors participating in a STEM program approved by ODE or any eligible classes through the College Credit Plus Program that meet specified requirements are exempt from the state minor labor law, which restricts employment of minors in certain occupations.

Fiscal effect: None.

EDUCD75 Straight A Program**Section: 265.350**

Creates the Straight A Program to provide grants to school districts, JVSDs, ESCs, community schools, STEM schools, college preparatory boarding schools, individual school buildings, education consortia, institutions of higher education, and private or governmental entities partnering with one or more of those educational entities for projects that aim to achieve significant advancement in the following:

(1) increased student achievement, (2) spending reduction in the five year fiscal forecast for the purpose of redirecting the cost savings to support educational programming, and (3) use of shared service delivery models.

Establishes a nine-member governing board to award the grants. Requires ODE to provide administrative support to the board. Requires the board to select advisors with fiscal and education expertise to evaluate grant proposals. Requires the board to issue an annual report concerning the program.

Specifies the required components for each grant application and agreement as well as procedures and certain criteria to be used by the board in awarding the grants.

Fiscal effect: The bill appropriates \$15 million in each fiscal year from SLF Fund 7017 appropriation item 200648, Straight A Fund, for the grants.

Executive

EDUCD78 National Assessment of Education Progress**Section: 265.380**

Expresses the General Assembly's intention that Ohio school districts participate in the administration of the National Assessment of Education Progress (NAEP). Requires each school and school district selected to participate.

Fiscal effect: Minimal cost for districts chosen to participate. Federal funding is provided for coordination of the state's participation in NAEP.

EDUCD7 Use of volunteers**Section: 265.420**

Authorizes ODE to use the services of volunteers to accomplish any of the purposes of ODE.

Authorizes the Superintendent of Public Instruction to reimburse volunteers for necessary expenses in accordance with state guidelines and to designate volunteers as state employees for the purposes of motor vehicle accident liability insurance and for indemnification from liability incurred in the performance of their duties.

Fiscal effect: Potential cost savings for ODE if they can utilize volunteers for purposes which they would otherwise need to hire additional employees. This is a continuation of current law.

EDUCD8 Private treatment facility project**Section: 265.450**

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment center are enrolled in an approved educational program in or near the facility.

Lists the participating residential treatment centers as (1) private residential treatment facilities that have contracted with the Department of Youth Services to provide services and which are paid through appropriation item 470401, RECLAIM Ohio, (2) Abraxas, in Shelby, (3) Paint Creek, in Bainbridge, and (4) F.I.R.S.T., in Mansfield.

Requires that the school district responsible for tuition for a residential child pay the tuition to the provider of the educational programs. Prohibits a district from including the youth in the district's average daily membership (ADM).

Requires that ODE track the utilization of funds and monitor the program for educational accountability.

Executive

Fiscal effect: In addition to the tuition payment, the bill earmarks \$700,000 in each fiscal year from GRF appropriation item 200550, Foundation Funding, for the Private Treatment Facility Project.

EDUCD9 **Partnerships with the business community**

Section: 265.460

Specifically permits the Superintendent of Public Instruction to form partnerships with Ohio's business community to implement initiatives that connect students with the business community to increase student engagement and job readiness. If the Superintendent forms such a partnership, requires that the initiatives do all of the following:

- (1) Support the career connection learning strategies included in model curriculum developed by the State Board and workforce development entities;
- (2) Provide an opportunity for students to earn high school credit or to meet curriculum requirements in accordance with the State Board's plan on subject area competency;
- (3) Inform the development of student success plans for students who are at-risk of dropping out of school.

Fiscal effect: Permissive increase in administrative responsibilities for ODE to form the partnerships and assist in the development of partnership initiatives.

Appropriation Language

EDUCD11 **Operating Expenses**

Section: 265.20

Specifies that a portion of GRF appropriation item 200321, Operating Expenses, be used by ODE to provide matching funds under 20 U.S.C. 2321, which pertains to federal career and technical education assistance to the states.

Executive

EDUCD14 Information Technology Development and Support**Section: 265.30**

Specifies that GRF appropriation item 200420, Information Technology Development and Support, be used to support the development and implementation of information technology solutions designed to improve the performance and services provided by ODE. Permits this appropriation to also be used to support data-driven decision-making and differentiated instruction and to communicate academic content standards and curriculum models through the Internet.

EDUCD61 Alternative Education Programs**Section: 265.40**

Specifies the following for GRF appropriation item 200421, Alternative Education Programs:

- (1) Earmarks \$500,000 in each fiscal year to support Jobs for Ohio's Graduates.
 - (2) Earmarks up to \$350,000 in each fiscal year to support an information clearinghouse for the identification of and intervention for at-risk students.
 - (3) Specifies that the remainder be used for implementation grants and for competitive matching grants to school districts for alternative education programs for at-risk and delinquent youth. Permits ODE to limit awards to programs that use evidence-based strategies as defined by the Every Student Succeeds Act. Permits ODE to waive compliance with minimum education standards for schools receiving grants if the waiver enables the program to more effectively educate students. Permits a portion to be used for program administration, monitoring, technical assistance, support, research, and evaluation of the grant program.
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EDUCD1 School Management Assistance**Section: 265.50**

Specifies that GRF appropriation item 200422, School Management Assistance, be used by ODE to provide fiscal technical assistance and in-service education for school district management personnel and to administer, monitor, and implement the fiscal caution, fiscal watch and fiscal emergency provisions of the Revised Code.

Executive

EDUCD62 Policy Analysis**Section: 265.60**

Specifies the following regarding GRF appropriation item 200424, Policy Analysis:

Requires it to be used to support a system of administrative, statistical, and legislative education information to be used for policy analysis.

Permits a portion to be used to develop and implement an evidence-based clearinghouse to support school improvement strategies as part of the Every Student Succeeds Act.

Permits it to be used to purchase or contract for the development of software systems or contract for policy studies that will assist in the provision and analysis of policy-related information.

EDUCD15 Ohio Educational Computer Network**Section: 265.70**

Specifies that GRF appropriation item 200426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance in support of the P-16 State Education Technology Plan. Makes the following earmarks:

(1) Up to \$10,000,000 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet.

(2) Up to \$5,000,000 in each fiscal year to support the activities of designated information technology centers and to monitor and support the quality of data submitted to ODE.

Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems, the teacher student linkage/roster verification process, and the eTranscript/student records exchange initiative.

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EDUCD63 Academic Standards**Section: 265.80**

Specifies that GRF appropriation item 200427, Academic Standards, be used to develop and communicate to school districts academic content standards and curriculum models and to develop professional development programs and other tools on the new content standards and model curriculum.

EDUCD64 Student Assessment**Section: 265.90**

Earmarks up to \$2,760,000 in each fiscal year of GRF appropriation item 200437, Student Assessment, for costs associated with the state's required diagnostic assessments.

Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, and report results of assessments, including the English language arts, mathematics, science, and social studies assessments and the Ohio Graduation Test. Permits ODE to use the funds to update and develop certain diagnostic assessments for students in grades kindergarten through three.

Authorizes the transfer in each fiscal year of unexpended and unencumbered GRF appropriations within ODE to GRF appropriation item 200437, Student Assessment, if the Superintendent of Public Instruction and the OBM Director determine that additional funds are needed to fully fund the assessments.

EDUCD65 Accountability/Report Cards**Section: 265.100**

Permits a portion of GRF appropriation item 200439, Accountability/Report Cards, in each fiscal year to be used to train district and regional specialists and district educators in the use of the value-added progress dimension and data as it relates to improving student achievement. Allows a portion of this appropriation to be provided to a credible nonprofit organization with expertise in value-added progress dimensions.

Executive

Specifies that the remainder of the appropriation be used to incorporate a statewide value-added progress dimension into performance ratings for school districts and develop an accountability system that includes the preparation and distribution of school report cards, funding and expenditure accountability reports, the development and maintenance of teacher value-added reports, the teacher student linkage/roster verification process, and the performance management section of ODE's website.

EDUCD16 Child Care Licensing**Section: 265.100**

Specifies that GRF appropriation item 200442, Child Care Licensing, be used by ODE to license and to inspect preschool and school-age child care programs.

EDUCD66 Emergency Management Information System**Section: 265.110**

Specifies that GRF appropriation item 200446, Education Management Information System, be used to improve the education management information system (EMIS) and makes the following earmarks:

(1) Up to \$725,000 in each fiscal year to be distributed to information technology centers for costs related to processing, storing, and transferring data for the effective operation of EMIS.

(2) Up to \$400,000 in each fiscal year to be distributed to information technology centers to provide grants for professional development opportunities to district and school personnel related to EMIS.

Specifies that the remainder be used to develop and support a common core of data definitions and standards as adopted by the EMIS Advisory Board, including the ongoing development and maintenance of the data dictionary and data warehouse.

Specifies that any provider of software meeting the standards approved by the Board be designated as an approved vendor and be permitted to enter into contracts with educational entities for the purpose of collecting and managing data required under Ohio's EMIS law.

Prohibits school districts, STEM schools, and community schools that are not implementing a common and uniform set of data definitions and data format standards from receiving funding until they are in compliance.

Executive

EDUCD17 Educator Preparation**Section: 265.120**

Makes the following earmarks of GRF appropriation item 200448, Educator Preparation:

- (1) Up to \$500,000 in each fiscal year for ODE to monitor and support Ohio's State System of Support under federal law.
- (2) Up to \$100,000 in each fiscal year to support the Educator Standards Board and various school reforms.

Permits the remainder to be used for implementation of teacher and principal evaluation systems, including incorporation of student growth as a metric in those systems, and teacher value-added reports.

EDUCD18 Community Schools and Choice Programs**Section: 265.130**

Permits GRF appropriation item 200455, Community Schools and Choice Programs, to be used to operate school choice programs. Permits a portion of the appropriation in each fiscal year to be used by ODE for developing and conducting training sessions for sponsors and prospective sponsors of community schools and other schools participating in school choice programs.

EDUCD19 Education Technology Resources**Section: 265.140**

Makes the following earmarks to GRF appropriation item 200465, Education Technology Resources:

- (1) Up to \$1,443,572 in each fiscal year for the Union Catalog and InfOhio Network.
- (2) Up to \$1,027,176 in each fiscal year to contract with educational television stations and education technology centers to provide public schools with instructional resources and services. Specifies that priority be given to resources and services aligned with state academic content standards. Specifies that such resources and services be based upon the advice and approval of ODE, based on a formula developed in consultation with educational television stations and educational technology centers.

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Specifies that the remainder be used to support the training, technical support, and guidance to school districts and public libraries in applying for federal E-Rate funds; for oversight and guidance of school district technology plans; and for support to district technology personnel. Permits the funds to be used for the eTranscript/student records exchange initiative and for internet safety training for students, teachers, and administrators.

EDUCD67 Pupil Transportation**Section: 265.150**

Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:

- (1) Up to \$838,930 in each fiscal year for training school bus drivers.
- (2) Up to \$60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county DD boards.
- (3) Up to \$2,500,000 in each fiscal year to reimburse school districts for payments to parents in lieu of providing school bus service. Requires a school district, if a parent, guardian, or other person in charge of a pupil accepts the offer of payment in lieu of providing transportation, to pay that parent, guardian, or other person at least \$250 and not more than the amount determined by ODE as the average cost of pupil transportation for the previous school year. Permits the payment to be prorated if the time period involved is only a part of the school year.

Specifies that the remainder of the appropriation be used for the pupil transportation aid formula and the transportation supplement.

EDUCD2 School Lunch Match**Section: 265.160**

Specifies that GRF appropriation item 200505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.

Permits any remaining appropriation to be used to partially reimburse school buildings required to have a school breakfast program.

Executive

EDUCD20 Auxiliary Services**Section: 265.170**

Earmarks up to \$2,600,000 in each fiscal year of GRF appropriation item 200511, Auxiliary Services, for nonpublic school student participation in the College Credit Plus Program.

Requires the remainder of the appropriation be used for Auxiliary Services. Prohibits the payments to nonpublic schools from exceeding \$862 per student for each school year.

EDUCD21 Nonpublic Administrative Cost Reimbursement**Section: 265.180**

Specifies that GRF appropriation item 200532, Nonpublic Administrative Cost Reimbursement, be used to reimburse chartered nonpublic schools for their administrative costs associated with maintaining their state charter.

Prohibits reimbursement payments from exceeding \$399 per student for each school year.

EDUCD3 Special Education Enhancements**Section: 265.190**

Makes the following earmarks to GRF appropriation item 200540, Special Education Enhancements:

- (1) Up to \$33,000,000 in each fiscal year to fund special education and related services at county DD boards and state institutions.
- (2) Up to \$1,350,000 in each fiscal year for parent mentoring programs.
- (3) Up to \$3,000,000 in each fiscal year for school psychology interns.
- (4) \$3,000,000 in each fiscal year to be transferred to the Opportunities for Ohioans with Disabilities Agency via an intrastate transfer voucher. Requires the transferred funds to be used as state matching funds to draw down available federal funding for vocational rehabilitation services. Specifies that funding be used to hire vocational rehabilitation counselors to provide transition services for students with disabilities. Requires the agencies to enter into an interagency agreement to specify the responsibilities of each agency under the program.

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(5) Up to \$2,000,000 in each fiscal year to be used to build capacity to deliver a regional system of training, support, coordination, and direct service for secondary transition services for students with disabilities beginning at age 14.

Specifies that the remainder of the appropriation be used to distribute preschool special education funding for school districts and state institutions. Requires funded entities to adhere to Ohio's early learning program standards, to participate in the Step Up to Quality program, to document child progress using research-based indicators, and to report results annually.

EDUCD4**Career-Technical Education Enhancements****Section: 265.200**

Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:

(1) Up to \$1,000,000 in each fiscal year to support career connections activities.

(2) Up to \$2,563,568 in each fiscal year to fund secondary career-technical education at institutions, OSD, and OSB. Notwithstanding the unit funding formula and specifies the funding be distributed using a grant-based methodology.

(3) Up to \$1,872,948 in FY 2018 and \$936,474 in FY 2019 to fund competitive expansion grants to tech prep consortia.

(4) Up to \$3,100,850 in each fiscal year to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs.

(5) Up to \$600,000 in each fiscal year to fund the Agriculture 5th Quarter Project.

(6) Up to \$550,000 in each fiscal year to support career planning and reporting through the OhioMeansJobs web site.

(7) Up to \$1,000,000 in each fiscal year to support payments to public schools whose students earn an industry-recognized credential or receive a journeyman certification. Requires ODE, the Department of Higher Education, and the Governor's Office of Workforce Transformation to develop a reimbursement schedule. Requires the educating entity to pay for the cost of the credential for economically disadvantaged students. Specifies that the educating entity may claim reimbursement up to six months after the student has graduated from high school. Requires ODE to prorate amounts so that the aggregate amount appropriated is not exceeded if the amount appropriated is insufficient.

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EDUCD68 Foundation Funding

Section: 265.210

Makes the following earmarks to GRF appropriation item 200550, Foundation Funding:

- (1) Up to \$40,000,000 in each fiscal year for additional state aid to school districts, joint vocational school districts, STEM, and community schools for special education students exceeding certain specified catastrophic cost thresholds.
- (2) Up to \$3,800,000 in each fiscal year to fund gifted education units at ESCs. Specifies that the distribution of gifted education funds to ESCs is based on a unit methodology used prior to FY 2010.
- (3) Up to \$31,000,000 in each fiscal year to fund the state reimbursement of ESCs
- (4) Up to \$10,000,000 in each fiscal year to be distributed to ESCs through a grant process for School Improvement Initiatives and for the provision of technical assistance to schools and districts as required by federal law.
- (5) Up to \$10,000,000 in each fiscal year for payments to school districts resulting from certain recomputations of state foundation aid due to changes in property tax valuation. Requires that ODE prorate the payments to not exceed the set aside.
- (6) Up to \$28,600,000 in FY 2018 and up to \$26,400,000 in FY 2019 to support school choice programs.
- (7) Up to \$15,400,000 in FY 2018 and up to \$17,600,000 in FY 2019 of the foundation program funds allocated to the Cleveland Municipal School District for the Cleveland school choice program. Earmarks, of that amount, up to \$1,000,000 in each fiscal year for the district to provide tutorial assistance.
- (8) Up to \$1,500,000 in each fiscal year for home-instructed students to participate in the College Credit Plus Program.
- (9) An amount to fund joint vocational school districts (JVSDs).
- (10) Up to \$700,000 in each fiscal year for the private treatment facility project.
- (11) An amount to pay college-preparatory boarding schools the per pupil boarding amount.
- (12) Up to \$2,000,000 in each fiscal year for the Bright New Leaders for Ohio Schools Program
- (13) A portion in each fiscal year to pay community schools and STEM schools the amount calculated for the graduation and third-grade reading bonuses.
- (14) Up to \$2,000,000 in in each fiscal year for the establishment of academic distress commissions. Permits a portion of the funds to be used as matching funds for any monetary contributions made by a school district for which an academic distress commission is established or by the district's local community to support innovative education programs or a high-quality school accelerator.

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Specifies that the remainder be used to distribute to city, local, and exempted village school districts the amounts calculated for formula aid and temporary transitional aid.

Specifies that GRF appropriation items 200502, Pupil Transportation, 200540, Special Education Enhancements, and 200550, Foundation Funding, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek approval from the OBM Director to transfer funds among these items, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.

Authorizes the payment of school operating funds in amounts substantially equal to those made in the prior year until the new school funding formulas take effect.

EDUCD69 Literacy Improvement**Section: 265.240**

Specifies that GRF appropriation item 200566, Literacy Improvement, be used by ODE to support early literacy activities in order to bolster all students' reading success and to distribute funds to an ESC or to establish and support regional literacy professional development teams.

Specifies that a portion of the funds may be used by ODE for program administration, monitoring, technical assistance, support, research, and evaluation related to early learning activities.

EDUCD70 Adult Education Programs**Section: 265.250**

Requires that GRF appropriation item 200572, Adult Education Programs, be used to make payments to institutions participating in the Adult Diploma Pilot Program, to make payments to school districts, schools, community colleges, university branches, technical colleges, or state community colleges for students ages 22 and above who enroll to earn a high school diploma and to pay career-technical planning districts (CTPDs) for the amounts reimbursed to students.

Requires CTPDs to reimburse individuals taking a nationally recognized high school equivalency examination approved by ODE for the first time for application/examination fees in excess of \$40 up to a maximum of \$80. Requires each CTPD to designate a site or sites where individuals may register and take an approved examination and to offer career counseling services for each individual that registers for the examination. Specifies that any remaining funds in each fiscal year be reimbursed to the Department of Youth Services and the Department of Rehabilitation and Correction for individuals in

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these facilities who have taken the approved examination for the first time. Prohibits the amounts reimbursed for these individuals from exceeding the per-individual amounts reimbursed to other individuals for the approved examination.

Permits any unexpended funds in each fiscal year to be encumbered by ODE and remain available for payment within two years of the fiscal year in which the funds were originally appropriated, with approval from the Superintendent of Public Instruction.

Permits a portion to be used for program administration, technical assistance, support, research, and evaluation of adult education programs including high school equivalency examinations approved by ODE.

EDUCD22 EdChoice Expansion**Section: 265.260**

Requires that GRF appropriation item 200573, EdChoice Expansion, be used to pay for EdChoice scholarships for students from families with incomes below 200% of the federal poverty level regardless of the performance of the school the student would otherwise attend. Prohibits the number of scholarships awarded under the expansion from exceeding the number that can be funded with the amount appropriated for this purpose.

EDUCD86 Half-Mill Maintenance Equalization**Section: 265.260**

Requires that GRF appropriation item 200574, Half-Mill Maintenance Equalization, be used to make payments under the Half-Mill Maintenance Equalization program.

EDUCD25 Education Program Support**Section: 265.270**

Earmarks \$2,000,000 in each fiscal year from GRF appropriation item 200597, Education Program Support, to support Teach For America.

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EDUCD60 Medicaid in Schools Program**Section: 265.280**

Requires that GRF appropriation item 657401, Medicaid in Schools Program, be used to support the Medicaid in Schools Program.

EDUCD71 High School Equivalency**Section: 265.290**

Requires that DPF Fund 4540 appropriation item 200610, High School Equivalency, be used in conjunction with GRF appropriation item 200572, Adult Education Programs.

EDUCD26 Teacher Certification and Licensure**Section: 265.300**

Specifies that DPF Fund 4L20 appropriation item 200681, Teacher Certification and Licensure, be used in each fiscal year to administer and support teacher certification and licensure activities. Permits a portion to be used for implementation of a teacher and principal evaluation system.

EDUCD27 Auxiliary Services Reimbursement**Section: 265.310**

Requires, if the unexpended, unencumbered cash balance is sufficient, that the Treasurer of State transfer \$1,500,000 in each fiscal year from the Auxiliary Services Personnel Unemployment Compensation Fund to the Auxiliary Services Reimbursement Fund (Fund 5980).

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EDUCD28 School District Solvency Assistance**Section: 265.320**

Specifies that funds in DPF Fund 5H30 appropriation item 200687, School District Solvency Assistance, be used to provide assistance and grants to school districts to enable them to remain solvent. Requires that assistance and grants be subject to the approval of the Controlling Board.

Earmarks \$5,000,000 in each fiscal year for the School District Shared Resource Account to make advances to districts that must be repaid.

Earmarks \$5,000,000 in each fiscal year for the Catastrophic Expenditures Account to make grants to school districts that need be repaid only if the district receives third party reimbursement funding.

Permits the OBM Director to make cash transfers into the School District Solvency Assistance Fund (Fund 5H30) in each fiscal year from the GRF or any funds used by ODE to maintain sufficient cash balances in the fund. Appropriates any funds so transferred. Requires the Director to notify the Controlling Board of any such transfers.

Permits, if the cash balance of Fund 5H30 is insufficient to pay solvency assistance, and with approval of the Controlling Board, the transfer of cash from the Lottery Profits Education Reserve Fund (Fund 7018) to Fund 5H30 to provide assistance and grants. Appropriates any funds so transferred to Fund 5H30 appropriation item 200670, School District Solvency Assistance - Lottery.

EDUCD72 Lottery Profits Education Fund**Section: 265.330**

Specifies that SLF Fund 7017 appropriation item 200612, Foundation Funding, be used in conjunction with GRF appropriation item 200550, Foundation Funding, to provide formula aid payments to school districts.

Requires ODE, with the approval of the OBM Director, to determine the monthly distribution schedules of items 200550 and 200612.

Executive

EDUCD73 Community Connectors Program**Section: 265.330**

Specifies that SLF Fund 7017 appropriation item 200629, Community Connectors, be used to create the Community Connectors Grant Program. Requires that the program award competitive matching grants to provide funding for local networks of volunteers and organizations to sponsor career advising and mentoring for students in eligible school districts. Requires each grant award to match up to three times the funds allocated to the project by the local network.

Specifies that eligible school districts are those with a high percentage of students in poverty, a high number of students not graduating on time, and other criteria as determined by ODE.

Requires eligible school districts to partner with members of the business community, civic organizations, or the faith-based community to provide sustainable career advising and mentoring services.

Permits any unexpended and unencumbered funds at the end of FY 2018 to be reappropriated for the same purpose in FY 2019, with the approval of the OBM Director.

Specifies that grants awarded may be used by grant recipients for grant-related expenses for up to three years from the date of the award.

EDUCD74 Straight A Fund**Section: 265.330**

Requires that SLF Fund 7017 appropriation item 200648 Straight A Fund, be used by ODE to make competitive grants in accordance with the Straight A Program.

EDUCD10 Community School Facilities**Section: 265.330**

Specifies that SLF Fund 7017 appropriation item 200681, Community School Facilities, be used to pay brick-and-mortar community and STEM schools an amount of \$200 per pupil and internet- and computer-based community schools an amount of \$25 per pupil in each fiscal year for facilities-related costs.

Executive

Requires ODE to prorate payments if the amount appropriated is insufficient.

EDUCD76 Lottery Profits Education Reserve Fund**Section: 265.350**

Creates the Lottery Profits Education Reserve Fund (Fund 7018). Permits the OBM Director to transfer cash from Fund 7018 to the Lottery Profits Education Fund (Fund 7017) in both fiscal years. Requires the Lottery Commission Director to certify on July 15, 2017, the amount by which lottery profits exceeded \$1,030,000,000 in FY 2017 and on July 15, 2018, the amount by which lottery profits exceeded \$1,045,000,000 in FY 2018, to the OBM Director. Permits the OBM Director to transfer cash in excess of the amounts necessary to support appropriations in Fund 7017 to Fund 7018.

EDUCD55 Federal Education Grants Fund**Section: 265.370**

Requires the Superintendent of Public Instruction to certify to the OBM Director the unexpended, unencumbered cash balances of the Neglected and Delinquent Education Fund (Fund 3090), the Advanced Placement Fund (Fund 3EK0), the Miscellaneous Nutrition Grants Fund (Fund 3GF0), the School Climate Transformation Fund (Fund 3GP0), the Project Aware Fund (Fund 3GQ0), the JAVITS Gifted and Talented Students Fund (Fund 3GZ0), and the Head Start Collaboration Project Fund (Fund 3H90). Permits the Director to transfer the cash balances of those funds to the Department of Education Federal Education Grants Fund (Fund 3HF0) upon receipt of the certification.

EDUCD30 Community school SBH subsidy**Section: 265.390**

Continues the subsidy payment in current law for certain community schools that serve students with severe behavioral handicaps (SBH). Specifies that the amount of the subsidy is not deducted from the students' resident school district.

Executive

EDUCD31 Earmark accountability**Section: 265.400**

Authorizes the Superintendent of Public Instruction to request an annual accountability report from any entity that receives a budget earmark under ODE's budget.

Requires that the report be submitted to ODE and House and Senate committees primarily concerned with education funding to the list of recipients.

Prohibits the provision of funds to an earmarked entity for a fiscal year until its report for the prior fiscal year has been submitted, if the entity received an earmark.

Executive

PAYCD1 Payroll Deduction Fund**Section: 271.20**

Requires that Payroll Deduction Fund (Fund 1240) appropriation item 995673, Payroll Deductions, be used to make payments pursuant to R.C. 125.21 for withheld taxes, the employee's retirement contributions, and voluntary deductions. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

PAYCD2 Accrued Leave Liability Fund**Section: 271.20**

Requires that Accrued Leave Liability Fund (Fund 8060) appropriation item 995666, Accrued Leave Fund, be used to make payments for accrued vacation, sick, and personal leave to employees leaving state employment, as well as to existing employees for annual sick and personal leave conversion. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

PAYCD3 State Employee Disability Leave Benefit Fund**Section: 271.20**

Requires that State Employee Disability Leave Benefit Fund (Fund 8070) appropriation item 995667, Disability Fund, be used to make payments for state employee disability benefits pursuant R.C. 124.83. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

PAYCD4 State Employee Health Benefit Fund**Section: 271.20**

Requires that State Employee Health Benefit Fund (Fund 8080) appropriation item 995668, State Employee Health Benefit Fund, be used to make payments for medical, mental health, prescription, dental, and vision coverage for state employees. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

Executive

PAYCD5 Dependent Care Spending Fund**Section: 271.20**

Requires that Dependent Care Spending Fund (Fund 8090) appropriation item, 995669, Dependent Care Spending Account, be used to make payments to state employees enrolled in the Dependent Care Spending Account Program. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

PAYCD6 Life Insurance Investment Fund**Section: 271.20**

Requires that Life Insurance Investment Fund (Fund 8100) appropriation item 995670, Life Insurance Investment Fund, be used to pay for the costs of the state's life insurance benefit program that provides coverage for exempt state employees. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

PAYCD7 Parental Leave Benefit Fund**Section: 271.20**

Requires that Parental Leave Benefit Fund (Fund 8110) appropriation item 995671, Parental Leave Benefit Fund, be used to make payments to employees eligible for parental leave benefits. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

PAYCD8 Health Care Spending Account Fund**Section: 271.20**

Requires that Health Care Spending Account Fund (Fund 8130) appropriation item 995672, Health Care Spending Account, be used to make payments pursuant to state employees' participation in a flexible spending account for nonreimbursed health care expenses. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

Executive

EPACD5 Local air pollution control authorities**R.C. 3704.111, 3704.01**

(1) Modifies the list of local agencies that constitute a local air pollution control authority for purposes of the law governing air pollution control by doing all of the following: (1) changing the name of the agency representing Butler, Warren, Hamilton, and Clermont counties from the Hamilton County Department of Environmental Services to the Hamilton County Department of Environmental Services, Southwest Ohio Air Quality Agency, (2) expanding the jurisdiction of the City of Cleveland Division of the Environment to all of Cuyahoga County, rather than the city of Cleveland only, and (3) eliminating the North Ohio Valley Air Authority that represents Carroll, Jefferson, Columbiana, Harrison, Belmont, and Monroe counties.

(2) Authorizes the Director of Environmental Protection to modify a contract between the Director and a local air pollution control authority to authorize that authority to perform air pollution control activities outside that authority's geographic boundaries.

Fiscal effect: There will be no fiscal effect on the Ohio Environmental Protection Agency, but does alter the distribution of available funding for local air pollution control authority agencies.

EPACD16 Elimination of the Clean Diesel School Bus Fund**R.C. 3704.144 (repealed), Section 512.90**

Eliminates the Clean Diesel School Bus Fund (Fund 5CD0) which, according to the Agency, is obsolete and is required to provide grants to school districts and county boards of developmental disabilities. Abolishes the Clean Diesel School Bus Fund (Fund 5CD0), which was originally created to provide grants to school districts and county boards of developmental disabilities, and in effect redirects the money for this purpose to the existing Diesel Emission Reduction Grant Program, which provides partial funding for replacing aging diesel buses with new clean diesel or alternatively fueled buses.

Fiscal effect: None, as the purposes for which Fund 5CD0 was established are now obsolete.

Executive

EPACD17 Asbestos abatement certification transfer

R.C. **3710.02, 3701.83, 3704.035, 3710.01,
3710.02, 3710.04, 3710.05, 3710.051,
3710.06, 3710.07, 3710.08, 3710.09, 3710.10,
3710.11, 3710.12, 3710.13, 3710.14, 3710.15,
3710.17, 3710.19, 3710.99, 3745.11, Sections
277.20 and 812.10**

- (1) Transfers the authority to administer and enforce the laws governing asbestos abatement from the Department of Health (DOH) to the Ohio Environmental Protection Agency (Ohio EPA) beginning January 1, 2018.
- (2) Eliminates several administrative procedures that apply to DOH hearings regarding violations of the law governing asbestos abatement that are supplemental to the Administrative Procedure Act.
- (3) Makes technical and clarifying changes for purposes of transferring the asbestos certification program from the Department of Health to the Ohio EPA, including the following:
 - (a) Revises definitions that apply to asbestos certification to comport with rules adopted by the Director of Environmental Protection that address asbestos under current law.
 - (b) Specifies that rules adopted by the Director of Environmental Protection, hearing procedures, and emergency orders of the Director apply to environmental health and environmental health emergencies, rather than public health and public health emergencies.
 - (c) Stipulates that all rules, orders, and determinations of the Department of Health related to the Asbestos Abatement Program continue in effect until the rules, orders, and determinations of the Ohio EPA become effective.
 - (d) Stipulates that all licenses, certificates, permits, registration approvals, or endorsements issued by the Department of Health before January 1, 2018, continue in effect as if issued by the Ohio EPA.
 - (e) Stipulates that business commenced but not completed by the Department of Health must be completed by the Ohio EPA, and provides for the transfer of the authority over contracts from the Department to the Ohio EPA.
 - (f) Transfers all employees of the Department of Health working full-time for the Asbestos Abatement Program to the Ohio EPA, subject to specified labor laws and the applicable collective bargaining agreement.
 - (g) Authorizes the Department of Health and the Ohio EPA to enter into a memorandum of understanding to facilitate the transfer.

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(4) Requires money collected from civil and criminal penalties, fees, and other money collected under the law governing asbestos abatement to be deposited in the Non-Title V Clean Air Fund (Fund 4K20), rather than the General Operations Fund (Fund 4700) currently administered by the Department of Health.

(5) Permits the Director of Budget and Management, on January 1, 2018, or soon as possible thereafter, to transfer up to \$400,000 from Fund 4700 to Fund 4K20. Requires the Director, upon completion of the transfer, to cancel any existing encumbrances against DPF Fund 4700 appropriation item 440647, Fee Supported Programs, related to the asbestos abatement certification program, and then against DPF Fund 4K20 appropriation item 715648, Clean Air - Non-Title V. Appropriates the reestablished encumbrance amounts.

Fiscal effect: Presumably, other than the onetime cost to move the program and related personnel from DOH to the Ohio EPA, there is no ongoing state fiscal effect as the revenue and related expenditures are simply shifting from one state agency to another.

EPACD20**Monitoring of explosive gases at solid waste disposal facilities****R.C. 3734.041**

Revises the law governing the monitoring of methane gas at solid waste disposal facilities as follows:

- (1) Authorizing, rather than requiring as provided under current law, the Director of Environmental Protection to order the submittal of explosive gas monitoring plans when there is a threat (rather than a danger as in current law) to human health or safety or the environment.
- (2) Requiring a plan to be submitted for active or closed solid waste disposal facilities, if ordered, rather than for active or closed sanitary landfills (a subset of solid waste disposal facilities) as provided under current law.
- (3) Adds to the individuals who may be required to create and submit an explosive gas monitoring plan to include a person appointed as a receiver under the law governing receiverships and a trustee in bankruptcy.
- (4) Adds "information related to concentrations of explosive gas at or surrounding a facility" to the list of factors that may trigger an order to submit an explosive gas monitoring plan.
- (5) Requires the plan to provide for adequate evaluation of explosive gas generation at and migration from the facility,
- (6) Requires specified "responsible parties" associated with a facility to do both of the following after the submittal of the plan to: (a) monitor explosive gas levels at the facility, and (b) submit written reports of the results of the monitoring in accordance with the plan.

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(7) Authorizes, rather than requires as provided under current law, the Director to do both of the following: (a) conduct an evaluation of the levels of explosive gases on the premises of a facility to determine whether the formation or migration of the gases is a threat to human health or safety or the environment, and (b) issue orders addressing explosive gas formation and migration issues at any facility (currently sanitary landfills only) when the Director determines that the formation and migration could threaten human health or safety or the environment.

(8) Authorizes the Director or the Director's authorized representative on their own initiative to enter on land where a facility is located in order to evaluate explosive gas generation and migration.

(9) Limits evaluations of structures in proximity of a facility to occupied structures, rather than all structures as under current law.

Fiscal effect: Likely annual expense increase for the Ohio EPA to monitor an unknown number of additional facilities.

EPACD1 Antiquated law governing solid waste facilities

R.C. 3734.05, 3734.02, and 3734.06

Eliminates antiquated provisions of law that applied in the 1980s and early 1990s and that governed applications for a permit-to-install a solid waste facility.

Fiscal effect: None.

EPACD15 Scrap Tire Grant Fund transfer

R.C. 3734.82

(1) Makes discretionary the current law requirement that the Director of Environmental Protection request the Director of Budget and Management to transfer \$1.0 million each fiscal year from the Scrap Tire Management Fund (Fund 4R50) to the Scrap Tire Grant Fund (Fund 5860).

(2) Makes discretionary the current law requirement that the Director of Budget and Management execute that transfer.

(3) Specifies that any amount transferred by the Director of Budget and Management may be up to \$1.0 million each fiscal year, rather than equal to \$1.0 million each fiscal year as in current law.

Fiscal effect: Potentially: (1) increases the amount of money available in a given year for implementing, administering, and enforcing the state's Scrap Tire Management Law, and (2) decreases the amount available for grants.

Executive

EPACD8 Clean-up and removal activities at tire sitesR.C. **3734.821 (repealed)**

Repeals an obsolete provision of law that required, from September 2001, until June 2011, at least 65% of an existing 50¢ fee on the sale of tires to be expended for clean-up and removal activities at the Goss Tire Site in Muskingum County or other tire sites in Ohio.

Fiscal effect: None.

EPACD19 Extension of sunset on fees on the sale of tiresR.C. **3734.901**

Extends, from June 30, 2018 to June 30, 2020, the sunset of both: (1) the base fee of 50¢ fee per tire levied on the sale of tires to assist in the cleanup of scrap tires, and (2) an additional fee of 50¢ fee per levied to assist soil and water conservation districts.

Fiscal effect: The fee extensions preserve annual revenues totaling \$3.7 million for the Scrap Tire Management Fund (Fund 4R50) and \$3.7 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Natural Resources.

EPACD6 EPA Authority to waive fees and late payment penaltiesR.C. **3745.012**

Authorizes the Director of Environmental Protection to waive or reduce a fee incurred for either of the following: (1) a late payment penalty if the original fee amount due has been paid, or (2) a fee incurred during a response to an emergency, including fees for the disposal of material and debris, if the Governor declares a state of emergency

Fiscal effect: Potential annual revenue decrease in certain funds used by the Ohio Environmental Protection Agency to which these fees or late payment penalties otherwise would have been credited.

Executive

EPACD3 Cleanup and Response Fund**R.C. 3745.016**

Requires the federally supported Cleanup and Response Fund (Fund 3F30) to be used for implementing the hazardous waste provisions of the Solid and Hazardous Wastes Law, as well as for supporting the investigation and remediation of contaminated property as under current law.

Fiscal effect: The provision gives the Ohio Environmental Protection Agency greater flexibility in funding its responsibility to implement hazardous waste law.

EPACD4 New Ohio EPA division to administer certain programs**R.C. 3745.018**

(1) Requires the Director of Environmental Protection to establish a new division to administer the Ohio Environmental Protection Agency's (Ohio EPA) financial, technical, and compliance programs and assist communities, businesses, and other regulated entities.

(2) Requires the division administer all of the following: (a) existing state revolving wastewater and drinking water loan programs; (b) Ohio EPA grant programs, including the already established recycling and litter prevention grant programs; (c) existing programs for providing compliance and pollution prevention assistance to regulated entities; and (d) existing statewide source reduction, recycling, recycling market development and litter prevention programs.

Fiscal effect: Potential minimal onetime cost to reorganize some of Ohio EPA's operations.

EPACD22 Extension of various fees**R.C. 3745.11, 3734.57**

Extends, for two years, all of the following:

(1) The sunset on the annual emissions fees for synthetic minor facilities.

(2) The sunset of the annual discharge fees for holders of National Pollutant Discharge Elimination System (NPDES) permits issued under the Water Pollution Control Law.

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(3) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for plan approvals for wastewater treatment works under the Water Pollution Control Law.

(4) The sunset of annual license fees for public water system licenses issued under the Safe Drinking Water Law.

(5) The levying of higher fees, and the decrease of those fees at the end of the two years, for plan approvals for public water supply systems under the Safe Drinking Water Law.

(6) The levying of higher fees, and the decrease of those fees at the end of the two years, for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law.

(7) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications and examinations for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law or the Water Pollution Control Law.

(8) The levying of higher fees, and the decrease of those fees at the end of the two years, for applications for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law.

(9) The sunset of fees levied on the transfer or disposal of solid wastes.

Fiscal effect: The fee extensions will continue annual revenues totaling \$75.5 million as follows: \$37.2 million for the Environmental Protection Fund (Fund 5BC0), \$9.8 million for the Solid Waste Fund (Fund 4K30), \$9.1 million for the Hazardous Waste Clean-Up Fund (Fund 5050), \$6.9 million for the Surface Water Protection Fund (Fund 4K40), \$6.2 million for the Drinking Water Protection Fund (Fund 4K50), \$3.3 million for the Soil and Water Conservation District Assistance Fund (Fund 5BV0) used by the Department of Natural Resources, \$2.6 million for the Hazardous Waste Facility Management Fund (Fund 5030), and \$365,000 for the Clean Air - Non Title V Fund (Fund 4K20).

EPACD23 Title V air emissions fees

R.C. 3745.11

Makes discretionary the requirement that the Director of Environmental Protection transfer up to 50¢ per ton of each type of Title V air pollution emission fee to the Small Business Assistance Fund (Fund 5A00).

Fiscal effect: Potential savings effect if the affected 50¢ per ton is not transferred to the Small Business Assistance Fund (Fund 5A00).

Executive

EPACD24 Revision of NPDES permit fees**R.C. 3745.11, 6111.14**

(1) Requires the fee for the issuance of a National Pollutant Discharge Elimination System (NPDES) permit to be paid at the time of application along with the application fee.

(2) Changes the fee for municipal storm water discharge from \$100 per square mile of area permitted under a NPDES permit to \$10 per 1/10th of a square mile.

Fiscal effect: None.

EPACD2 Toxic Release Inventory Program**R.C. 3751.02, 3751.01, 3751.03, 3751.04, 3751.05,
3751.10, 3751.11, Section 737.10**

(1) Allows owners and operators of specified facilities to fulfill toxic release inventory reporting requirements under the Toxic Release Inventory Program by complying with federal reporting requirements established by the U.S. Environmental Protection Agency (U.S. EPA).

(2) States that the electronic submission of a report to the U.S. EPA constitutes the simultaneous submission of the report to the Ohio Environmental Protection Agency (Ohio EPA) as required by federal law.

(3) Retains the authority of the Ohio EPA to undertake investigations and enforcement actions regarding violations of the Toxic Release Inventory Program and to impose civil and criminal penalties for such violations.

(4) Eliminates fees required to be paid for filing a toxic release inventory report with the Ohio EPA, including late fees.

(5) Provides that any money collected by Ohio EPA before or after the bill's effective date from fees must remain in the Toxic Chemical Release Reporting Fund (Fund 6780) to be used exclusively for implementing, administering, and enforcing the laws governing the Toxic Release Inventory Program.

Fiscal effect: Annual revenue loss resulting from the elimination of fees credited to Fund 6780, and related expenditures decrease as the Ohio EPA's workload relative to this program is presumably reduced.

Executive

EPACD7 Industrial water pollution control certificateR.C. *6111.03, 6111.04, 6111.30*

Eliminates the authority of the Director of Environmental Protection to issue, deny, revoke, or modify industrial water pollution control certificates.

Fiscal effect: None, as the authority to issue the certificates was transferred to the Department of Taxation in 2003.

EPACD14 Construction Grants Fund and program

R.C. *6111.033 (repealed), 6111.40 (repealed)*

Eliminates the Construction Grant Fund (Fund 3630), which consists of money arising from grants to the state from the United States Environmental Protection Agency (U.S. EPA) under the Federal Water Pollution Control Act.

Eliminates the construction grant program, under which a municipal corporation, board of county commissioners, conservancy district, sanitary district, or regional water and sewer district can apply for money for the design, acquisition, construction, alteration, and improvement of sewage and waste treatment works.

Fiscal effect: None, as the Fund is currently empty, and the U.S. EPA ceased making such grants.

EPACD18 Water Pollution Control Loan Administrative Fund

R.C. *6111.036*

Authorizes the Water Pollution Control Loan Administrative Fund (Fund 6760) to be used for other water quality related programs in addition to the current authorization that the Ohio Environmental Protection Agency (Ohio EPA) use the fund to defray administrative costs associated with the Water Pollution Control Loan Program.

Fiscal effect: Provides flexibility for the Ohio EPA to use money in Fund 6760.

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EPACD21 Total maximum daily load

R.C. 6111.561, 6111.03, and Section 761.10

- (1) Authorizes the Director of the Ohio Environmental Protection Agency (Ohio EPA) to establish a TMDL for each impaired body of water in Ohio and to submit the TMDL to the United States Environmental Protection Agency (Ohio EPA).
- (2) Outlines the scope of this authority in order to supercede case law regarding TMDLs (County Board of Commissioners v. Nally, 143 Ohio St.3d 93 (2015)). Alters the Ohio Supreme Court's ruling by establishing specific procedures and standards under which a TMDL may be issued, and declares that the establishment, amendment, or modification of a TMDL after March 24, 2015, is not subject to the Administrative Procedure Act and additional laws governing the adoption of administrative rules.
- (3) Requires the Director to adopt new rules governing TMDLs no later than December 31, 2018 that do all of the following: (a) allocate pollutant load between and among nonpoint sources and point sources in a TMDL report, (b) establish procedures and requirements for developing and issuing a new TMDL, (c) establish procedures and requirements for revising and updating a TMDL, and (d) establish procedures and requirements for validation of existing TMDLs following implementation and additional assessment.
- (4) Requires the Director establish a TMDL for pollutants for each impaired body of water or segment thereof that is identified and listed under the federal Water Pollution Control Act. Requires the Director establish each TMDL as follows: (a) pursuant to a priority ranking established by the Director, (b) only for pollutants that the Administrator of the U.S. EPA has identified under the federal Water Pollution Control Act as suitable, and (c) at a level necessary to implement applicable water quality standards that accounts for seasonal variations, a margin of safety, and lack of knowledge concerning the relationship between effluent limitations and water quality.
- (5) Establishes new administrative procedures that apply to the development of TMDLs, including, but not limited to, providing opportunities for interested parties to provide input during the development of a TMDL.
- (6) Permits the proposed TMDL implementation plan to include considerations of the cost and cost effectiveness of pollutant controls supplied by interested parties, sources of funding necessary to address pollutant load reductions, and the environmental benefit of incremental reductions in pollutant levels.
- (7) Requires the Director, before establishing a final TMDL for an impaired body of water, to prepare an official draft TMDL. Requires the official draft TMDL include: (a) an estimate of the total amount of each pollutant that causes the water quality impairment from all sources, (b) an estimate of the total amount of pollutants that may be added to the impaired body of water or segment thereof while still achieving and maintaining applicable water quality standards, and (c) draft allocations

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among point and nonpoint sources contributing to the impairment sufficient to meet water quality standards.

(8) Permits the official draft TMDL implementation plan to also include interim water quality target values and principles of adaptive management necessary to achieve water quality standards, as the Director determines appropriate.

(9) Requires the Director to provide all of the following: (a) public notice of the official draft TMDL, (b) an opportunity for comment on the official draft TMDL, and (c) an opportunity for a public hearing regarding the official draft TMDL, if there is significant public interest, as determined by the Director.

(10) Requires the Director, regarding the public notice, to specify in the notice the body of water or segment thereof to which the official draft TMDL relates and the time, date, and place of the hearing. Requires the Director send the public notice to all interested parties that participated in the public input process on the official draft TMDL. Requires the Director prepare and make available a written responsiveness summary of the comments after the public comment period expires.

(11) Authorizes the Director, after the public comment process is completed and the Director has completed and made available the written responsiveness summary, to establish the final TMDL. Specifies that the final TMDL is appealable to the Environmental Review Appeals Commission (ERAC); however, also specifies that the submission of that TMDL by the Director to the U.S. EPA is not appealable. States that the Director may revise an established TMDL to accommodate new information.

(12) Includes an intent statement, clarifying that it is the intent of the General Assembly to supersede the effect of the holding in *County Board of Commissioners v. Nally*, excludes the TMDL process from rule-making procedures, and makes the establishment of a final TMDL appealable to ERAC.

(13) States that a TMDL submitted to and approved by the U.S. EPA prior to March 24, 2015 (the date of the decision in *County Board of Commissioners v. Nally*) is valid and remains in full force and effect as approved, but may be revised by the Director.

(14) Permits the holder of an NPDES permit that contains water quality based effluent limitations based on a TMDL established prior to March 24, 2015 to appeal the lawfulness and reasonableness of those limitations by: (a) filing an appeal with ERAC no later than 30 days after the first eligible NPDES permit renewal date after the bill's effective date, or (b) seeking a modification of the water quality based effluent limitations contained in the NPDES permit from the Director. Permits the permit holder, if the Director denies the request for modification, to appeal that denial to ERAC no later than 30 days after the denial.

Fiscal effect: Uncertain.

Executive

EPACD9 Areawide planning agencies**Section: 277.20**

Permits the Director of Environmental Protection to award grants from DPF Fund 5BC0 appropriation item 715687, Areawide Planning Agencies, to areawide planning agencies engaged in areawide water quality management and planning activities in accordance with the nonpoint source pollution control provisions of the federal Clean Water Act.

EPACD10 Cash transfer to the Title V Clean Air Fund from the Small Business Assistance Fund**Sections: 277.20, 512.100**

Permits the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer up to \$1,500,000 from the Small Business Assistance Fund (Fund 5A00) used by the Air Quality Development Authority to the Title V Clean Air Fund (Fund 4T30) used by the Environmental Protection Agency.

EPACD11 Cash transfer to the Auto Emissions Test Fund from the Scrap Tire Management Fund**Section: 277.20**

Requires the Director of Budget and Management, in consultation with the Director of Environmental Protection, establish a schedule of cash transfers totaling up to \$3,000,000 from the Scrap Tire Management Fund (Fund 4R50) to the Auto Emissions Test Fund (Fund 5BY0) during the period from July 1, 2017, to June 30, 2019.

EPACD13 Clean Ohio Revitalization Operating**Section: 277.20**

(1) Permits the Director of Environmental Protection, on July 1, 2018, or as soon as possible thereafter, to request that the Director of Budget and Management reappropriate any unexpended, unencumbered balance of the prior fiscal year's appropriation to Fund 5S10 appropriation item 715607, Clean Ohio Revitalization Operating, for FY 2019.

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- (2) Permits the Director of Budget and Management to request additional information necessary for evaluating the request, and requires the Director of Environmental Protection to provide the requested information to the Director of Budget and Management.
- (3) Requires the Director of Budget and Management, based on the information provided by the Director of Environmental Protection, to determine the amount to be reappropriated, and reappropriates those amounts in FY 2019.

EPACD25**Cash transfers and abolishment of funds****Section: 512.90**

- (1) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer the cash balance in the Nonpoint Source Pollution Management Fund (Fund 3F50) to the Water Quality Protection Fund (3BU0), and the cash balance in the Federal Hazardous Waste Management Fund (Fund 3540) to the Federally Supported Cleanup and Response Fund (Fund 3F30).
- (2) Abolishes, upon completion of the transfer and on the effective date of its repeal by the bill, where applicable, Fund 3F50 and Fund 3540.
- (3) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to cancel any existing encumbrances against FED Fund 3F50 appropriation item 715641, Nonpoint Source Pollution Management, and reestablish them against FED Fund 3F30 appropriation item 715632, Federally Supported Cleanup and Response.
- (4) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to cancel any existing encumbrances against FED Fund 3540 appropriation item 715614, Hazardous Waste Management - Federal, and reestablish them against FED Fund 3F30 appropriation item 715632, Federally Supported Cleanup and Response.
- (5) Authorizes the Director of Budget and Management to take the necessary actions if any other existing encumbrances must be cancelled and reestablished to properly close Fund 3F50 and Fund 3540.

Executive

EXPCD1 State Fair Reserve Fund**Section: 285.10**

Authorizes the General Manager of the Expositions Commission, in consultation with Director of Budget and Management, to submit a request to the Controlling board to use available amounts in the State Fair Reserve Fund (Fund 6400) if revenues derived from the 2017 or 2018 Ohio State Fair are unexpectedly low.

Authorizes the Director of Budget and Management, in consultation with the General Manager of the Expositions Commission, in each fiscal year to determine if the Ohio Expositions Fund (Fund 5060) has a cash balance in excess of the anticipated operating costs of the Exposition Commission in that fiscal year. Allows the Director of Budget and Management to transfer up to the excess cash from Fund 5060 to Fund 6400 in each fiscal year.

Fiscal effect: The Expositions Commission last tapped Fund 6400 in 2002. The profit from the 2016 State Fair was approximately \$711,000. In FY 2016, Fund 5060 expenditures amounted to \$14.5 million while \$15.7 million was deposited into the fund.

EXPCD2 Grounds Maintenance and Repairs**Section: 285.10**

Requires that DPF Fund 5060 appropriation item 723604, Grounds Maintenance and Repairs, be used for maintenance and repairs on the grounds of the Ohio Expo Center.

Executive

FCCCD9 Abolishment of the School Facilities Commission; transfer of duties to the Ohio Facilities Construction Commission

R.C. *123.20, Repealed: 3318.19, 3318.30, 3318.31; Section 515.10; conforming changes in 107.031, 123.20, 133.022, 133.06, 133.061, 151.03, 183.51, 3311.751, 3313.372, and various sections in Chapter 3318.*

Abolishes the Ohio School Facilities Commission (SFC) and transfers its responsibilities to the Ohio Facilities Construction Commission (FCC).

Fiscal effect: No effect on service delivery. Currently, FCC and SFC work as one organization. However, it may reduce administrative costs by, for example, eliminating the required quarterly meetings for SFC.

FCCCD13 OFCC Membership

R.C. *123.20, Section 803.10*

Requires the Governor's appointment to the FCC to be an administrative department head who is not the Director of OBM or the Director of DAS (both of whom are members of the FCC under current law unchanged by the bill) and permits that member to designate an employee of the member's agency to serve on the member's behalf.

Removes provisions specifying the length of the term of the member of the FCC appointed by the Governor and the manner for filling a vacancy for that member's position.

Specifies that the member of the FCC appointed by the Governor prior to the bill's effective date will serve the remainder of the member's term. Requires the Governor, when that member's term expires or if the member is unable to fulfill the term, to appoint a member to the OFCC as provided by the bill

Fiscal effect: None.

Executive

FCCCD14 Reporting requirements regarding capital facilities projects**R.C. 123.27 (repealed)**

Repeals a provision requiring the submission of a report by a public entity to the FCC regarding a capital facilities project funded wholly or in part using state funds (the report must provide the total original contract bid, total cost of change orders, total actual cost of the project, total costs incurred for mediation and litigation services, and any other data requested by FCC).

Repeals a provision requiring the annual submission of a report by the Attorney General to FCC on any mediation and litigation costs associated with capital facilities projects for which a judgement has been rendered.

Fiscal effect: Minimal.

FCCCD11 Contractor debarment**R.C. 153.02**

Allows the Executive Director of FCC to debar a subcontractor, supplier, or manufacturer, in addition to a contracting firm as under current law, as well as a partner, officer, or director of one of those entities.

Fiscal effect: None. Allows FCC to prevent owners of a debarred business entity from dissolving the entity and reforming as a new one in order to avoid the debarment.

FCCCD1 Cultural Facilities Lease Rental Bond Payments**Section: 287.20**

Requires GRF appropriation item 230401, Cultural Facilities Lease Rental Bond Payments, to be used to meet all of FCC's required payments during the FY 2018-FY 2019 biennium under the primary leases and agreements for cultural and sports facilities.

Executive

FCCCD2 Common Schools General Obligation Bond Debt Service**Section: 287.20**

Requires that GRF appropriation item 230908, Common Schools General Obligation Bond Debt Service, be used to pay all required debt service and related financing costs during the FY 2018-FY 2019 biennium.

FCCCD3 Community project administration**Section: 287.30**

Requires GRF appropriation item 230458, State Construction Management Services, to be used by FCC to administer Cultural and Sports Facilities Building Fund (Fund 7030) projects.

FCCCD4 School facilities encumbrances and reappropriation**Section: 287.30**

Authorizes the Director of OBM, at the request of the Executive Director of FCC, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within 13 months of Controlling Board approval. Requires the Executive Director to certify the amounts of the canceled encumbrances on a quarterly basis. Appropriates the amounts of the canceled encumbrances to the Classroom Facilities Assistance Program.

Executive

FCCCD5 Capital donations fund certifications and appropriations**Section: 287.40**

Requires the Executive Director of FCC to certify to the Director of OBM the amount of cash receipts and related investment income, irrevocable letters of credit from a bank, or certification of the availability of funds that have been received from a county or a municipal corporation for deposit into the Capital Donations Fund (Fund 5A10) and that are related to an anticipated project and appropriates these amounts to appropriation item C37146, Capital Donations. Requires the Executive Director to make a written agreement with the participating entity on the necessary cash flows required for the anticipated construction or equipment acquisition project.

FCCCD6 Amendment to project agreement for maintenance levy**Section: 287.50**

Requires FCC to amend the project agreement between FCC and a school district that is participating in the Accelerated Urban Initiative (AUI) if FCC determines it is necessary to do so in order to comply with the change in maintenance levy requirements enacted by H.B. 1 of the 128th G.A.

Fiscal effect: H.B. 1 of the 128th General Assembly changed the maintenance levy requirements for the six AUI districts (Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo) to run for 23 years from the date the initial segment is undertaken, instead of extending for 23 years after the district's last segment was undertaken (the six AUI projects are broken into individual segments). For the districts that have not changed their agreements yet, the H.B. 1 change would reduce the number of years for which the districts would have to levy the required 1/2 mill property tax for maintenance. Currently, projects for Cleveland, Columbus, and Akron are incomplete. Presumably, these AUI districts would use other funds to meet their building maintenance needs if the original project agreements were amended.

Executive

FCCCD7 Disbursement determination**Section: 287.60**

Authorizes FCC to determine the amount of funding available for disbursement in a given fiscal year for any Classroom Facilities Assistance Program project in order to keep aggregate state capital spending within approved limits. Authorizes FCC to take actions including, but not limited to, determining the schedule for design or bidding of approved projects, to ensure appropriate and supportable cash flow.

Fiscal effect: The provision may give FCC more flexibility in spending state funds on projects.

FCCCD8 Assistance to joint vocational school district**Section: 287.70**

Authorizes FCC to provide assistance to at least one JVSD each fiscal year for the acquisition of classroom facilities.

Fiscal effect: FCC already has the authority to spend up to 2% of its annual capital appropriations on JVSD projects. If FCC were to reach the 2% limit, this provision would permit SFC to provide assistance to at least one JVSD per year.

FCCCD12 Cultural Facilities Commission Administration Fund abolishment**Section: 512.90**

Abolishes the Cultural Facilities Commission Administration Fund (Fund 4T80).

Fiscal effect: None. Fund 4T80's remaining cash balance was transferred out of the fund in December 2015.

Executive

FCCCD10 Agency administration of capital facilities projects

Sections: *610.20, and 610.21 (codifying Sec. 529.10 of S.B. 310 of the 131st General Assembly as R.C. 123.211), R.C.123.21*

Permits the Department of Administrative Services, the Ohio School for the Deaf, and the Ohio State School for the Blind to administer a capital facilities project whose estimated cost is less than \$1.5 million.

Codifies the section of current law that allows certain other state agencies to administer such a project.

Fiscal effect: May increase the efficiency with which smaller capital projects for these agencies are carried out. These three agencies are the only FCC customers that currently do not have local administration authority for smaller capital projects. May also reduce capital project administration workload for FCC.

Executive

GOVCD1

Ohio Institute of Technology

R.C. 107.71

Establishes the Ohio Institute of Technology within the Office of the Governor and requires the office to do all of the following:

- (1) Formulate and implement a state strategy to identify methods for using technology, research, and development to create positive results for citizens and businesses of this state and to improve the operations of state government;
- (2) Prioritize, coordinate, and focus all state-funded research;
- (3) Identify emerging technologies and advocate for the research and application of technologies that may have a significant positive impact on Ohio's economy or workforce;
- (4) Advocate for and coordinate research sponsored by state institutions of higher education regarding technologies that may have a significant positive impact on Ohio's economy or workforce;
- (5) Identify methods to increase collaboration between state institutions of higher education; private, not-for-profit entities; and other private entities to accelerate product or patent incubation and commercialization of new and leading technologies in Ohio;
- (6) Manage the continued implementation of the Ohio Innovation Exchange and the Ohio Federal Research Network;
- (7) Advise the Governor on technology and issues relevant to the duties of the office; and
- (8) Perform such other duties as may be prescribed by the Governor.

Requires the office to issue an annual report by December 31 of each year detailing the office's state strategy and the office's progress toward initial and updated goals established under the state strategy.

Requires the Governor to appoint a Chief Innovation Officer to serve as executive director of the office, and such other staff as may be necessary to manage and perform the duties of the office. Specifies the qualifications necessary to be appointed Chief Innovation Officer.

Fiscal effect: Funding for the operating costs of the Institute, and its planned three employees, is provided through OBM's budget in GRF line item 042420, Ohio Institute of Technology, with proposed appropriations of \$750,000 each fiscal year.

Executive

GOVCD2 Government Relations**Section: 289.10**

Permits a portion of Fund 5AK0 appropriation item 040607, Government Relations, to be used to support Ohio's membership in national or regional associations.

Permits the Office of the Governor to charge an executive branch agency for costs incurred in conducting governmental relations concerning issues that can be attributed to that agency. Requires these amounts be billed by intrastate transfer voucher and deposited into the Government Relations Fund (Fund 5AK0).

GOVCD3 Funds received for use of Governor's residence**Section: 503.120**

Appropriates to Fund 4H20 appropriation item 100604, Governor's Residence Gift, in the DAS budget, any amounts received for use of the residence pursuant to R.C. 107.40.

Executive

DOHCD9 Drug overdose fatality review committees

**R.C. 307.631, 121.22, 149.43, 307.632-307.639,
and 4731.22**

Authorizes the establishment of county or regional drug overdose fatality review committees to review drug overdose and opioid-involved deaths occurring within the county or region.

Requires each established committee to collect certain information concerning drug overdose or opioid-involved deaths, review the information, and submit annual reports to the Ohio Department of Health (ODH).

Requires specified individuals or entities that provided services to a person whose death is reviewed by a committee to submit certain information to the committee.

Provides that records presented to a review committee, statements made by committee members, committee work products, and data submitted to ODH, other than annual reports, are confidential and not subject to disclosure under the public records law.

Grants immunity from civil liability to committee members and any individual or entity providing information to a committee.

Fiscal effect: Local boards of health could experience administrative costs if a board establishes a review committee.

DOHCD27 Medically Handicapped Children and Cystic Fibrosis programs

**R.C. 3701.023, 3701.022, 3701.029, 3701.021, and
3701.026**

Provides for the gradual phase-out of certain ODH special medical needs programs (Program for Medically Handicapped Children, Cystic Fibrosis Program, and Hemophilia Program) by ending new enrollment in them beginning January 1, 2018.

Prohibits any Medicaid-eligible individual from being enrolled in an ODH special medical needs program on or after January 1, 2018. (See MCD45)

Limits the provision of Bureau of Children with Medical Handicaps (BCMh) diagnostic services to individuals enrolled in the "income-blind" diagnostic component of BCMh before January 1, 2018.

Requires that an individual enrolled in BCMh's treatment or service coordination components submit to a financial eligibility redetermination at ODH's request, but not less than once annually.

Executive

Eliminates a requirement that BCMH and the Cystic Fibrosis Program assist enrolled individuals who have cystic fibrosis in qualifying for Medicaid under the spenddown process.

Fiscal effect: Current participants will continue to be served; however, costs for the program will begin to be reduced in FY 2018 as new enrollment will end January 1, 2018.

DOHCD6 Third party payment for ODH goods and services

R.C. 3701.12

Generally prohibits ODH from paying, on or after January 1, 2018, for goods and services an individual receives through ODH or an ODH grantee or contractor if the individual has coverage for those goods and services through another source. Specifies two exemptions from the prohibition: (1) when the prohibition is expressly contrary to another Ohio statute or (2) when, as determined by the ODH Director, ODH funds are required to mitigate the spread of infectious disease or are needed for exceptional circumstances.

Fiscal effect: This provision could result in savings for ODH.

DOHCD1 Distribution of funds from the Choose Life Fund

R.C. 3701.65

Authorizes the ODH Director to distribute funds within the Choose Life Fund (Fund 5CN0) that were paid into the Fund during prior years and were not distributed due to the lack of an eligible organization in the same manner as the Director may otherwise distribute funds.

Fiscal effect: This provision will allow ODH to spend down some of the cash balance in the fund.

DOHCD5 Confidentiality of HIV/AIDS and drug treatment information

R.C. 3701.243, 5119.27

Clarifies that information regarding an HIV test that an individual has had, or an individual's AIDS or AIDS-related diagnosis, may be disclosed to any physician who treats the individual.

Executive

Specifies that an individual's records and information maintained by a state-certified drug treatment program may be disclosed, without the individual's consent, to any physician, advanced practice registered nurse, or physician assistant who treats the patient.

Fiscal effect: None.

DOHCD4 Vital Statistics processes

R.C. 3705.07, 3705.08, 3705.09, and 3705.10

Modifies various provisions of the Vital Statistics law to reflect new processes ODH has implemented for the filing of births, fetal deaths, and deaths as ODH transitions to exclusive use of electronic birth and death registration systems.

Repeals provisions that require local registrars of vital statistics to transmit to the State Registrar of Vital Statistics social security numbers on birth and death certificates.

Fiscal effect: Potential reduction in administrative and/or mailing costs for local registrars, government-owned hospitals, and ODH.

DOHCD25 Information sharing with Department of Aging

R.C. 3721.031

Authorizes the ODH Director, on the request of the Director of Aging or the Director's designee, to release to the Ohio Department of Aging (ODA) the identity of a patient or resident who receives assisted living services from ODA-administered programs.

Prohibits ODA from using the information for any purpose other than monitoring the well-being of patients or residents who receive assisted living services.

Fiscal effect: None.

Executive

DOHCD2 Penalties for residential care facilities violationsR.C. **3721.033**

Permits the ODH Director to impose civil penalties and require residential care facilities to submit a plan of correction for violations of statutes and rules governing the regulation of homes.

Fiscal effect: ODH may realize a gain in civil fines and an increase in costs to review any plans of correction submitted.

DOHCD26 Immediate action to eliminate real and present danger in long-term care facilities

R.C. **3721.081**

Permits the ODH Director to issue orders requiring nursing homes and residential care facilities to protect the health and safety of residents when immediate action is necessary and a home or facility has failed to act.

Permits the Director to take action and impose civil penalties of up to \$250,000 for not complying with such an order.

Requires ODH to seek reimbursement from a home or facility for any costs incurred in taking action against the home or facility.

Fiscal effect: ODH could realize an increase in administrative costs; however, ODH may also realize a gain in civil fines and reimbursements.

DOHCD7 Abuse, neglect, exploitation, and misappropriation in nursing homes and other facilities

R.C. **3721.21, 3721.22-3721.25, and 3721.32;**
Conforming changes: 173.27, 173.38,
173.381, 3701.881, and 5164.342

Includes psychological abuse, sexual abuse, and exploitation as additional types of misconduct in a long-term care facility that must be reported.

Requires licensed health professionals to report abuse, neglect, exploitation, and misappropriation to the facility, rather than to the Director of Health.

Requires a statement of findings of abuse, neglect, exploitation, or misappropriation of a resident by a licensed health professional to be included in the Nurse Aide Registry.

Executive

Prohibits certain employers from employing a licensed health professional if there is a statement in the Registry of abuse, neglect, exploitation, or misappropriation by the professional.

Fiscal effect: Potential increase in administrative costs.

DOHCD3 Hospital data collection and disclosure

R.C. 3727.45, Repealed: 3727.33-3727.41

Repeals provisions requiring hospitals to submit the following to the ODH Director: (1) for inpatient services, information pertaining to admission, length of stay, discharge, and hospital charges, (2) for outpatient services, information pertaining to the number of patients receiving those services and hospital charges, and (3) for both inpatient and outpatient services, certain performance measure information.

Fiscal effect: Government-owned hospitals and ODH could experience a decrease in administrative costs.

DOHCD28 Lead-safe residential rental unit

**R.C. 3742.01, 3742.02, 3742.31, 3742.35, 3742.36,
3742.41, 3742.42, 3742.43
(repealed/reenacted), Repealed: 3742.44-
3742.48, 3742.49 (3742.44), 3742.50
(3742.45), 3742.51 (3742.46), and Section
815.10**

Eliminates the legal presumption that residential units, child care facilities, or schools constructed before January 1, 1950, do not contain a lead hazard if the owner undertakes preventive treatments called essential maintenance practices.

Eliminates all procedures and requirements related to essential maintenance practices applicable to those residential units, child care facilities, and schools.

Establishes lead abatement requirements specific to residential rental units by doing all of the following:

- (1) Requiring the ODH Director to establish and maintain a lead-safe residential rental unit registry;
- (2) Specifying that the owner of a residential rental unit constructed before January 1, 1978, may register that unit as lead-safe on the registry if the owner has implemented specified lead-safe maintenance practices;

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- (3) Allowing residential rental units constructed after January 1, 1978, and units determined to be lead free to be included on the registry;
- (4) Establishing procedures, requirements, and exemptions regarding the lead-safe registry;
- (5) Requiring a person seeking to conduct residential rental unit lead-safe maintenance practices to participate in a training program approved by the ODH Director; and
- (6) Requiring the ODH Director to establish a nonrefundable application fee for seeking approval of a training program.

Fiscal effect: ODH would experience an increase in costs to establish a registry and to approve training programs. ODH may realize a gain in fee revenue for training program approval. ODH is in consultation with the Ohio Department of Medicaid to possibly secure federal funds for lead-related activities. Any federal funding received could help offset costs.

DOHCD11 Mothers and Children Safety Network

Section: 291.20

Earmarks \$200,000 in each fiscal year in GRF appropriation item 440416, Mothers and Children Safety Network, to be used to assist families with hearing impaired children under 21 years of age in purchasing hearing aids and hearing assistive technology.

Requires the ODH Director to adopt rules governing the distribution of these funds including rules that do both of the following: (1) establish eligibility criteria to include families with incomes at or below 400% of the federal poverty guidelines; and (2) develop a sliding scale of disbursement based on family income.

DOHCD12 AIDS Prevention and Treatment

Section: 291.20

Requires GRF appropriation item 440444, AIDS Prevention and Treatment, to be used to administer educational and other prevention initiatives.

Executive

DOHCD13 Federally Qualified Health Centers**Section: 291.20**

Requires funds in GRF appropriation item, 440465, Federally Qualified Health Centers, to be provided to the Ohio Association of Community Health Centers to administer the FQHC Primary Care Workforce Initiative.

Requires the Initiative to provide medical, dental, behavioral health, physician assistant, and advanced practice nursing students with clinical rotations through federally qualified health centers.

Specifies that the Initiative must assist federally qualified health centers with developing recruitment and retention practices for these professional designations.

DOHCD15 Infant Vitality**Section: 291.20**

Requires GRF appropriation item 440474, Infant Mortality, to be used to fund a multi-pronged population health approach to address infant mortality.

Specifies that this approach may include the following: increasing awareness; supporting data collection; analysis and interpretation to inform decision-making and ensure accountability; targeting resources where the need is greatest; and implementing quality improvement science and programming that is evidence-based or based on emerging practices.

Specifies that measurable interventions may include activities related to safe sleep, community engagement, Centering Pregnancy, newborn screening, safe birth spacing, gestational diabetes, smoking cessation, breastfeeding, care coordination, and progesterone.

DOHCD16 Emergency Preparation and Response**Section: 291.20**

Requires GRF appropriation item 440477, Emergency Preparation and Response, to be used to support public health emergency preparedness and response efforts at the state level or at a regional sub-level within the state.

Executive

Allows appropriation item 440477 to also be used to support data infrastructure projects related to public health emergency preparedness/response.

DOHCD17 Targeted Health Care Services - Over 21**Section: 291.20**

Requires GRF appropriation item 440507, Targeted Health Care Services - Over 21, to be used to administer the Cystic Fibrosis Program and to implement the Hemophilia Insurance Premium Payment Program.

Requires ODH to expend \$100,000 in each fiscal year to implement the Hemophilia Insurance Premium Payment Program.

Requires GRF appropriation item 440507 to also be used to provide essential medications and to pay the copayments for drugs approved by ODH and covered by Medicare Part D that are dispensed to participants in the Cystic Fibrosis Program.

Requires ODH to expend all funds in appropriation item 440507.

DOHCD18 Fee Supported Programs**Section: 291.20**

Requires \$2,160,000 in each fiscal year from DPF Fund 4700 appropriation item 440647, Fee Supported Programs, to be used to distribute subsidies to local health departments on a per capita basis.

DOHCD19 Cash transfer from the General Operations Fund to the Central Support Indirect Costs Fund**Section: 291.20**

Allows the Director of Budget and Management, on July 1, 2018, or as soon as possible thereafter, to transfer up to \$400,000 cash from the General Operations Fund (Fund 4700) to the Central Support Indirect Costs Fund (Fund 2110). Appropriates any transferred cash.

Executive

DOHCD20 Medically Handicapped Children Audit Fund**Section: 291.20**

Specifies that the Medically Handicapped Children Audit Fund (Fund 4770) is to receive revenue from audits of hospitals and recoveries from third-party payers.

Specifies that moneys in the fund may be used for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits.

Permits moneys in the fund to also be used for payments for diagnostic and treatment services on behalf of medically handicapped children and Ohio residents who are 21 or over and who are suffering from cystic fibrosis or hemophilia.

Permits moneys to also be used for administrative expenses incurred in operating the Medically Handicapped Children's Program.

DOHCD21 Genetics Services**Section: 291.20**

Requires DPF Fund 4D60 appropriation item 440608, Genetics Services, to be used to administer programs authorized by R.C. 3701.501 and 3701.502. Requires that the funds cannot be used to counsel or refer for abortion, except in the case of a medical emergency.

DOHCD22 Medically Handicapped Children - County Assessments**Section: 291.20**

Requires DPF Fund 6660 appropriation item 440607, Medically Handicapped Children – County Assessments, to be used to make payments for expenses associated with the Bureau for Children with Medical Handicaps.

Executive

DOHCD23 Moms Quit for Two Grant Program**Sections: 291.30, 291.20**

Retains the "Moms Quit for Two Grant Program," which is to provide grants to private, nonprofit entities or government entities that demonstrate the ability to deliver evidence-based tobacco cessation interventions to pregnant women and women living with children who reside in communities with the highest infant mortality, as determined by ODH.

Specifies that funds awarded cannot be used to provide tobacco cessation interventions to women who are eligible for Medicaid.

Requires ODH to establish performance objectives to be met by grant recipients and requires ODH to monitor the performance of each recipient.

Requires ODH, no later than December 31, 2017, to evaluate the program and to prepare a report describing its findings and recommend whether the program should be continued.

Requires \$500,000 in each fiscal year from GRF appropriation item 440473, Tobacco Use Prevention and Cessation, to be used to award grants for the Moms Quit for Two Grant Program.

DOHCD24 WIC vendor contracts**Section: 291.40**

Requires ODH, during FY 2018 and FY 2019, to process and review a Women, Infants, and Children (WIC) vendor contract application not later than 45 days after receipt of the application if the applicant is a WIC-contracted vendor at the time of application and meets all of the following requirements: (1) submits a complete WIC vendor application with all required documents and information; (2) passes the required unannounced preauthorization visit within 45 days of submitting a complete application; and (3) completes the required in-person training within 45 days of submitting the complete application.

Requires ODH to deny an application for the contract if an applicant fails to meet any of the requirements.

Specifies that, after an application has been denied, the applicant may reapply for a contract to act as a WIC vendor during the contracting cycle that is applicable to the applicant's WIC region.

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BORCD96 **Opioid abuse prevention in teacher preparation programs****R.C. 3333.0414**

Requires the Chancellor of Higher Education to adopt rules that require instruction in opioid and other substance abuse prevention be included in teacher preparation programs for educators and other school personnel for all content areas and grade levels.

Fiscal effect: Potential increase in costs for institutions to include opioid and other substance abuse prevention in their teacher preparation programs.

BORCD35 Annual report on Attainment Goal 2025**R.C. 3333.0415**

Beginning in 2018, requires the Chancellor, in conjunction with the Department of Education, to annually submit a report on the progress the state is making in increasing the percentage of adults in the state with a college degree, industry certificate, or other postsecondary credential to 65% by the year 2025.

Fiscal effect: Increases DHE's administrative responsibilities.

BORCD92 Applied bachelor's degree programs at two-year institutions**R.C. 3333.051 (conforming changes in 3354.01, 3354.09, 3357.010, 3357.09, 3357.19, 3358.01, and 3358.08)**

Requires the Chancellor to establish a program under which community and technical colleges apply to the Chancellor to offer applied bachelor's degree programs.

Authorizes the Chancellor to approve programs that demonstrate the following: (1) evidence of an agreement between the college and a regional business or industry to train students in an in-demand field and to employ students upon successful completion of a program; (2) that the workforce need of regional business or industry is in an in-demand field with long-term sustainability based upon data provided by the Governor's Office of Workforce Transformation; (3) supporting data that identifies the specific workforce need the program will address; (4) the absence of a bachelor's degree program that

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meets the workforce need addressed by the proposed program that is offered by a state university or private college or university located within a 30-mile radius of the proposed program; and (5) willingness of an industry partner to offer workplace-based learning and employment opportunities to students enrolled in the proposed program.

Requires the Chancellor to consult with the Governor's Office of Workforce Transformation, the Inter-University Council of Ohio, the Ohio Association of Community Colleges, and the Association of Independent Colleges and Universities of Ohio before approving an applied bachelor's degree program.

Fiscal effect: May increase enrollment at community and technical colleges that offer these programs and lead to higher costs and revenues as a result.

BORCD34 Chancellor's duties regarding lease-rental payment repeals**R.C. 3333.13 (Repealed)**

Repeals the Chancellor's duties regarding lease-rental payments to the Public Facilities Commission to pay for facilities for state supported or assisted institutions of higher education.

Fiscal effect: These bonds were issued before 2000 and retired by the end of FY 2014.

BORCD93 Partnership to provide competency-based education programs**R.C. 3333.45**

Permits the Chancellor to enter into a partnership with an eligible institution of higher education for the purpose of providing competency-based education programs.

Defines, for that purpose, an eligible institution as "an institution of higher education that is created by the governors of several states" and specifies that one of the governors of these states must be a member of the institution's board of trustees.

Designates an institution that enters into such a partnership as a "state institution of higher education" for the purpose of providing competency-based education programs, but prohibits the institution from receiving any State Share of Instruction (SSI).

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Fiscal effect: This provision appears to apply to Western Governors University, a nonprofit, online university launched in 1997 through the efforts of 19 state governors that focuses on competency-based education programs. While the bill designates such an institution as a "state institution of higher education," it is prohibited from receiving SSI from GRF appropriation item 235501, State Share of Instruction.

BORCD43 Non-credit certificate programs-inventory and funding**R.C. 3333.94, Sections 610.50 and 610.51**

Requires, by January 1, 2018, the Chancellor to create an inventory of non-credit certificate programs and industry-recognized credentials offered at state institutions of higher education and Ohio Technical Centers that align with in-demand jobs in Ohio.

Requires the Chancellor, when awarding funds from the OhioMeansJobs Workforce Development Revolving Loan Fund, to give preference to non-credit certificate programs that support adult learners and are included in the inventory.

Adds non-credit certificate programs that align with in-demand jobs in Ohio to the eligible workforce training programs under the OhioMeansJobs Workforce Development Revolving Loan Program.

Increases the maximum award amount from \$100,000 to \$250,000 (per workforce program per year) to an institution under the OhioMeansJobs Workforce Development Revolving Loan Program.

Fiscal effect: Increased administrative responsibilities for DHE to create the inventory. Expanding may the DHE's administrative costs for this program are supported by \$250,000 in each fiscal year from DPF Fund 5NH0 appropriation item 235684, OhioMeansJobs Revolving Loan Program (see BORCD31). Institutions would be eligible to receive increased awards under the bill. Loans are provided from the Treasurer of State's Office's Fund 5NH0 appropriation item 090610, OhioMeansJobs Revolving Loan Program, which is appropriated \$23.3 million in FY 2018 under the bill.

BORCD98 College-Ready Program**R.C. 3333.98**

Establishes the College-Ready Program to provide high school students with college-ready transitional courses. Requires the program to approve public and chartered nonpublic schools to provide courses for students who do not meet certain remediation-free thresholds established by the bill and who need additional coursework to qualify to take courses to earn college credit while enrolled in high school, to be prepared for college after graduation, or both. Requires the Chancellor, in consultation with the Superintendent of Public Instruction, to administer the program.

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Requires the Chancellor and Superintendent to convene, no later than December 31, 2017, a workgroup of faculty and administrators from both high schools and higher education institutions to develop one or more models for a college-ready program in mathematics. Requires the workgroup to develop and make recommendations for the creation and implementation of the plan.

Requires, no later than February 1, 2018, the Chancellor, in consultation with the Superintendent, to develop and publish all program requirements, deadlines, guidance, forms, documents, and procedures necessary to establish and administer the program.

Authorizes public and chartered nonpublic schools with approved programs to offer college-ready courses beginning with the 2018-2019 school year.

Fiscal effect: DHE and ODE are likely to incur costs to establish and administer the College-Ready Program. Schools are likely to incur costs if they choose to offer college-ready courses beginning in FY 2019. Funding for program support is provided with appropriations of \$500,000 in FY 2018 and \$1.0 million in FY 2019 from DPF Fund 5TF0 appropriation item 235653, College Ready Transition Courses (see BORCD59).

BORCD87 State Need-based Financial Aid Reconciliation Fund changes**R.C. 3333.121**

Renames the "State Need-based Financial Aid Reconciliation Fund" (Fund 5Y50) the "State Financial Aid Reconciliation Fund." Specifies that the fund consists of refunds of state financial aid payments disbursed by DHE for programs that DHE is responsible for administering, instead of refunds of Ohio Instructional Grant Program (OIG) payments and refunds of state need-based financial payments under the Ohio College Opportunity Grant Program (OCOG) as under current law.

Requires the Chancellor to use any revenues credited to the fund to pay obligations for "state financial aid programs," instead of prior-year obligations from OIG and OCOG.

Fiscal effect: Fund 5Y50 is likely to experience increased revenue, as the provision allows the fund to receive refunds from all state financial programs administered by DHE, not just refunds from OIG and OCOG. Expenditures from Fund 5Y50 come from DPF Fund 5Y50 appropriation item 235618, State Financial Aid Reconciliation (see BORCD60).

Executive

BORCD88 OCOG award amounts for GI Bill recipients**R.C. 3333.122**

Requires the amount awarded under an Ohio College Opportunity Grant (OCOG) to a student, who is also receiving federal veterans' education benefits, to be applied toward the total state cost of attendance and the student's housing and living expenses. Specifies that "living expenses" include reasonable costs for room and board. (Generally, with the exception of certain foster care students, OCOG awards cannot exceed the total state cost of attendance.)

Fiscal effect: Permits eligible students more flexibility with the use of their OCOG awards.

BORCD101 Co-located campus report**R.C. 3333.951**

Requires co-located state institutions of higher education (two year institutions such as community colleges or university branches that share a campus) to annually review and report, to the Efficiency Advisory Committee its best practices and shared services in order to improve academic and other services and reduce costs for students. Requires the Committee to include the information from co-located state institutions in its annual report.

Fiscal effect: Increases the administrative responsibilities of co-located institutions.

BORCD89 Terms of office for state university trustees**R.C. 3335.02, 3337.01, 3339.01, 3341.02, 3343.02,
3344.01, 3350.10, 3352.01, 3356.01,
3359.01, 3361.01, 3362.01, and 3364.01**

Reduces the length of terms of office for nonstudent members of state university board of trustees from nine to six years for members appointed after the bill's effective date. Requires that nonstudent members who were either appointed for a nine-year term or appointed to fill the vacancy of a nine-year term prior to the bill's effective date serve the remainder of that nine-year term.

Fiscal effect: None.

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BORCD90 State funding for remedial and developmental courses**R.C. 3345.061**

Applies the current statutory limits on state operating subsidies for academic remedial or developmental courses only to remedial or developmental courses "completed at the main campus" of a state university.

Retains the current exemption allowing for the following institutions of higher education to receive state operating subsidies for remedial or developmental courses above the statutory limits prescribed for state university main campuses: (1) Central State University, (2) Shawnee State University, (3) Youngstown State University, (4) any university branch campus, (5) any community college, (6) any state community college, and (7) any technical college.

Fiscal effect: None.

BORCD97 College remediation report**R.C. 3345.062**

Requires each state university to issue an annual report, no later than December 31, 2017, and each December 31 thereafter, on the number of students that require remedial education, the costs of remediation, the specific areas of remediation provided by the university, and causes for remediation. Requires each university to present the remediation report to its board of trustees and to submit a copy of the report to the Chancellor and the Superintendent of Public Instruction.

Fiscal effect: Potential increase in administrative responsibilities for a state university to report on the remediation of its students. Current law, unchanged by the bill, requires state institutions to report the institution's aggregate costs for providing remedial and developmental courses, the amount of those costs disaggregated by the school districts in which the students taking those courses received their high school diploma, and any other information with respect to academic remedial and developmental courses the Chancellor considers appropriate.

Executive

BORCD38 Rules concerning financial interests in intellectual property**R.C. 3345.14**

Requires state colleges and universities to adopt rules under which an employee may receive a financial interest in intellectual property (under current law, adoption of these rules is permissive).

Fiscal effect: Increase in administrative responsibilities for state colleges and universities who have not already adopted the rules.

BORCD95 Course and program review**R.C. 3345.35**

Eliminates, as part of each higher education institution's required five-year course and program review, the requirement that each state institution evaluate all offered courses and programs based on student performance. Requires, instead, each state institution to evaluate all offered courses and programs based on duplication with other state institutions within a geographic region, as determined by the Chancellor. Retains the requirement that each state institution review courses and programs based on enrollment.

Requires, for courses and programs with low enrollment, each state institution to provide a summary of recommended actions, including consideration of collaboration with other institutions. Requires, for duplicative programs, each state institution to evaluate the benefits of collaboration with other higher education institutions.

Revises the date for which state institutions must first evaluate all courses and programs from January 1, 2016 to December 31, 2017 and the date for continued evaluation from January 1 every fifth year thereafter to September 1 every fifth year thereafter.

Authorizes, for the findings required to be submitted December 31, 2017, a state institution to submit any additional information required under the bill's proposed changes as an addendum to the findings an institution submitted prior to January 1, 2016.

Fiscal effect: State institutions may incur increased costs to comply with the additional reporting requirements.

Executive

BORCD37 Tenure policies at state institutions of higher education**R.C. 3345.45**

Requires the board of trustees of each state institution of higher education to review the institution's policy on faculty tenure and update that policy to promote excellence in instruction, research, service, and commercialization.

Beginning on January 1, 2018, requires each state institution to include a commercialization pathway in its faculty tenure policy in order for the institution to receive specified research funds from DHE.

Fiscal effect: Potential increase in administrative responsibilities for state institutions to review and updating policy.

BORCD94 Regional compacts**R.C. 3345.59**

Requires, by June 30, 2018, all state institutions of higher education located in the same region of the state, as defined by the Chancellor, to enter into a regional compact to examine unnecessary duplication of programs, develop strategies to meet the workforce education needs of the region, reduce operational and administrative costs, enhance collaboration and the sharing of resources and curriculum, and improve various methods for efficiency.

Requires state institutions designated as "land grant colleges" (currently only Ohio State University and Central State University) to also enter into a compact with one another to enhance collaboration.

Authorizes state institutions to join more than one compact and specifies that there is no maximum on the number of state institutions that may join each compact.

Requires each state institution to include, as part of its annual efficiency report to the Chancellor, the efficiencies produced as a result of each of the institution's compacts.

Fiscal effect: Potential reduction in expenditures if state institutions within a regional compact develop strategies to reduce operational and administrative costs. The amount of any reductions will depend upon the strategy implemented by a regional compact.

Executive

BORCD36 Ohio National Guard Scholarship program**R.C. 5919.34**

Authorizes the Adjutant General and the Chancellor to jointly adopt rules for the Ohio National Guard (ONG) Scholarship program to require the use of federal educational assistance programs, including programs offered by the United States Department of Defense, that are available to an applicant based on the applicant's military service.

If such rules are adopted, requires any financial assistance received under those programs by an Ohio National Guard Scholarship recipient to be applied prior to the scholarship funds, and the scholarship funds to then be applied to the remaining eligible expenses.

Fiscal effect: Potential for ONG program expenditures to be lower than otherwise if full federal educational assistance program funding is applied prior to the ONG funds. The bill appropriates \$19.4 million in each fiscal year for the Ohio National Guard Scholarship program under GRF appropriation item 235599, National Guard Scholarship Program (see BORCD28).

BORCD39 Regional workforce collaboration model**R.C. 6301.21**

Requires the Governor's Office of Workforce Transformation (OWT), the Department of Education (ODE), and the Chancellor, in consultation with business and economic development stakeholders groups, by December 31, 2017, to develop a regional workforce collaboration model to provide career services to students.

Requires the Governor's Office of Workforce Transformation to oversee the creation of regional workforce collaboration partnerships based on the model.

Fiscal effect: Increase in administrative responsibilities for OWT, ODE, and DHE to develop a regional workforce collaboration model.

Executive

BORCD40 OhioMeansJobs workforce supply tool**R.C. 6301.112**

Requires the Governor's Office of Workforce Transformation, in collaboration with DHE and the Department of Job and Family Services, to create and publish on the OhioMeansJobs website a workforce supply tool that provides information on past graduates from high demand fields, projections of future graduates, and the number of skilled workers available for work in occupations that are on the in-demand jobs list maintained under continuing law. Requires the workforce supply tool to include data on all in-demand jobs in the in-demand jobs list maintained under continuing law by January 1, 2018.

Requires the Governor's Office of Workforce Transformation, in collaboration with DHE and the Department of Education, to, by December 31, 2018, establish design teams that identify emerging skill needs and periodically recommend innovations for responding to emerging in-demand jobs and skills.

Fiscal effect: The workforce supply tool debuted on the OhioMeansJobs website in December 2016 with existing plans to expand the number of in-demand occupations reported in 2017. However, there may be some additional work required to establish the design teams. Development of the Workforce Supply Tool was supported by a \$180,000 State Workforce Education Alignment Project grant from the National Skills Coalition.

BORCD15 Sea Grants**Section: 381.20**

Requires that GRF appropriation item 235402, Sea Grants, be used by The Ohio State University's Sea Grant program, including Stone Laboratory, to match federal dollars and to enhance Lake Erie and Ohio's coastal resources.

BORCD1 Articulation and Transfer**Section: 381.30**

Requires that GRF appropriation item 235406, Articulation and Transfer, be used to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies that ensure that course work will apply to majors and degrees at any state institution.

Executive

BORCD2 Midwest Higher Education Compact**Section: 381.40**

Requires that GRF appropriation item 235408, Midwest Higher Education Compact, be used for paying membership fees for the Midwest Higher Education Compact.

BORCD3 Grants and Scholarship Administration**Section: 381.50**

Requires that GRF appropriation item 235414, Grants and Scholarship Administration, be used to administer various state and federal student financial aid and scholarship programs, support all financial aid audits, and provide fiscal services for the Ohio National Guard Scholarship Program.

BORCD4 Technology Maintenance and Operations**Section: 381.60**

Requires that GRF appropriation item 235417, Technology Maintenance and Operations, be used to support the development and implementation of information technology solutions designed to improve DHE's performance and capacity. Authorizes the Ohio Technology Consortium (OH-TECH) to provide information technology solutions.

Earmarks a portion of 235417 in each fiscal year to be used to support the continued implementation of the eStudent Services consortium, which was organized to expand access to dual enrollment opportunities for high school students and to adult higher education opportunities through technology. Requires eStudent Services to use these funds to develop and promote learning and assessment through the use of technology, to test and provide advice on emerging learning directed technologies, facilitate cost effectiveness through shared investments in educational technology, and any other DHE priorities.

Earmarks a portion of 235417 in each fiscal year to be used to implement a high priority data warehouse, advanced analytics, and visualization integration services associated with the Higher Education Information (HEI) system. Authorizes OH-TECH to facilitate services.

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BORCD5 Technology Integration and Professional Development Line Item Transfer**Section: 381.60**

Requires, on July 1, 2017, or as soon as possible thereafter, the Director of OBM, upon request of the Chancellor, to cancel any existing encumbrances against GRF appropriation item 235483, Technology Integration and Professional Development, and re-establish them against 235417, Technology Maintenance and Operations. Appropriates the re-established encumbrance amounts.

BORCD17 Appalachian New Economy Partnership**Section: 381.70**

Requires that GRF appropriation item 235428, Appalachian New Economy Partnership, be distributed to Ohio University to continue an effort to link Appalachia to the new economy. Requires Ohio University to use the funds to provide leadership in the development and implementation of initiatives in the areas of entrepreneurship, management, education, and technology.

BORCD6 Choose Ohio First Scholarship**Section: 381.80**

Requires that GRF appropriation item 235438, Choose Ohio First Scholarship, be used according to the statutes authorizing the Choose Ohio First Scholarship Program.

Authorizes the Chancellor, during each fiscal year, to certify to Director of OBM the amount of canceled prior-year encumbrances in 235438. Authorizes the Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the Choose Ohio First Scholarship Reserve Fund (Fund 5PV0).

Executive

BORCD7 Adult Basic and Literacy Education**Section: 381.90**

Requires that GRF appropriation item 235443, Adult Basic and Literacy Education – State, be used to support the adult basic and literacy education (ABLE) instructional grant program and state leadership program. Requires that supported programs satisfy the state match requirements for the grant program.

BORCD19 Ohio Technical Centers**Section: 381.100**

Requires that GRF appropriation item 235444, Ohio Technical Centers, be used to support post-secondary adult career-technical education and authorizes the following earmarks:

- (1) up to 2.38% in each fiscal year for the Ohio Central School System.
 - (2) up to \$48,000 in each fiscal year for assistance for OTCs.
 - (3) up to \$1,300,000 in each fiscal year for OTCs that provide business consultation with matching local dollars, with preference to industries on the in-demand jobs list maintained under existing law or in regionally emerging fields. Limits the amount each OTC receives from this earmark to \$25,000.
 - (4) Specifies that the remainder be distributed according to the OTC funding formula (see BORCD45).
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BORCD45 Ohio Technical Centers Funding Formula**Section: 381.100**

Requires each Ohio Technical Center (OTC) to report data to the Chancellor. Requires the Chancellor to provide coordination for OTCs through approval processes, data collection of program and student outcomes, and subsidy disbursements. Requires the Chancellor to exclude non-residents in the number of students eligible for state subsidy. Defines full-time equivalent (FTE) as completion of 450 hours. Requires the use of a three-year average in calculating the number of FTE students. Requires, OTCs to operate with, or be an active candidate for, accreditation by an accreditor authorized by the United States Department of Education after June 30, 2019 in order to continue to receive state subsidy.

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Distributes the OTC allocation as follows:

- (1) 25% based on each OTCs proportion of FTE students who complete a post-secondary technical workforce training program with a grade of C or better or pass if graded as pass/fail.
- (2) 20% based on each OTCs proportion of FTE students who complete 50% of a program of study.
- (3) 50% based on each OTCs proportion of FTE students who find employment, enter military service, or enroll in additional post-secondary education and training.
- (4) 5% based on each OTCs proportion of FTE students who earn a credential from an industry-recognized third party.

Phases in formula funding by requiring that no OTC receive less than 95%, in FY 2018, and 94%, in FY 2019, of the average allocation it received in the three prior fiscal years excluding funding for third party credentials. Requires that funding for OTCs not receiving phase-in funding be reduced proportionally to pay for the phase-in funding.

BORCD8 Area Health Education Centers

Section: 381.110

Requires that GRF appropriation item 235474, Area Health Education Centers, be used to support the medical school regional area health education centers' educational programs.

BORCD22 Campus safety and training

Section: 381.120

Requires that GRF appropriation item 235492, Campus Safety and Training, be used by the Chancellor, in consultation with state institutions of higher education and private nonprofit institutions, to continue to develop model best practices in line with emerging trends, research, and evidence-based training, for preventing and responding to sexual violence on campus. Requires the Chancellor to convene higher education institutions in the training and implementation of best practices regarding campus sexual violence.

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BORCD71 State Share of Instruction (SSI) Formulas**Section: 381.130**

Requires the Chancellor to establish procedures to allocate GRF appropriation item 235501, State Share of Instruction, based on the SSI formulas that use the enrollment, course completion, degree attainment, and student achievement factors reported annually by each state institution participating in the Higher Education Information (HEI) system.

BORCD72 SSI - Full-Time Equivalent Enrollment and Course Completions**Section: 381.130**

Requires state institutions to report their actual data to the Chancellor. Requires the Chancellor to exclude all undergraduate students who are not Ohio residents or who do not meet the definition of residency for state subsidy and tuition surcharge purposes (except those under reciprocity agreements or employer contracts) in defining the number of full-time equivalent (FTE) students for the formula.

BORCD73 SSI - Total Costs per FTE**Section: 381.130**

Provides, for purposes of calculating SSI allocations, a table of total costs per FTE for the 22 non-doctoral and non-medical curriculum models for each fiscal year, ranging from \$8,678 to \$40,815 for arts and humanities curriculum models; from \$8,258 to \$35,549 for business, education, and social science curriculum models; and from \$8,059 to \$55,324 for science, technology, engineering, mathematics and medicine curriculum models.

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BORCD74 SSI - Science, Technology, Engineering, Mathematics, Medical, and Graduate Weights**Section: 381.130**

Provides a table of curriculum model weights for each fiscal year, including a uniform weight of 1.0000 for all non-doctoral undergraduate-level models in arts, humanities, business, education, and social sciences and various weights ranging from 1.0017 to 1.8798 for graduate-level models and science, technology, engineering, mathematics (STEM), and medicine models.

BORCD75 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Degree Attainment**Section: 381.130**

Requires that 50% of the SSI appropriation for university main campuses in each fiscal year be reserved for support of associate, baccalaureate, masters, and professional level degree attainment. Specifies that degree attainment funding be allocated to universities in proportion to each campus's share of the total statewide degrees granted, weighted by the cost of the degree programs.

Specifies, for degrees including credits earned at multiple institutions, that degree attainment funding be allocated to universities in proportion to each campus's share of the student-specific cost of earned credits for the degree. Specifies that each institution receive its prorated share of degree funding for credits earned at that institution and that the cost of credits not earned at a university main or regional campus be credited to the degree-granting institution for the first degree earned by a student at each degree level. Specifies that the cost credited to the degree-granting institution not be eligible for at-risk weights and limits the cost credited to 12.5% of the student-specific degree costs, unless the student transferred 12 or fewer credits into the degree granting institution.

Specifies that the count for degree attainment include degrees earned by students identified as Ohio residents in any term, weighted by a factor of 1, and degrees earned by students identified as out-of-state students during all terms that remain in Ohio at least one year after graduation, weighted by a factor of 50%. Defines subsidy eligible associate degrees as those earned by students attending any state supported university main or regional campus.

Specifies that calculations for the count for degree attainment use the average of the previous three years' counts of associate, baccalaureate, masters and professional degrees. Limits, if a student is awarded an associate degree and later is awarded a baccalaureate degree, the amount funded for the baccalaureate degree to either (1) the difference in cost between the cost of the baccalaureate degree and the cost of the previous associate degree, or, (2) if the associate degree

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has a higher cost than the baccalaureate degree, the cost of the credits earned by the student after the associate degree was awarded. Specifies that in these instances the associate degree granting institution receive only the prorated share of the baccalaureate degree funding for the credits earned at that institution after the associate degree is awarded. Requires, if a student earns more than one degree at the same institution at the same degree level in the same fiscal year, that funding for the highest cost degree be prorated among institutions based on where the credits were earned and additional degrees be funded at 25% of the degree cost.

Requires that eligible associate and baccalaureate degrees counted in degree attainment be weighted by a statewide "at-risk degree" completion weight, calculated based on the at-risk factors of the individual student, determined by calculating the difference between the percentage of students with each risk factor who earned a degree and the percentage of non-at-risk students who earned a degree. Defines "at-risk" for a student based on academic underpreparation, age, minority status, financial status, or first generation post-secondary status based on neither parent completing any education beyond high school.

BORCD76 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Doctoral Set-Aside

Section: 381.130

Requires that up to 11.78% of the SSI appropriation for university main campuses be set aside for doctoral programs in each fiscal year. Specifies that NEOMED receive \$250,000 and \$275,000 in FY 2018 and FY 2019, respectively, of the doctoral set-aside funding allocation.

Specifies that the remaining doctoral set-aside be allocated to universities as follows:

- (1) 32.5% in FY 2018 and 25% in FY 2019 in proportion to each campus's historical shares of the statewide total number of Doctoral I equivalent FTEs. Specifies that Doctoral I equivalent FTEs be equal to the sum of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs.
 - (2) 45% in FY 2018 and 50% in FY 2019 in proportion to each campus's share of statewide doctoral degrees, weighted by the cost of the discipline. Specifies that the calculation of doctoral degrees use the average of the previous three years.
 - (3) 22.5% in FY 2018 and 25% in FY 2019 in proportion to each campus' share of research grant activity. Specifies that grant awards from the Department of Health and Human Services be weighted at 50%.
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BORCD77 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Medical Set-Asides**Section: 381.130**

Requires that 6.41% of the SSI appropriation for universities in each year be set aside for Medical II FTEs. Requires that these funds be allocated in proportion to each campus's share of the statewide total of three-year average Medical II FTEs. Specifies that, in calculating the core subsidy enrollments for Medical II models only, students repeating terms may be no more than 5% of current year enrollment.

Requires that 1.48% of the SSI appropriation for universities in each fiscal year be set aside for Medical I FTEs. Requires that these funds be allocated in proportion to each campus's share of the statewide total of three-year average Medical I FTEs.

BORCD78 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities - Course Completion Funding**Section: 381.130**

Requires that, in calculating course completion funding for universities, the Chancellor only use FTE students who successfully complete a course.

Specifies that successful course completion FTE students defined as "at-risk" based on academic under-preparation or financial status are to be weighted by (1) institution-specific course completion indexes calculated based on the number of at-risk students during the 2014-2016 academic years, and (2) statewide at-risk course completion weights determined by the difference between the percentage of traditional students completing the course and the percentage of at-risk students completing the course.

Specifies that, except for the Medical I, Medical II, Doctoral I, and Doctoral II model, all models have their course completion earnings determined by multiplying per FTE curriculum model costs by model weights and by the average number of subsidy-eligible FTEs based on the average previous three-year period.

Specifies that the course completion earnings be calculated by dividing the adjusted earmark for universities, less the degree attainment funding, less the doctoral set-aside, and the medical set-asides, by the sum of all those campuses' instructional costs.

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BORCD79

SSI - Calculation of SSI Formula Entitlements and Adjustments for Community Colleges

Section: 381.130

Requires that 50% of the SSI appropriation for community colleges, state community colleges, and technical colleges, in each fiscal year, be allocated for course completion FTEs as aggregated by the subsidy models. Specifies that the course completion funding be allocated to campuses in proportion to each campus's share of the total sector's course completions, weighted by the instructional cost of the subsidy models.

Specifies that calculations of course completions for community colleges, state community colleges, and technical colleges are to use the three-year average course completions for the previous three years and that the subsidy eligible enrollments by model be equal to only those FTE students who successfully complete the course.

Requires that students with successful course completions, that are defined as "access students" based on financial status, minority status, age, or academic under-preparations, have their eligible course completions weighted by a statewide access weight. Specifies the weight given to any student eligible as an "access student" be 15% for all course completions. Specifies that the model costs are to be weighted by the cost of the degree programs.

Requires that 25% of the appropriation for community colleges, state community colleges, and technical colleges, in each fiscal year, be allocated in proportion to each campus's share of college student success factors. Requires that student success factors be awarded at the institutional level for each student that successfully: (1) completes a developmental math course, and, within the next year, enrolls in a college-level math course; (2) completes a developmental English course and, within the next year, enrolls in a college-level English course; (3) completes 12 semester credit hours of college-level coursework; (4) completes 24 semester credit hours of college-level coursework; (5) completes 36 semester credit hours of college-level coursework.

Requires that 25% of the appropriation for community colleges, state community colleges, and technical colleges, in each fiscal year, be allocated for completion milestones.

Specifies that completion milestones include (1) associate degrees, (2) technical certificates over 30 credit hours as designated by DHE, and (3) students transferring to any four-year institution with at least 12 credit hours of college level coursework earned at that community or technical college. Specifies that completion milestone funding be allocated in proportion to each campus's share of the sector's total completion milestones, weighted by the instructional costs of the associate degree, certificate, or transfer models. Specifies that costs for technical certificates over 30 hours be weighted at one-half of the associate degree model costs and transfers with at least 12 credit hours of college level coursework be weighted at one-fourth of the average cost for all associate degree model costs.

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Specifies that calculations of subsidy entitlements for completions at community colleges, state community colleges, and technical colleges are to use a three-year average for completion metrics. Specifies that eligible model completions equal only those students who successfully complete an associate degree or technical certificate over 30 credit hours, or transfer to any four-year institution with at least 12 credit hours of college level coursework. Requires that these students who are also defined as "access students" based on financial status, minority status, age, or academic under-preparations, have their eligible course completions weighted by a statewide access weight.

Specifies that the students' eligible completions be weighted by statewide access weights as follows: (1) 25% for students with one access factor; (2) 66% for two access factors; (3) 150% for three access factors; and, (4) 200% for four access factors.

Specifies, for those students who complete more than one completion milestone, that funding for each additional associate degree or technical certificate over 30 credit hours as designated by DHE be funded at 50% of model costs.

BORCD80 SSI - Capital Component Deduction**Section: 381.130**

Requires that, after all other adjustments have been made, a campus's SSI earnings be reduced by the amount, if any, by which debt service charged for that campus for capital budgets from the 121st GA to the 127th GA exceeds that campus's capital component earnings. Specifies that the deducted amounts be transferred to GRF appropriation item 235552, Capital Component.

BORCD81 SSI - Exceptional Circumstances and Appropriation Reductions**Section: 381.130**

Authorizes adjustments be made to the SSI payments and other subsidies distributed by the Chancellor for exceptional circumstances. Requires the recommendation of the Chancellor and approval of the Controlling Board for these adjustments.

Requires the standard SSI formula provisions to apply to any SSI appropriation reductions occurring prior to the Chancellor's formal approval of the SSI allocation. Specifies that reductions made after the Chancellor's formal approval be applied uniformly to each campus in proportion to its share of the final SSI allocation.

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BORCD82 SSI - Distribution**Section: 381.130**

Requires that the SSI allocation be distributed in equal monthly payments. Specifies that payments for the first six months of the fiscal year be made based on the SSI appropriation estimates made for the various institutions and that payments for the last six months of the fiscal year be based on the final data from the Chancellor.

BORCD83 SSI - Study on the Use of STEMM and Graduate Weights**Section: 381.130**

Requires the presidents of public institutions of higher education, in consultation with the Chancellor, to study the effectiveness of the science, technology, engineering, mathematics, medicine (STEMM), and graduate weights as originally recommended by the 2006 State Share of Instruction Consultation and the Higher Education Funding Study Council and to complete the study by October 15, 2017.

Requires the study to identify the extent to which: (1) STEMM and graduate weights re-allocate resources among institutions within 235501, (2) the resource re-allocation affects institutional production of STEMM and graduate completions, and (3) the weights are appropriate given current workforce data associated with emerging and in-demand fields. Requires members of the study to use the results of the study to recommend changes in the STEMM and graduate weights. Requires members of the study to report any changes to the Governor, the General Assembly, and OBM no later than December 1, 2017.

BORCD84 State Share of Instruction for Fiscal Years 2018 and 2019**Section: 381.140**

Makes the following earmarks to GRF appropriation item 235501, State Share of Instruction:

(1) \$460,818,566 in FY 2018 and \$465,426,752 in FY 2019 for SSI distributions to community colleges, state community colleges, and technical colleges.

(2) \$1,538,392,150 in FY 2018 and \$1,553,776,071 in FY 2019 for SSI distributions to university main and regional campuses.

Executive**BORCD85 Restriction on fee increases****Section: 381.150**

Prohibits, for academic years 2017-2018 and 2018-2019, each state institution of higher education from increasing in-state undergraduate instructional, general, and all other fees over what was charged in the 2016-2017 academic year. Exempts room and board from this prohibition.

Requires that all state institutions of higher education, for the 2018-2019 academic year, provide textbooks to all undergraduate students as a mandatory service. Authorizes institutions to charge a textbook fee of no more than \$300 per year for a full-time student. Requires institutions to pro-rate the fee for a part-time student based on the number of credit hours the student is enrolled.

Defines a "textbook" as any required instructional tool, such as bound and electronic textbooks and software, used specifically for curricular content in a course.

Specifies that limitations do not apply to increases required to comply with institutional covenants related to obligations or to meet unfunded legal mandates or commitments made prior to the effective date of the section. Specifies that any increases necessary to cover these covenants or other requirements be reported to the Controlling Board by the Chancellor. Authorizes the Chancellor, with Controlling Board Approval, to modify any limitations to respond to exceptional circumstances.

BORCD86 Higher Education - Board of Trustees**Section: 381.160**

Authorizes colleges and universities, with the approval of the Chancellor, to use instructional subsidies for off-campus undergraduate and master's degree courses of study.

Requires the board of trustees at each institution to supplement state subsidies by establishing uniform instructional and general fees to be charged to all students for universal services. Allows each board to establish special purpose fees and service charges for individual or specific categories of students that are not applied uniformly. Requires each board to establish a tuition surcharge to out-of-state students.

Prohibits the board of trustees at each institution from authorizing a waiver or nonpayment of instructional or general fees that is not authorized by law or approved by the Chancellor.

Executive

Requires each institution of higher education, in its statement of charges, to separately identify the instructional fee, general fee, tuition charge, and tuition surcharge.

Requires that boards of trustees of state institutions ensure that faculty members devote a proper and judicious part of their work week to actual instruction of students.

Requires the boards of trustees of state institutions to exercise the authority of the government vested by law in them. Specifies that administrative decisions are the exclusive prerogative of the boards and that any delegation of authority by the boards must be accompanied by appropriate standards of guidance and periodic review of the exercise of the delegated authority.

BORCD9 Student Support Services**Section: 381.170**

Requires that GRF appropriation item 235502, Student Support Services, be distributed to state colleges and universities that incur disproportionate support services costs for disabled students.

BORCD10 War Orphans Scholarships**Section: 381.180**

Requires that GRF appropriation item 235504, War Orphans Scholarships, be used to reimburse state institutions for waivers of instructional fees and general fees provided to war orphans, provide grants to private nonprofit institutions, and fund additional scholarships for children of persons declared prisoners of war or missing in action.

Authorizes the Chancellor, during each fiscal year, to certify to Director of OBM the amount of canceled prior-year encumbrances in 235504. Authorizes the Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the War Orphans Scholarship Reserve Fund (Fund 5PW0).

Executive

BORCD11 OhioLINK**Section: 381.190**

Requires that GRF appropriation item 235507, OhioLINK, be used to support OhioLINK, the state's electronic library information and retrieval system.

BORCD23 Air Force Institute of Technology**Section: 381.200**

Requires that GRF appropriation item 235508, Air Force Institute of Technology, be used to strengthen linkages between Wright Patterson Air Force Base and Ohio institutions of higher education and to support the Dayton Area Graduate Studies Institute.

BORCD24 Ohio Supercomputer Center**Section: 381.210**

Requires that GRF appropriation item 235510, Ohio Supercomputer Center, be used to support the Ohio Supercomputer Center, located at Ohio State University.

Requires that funds from 235510 be used, in part, to support AweSim, the Ohio Supercomputer Center's industrial outreach program.

BORCD25 Cooperative Extension Service**Section: 381.220**

Requires that GRF appropriation item 235511, Cooperative Extension Service, be disbursed to The Ohio State University in monthly payments.

Executive

BORCD12 Central State Supplement**Section: 381.230**

Requires the Chancellor to disburse funds from GRF appropriation item 235514, Central State Supplement, in accordance with the plan developed to increase enrollment, improve course completion, and increase the number of degrees conferred.

Requires the Chancellor to monitor the plan's implementation and suspend the plan if Central State is not using funds according to the plan or if the plan is not having the desired effect. Specifies that, if the plan is suspended, Central State must avoid all unnecessary expenditures under the plan. Requires the Chancellor to notify the Controlling Board of a suspension and prepare a new plan within sixty days.

BORCD13 Case Western Reserve University School of Medicine**Section: 381.240**

Requires that GRF appropriation item 235515, Case Western Reserve University School of Medicine, be disbursed to Case Western in accordance with state agreements.

BORCD14 Family Practice**Section: 381.250**

Requires the Chancellor to develop plans to distribute GRF appropriation item 235519, Family Practice.

BORCD18 Shawnee State Supplement**Section: 381.260**

Requires the Chancellor to disburse funds from GRF appropriation item 235520, Shawnee State Supplement, in accordance with the plan to improve course completion, increase the number of degrees conferred, and further the university's mission of service to the Appalachian region.

Executive

Requires the Chancellor to monitor the plan's implementation and suspend the plan if Shawnee State is not using funds according to the plan or if the plan is not having the desired effect. Specifies that, if the plan is suspended, Shawnee State must avoid all unnecessary expenditures under the plan. Requires the Chancellor to notify the Controlling Board of a suspension and prepare a new plan within sixty days.

BORCD20 Geriatric Medicine**Section: 381.270**

Requires the Chancellor to develop plans to distribute GRF appropriation item 235525, Geriatric Medicine.

BORCD21 Primary Care Residencies**Section: 381.280**

Requires the Chancellor to develop plans to distribute GRF appropriation item 235526, Primary Care Residencies. Requires that distribution be based on whether or not an institution has submitted and gained approval for a plan.

BORCD26 Ohio Agricultural Research and Development Center**Section: 381.290**

Requires that GRF appropriation item 235535, Ohio Agricultural Research and Development Center, be disbursed to The Ohio State University in monthly payments. Requires that OARDC continue to internally allocate funding on a competitive basis.

Executive

BORCD46 State University Clinical Teaching**Section: 381.300**

Requires that GRF appropriation items 235536, The Ohio State University Clinical Teaching, 235537, University of Cincinnati Clinical Teaching, 235538, University of Toledo Clinical Teaching, 235539, Wright State University Clinical Teaching, 235540, Ohio University Clinical Teaching, and 235541, Northeast Ohio Medical University Clinical Teaching, be distributed by the Chancellor.

BORCD27 Central State Agricultural Research and Development Center**Section: 381.310**

Requires that GRF appropriation items 235546, Central State Agricultural Research and Development, and 235548, Central State Cooperative Extension Services, be used by Central State University for its state match requirement as an 1890 land grant university.

BORCD47 Capital Component**Section: 381.320**

Requires that GRF appropriation item 235552, Capital Component, be distributed to each campus for which the estimated campus debt service attributable to qualifying capital projects is less than the campus's formula-determined capital component allocation under the state's former capital funding policy. Specifies that the amount of each campus's payment be determined by subtracting the former amount from the latter and that the campuses use these payments only for capital projects.

Requires the Chancellor to subtract from each campus's SSI allocation the amount by which the estimated campus debt service attributable to qualifying capital projects exceeds the campus's formula-determined capital component allocation and transfer appropriation equal to the sum of these amounts from GRF appropriation items 235501, State Share of Instruction, or 235535, Ohio Agricultural Research and Development Center, to this appropriation item.

Executive

BORCD48 Library Depositories**Section: 381.330**

Requires that GRF appropriation item 235555, Library Depositories, be used to support the state's five regional depository libraries for the cost-effective storage of and access to lesser-used materials in university library collections. Specifies that the depositories are to be administered by the Chancellor or OhioLINK, at the Chancellor's discretion.

BORCD49 Ohio Academic Resources Network (OARnet)**Section: 381.340**

Requires that GRF appropriation item 235556, Ohio Academic Resources Network, be used to support the operations of OARnet, including support for Ohio's colleges and universities in maintaining and enhancing network connections, using network technologies to improve programs, and sharing information technology services. Requires, to the extent network capacity is available, that OARnet support allocating bandwidth to eligible programs directly supporting Ohio's economic development.

BORCD50 Long-term Care Research**Section: 381.350**

Requires that GRF appropriation item 235558, Long-term Care Research, be disbursed to Miami University for long-term care research.

BORCD51 Ohio College Opportunity Grant**Section: 381.360**

Earmarks the following from GRF appropriation item 235563, Ohio College Opportunity Grant:

(1) \$93.1 million in FY 2018 and \$95.2 million in FY 2019 for need based financial aid awards to students of public and private nonprofit institutions, excluding early college high school and post-secondary enrollment option participants.

Executive

(2) The remainder in each fiscal year to award need-based aid to students enrolled in eligible private for-profit career colleges and schools.

Requires that awards for student attending nonprofit institutions be determined at twice the rate of the awards for students attending public institutions.

Authorizes the distribution of awards on an annual basis, once Pell grants have been exhausted, for students attending an institution year-round.

Authorizes the Chancellor to create a distribution formula for FY 2018 and FY 2019, based on the formula used in FY 2017, if the amounts appropriated are inadequate to provide grants to all eligible students. Requires the Chancellor to notify the Controlling Board of the distribution method. Requires that any formula be complete and established to coincide with the start of the 2017-2018 academic year.

Specifies that the funds may also be used to pay for renewals or partial renewals under the Ohio Academic Scholarship Program. Specifies that, in paying for scholarships, funds are to be deducted proportionately from the sector allocations of public, private nonprofit, and private for-profit institutions.

Prohibits the Chancellor from distributing or obligating more than the appropriation amount.

Requires the Chancellor to post award tables on DHE's website and notify students and institutions of any reductions in awards.

Prohibits any student from receiving an Ohio College Opportunity Grant for more than the equivalent of five academic years, less the number of semesters or quarters in which the student received an Ohio Instructional Grant.

Authorizes the Chancellor, during each fiscal year, to certify to the Director of OBM the amount of canceled prior-year encumbrances in 235563. Authorizes the Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the Ohio College Opportunity Grant Program Reserve Fund (Fund 5PU0).

BORCD52 The Ohio State University Clinic Support**Section: 381.370**

Requires that GRF appropriation item 235572, The Ohio State University Clinic Support, be distributed to The Ohio State University for support of dental and veterinary medicine clinics.

Executive

BORCD28 National Guard Scholarship Program**Section: 381.380**

Requires that GRF appropriation item 235599, National Guard Scholarship Program, be disbursed by the Chancellor. Authorizes the Chancellor, during each fiscal year, to certify to the Director of OBM the amount of canceled prior-year encumbrances in 235599. Authorizes the Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the National Guard Scholarship Fund (Fund 5BM0).

BORCD53 Pledge of fees**Section: 381.390**

Provides that any new pledge or adjustment of fees made in the biennium to secure bonds or notes of a state institution of higher education for a project are effective only after approval by the Chancellor, unless approved in a previous biennium.

BORCD29 Higher Education General Obligation Bond Debt Service**Section: 381.400**

Requires that GRF appropriation item 235909, Higher Education General Obligation Debt Service, be used to pay all debt service and related financing costs at the required times during the biennium.

BORCD54 Sales and Services**Section: 381.410**

Authorizes the Chancellor to charge and accept payment for the provision of goods and services. Requires the charges to be related to the costs of producing goods and services, though no charges are to be levied for goods or services that are produced as part of the routine responsibilities or duties of the Chancellor. Specifies that all revenues received be deposited into DPF Fund 4560, Sales and Services. Allows the Chancellor to use these funds to pay for the costs of producing goods and services.

Executive

BORCD30 Higher Educational Facility Commission Administration**Section: 381.420**

Specifies that DPF Fund 4E80 appropriation item 235602, Higher Educational Facility Commission Administration, be used for operating expenses related to DHE's support of the activities of the Ohio Higher Educational Facility Commission (HEFC).

Authorizes the Director of OBM to transfer up to \$50,000 cash in each fiscal year from the HEFC Operating Expenses Fund (Fund 4610), used by HEFC, to the HEFC Administration Fund (Fund 4E80), used by DHE.

BORCD55 Accelerated Completion of Technical Studies**Section: 381.430**

Requires that DPF Fund 5JC0 appropriation item 235550, Accelerated Completion of Technical Studies, be used by the Chancellor to work with community and technical colleges to develop a highly structured program to accelerate associate degree completion in fields that are either emerging or have in-demand jobs. Requires that funds be used to support the technical assistance for, and the start-up costs of, up to seven institutions to develop a structured, intensive program for student success.

Requires the Chancellor to select the initial cohort of seven institutions through a competitive request for proposals (RFP) process. Requires institutions to demonstrate conditions of readiness that would enable them to implement an Accelerated Completion of Technical Studies (ACTS) program, with special attention permitted to be given to institutions that develop a regional proposal that builds on the efficiency of multiple institutions and addresses the needs of their region.

Requires participating institutions to: (1) serve at least 250 students annually in majors that fill in-demand or emerging jobs for their region; (2) collect program data at the Chancellor's request; (3) develop plans for the sustainability of the program; and (4) attest that all participating students will receive all of the support required to be given to students under the program.

Requires participating students to receive: (1) tuition waivers that cover any gap between grant aid and tuition and fees; (2) textbooks at no cost; (3) incentive cards that cover modest recurring costs such as gas or other transportation; (4) specialized courses and schedules that enable students to better manage college and work; and (5) comprehensive support services.

Executive

Requires participating students to: (1) select and continue in a major that fills a pre-identified in-demand job in the region; (2) enroll full-time and attempt 30 credit hours within a calendar year; (3) enroll in no more than two developmental courses; and (4) participate in student support services.

Authorizes the Chancellor to collaborate with the Department of Job and Family Services to expand the scope of program services and the number of institutions served through ACTS.

BORCD56 Federal Research Network**Section: 381.440**

Requires that DPF Fund 5JC0 appropriation item 235654, Federal Research Network, be distributed to Ohio State University to collaborate with Wright Patterson Air Force Base, NASA Glenn Research Center, Ohio's research universities, and the private sector to align the state's research assets with emerging missions and job growth opportunities emanating from the two federal installations, strengthen related workforce development and technology commercialization programs, and better position the state's university system to directly impact new job creation in Ohio.

Requires a portion of 235654 to be used to support the growth of small business federal contractors in the state and expand the participation of Ohio businesses in the federal Small Business Innovation Research Program and related federal programs.

BORCD31 OhioMeansJobs Workforce Development Revolving Loan Program**Section: 381.450**

Requires that DPF Fund 5NH0 appropriation item 235684, OhioMeansJobs Workforce Development Revolving Loan Program, be used to provide administrative support for the OhioMeansJobs Workforce Development Revolving Loan Program.

BORCD32 Workforce and Higher Education Programs**Section: 381.460**

Earmarks the following from DPF Fund 5RA0 appropriation item 235616, Workforce and Higher Education Programs:

Executive

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- (1) Up to \$500,000 in each fiscal year to coordinate a statewide effort to promote workforce grant programs;
- (2) The remainder to be distributed by the Chancellor for the Workforce Grant Program created in R.C. 3333.93.
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BORCD57**Completion and Retention for Educational Success****Section: 381.470**

Requires that DPF Fund 5TF0 appropriation item 235566, Completion and Retention for Educational Success, be used for the Completion and Retention for Educational Success (Ohio CARES) Program, which the bill creates to provide financial support to in-state undergraduate students enrolled at a state or private nonprofit institution of higher education and are determined to be in jeopardy of disenrolling due to a short-term lack of financial resources.

Authorizes the Chancellor, in reviewing applications from institutions who wish to participate and allocating funds, to give priority to institutions that focus awards on students: (1) pursuing their first degree; (2) within 30 semester credit hours of completing the minimum degree requirements; (3) with a grade point average in excess of 2.0; (4) taking more than 10 credit hours per semester; and (5) pursuing a degree for an in-demand field.

Limits an allocation to a participating institution to no more than \$15,000 in any single fiscal year.

Requires the Chancellor to disburse funds to a participating public or private institution, which will then make awards to students. Specifies that students be eligible to receive an award up to \$250 per term and no more than two awards in any academic year.

Requires each participating institution to (1) use the funds allocated under Ohio CARES to augment existing aid programs already administered by the institution, (2) provide a 1:1 matching contribution with direct institutional aid, (3) limit awards to allowable student costs, (4) monitor the students receiving awards, and (5) provide a report, upon the Chancellor's request, summarizing six specified metrics for students at the institution who receive awards as compared to those who do not.

Reappropriates to DHE an amount equal to the unexpended, unencumbered portion of 235566 at the end of FY 2018 for the same purpose in FY 2019.

Executive**BORCD58 Finish For Your Future Scholarship Program****Section: 381.480**

Requires that DPF Fund 5TF0 appropriation item 235600, Finish for Your Future Scholarship Program, be used to provide scholarship benefits under the Finish for Your Future Scholarship Program, which the bill creates to encourage eligible individuals that have disenrolled from an eligible institution to re-enroll at an institution in pursuit of the individual's first post-secondary credential. Requires the Chancellor to administer and adopt rules for the program.

Defines an eligible institution as a state institution of higher education, a private nonprofit college, or an Ohio Technical Center that provides post-secondary workforce education.

Defines an eligible individual as an Ohio resident that (1) possesses student debt acquired while in pursuit of the individual's first post-secondary credential, (2) disenrolled from an eligible institution prior obtaining the individual's first post-secondary credential and desires to re-enroll to obtain the individual's first post-secondary credential, (3) disenrolled from an eligible institution at least 12 months prior to receiving scholarship benefits under this program, and (4) meets certain requirements with respect to progress toward the individual's first post-secondary credential.

Requires the Chancellor to disburse funds to an eligible institution to make awards to eligible individuals. Permits an eligible individual to receive a credit from the institution of up to \$3,500 per academic year to pay for instructional and general fees or tuition, provided that the scholarship amount does not exceed the individual's costs that otherwise would be charged to the student for any given term.

Requires eligible institutions to provide a 1:1 matching contribution in the form of direct institutional aid provided to eligible individuals. Requires eligible individuals to match the state scholarship amount at a ratio of 1:1, in a form determined appropriate by the institution.

Requires each eligible institution to monitor the students receiving awards and provide a report, upon the Chancellor's request, summarizing six specified metrics for students at the institution who receive awards as compared to those who do not.

Reappropriates to DHE an amount equal to the unexpended, unencumbered portion of 235600 at the end of FY 2018 for the same purpose in FY 2019.

Executive

BORCD59 College Ready Transition Courses**Section: 381.490**

Requires that DPF Fund 5TF0 appropriation item 235653, College Ready Transition Courses, be used by the Chancellor, in consultation with the Superintendent of Public Instruction, to develop college ready transition courses for high school students who have not met the state's remediation free thresholds in mathematics, English, or other instructional models.

BORCD60 State Financial Aid Reconciliation**Section: 381.500**

Requires the Chancellor, on September 1 of each fiscal year or as soon as possible thereafter, to certify to the Director of OBM the amount necessary to pay any outstanding prior year obligations to institutions of higher education for the state's student financial aid programs. Appropriates the amounts certified to DPF Fund 5Y50 appropriation item 235618, State Financial Aid Reconciliation, from revenues received in the State Financial Aid Reconciliation Fund (Fund 5Y50).

BORCD61 Nursing Loan Program**Section: 381.510**

Requires that DPF Fund 6820 appropriation item 235606, Nursing Loan Program, be used to administer the nurse education assistance program.

BORCD33 Research Incentive Third Frontier Fund**Section: 381.520**

Requires that BRD Fund 7011 appropriation item 235634, Research Incentive Third Frontier Fund, be used to advance collaborative research at institutions of higher education and makes the following earmarks:

- (1) Up to \$2,000,000 in each fiscal year for research regarding improvement of water quality;
- (2) Up to \$1,000,000 in each fiscal year for research regarding the reduction of infant mortality;

Executive

- (3) Up to \$1,000,000 in each fiscal year for research regarding opiate addiction issues in Ohio;
(4) Up to \$750,000 in each fiscal year for research regarding cyber security initiatives; and
(5) Up to \$500,000 in each fiscal year for the I-Corps@Ohio program.
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BORCD62 Veterans preferences**Section: 381.530**

Requires the Chancellor to collaborate with the Department of Veterans Services to develop veterans preference guidelines for institutions of higher education.

BORCD63 Higher education institutions furloughs**Section: 381.540**

Permits the boards of trustees of state institutions to adopt policies that require mandatory furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits.

BORCD65 Income share agreements analysis**Section: 381.560**

Requires the Chancellor, in consultation with institutions of higher education and other interested parties, to conduct an analysis of income share agreements used to pay for student tuition and higher education-related expenses and to submit its findings to the Governor and the General Assembly no later than June 30, 2018.

Fiscal effect: Increase in administrative responsibilities for DHE and any participating higher education institutions to complete the analysis and submit findings. In general, an income share agreement is an alternative college financing mechanism whereby a student receives financial assistance from an individual or company (i.e., an investor) for college and commits to pay back a fixed percentage of the student's future earnings for a set period of time (e.g., ten years) upon obtaining a job after graduation.

Executive

BORCD66 "3+1" degree programs model**Section: 381.570**

Requires the Chancellor, in consultation with the Inter-University Council of Ohio and the Ohio Association of Community Colleges, to develop, no later than June 30, 2018, a model for "3+1" baccalaureate degree programs for universities and community and technical colleges. Requires the model to outline how a student may complete the equivalent of three academic years, or 90 semester credit hours, at a community or technical college and then transfer to a university to complete the final academic year, or 30 semester credit hours, or the remainder of the student's baccalaureate degree program.

Requires the Chancellor, in developing the model, to seek input from administrators of state institutions of higher education currently participating in a "3+1" program and faculty leaders in the academic fields or disciplines under consideration for the program. Requires the Chancellor to evaluate existing "3+1" programs for their cost effectiveness for students.

Fiscal effect: Increase in administrative responsibilities for DHE to develop the model and evaluate existing "3+1" degree programs.

BORCD41 Ohio Innovation Exchange**Section: 381.580**

Requires the Chancellor to support the continued development of the Ohio Innovation Exchange for the purpose of (1) showcasing the research expertise of Ohio's university and college faculty in engineering, biomedics, and information technology, and other fields of study and (2) identifying institutional research equipment available in the state.

Fiscal effect: Potential increase in administrative responsibilities associated with the continued development and maintenance of this database. The "Ohio Innovation Exchange" is a current initiative developed jointly by Case Western Reserve University, Ohio University, the Ohio State University, and the University of Cincinnati, in consultation with DHE and the Ohio Manufacturing Institute that provides access to faculty profiles and resources.

Executive

BORCD42 Program models leading to credentials in in-demand occupations**Section: 381.590**

Requires the Chancellor to work with state institutions of higher education, technical centers, and industry partners to develop program models that include project-based learning to increase continuing education and non-credit program offerings that lead to a credential in order to meet the state's in-demand job needs.

Fiscal effect: Increases the administrative responsibilities of DHE.

BORCD67 Transfer to the Economic Development Programs Fund (Fund 5JC0)**Section: 381.600**

Authorizes, on July 1, 2017, or as soon as possible thereafter, the Director of OBM, upon request of the Chancellor, to transfer up to \$5,000,000 cash from the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) to the Economic Development Programs Fund (Fund 5JC0). Authorizes, in FY 2019, the Director, upon request of the Chancellor, to transfer any unobligated, unencumbered cash balance from Fund 5HR0 to Fund 5JC0.

BORCD68 Transfers to the Completion, Retention, and College Readiness Fund (Fund 5TF0)**Section: 381.610**

Authorizes, on July 1, 2017, or as soon as possible thereafter, the Director of Budget and Management to transfer \$10,000,000 cash from the Casino Operator Settlement Fund (Fund 5KT0) to the Completion, Retention, and College Readiness Fund (Fund 5TF0) to fully support the appropriations made to the Finish for Your Future Scholarship Program and the College Ready Transition Courses Program.

Requires the Chancellor, on July 1, 2017, or as soon as possible thereafter, to certify to the Director of OBM the unencumbered balance of GRF appropriations made in the immediately preceding year for the OCOG program. Authorizes the Director, upon receipt, to transfer cash in an amount up to \$2,500,000 from the GRF to Fund 5TF0.

Executive

BORCD69 Fund name changes**Section: 381.620**

On July 1, 2017, or as soon as possible thereafter, requires the Director of OBM to rename the following funds: (1) the Star Schools Fund (Fund 3BG0) as the GEAR-UP Grant Scholarships Fund (Fund 3BG0); (2) the Joyce Foundation Grant Fund (Fund 5FR0) as the State and Non-Federal Grants and Awards Fund (Fund 5FR0); and the Federal Grants Fund (Fund 3N60) as the John R. Justice Student Loan Repayment Fund (Fund 3N60).

BORCD70 Fund abolishments**Section: 512.90**

Requires OBM, on July 1, 2017, or as soon as possible thereafter, to transfer the cash balances from the following funds to the GRF: AEFLA Incentive Grant (Fund 3BE0), Ohio Loan Repayment (Fund 3T00), College Access Challenge Grant (Fund 5FN0), Distance Learning Clearinghouse (Fund 5HZ0), Health Care Assessment Fee (Fund HJT0), Ohio Articulation and Transfer Network (5JV0), Student Debt Reduction (Fund 5QF0), STEM Degree Loan Repayment (Fund 5SF0), and STEM and Foreign Language Academy (Fund 5X20).

Abolishes Funds 3BE0, 3T00, 5FN0, 5HZ0, HJT0, 5JV0, 5QF0, 5SF0, and 5X20 when the transfers are complete.

Fiscal effect: None. These funds do not hold any cash.

BORCD91 Efficiency reports

Sections: 610.10, and 610.11 (codifying Sec. 369.540 of Am. Sub. H.B. 64 of the 131st General Assembly as R.C. 3333.95), Section 381.550

Codifies an existing uncodified provision that requires the Chancellor to maintain an efficiency advisory committee and provide a report by each December 31 compiling efficiency reports from all public institutions of higher education.

Eliminates the requirement that the Chancellor benchmark efficiency gains realized over the previous year, and makes other technical changes. Eliminates specific required content for the efficiency report from each institution.

Executive

Requires all boards of trustees for state institutions of higher education, in each fiscal year, to approve the institution's efficiency report submitted to the Chancellor. Requires each report to be based on the recommendations of the Ohio Task Force on Affordability and Efficiency in Higher Education and to benchmark and document the institution's progress towards implementing the Task Force's recommendations compared to the institution's prior year report.

Fiscal effect: May decrease the administrative workload necessary to compile the reports.

BORCD44 Program to increase degrees in technology and cyber security

Section: 733.50

Requires the Chancellor, in consultation with the Director of the Governor's Office of Workforce Transformation and the Superintendent of Public Instruction, to work with the business community and higher education institutions to develop a program targeted at increasing the number of high school students in Ohio who pursue certificates or degrees in the field of advanced technology and cyber security.

Fiscal effect: Increase in administrative responsibilities for DHE, ODE, and OWT to develop the program.

Executive

OHSCD2 Subsidy Appropriation**Section: 297.10**

- (1) Requires that appropriations made to the Ohio History Connection (OHC) be released to OHC, upon approval by the Director of OBM, in quarterly amounts that in total do not exceed the annual appropriations.
 - (2) Requires OHC's funds and fiscal records for FY 2018 and FY 2019 to be examined by independent certified public accountants approved by the Auditor of State, and requires OHC to file a copy of the audited financial statements with OBM.
 - (3) Requires OHC to prepare and submit an annual estimated operating budget and at least semiannual financial reports, including actual receipts and expenditures to date, to OBM.
 - (4) Specifies that the appropriations made to OHC are considered to be the contractual consideration provided by the state to support the state's offer to contract with OHC under section 149.30 of the Revised Code.
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OHSCD3 Outreach and Partnership**Section: 297.10**

Earmarks \$70,000 in each fiscal year from GRF appropriation item 360509, Outreach and Partnership, for the Ohio World War I Centennial Working Group.

Executive

REPCD1 Operating Expenses**Section: 299.10**

Authorizes the Chief Administrative Officer of the House of Representatives to certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of GRF line item 025321, Operating Expenses, remaining at the end of FY 2017 and FY 2018 to be reappropriated for the next fiscal year, and reappropriates the certified amounts.

REPCD2 House Reimbursement**Section: 299.10**

Appropriates additional amounts in ISA Fund 1030 line item 025601, House Reimbursement, if the Chief Administrative Officer of the House of Representatives determines that additional amounts are necessary.

Executive

INSCD1 Market conduct examination**Section: 305.10**

Permits the Superintendent of Insurance to assess the costs associated with a market conduct examination of an insurer doing business in this state against the insurer. Allows the Superintendent to enter into consent agreements to impose administrative assessments or fines for violations of insurance laws or rules. Requires all costs, assessments, or fines collected related to such violations to be deposited into the Department of Insurance Operating Fund (Fund 5540).

Fiscal effect: Potential revenue gain for Fund 5540.

INSCD2 Examinations of domestic fraternal benefit societies**Section: 305.10**

Allows the Director of Budget and Management, at the request of the Superintendent, to transfer cash from Fund 5540 to the Superintendent's Examination Fund (Fund 5550), only for expenses incurred in examining domestic fraternal benefit societies.

INSCD3 Transfer of funds for captive insurance company regulation**Section: 305.10**

Requires the Director of Budget and Management, in consultation with the Superintendent, to establish a schedule for repaying amounts previously transferred during fiscal years 2016 and 2017 from the Captive Insurance Regulation and Supervision Fund (Fund 5PT0) to Fund 5540.

Executive

JFSCD5 Kinship Permanency Incentive Program**R.C. 5101.802**

Repeals the 48 month time limit under which a kinship caregiver may receive additional payments under the Kinship Caregiver Permanency Incentive Program.

Provides that an eligible caregiver may receive a maximum of eight payments per minor child.

Fiscal effect: Potential increase in the number of payments given by ODJFS, resulting in increased costs.

JFSCD15 Ohio Works First income disregard**R.C. 5107.05, 5107.10**

Eliminates a requirement that the first \$250 of an assistance group's gross income be disregarded when determining the assistance group's continued eligibility for Ohio Works First (OWF) and instead requires the Ohio Department of Job and Family Services (ODJFS) Director to specify in rules an initial amount of gross income that is to be disregarded for this purpose.

Fiscal effect: Enrollment in OWF may increase or decrease depending on whether the disregard established by ODJFS is less than or greater than \$250 of earnings.

JFSCD32 Disability Financial Assistance Program**R.C. 5115. (Repealed), Section 812.40, various
conforming changes**

Eliminates the Disability Financial Assistance Program beginning on December 31, 2017. Preserves ODJFS's authority to take action to recover erroneous payments through June 30, 2019.

Requires the Executive Director of the Office of Health Transformation (OHT), in cooperation with other agency directors, to ensure the establishment of a program to (1) refer adult Medicaid recipients to employment readiness or vocational rehabilitation services and (2) assist those recipients with disabling health conditions in applying for Supplemental Security Income (SSI) or Social Security Disability Insurance (SSDI) benefits.

Executive

Fiscal effect: The Disability Financial Assistance Program provides monthly cash benefits to low-income individuals with disabilities who do not satisfy eligibility requirements for other state or federal assistance programs, including Ohio Works First and Supplemental Security Income.

JFSCD27 Comprehensive Case Management and Employment Program
**R.C. 5116.02, 5107.10, 5116.01-5116.25, Section
307.210**

Codifies the Comprehensive Case Management and Employment (CCMEP) Program in the Revised Code.

Revises the participation groups, including revisions that lower the minimum age to participate from 16 to 14 and permit the ODJFS Director to specify in rules additional mandatory and voluntary groups.

Requires each local workforce investment board to decide whether to authorize the use of its youth workforce investment activity funds for CCMEP and, if a board decides against the authorization, requires ODJFS to use available TANF funds to operate the CCMEP in the board's area.

Fiscal effect: Lowering the minimum age for participation will increase enrollment in the program.

JFSCD4 Workforce Innovation and Opportunity Act
**R.C. 6301.01, 6301.02-6301.09, 6301.11-6301.12,
6301.18, 5101.20-5101.201, 5101.214,
5101.23, 5101.241, 107.35, 131.33, 307.984,
329.04, 329.06, 763.01, 763.07, 3121.03,
3304.171, 3309.23, 3313.89, 3333.91,
3333.92, 4141.29, 4141.43, 4141.51, 5101.09,
5108.01, 5123.60, 5166.40, 5166.408
and 5903.11, Repealed: 330.01-330.07,
763.02-763.05**

Replaces references to the federal Workforce Investment Act of 1998 with references to the current federal Workforce Innovation and Opportunity Act (WIOA) and updates the Revised Code to reflect the change in federal law.

Changes the membership of the Governor's Executive Workforce Board and modifies that Board's duties with respect to Ohio's workforce development system.

Executive

Modifies the requirements for written grant agreements for the allocation of funds under WIOA and requires the ODJFS Director to award grants only through these agreements.

Requires every local area (a specified region for workforce development purposes) to ensure the availability of a physical one-stop location called an "OhioMeansJobs center" in the local area for the provision of workforce development activities under WIOA.

Changes the requirements for continuing law local workforce development plans, specifies that those plans must be four-year plans (as required under WIOA), and requires regional plans (required under WIOA).

Eliminates current state law requirements for the membership and responsibilities of local boards for workforce development and instead requires that the boards carry out the functions described in and meet the membership requirements of WIOA.

Requires the Governor, on determining that there has been a substantial violation of a provision of WIOA, to take action to revoke approval of all or part of a local workforce development plan or to impose a reorganization plan for local workforce development activities.

Requires the chief elected official or officials of a local area to monitor all private and government entities that receive funds allocated under a grant agreement to ensure that the funds are used in accordance with applicable state laws, policies, and guidance.

Fiscal effect: None. The changes align the Revised Code with federal definitions and are consistent with ODJFS's current practices.

JFSCD2 OhioMeansJobs center library collaboration**R.C. 6301.06**

Requires OhioMeansJobs centers, not later than September 1, 2018, and every two years thereafter, to enter into a contract with one or more public libraries to facilitate collaboration and coordination of workforce programs and education and job training resources.

Fiscal effect: Potential increase in administrative costs associated with establishing the contract.

Executive

JFSCD3 Applications for Workforce Innovation and Opportunity Act programs**R.C. 6301.20**

Requires the Governor's Office of Workforce Transformation (OWT) in consultation with ODJFS, Higher Education, Aging, and Opportunities for Ohioans with Disabilities to develop and maintain a uniform electronic application for adult training programs funded under the WIOA by September 30, 2017, for use beginning not later than July 1, 2018.

Fiscal effect: Potential increase in administrative costs associated with the creation and implementation of this application.

JFSCD1 Electronic survey of in-demand occupations**R.C. 6301.111**

Requires OWT to work with ODJFS to conduct an electronic biennial survey of Ohio employers and publish an updated in-demand occupations list by December 31, 2018, and every two years thereafter.

Fiscal effect: Potential increase in administrative costs associated with the creation and implementation of the survey.

ODJFS currently publishes an in-demand occupations list so this provision will not have a significant fiscal effect.

JFSCD18 County Administrative Funds**Section: 307.20**

Permits GRF appropriation item 600521, Family Assistance - Local, to be provided to county departments of job and family services (CDJFSs) to administer food assistance and disability assistance programs.

Permits GRF appropriation item 655522, Medicaid Program Support - Local, to be provided to CDJFSs to administer the Medicaid Program and the State Children's Health Insurance Program.

Permits GRF appropriation item 655523, Medicaid Program Support-Local Transportation, to be provided to CDJFSs in FY 2018 to administer the Medicaid Transportation Program.

Permits the Director of the Office of Budget and Management (OBM), at the request of the ODJFS Director, to transfer appropriation between items 600521 and 655522 and between 655523 and 655522, to ensure county administrative funds are expended from the proper item.

Executive

Requires the ODJFS Director to request the OBM Director to authorize expenditures in excess of the amounts appropriated from the Medicaid Program Support Fund (Fund 3F01) and the Supplemental Nutrition Assistance Program Fund (Fund 3840), if receipts credited to those funds exceed the amounts appropriated. Appropriates the authorized amounts.

JFSCD20 Name of Food Stamp Program**Section: 307.30**

Specifies that the ODJFS Director is not required to amend rules regarding the Food Stamp Program to change the name to the Supplemental Nutrition Assistance Program. Allows the Director to refer to the program as the Food Stamp Program, the Supplemental Nutrition Assistance Program, or the Food Assistance Program in ODJFS's rules and documents.

JFSCD21 Ohio Association of Food Banks**Section: 307.40**

Requires that a total of \$17,050,000 in each fiscal year be provided to the Ohio Association of Food Banks from GRF appropriation item 600410, TANF State Maintenance of Effort; DPF Fund 4A80 appropriation item 600658, Public Assistance Activities; and FED Fund 3V60 appropriation item 600689, TANF Block Grant.

Notwithstanding R.C. 5101.46, which specifies the administration of Title XX funds, and any other provision of the bill to require the ODJFS Director to provide not less than \$19,550,000 in each fiscal year to the Ohio Association of Food Banks.

Requires ODJFS to count eligible nonfederal expenditures made by member food banks of the Ohio Association of Food Banks toward TANF maintenance of effort requirements and enter into an agreement with the Ohio Association of Food Banks for this purpose.

Executive

JFSCD22 Public Assistance Activities/TANF MOE**Section: 307.50**

Requires that DPF Fund 4A80 appropriation item 600658, Public Assistance Activities, be used by ODJFS to meet the TANF maintenance of effort (MOE) requirements. Specifies that once the state is assured that it will meet the MOE requirement, ODJFS may use funds from the appropriation item to support public assistance activities.

Fiscal effect: Persons receiving child support and OWF cash assistance are required to assign ODJFS to receive their child support payments to cover part of their cash assistance benefits. These funds are deposited into DPF Fund 4A80 and expended through line item 600658. ODJFS plans to use \$26.0 million in each fiscal year to meet the state's TANF MOE requirements.

JFSCD23 Food Assistance Transfer**Section: 307.60**

Permits the OBM Director to transfer up to \$1,000,000 cash from the Supplemental Nutrition Assistance Program Fund (Fund 3840) to the Food Assistance Fund (Fund 5ES0) on July 1, 2017.

JFSCD24 TANF Block Grant**Sections: 307.70, 307.80, 307.90**

Makes the following earmarks of FED Fund 3V60 appropriation item 600689, TANF Block Grant:

- (1) \$6,540,000 in each fiscal year for the Governor's Office of Faith-Based and Community Initiatives;
 - (2) \$2,000,000 in each fiscal year for the Independent Living Initiative;
 - (3) \$1,000,000 in each fiscal year for the Ohio Commission on Fatherhood.
-

Executive

JFSCD6 Families and Children Programs**Section: 307.100**

Earmarks \$2,000,000 in each fiscal year of GRF appropriation item 600423, Families and Children Programs, to fund Predictive Analytics to use current and historical data to predict future outcomes and behaviors in high-risk foster care children.

JFSCD7 Family and Children Services**Section: 307.110**

Earmarks up to \$3,200,000 in GRF appropriation item 600523, Family and Children Services, to match eligible federal Title IV-B ESSA funds and federal Title IV-E Chafee funds allocated to public children services agencies (PCSA).

JFSCD8 Flexible funding for families and children**Section: 307.120**

Permits, in collaboration with the county family and children first council, a CDJFS or PCSA that receives an allocation from ODJFS from GRF appropriation items 600523, Family and Children Services, or 600533, Child, Family, and Community Protective Services, to transfer a portion of either or both allocations to a flexible funding pool.

JFSCD9 Child, Family, and Community Protection Services**Section: 307.130**

Requires that GRF line item 600533, Child, Family, and Community Protection Services, be distributed to each CDJFS using the formula ODJFS uses when distributing Title XX funds and requires that the funds be used for specified purposes.

Executive

JFSCD16 Family and Children Activities**Section: 307.140**

Requires DPF Fund 4F10 line item 600609, Family and Children Activities, be used to expend miscellaneous foundation funds and grants to support family and children services activities.

JFSCD31 ODJFS Audit Settlements and Contingency Fund**Section: 307.150**

Specifies that the ODJFS Audit Settlements and Contingency Fund (Fund 5DM0) may consist of earned federal revenue of which the final disposition is unknown in addition to the sources of revenue specified in R.C. 5101.073.

JFSCD17 Adoption assistance loan**Section: 307.160**

Permits ODJFS to use the Adoption Assistance Loan Fund (Fund 5DP0) for the administration of adoption assistance loans pursuant to section 3107.018 of the Revised Code.

Appropriates the amounts of any adoption assistance loans.

JFSCD28 Early Childhood Education**Section: 307.170**

Earmarks \$20,000,000 in each fiscal year in DPF Fund 5KT0 appropriation item 600696, Early Childhood Education, to support early learning and development programs operating in smaller communities, early learning and development programs that are rated in the Step Up to Quality program at the third highest tier or higher or both, consistent with the goals of the Step Up to Quality Program.

Executive

JFSCD25 Unemployment Insurance transfers**Section: 307.180**

Requires the ODJFS Director to certify the cash balance of the Unemployment Insurance Support - Other Sources Fund (Fund 5KU0) to the OBM Director on July 1, 2017. Permits the OBM Director to transfer the amount certified to the Unemployment Compensation Administration Fund (Fund 4A90).

JFSCD29 Victims of Human Trafficking**Section: 307.190**

Requires that DPF Fund 5NG0 appropriation item 600660, Victims of Human Trafficking, be used to provide treatment, care, rehabilitation, education, housing, and assistance for victims of trafficking in persons.

Permits the OBM Director, at the request of the ODJFS Director, to authorize expenditures from Fund 5NG0 in excess of the amounts appropriated, if receipts to the fund exceed those amounts. Appropriates any additional authorized amounts.

JFSCD30 Fiduciary and Holding Account Fund Groups**Section: 307.200**

Requires the Fiduciary Fund Group and Holding Account Fund Group be used to hold revenues until the appropriate fund is determined or until the revenues are directed to the appropriate governmental agency other than ODJFS.

Requires any ODJFS refunds or reconciliations received by the Department of Medicaid to be transferred to the Refunds and Audit Settlement Fund (Fund R012).

Permits the OBM Director, at the request of the ODJFS Director, to authorize additional expenditures from Fund R012, the Support Intercept - Federal Fund (Fund 1920), the Support Intercept - State Fund (Fund 5830), the Food Stamp Offset Fund (Fund 5B60), or the Forgery Collections Fund (Fund R013), if receipts credited to these funds exceed appropriations. Appropriates the additional authorized amounts.

Executive

JCRCD1 Operating Guidance**Section: 309.10**

Requires the Legislative Service Commission to act as fiscal agent for JCARR.

Requires that JCARR members be paid in accordance with R.C. 101.35 (per diem rate of \$150 when engaged in their duties as JCARR members on days when there is not a voting session of the member's house of the General Assembly, and their necessary traveling expenses).

JCRCD2 Operating Expenses**Section: 309.10**

Authorizes the Executive Director of JCARR to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 029321, Operating Expenses, at the end of FY 2017 and FY 2018 to be reappropriated to FY 2018 and FY 2019, respectively, and reappropriates those amounts.

Executive

JEOCD1 Operating Expenses**Section: 311.10**

Requires that GRF appropriation item 047321, Operating Expenses, be used to support the operations of JEO.

Authorizes JEO to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of 047321 at the end of FY 2018 to be reappropriated to FY 2019, and reappropriates that amount.

Executive

JMOCD1 Operating Expenses**Section: 313.10**

Requires GRF appropriation item 048321, Operating Expenses, to be used to support expenses related to the Joint Medicaid Oversight Committee (JMOC).

Permits the JMOC Executive Director to certify to the OBM Director the amount of the unexpended, unencumbered balance of the item at the end of FY 2017 and FY 2018 to be reappropriated to the following fiscal year. Reappropriates the amounts certified.

Requires the Legislative Service Commission to act as fiscal agent for JMOC.

JMOCD2 Review of certain Health line items**Section: 313.10**

Requires JMOC to review Department of Health GRF appropriation items 440416, Mothers and Children Safety Net Services; 440418, Immunizations; 440438, Breast and Cervical Cancer Screening; 440444, AIDS Prevention and Treatment; and 440505, Medically Handicapped Children.

Executive

JCOCD1 State Council of Uniform State Laws**Section: 315.10**

Earmarks up to \$88,500 in FY 2018 and up to \$91,832 in FY 2019 of GRF appropriation item 018321, Operating Expenses, to pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws.

JCOCD2 Ohio Jury Instructions Fund**Section: 315.10**

- (1) Requires that the Ohio Jury Instructions Fund (Fund 4030) consist of grants, royalties, dues, conference fees, bequests, devises, and other gifts received for the purpose of supporting the Judicial Conference in its activities as a part of the judicial system of the state as determined by the Judicial Conference Executive Committee
 - (2) Requires money in the fund be used to pay expenses incurred by the Conference in performing activities as determined by its Executive Committee.
 - (3) Appropriates, in each of FYs 2018 and 2019, any money accruing to the fund in excess of the current year's appropriation.
 - (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring money from the fund to any other fund.
-

Executive

JSCCD1 Law-related education**Section: 317.20**

Requires GRF appropriation item 005406, Law-Related Education, to be distributed directly to the Ohio Center for Law-Related Education for the purposes of:

- (1) providing continuing citizenship education activities to primary and secondary students,
 - (2) expanding delinquency prevention programs,
 - (3) increasing activities for at-risk youth,
 - (4) accessing additional public and private money for new programs.
-

JSCCD2 Ohio courts technology initiative**Section: 317.20**

Requires GRF appropriation item 005409, Ohio Courts Technology Initiative, to be used to fund an initiative by the Supreme Court to facilitate:

- (1) The exchange of information and warehousing of data by and between courts and other justice system partners through the creation of an Ohio Courts Network.
 - (2) The delivery of technology services to courts statewide, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel.
 - (3) The operation of the Commission on Technology and the Courts for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.
-

JSCCD3 Attorney services**Section: 317.20**

- (1) Requires the Attorney Services Fund (Fund 4C80) consist of money received by the Supreme Court (The Judiciary) pursuant to the Rules for the Government of the Bar of Ohio.

Executive

(2) Permits the money appropriated to the fund's related DPF appropriation item 005605, Attorney Services, in addition to funding other activities considered appropriate by the Supreme Court, to be used to compensate employees and to fund appropriate activities of the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 4C80 to any other fund.

(5) Requires any interest earned on the money in Fund 4C80 to be credited to the fund.

JSCCD4**Court interpreter certification****Section: 317.20**

(1) Requires the Court Interpreter Certification Fund (Fund 5HT0) consist of money received by the Supreme Court (The Judiciary) pursuant to Rules 80 through 87 of the Rules of Superintendence for the Courts of Ohio.

(2) Requires money appropriated to the fund's related DPF appropriation item 005617, Court Interpreter Certification, to be used to provide training, to provide the written examination, and to pay language experts to rate, or grade, the oral examinations of those applying to become certified court interpreters.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5HT0 to any other fund.

(5) Requires any interest earned on the money in Fund 5HT0 to be credited to the fund.

JSCCD5**Civil justice program****Section: 317.20**

(1) Requires the Civil Justice Program Fund (Fund 5SP0) consist of:

(a) \$50 voluntary donations made as part of the biennium attorney registration process, and

(b) \$150 increase in pro hac vice fees for out-of-state attorneys pursuant to Government of the Bar Rules amendments.

Executive

- (2) Requires any money appropriated to the fund's related DPF appropriation item 005626, Civil Justice Grant Program, to be used for grants to not-for-profit organizations and agencies dedicated to providing civil legal aid to underserved populations, to fund innovative programs directed at this purpose, and to increase access to judicial service to that population.
- (3) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5SP0 to any other fund.
- (4) Requires any interest earned on the money in Fund 5SP0 to be credited to the fund.

JSCCD6**Grants and awards****Section: 317.20**

- (1) Requires the Grants and Awards Fund (Fund 5T80) consist of grants and other money awarded to the Supreme Court (The Judiciary) by the State Justice Institute, the Division of Criminal Justice Services, or other entities.
- (2) Requires any money appropriated to the fund's related DPF appropriation item 005609, Grants and Awards, to be used in a manner consistent with the grant or award.
- (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.
- (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5T80 to any other fund.
- (5) Requires any interest earned on the money in Fund 5T80 to be credited or transferred to the GRF.

JSCCD7**Judiciary/Supreme Court education****Section: 317.20**

- (1) Requires the Judiciary/Supreme Court Education Fund (Fund 6720) consist of fees paid by for attending judicial and public education on the law, reimbursement of costs for judicial and public education on the law, and other gifts and grants received for the purpose of judicial and public education on the law.
- (2) Requires any money appropriated to the fund's related DPF appropriation item 005601, Judiciary/Supreme Court Education, to be used to pay expenses for judicial education courses for judges, court personnel, and those who serve the courts, and for public education on the law.

Executive

- (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.
- (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 6720 to any other fund.
- (5) Requires any interest earned on the money in Fund 6720 to be credited to the fund.

JSCCD8 Supreme Court admissions

Section: 317.20

- (1) Requires that the Supreme Court Admissions Fund (Fund 6A80) consist of money deposited under the Supreme Court Rules for the Government of the Bar of Ohio.
- (2) Requires that any money appropriated to the fund's related DPF appropriation item 005606, Supreme Court Admissions, to be used to compensate Supreme Court employees who are primarily responsible for administering the attorney admissions program under the Rules for the Government of the Bar of Ohio, and to fund any other activities considered appropriate by the Court.
- (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.
- (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 6A80 to any other fund.
- (5) Requires any interest earned on the money in Fund 6A80 to be credited to the fund.

JSCCD9 County Law Library Resources Boards

Section: 317.20

- (1) Requires that the Statewide Consortium of County Law Library Resources Boards Fund (Fund 5JY0) consist of money deposited pursuant to R.C. 307.515 into a county's law library resources fund and forwarded by that county's treasurer for deposit in the state treasury pursuant to R.C. 3375.481.
- (2) Requires that any money appropriated to the fund's related FID appropriation item 005620, County Law Library Resources Boards, to be used for the operation of the Statewide Consortium of County Law Library Resources Boards.
- (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

Executive

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5JY0 to any other fund.

(5) Requires any interest earned on the money in Fund 5JY0 to be credited to the fund

JSCCD10**Federal grants****Section: 317.20**

(1) Requires the Federal Grants Fund (Fund 3J00) consist of grants and other money awarded to the Supreme Court (The Judiciary) by the federal government or other entities that receive the money directly from the federal government and distribute that money to the Supreme Court (The Judiciary).

(2) Requires that money appropriated to the fund's related FED appropriation item 005603, Federal Grants, to be used in a manner consistent with the purpose of the grant or award.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 3J00 to any other fund.

(5) Requires any interest earned on the money in Fund 3J00 to be credited or transferred to the GRF.

Executive

LECCD3 Elimination of the Lake Erie Resources Fund**R.C. 1506.23, 1506.24 (repealed)**

Eliminates the Lake Erie Resources Fund (Fund 5D80), the purposes of which are duplicative of the purposes of the Lake Erie Protection Fund (Fund 4C00), transfers all money in Fund 5D80 to Fund 4C00, and permits money awarded to Ohio from the Great Lakes Protection Fund to be deposited in Fund 4C00 (see also LECCD4).

Fiscal effect: None.

LECCD1 Cash transfers to the Lake Erie Protection Fund**Section: 319.10**

(1) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer up to \$25,000 from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):

- (a) Environmental Protection Fund (Fund 5BC0) used by the Ohio Environmental Protection Agency.
- (b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by the Department of Agriculture.
- (c) General Operations Fund (Fund 4700) used by the Department of Health.
- (d) Central Support Indirect Fund (Fund 1570) used by the Department of Natural Resources.

(2) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$25,000 from a fund used by the Development Services Agency, as specified by the Director of Development Services, to Fund 4C00.

(3) Permits Fund 4C00 to accept contributions and transfers made to the fund.

LECCD4 Transfer cash from and abolish Lake Erie Resources Fund**Sections: 319.10, 512.90**

(1) Requires the Director of Environmental Protection, on July 1, 2017, or as soon as possible thereafter, to certify the cash balance in the Lake Erie Resources Fund (Fund 5D80) to the Director of Budget and Management (OBM).

Executive

(2) Permits the Director of OBM to transfer the certified cash amount from Fund 5D80 to the Lake Erie Protection Fund (Fund 4C00).

(3) Requires the Director of OBM, upon completion of the transfer, to cancel any existing encumbrances against DPF Fund 5D80 appropriation item 780602, Lake Erie Resources, and reestablish them against DPF Fund 4C00 appropriation item 780601, Lake Erie Protection. Appropriates the reestablished encumbrance amounts.

(4) Abolishes Fund 5D80.

Executive

JLECD1 Legislative Ethics Committee**Section: 321.10**

Authorizes the Legislative Inspector General of JLEC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 028321, Legislative Ethics Committee, at the end of FY 2017 and FY 2018 to be reappropriated to FY 2018 and FY 2019, respectively, and reappropriates those amounts.

Executive

LSCCD1 Operating Expenses**Section: 323.20**

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035321, Operating Expenses, at the end of FY 2017 and FY 2018 to be reappropriated to FY 2018 and FY 2019, respectively, and reappropriates those amounts.

LSCCD2 Legislative Task Force on Redistricting**Section: 323.20**

Reappropriates an amount equal to the unexpended, unencumbered portion of GRF appropriation item 035407, Legislative Task Force on Redistricting, at the end of FY 2017 and FY 2018 for the same purpose in FY 2018 and FY 2019, respectively.

LSCCD3 Legislative Information Systems**Section: 323.20**

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035410, Legislative Information Systems, at the end of FY 2017 and FY 2018 to be reappropriated to FY 2018 and FY 2019, respectively, and reappropriates those amounts.

LSCCD4 Ohio Constitutional Modernization Commission**Section: 323.20**

Requires that GRF appropriation item 035411, Ohio Constitutional Modernization Commission, be used to support the operation and expenses of the Commission. Requires all expenditures paid from 035411 to be approved by the Director and Chairperson of LSC.

Executive**LSCCD5****Litigation****Section: 323.20**

Requires that GRF appropriation item 035501, Litigation, be used for any lawsuit in which the General Assembly is a party.

Requires the Chairperson and Vice-chairperson of LSC to both approve the use of funds from 035501.

Reappropriates an amount equal to the unexpended, unencumbered balance of 035501 at the end of FY 2017 and FY 2018 for the same purpose in FY 2018 and FY 2019, respectively.

Executive

LIBCD1 Ohioana Library Association**Section: 325.20**

Requires that GRF appropriation item 350401, Ohioana Rental Payments, be used for the rental expenses of the Ohioana Library Association.

LIBCD2 Regional Library Systems**Section: 325.20**

Requires that GRF appropriation item 350502, Regional Library Systems, be used to support regional library systems.

LIBCD3 Ohio Public Library Information Network**Section: 325.20**

Requires that DPF Fund 4S40 appropriation item 350604, Ohio Public Library Information Network, be used for an information telecommunications network linking public libraries in the state.

Permits the OPLIN Board of Trustees to make decisions regarding the use of the appropriation.

Requires the OPLIN Board to research and assist local libraries with regard to emerging technologies and methods of controlling access to obscene and illegal materials. Requires the OPLIN director to provide written reports upon request.

Requires OPLIN, INFOhio, and OhioLINK to coordinate their purchases of electronic databases.

Requires the Director of OBM to transfer \$3,689,788 cash in each fiscal year from the Public Library Fund (Fund 7065) to the OPLIN Technology Fund (Fund 4S40).

Executive

LIBCD4 Library for the Blind**Section: 325.20**

Requires that DPF Fund 5GB0 appropriation item 350605, Library for the Blind, be used for the statewide Talking Book Program.

Requires the Director of OBM to transfer \$1,274,194 cash in each fiscal year from Fund 7065 to the Library for the Blind Fund (Fund 5GB0).

LIBCD5 "Continuous learning center" brand for public libraries**Section: 763.10**

Permits the Governor's Office of Workforce Transformation (OWT), in conjunction with the Ohio Library Council, to develop a brand for public libraries as "continuous learning centers" that serve as hubs for information about local in-demand jobs and relevant education and job training resources.

Requires the State Library to strengthen the Ohio Digital Library's online education resources to provide more accessible job training materials to adult learners.

Fiscal effect: Any costs for OWT associated with developing a "continuous learning centers" brand for public libraries is permissive. There is no fiscal effect associated with the provision's requirement on the State Library, which already has plans to use federal Library Services and Technology Act (LSTA) funds to purchase job training materials.

Executive

LOTCD7 Appointment of specific deputy directors**R.C. 3770.02**

Deletes language mandating appointment of specific deputy directors by the Director of the State Lottery Commission; specifies that an assistant director or designated deputy director must act as director in the absence or disability of the Director.

Fiscal effect: None.

LOTCD6 Internal audits**R.C. 3770.06**

Makes preliminary or final LOT internal audit reports confidential and not public records until a final report of findings and recommendations is formally submitted to the Lottery's Director and Commission chairperson.

Fiscal effect: None.

LOTCD5 Voluntary Exclusion Program**R.C. 3770.22, 3770.03**

Authorizes the Commission to establish rules governing voluntary exclusion programs for video lottery terminal participants. Specifies that the identity and personal information of participants in voluntary exclusion programs is confidential information not subject to public release.

Fiscal effect: Minimal.

Executive

LOTCD1 Transfers to the Lottery Profits Education Fund**Section: 329.10**

Requires the Director of Budget and Management to transfer, contingent upon resources, \$1,045,000,000 in FY 2018 and \$1,055,000,000 in FY 2019 from the State Lottery Fund (Fund 7044) to the Lottery Profits Education Fund (Fund 7017). States that such transfers represent the estimated net income from operations of the Commission in FY 2018 and FY 2019 and that the funds are required to be administered as the statutes direct.

LOTCD2 Operating expenses**Section: 329.10**

Authorizes the Controlling Board, at the request of the State Lottery Commission, to authorize additional expenditures in excess of appropriations for operating expenses of the State Lottery Commission from the State Lottery Fund up to a maximum of 10 percent of anticipated total revenue from the sale of lottery products. Appropriates the additional expenditures upon Controlling Board approval.

LOTCD3 Direct prize payments**Section: 329.10**

Appropriates any amounts, in addition to the amounts appropriated in SLF Fund 7044 appropriation item 950601, Direct Prize Payments, that the Director of the State Lottery Commission determines to be necessary to fund prizes, bonuses, and commissions.

Executive**LOTCD4****Annuity prizes****Section: 329.10**

Authorizes the Director of Budget and Management, upon the request of the State Lottery Commission, to transfer an amount sufficient to fund deferred prizes from the State Lottery Fund (Fund 7044) to the Deferred Prizes Trust Fund (Fund 8710). Appropriates any amounts, in addition to the amounts appropriated in appropriation item 950602, Annuity Prizes, that the Director of the State Lottery Commission determines to be necessary to fund deferred prizes and interest earnings. Requires the Treasurer of State, from time to time, to credit Fund 8710 the pro rata share of interest earned on invested balances.

Executive

MCDCD2 Exchange of information between agencies for health transformation initiatives**R.C. 191.04, 191.06, Section 803.20**

Extends to FY 2018 and FY 2019 provisions that authorize the Office of Health Transformation (OHT) Executive Director to facilitate collaborations between certain state agencies for health transformation initiatives.

Extends to FY 2018 and FY 2019 provisions that permit the exchange of personally identifiable information among state agencies as part of these collaborations.

Allows portions of several Ohio Department of Medicaid (ODM) line items to be used to pay for services and costs associated with these collaborations.

Fiscal effect: None.

MCDCD36 Third party payments and ODM's right of recoupment**R.C. 5160.40, 5160.37, 5160.401**

Requires a third party subject to Medicaid third party liability to respond to ODM's request for payment of a claim within 90 business days of receiving written proof of the claim.

Authorizes ODM, when it has assigned its right of recovery to an MCO, to recoup from a third party, beginning one year from the date the MCO paid the claim, the amount the MCO has not collected.

Clarifies that the amount owed by a third party to ODM or a county department of job and family services for care rendered to a Medicaid recipient when the recipient receives medical assistance through an MCO that has a capitation agreement with a provider is the amount the MCO would have paid in the absence of a capitation agreement.

Fiscal effect: None.

Executive

MCD45 **Transfer of certain ODH program enrollees to Medicaid and new non-Medicaid program****R.C. 5160.51, 101.38, and Section 333.190**

Requires ODM to establish a new program to begin January 1, 2018, for non-Medicaid-eligible individuals under age 21 with special medical needs who had not enrolled in, or applied for, a Department of Health (ODH) special medical needs program (Program for Medically Handicapped Children, Cystic Fibrosis Program, and Hemophilia Program, otherwise known as "BCMHC") before July 1, 2017, when those programs begin to be phased-out. (See DOHCD27)

Requires ODM to establish eligibility requirements for the new program in rules.

Requires the Ohio Cystic Fibrosis Legislative Task Force to make recommendations on drugs and therapies for persons with cystic fibrosis enrolled in the new program.

Requires ODM, beginning January 1, 2018, to work in collaboration with ODH to enroll in Medicaid all Medicaid-eligible individuals who (1) are enrolled in an ODH special medical needs program on December 31, 2017, and lose eligibility for the program on January 1, 2018, and (2) do not object to enrolling in Medicaid. (See DOHCD27)

Fiscal effect: Increase in costs to ODM depending on numbers of eligible children and possible decrease in costs to ODH and counties since county inside millage is devoted to the Medical Handicapped Children Program.

MCD25 **Fraud, waste, and abuse in the Medicaid program****R.C. 5162.16, 5167.18, 5167.34**

Requires ODM to collect information from other government agencies regarding fraud, waste, and abuse in the Medicaid program.

Requires a contract between ODM and an MCO to require the MCO to conduct internal investigations of fraud, waste, and abuse and to comply with federal and state efforts to identify fraud, waste, and abuse.

Provides civil immunity for the MCO, its officers, employees, and other persons who furnish information to ODM regarding potential fraud, waste, and abuse.

Fiscal effect: Potential minimal increase in administrative costs.

Executive

MCDCD5 Retention or collection of federal financial participationR.C. **5162.40**

Permits ODM to retain or collect not more than 10% of the federal financial participation obtained by a state agency or political subdivision for administering a component of the Medicaid program that was federally approved on or after January 1, 2002, instead of requiring ODM to collect between 3% and 10%.

Fiscal effect: ODM may choose to collect less than the 3% minimum required under current law. This would reduce ODM collections and increase collections by other state agencies or political subdivisions.

MCDCD44 Abolish the Health Care Services Administration Fund (Fund 5U30)

R.C. **5162.54 (Repealed), R.C. 5162.12, 5162.40,
5162.41, 5164.31, 5165.1010, 5168.01,
5168.06, 5168.07, 5168.10, 5168.11, 5168.99,
Section 512.90**

Abolishes the Health Care Services Administration Fund (Fund 5U30) and provides for the money that would otherwise be deposited into that fund to be deposited into the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0).

Requires the OBM Director to transfer the cash balance in Fund 5U30 to Fund 5DL0 on July 1, 2017 or as soon as possible thereafter, and to cancel any existing encumbrances against appropriation item 651654, Medicaid Program Support and reestablish them against appropriation item 651685, Medicaid Recoveries - Program Support.

Fiscal effect: None.

MCDCD28 Refunds and Reconciliation Fund

R.C. **5162.65, 5101.074**

Codifies in the Revised Code the Refunds and Reconciliation Fund for the purpose of holding cash ODM receives until it identifies the appropriate fund or government transferee for the cash.

Fiscal effect: None.

Executive

MCDCD8 Residents Protection Fund

R.C. 5162.66

Requires that the portions of civil money penalties that are imposed against home health agencies under a federal regulation and dispersed to ODM be deposited into the Residents Protection Fund.

Fiscal effect: Cash in the fund is used for the protection of the health and property of residents of nursing facilities with deficiencies.

MCDCD35 Health services cost estimates

R.C. 5162.80 (Repealed), Section 620.10 (repeal
Section 7 of H.B. 52 of the 131st G.A.)

Repeals the law requiring a medical services provider to provide in writing, before any nonemergency product, service, or procedure is provided, a reasonable, good-faith estimate of each of the following:

- (1) The amount the provider will charge the patient or health plan for the product, service, or procedure;
- (2) The amount the health plan issuer intends to pay for the product, service, or procedure;
- (3) The difference, if any, the consumer or responsible party would be required to pay to the provider.

Repeals a corresponding provision requiring the ODM Director to adopt rules related to health services cost estimates.

Repeals the law establishing the Health Services Price Disclosure Study Committee.

MCDCD4 State plan home and community-based services

R.C. 5164.10, 5164.01, Section 333.160

Permits ODM to continue to cover state plan home and community-based services after June 30, 2017.

Fiscal effect: This provision codifies current practice.

Executive

MCDCD1 Revised Medicaid provider enrollment system**R.C. 5164.29**

Requires ODM to revise the system by which persons and government entities become and remain Medicaid providers, so there is a single system of records and no need for submission of duplicate data, by December 31, 2018.

Fiscal effect: ODM may experience an increase in administrative costs to develop a single enrollment system.

MCDCD40 Payment limits for non-institutional providers**R.C. 5164.70, Section 333.180**

Eliminates a prohibition on Medicaid payments for services provided by a non-institutional provider exceeding the payment limits for the same services under Medicare.

Permits a portion of GRF appropriation item 651525, Medicaid/Health Care Services, and federal fund appropriation items 651603, Medicaid Health Information Technology, 651623, Medicaid Services - Federal, and 651680, Health Care Grants - Federal, and DPF fund 651682, Health Care Grants - State, to be used to pay Medicaid services and administrative costs, including the establishment of these payment rates.

Fiscal effect: May result in an increase in total payments for services to non-institutional providers.

MCDCD32 Medicaid drug dispensing fees**R.C. 5164.75, 5164.753**

Authorizes ODM to reduce dispensing fees if a terminal distributor of dangerous drugs fails to participate in ODM's confidential survey of the cost of dispensing such drugs.

Authorizes the ODM Director to establish dispensing fees that vary by terminal distributor, taking into consideration the volume of drugs the terminal distributor dispenses under the Medicaid Program and any other criteria the Director considers relevant.

Fiscal effect: Medicaid currently pays about \$10 million annually for a dispensing fee of \$1.80. A tiered fee ranging from \$8.30 to \$13.64 could cost Medicaid \$59 million annually.

Executive

MCDLCD30 Helping Ohioans Move, Expanding Choice Program

**R.C. *5164.90, 5162.64, Section 333.200, Repealed:
R.C. 5166.35***

Permits the ODM Director, in operating the Helping Ohioans Move, Expanding (HOME) Choice Program, to (1) use state funds if no funds are available under a Money Follows the Person (MFP) demonstration project and (2) integrate the component into a Medicaid waiver program.

Codifies in the Revised Code the Money Follows the Person Enhanced Reimbursement Fund.

Eliminates the Ohio Access Success Project on January 1, 2019, and requires ODM to transfer its enrollees into the HOME Choice Program or, if that program is integrated into a Medicaid waiver program, the same or another Medicaid waiver program.

Fiscal effect: The bill appropriates \$12.8 million in FY 2018 and \$12.4 million in FY 2019 in Money Follows the Person Enhanced Reimbursement Fund (Fund 5AJ0) appropriation item 651631, Money Follows the Person, for the program. New waiver, administrative and state funded services will replace the mostly federal grant funded transition assistance currently offered.

MCDLCD43 Retained Applicant Fingerprint Database

**R.C. *5164.341, 109.5721, 4749.031, 5101.32,
5160.052, 5164.34, 5164.37***

Permits ODM to choose to receive notices from the Bureau of Criminal Identification and Investigation's Retained Applicant Fingerprint Database about independent providers of Medicaid home and community-based services instead of requiring the provider to undergo a criminal records check on or before each anniversary of the provider's Medicaid provider agreement.

Fiscal effect: None.

Executive

MCDCD33 Pharmacy and Therapeutics Committee**R.C. 5164.751**

Requires ODM's Pharmacy and Therapeutics Committee to base its recommendations for ODM's preferred drug list on the evaluation of evidence concerning a drug's cost-effectiveness, in addition to relative safety, efficacy, and effectiveness, as under continuing law.

Removes the pharmacologist member from the Committee, reducing the number of members to nine.

Fiscal effect: Potential additional administrative work for committee members.

MCDCD38 Payment rates for services provided to low resource utilization residents**R.C. 5165.152, 5165.192**

Makes the \$115 per Medicaid day payment rate for nursing facility services provided to low resource utilization residents applicable to all nursing facilities rather than only those whose provider cooperates with the Long-Term Care Ombudsman Program.

Repeals a provision excluding low resource utilization residents from a nursing facility's quarterly case-mix score determination.

Fiscal effect: Including low resource utilization residents in the calculation of quarterly case mix scores reduces Medicaid costs by \$10.5 million (\$3.9 million state share) in FY 2018 and \$21.0 million (\$7.8 million state share) in FY 2019.

MCDCD29 Alternative purchasing model for nursing facility services**R.C. 5165.157**

Requires the ODM Director to determine the per Medicaid day payment rate for nursing facility services provided under the alternative purchasing model in accordance with a methodology established in rules, instead of setting the rate at 60% of the statewide average of the per Medicaid day payment rate for long term acute care hospital services.

Fiscal effect: Gives ODM flexibility in establishing the payment rate.

Executive

MCD6CD Transitions II Aging Carve-Out Program**R.C. 5166.13 (Repealed) 5166.01, 5166.16, 5166.30**

Removes references to the Transitions II Aging Carve-Out Program from the Revised Code (the program was administered by ODM as a waiver, but is now defunct).

Fiscal effect: None.

MCD6CD37 Managed care payment rates for non-contracting hospitals**R.C. 5167.20**

Modifies a continuing law requirement that a hospital not under contract with a Medicaid MCO provide nonemergency services to a Medicaid recipient enrolled in the MCO and accept from the MCO, as payment in full, the amount that would have been paid under the Medicaid fee-for-service reimbursement system as follows:

- (1) Requires the hospital to provide medically necessary services to the enrollee whenever the services are authorized by the MCO, rather than only on referral;
- (2) Repeals an exemption that applies to a hospital that was under contract with at least one MCO before January 1, 2006, and has retained at least one such contract;
- (3) Repeals a provision requiring the ODM Director to adopt rules specifying when an MCO may refer an individual to a non-contracting hospital.

Fiscal effect: Reduces Medicaid costs by \$87.5 million (\$27.1 million state share) in FY 2018 and \$175.0 million (\$54.3 million state share) in FY 2019.

MCD6CD7 Managed care premium payment withholdings**R.C. 5167.30**

Increases from 2% to 5% the maximum amount of MCO premium payments that may be withheld by ODM for purposes of the managed care performance payment program.

Executive

Fiscal effect: This provision aligns the performance payment percentage with the federal maximum. ODM awarded Medicaid managed care plans \$48.5 million (34%) of a \$142 million possible in 2016.

MCDCD39 Health insuring corporation franchise fee

R.C. 5168.75, 5168.76-5168.86

Levies a monthly franchise fee on health insuring corporations beginning July 2017.

Sets the rate for each Ohio Medicaid member month, that is a month in which an Ohio Medicaid recipient is enrolled in the health insuring corporation, equal to:

- (1) \$56 for the first 250,000 Medicaid member months;
- (2) \$45 for the second 250,000 Medicaid member months;
- (3) \$26 for each Medicaid member month above 500,000.

Sets the rate for each other Ohio member month, that is a month in which an Ohio resident who is not a Medicaid recipient is enrolled in the health insuring corporation, equal to:

- (1) \$2 for the first 150,000 other member months;
- (2) \$1 for all other member months above 150,000.

Fiscal effect: ODM estimates that the fee will be charged on approximately 30.8 million Medicaid member months and 2.7 million other member months per year, raising an annual \$854 million and \$4 million, respectively. Medicaid MCOs will be reimbursed \$854 million for their payments, of which approximately \$243 million will be state share and \$611 million will be federal share. On net, therefore, the state will realize a gain of \$615 million in annual revenue. This new franchise fee is intended to replace the current sales and use tax on the Medicaid managed care organization payments which the Centers for Medicare & Medicaid Services (CMS) deemed an impermissible health care tax. CMS gave Ohio until June 30, 2017 to comply.

MCDCD10 Temporary authority regarding employees

Section: 333.20

Extends through June 30, 2019, the authority of ODM to establish, change, and abolish positions and to assign, reassign, classify, reclassify, transfer, reduce, promote, or demote employees who are not subject to state law governing public employees' collective bargaining.

Executive

Permits a portion of various ODM line items to be used to pay for costs associated with the administration of the Medicaid program, including the personnel actions listed above.

Fiscal effect: None.

MCDCD27 Transfer between Departments of Medicaid and Job and Family Services**Section: 333.30**

Permits the OBM Director to transfer appropriations between GRF appropriation item 651425, Medicaid Program Support – State, in ODM's budget and GRF appropriation item 655425, Medicaid Program Support, in ODJFS's budget during the biennium.

MCDCD11 Medicaid Health Care Services**Section: 333.40**

Requires that appropriation item 651525, Medicaid Health Care Services, not be limited by R.C. 131.33, which requires that unexpended balances of appropriations revert to the funds from which they were made at the end of the appropriation period.

MCDCD12 Managed Care Performance Payment Program**Section: 333.50**

Requires the ODM Director to certify to the OBM Director, at the beginning of each quarter, the amount withheld for purposes of the Managed Care Performance Payment Program under R.C. 5167.30.

Executive

MCDCD13 Performance payment for Medicaid managed care**Section: 333.60**

Requires ODM, for FY 2018 and FY 2019, to provide performance payments to MCOs for participants in the Integrated Care Delivery System (ICDS), MyCare Ohio, separately from those under the Managed Care Performance Payment Program.

Requires ODM to (1) develop quality measures designed specifically to determine the effectiveness of services provided to ICDS participants and (2) determine an amount to be withheld from Medicaid premium payments paid to MCOs for ICDS participants.

Requires that the withheld amount be established as a percentage of each premium payment. Requires MCOs to agree to the withholding. Requires ODM to certify the amount to the OBM Director.

MCDCD14 Hospital Franchise Fee Program**Section: 333.70**

Permits the OBM Director to authorize additional expenditures from appropriation items 651623, Medicaid Services - Federal; 651525, Medicaid Health Care Services, and 651656, Medicaid Services - Hospital/UPL, to implement the hospital assessment fee. Appropriates any authorized amounts.

MCDCD15 Medicare Part D**Section: 333.80**

Permits GRF appropriation item 651526, Medicare Part D, to be used by ODM for the implementation and operation of the Medicare Part D requirements contained in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Allows the OBM Director, upon the request of ODM, to transfer the state share of appropriations between appropriation items 651525, Medicaid Health Care Services, and 651526, Medicare Part D.

Requires the OBM Director to adjust the federal share of item 651525, if the state share is adjusted.

Executive

Requires ODM to provide notification to the Controlling Board of any transfers at the next scheduled Controlling Board meeting.

MCDCD16 Health Care Services Administration Fund**Section: 333.90**

Requires the ODM Director to deposit into the Health Care Services Support and Recovery Fund (Fund 5DL0), \$350,000 in each fiscal year from the first installment of assessments and intergovernmental transfers made under the Hospital Care Assurance Program (HCAP) under R.C. 5168.06 and 5168.07.

MCDCD17 Hospital Care Assurance match**Section: 333.100**

Permits the OBM Director, at the request of the ODM Director, to authorize additional expenditures from the Health Care Federal Fund (Fund 3F00) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

Requires that appropriation item 651649, Medicaid Services – Hospital Care Assurance Program, be used by ODM for distributing the state share of all HCAP funds to hospitals. Permits the OBM Director, at the request of the ODM Director, to authorize additional expenditures from the Hospital Care Assurance Program Fund (Fund 6510) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

MCDCD18 Refunds and Reconciliation Fund**Section: 333.110**

Permits the OBM Director, at the request of the ODM Director, to authorize additional expenditures from the Refunds and Reconciliation Fund (Fund R055) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

Executive

MCDCD19 Medicaid Interagency Pass-Through**Section: 333.120**

Permits the OBM Director to increase federal Fund 3G50 appropriation item 651655, Medicaid Interagency Pass Through, at the request of the ODM Director. Appropriates the increase.

MCDCD20 Non-emergency medical transportation**Section: 333.130**

Permits the OBM Director, at the request of the ODM Director to transfer appropriations between GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget and 655523, Medicaid Program Support - Local Transportation, in the ODJFS budget to ensure access to a non-emergency medical transportation brokerage program. Requires that the OBM Director adjust the federal share of item 651525 and federal fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget. Requires the ODM Director to transmit federal funds it receives for the transaction to Fund 3F01, used by ODJFS.

MCDCD21 Public assistance eligibility determination system implementation**Section: 333.140**

Permits the OBM Director, at the request of the ODM Director to transfer up to \$5,000,000 in state share appropriations between GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget and 655522, Medicaid Program Support - Local, in the ODJFS budget. Requires that the OBM Director adjust the federal share of item 651525 and federal fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget. Requires the ODM Director to transmit federal funds it receives for the transaction to Fund 3F01, used by ODJFS.

Requires that any increase in funding be provided to county departments of job and family services (CDJFS) to be used for costs related to transitioning to a new public assistance eligibility determination system. Prohibits funds to be used for existing and ongoing operating expenses. Requires the ODM Director to establish criteria for distributing funds and for CDJFSs to submit allowable expenses.

Executive

Requires CDJFSs to comply with new roles, processes, and responsibilities related to the new eligibility determination system and to report to ODJFS and ODM, on a schedule determined by the ODM Director, how the funds were used.

MCDCD22 Local transportation support**Section: 333.150**

Permits the OBM Director to transfer appropriations up to \$45,100,000 from GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget to appropriation item 655523, Medicaid Program Support - Local Transportation, in the ODJFS budget. Requires the transferred appropriations to be used to administer the Medicaid transportation program.

MCDCD26 Nursing facility Medicaid payment rates for direct care costs**Section: 333.170**

Modifies a nursing facility's per Medicaid day payment rate for direct care costs by reducing each peer group's cost per case-mix unit by 7% during fiscal years 2018 and 2019.

Fiscal effect: Savings of \$117 million during FY 2018 and FY 2019.

MCDCD46 Abolish the Managed Care Performance Payment Fund (Fund 5KW0)**Section: 512.90**

Requires the OBM Director to transfer the cash balance in the Managed Care Performance Payment Fund (Fund 5KW0) to the GRF on July 1, 2017 or as soon as possible thereafter. Abolishes Fund 5KW0 upon completion of the transfer.

Requires the Director of Budget and Management to cancel any existing encumbrances against Fund 5KW0 appropriation item 651612, Managed Care Performance Payments and reestablish them against GRF appropriation item 651525, Medicaid Health Care Services.

Executive

MCDCD9 Hospital Care Assurance Program and hospital assessments**Sections: 610.40, 610.41**

Delays the repeal of the Hospital Care Assurance Program, which compensates hospitals that provide a disproportionate share of care to indigent patients, from October 16, 2017 to October 16, 2019.

Fiscal effect: The bill appropriates \$238.1 million in FY 2018 and \$199.3 million in FY 2019 in DPF Fund 6510 appropriation item 651649, Medicaid Services - Hospital Care Assurance Program, for the program. The cash used for the program is from an assessment imposed on hospitals.

Executive

MEDCD3 Maintenance of a license or certificate to provide certain services in a salon**R.C. 4713.56**

Requires an individual who provides cosmetic therapy, massage therapy, or other professional service in a salon to maintain an electronically generated license certification or registration, as added by the bill, or the individual's license or certificate, as required under current law.

Fiscal effect: None.

MEDCD2 Physician Assistant Policy Committee member reimbursements**R.C. 4730.05**

Removes the per diem compensation that each Physician Assistant Policy Committee member receives for the discharge of official duties, but retains the requirement that the member receive necessary and actual expenses incurred in the performance of official duties.

Fiscal effect: Minimal decrease in costs.

Executive

MEDCD1 Physician licensure

R.C. 4731.14, 102.02, 102.022, 102.03, 124.93, 911.11, 2925.01, 3702.304, 3702.307, 3702.72, 4503.15, 4731.04, 4731.07-4731.10, 4731.142, 4731.142, 4731.15, 4731.22-4731.23, 4731.26, 4731.281, 4731.282, 4731.291, 4731.292, 4731.294-4736.296, 4731.298, 4731.299, 4731.341, 4731.36, 4731.41, 4731.43, 4731.531, 4731.55-4731.571, 4731.573, 4731.60, 4731.61, 4731.65-4731.68, 4731.76, 4731.82, 4731.85, 4765.01, 5123.47, *Repeals: 4731.11, 4731.12, 4731.13, and 4731.29 and Section 803.40*

Eliminates references to certificates to practice issued by the State Medical Board and instead refers to licenses to practice. Replaces the requirement that the Board administer an examination for individuals seeking to practice medicine and surgery or osteopathic medicine and surgery in Ohio with a requirement that the individual successfully pass an examination prescribed in rules adopted by the Board and makes conforming changes.

Eliminates the \$35 certificate of preliminary education fee and replaces the \$300 issuance fee for physicians (excluding podiatrists) with a \$305 application fee.

Eliminates a separate application procedure for physicians (excluding podiatrists) who are licensed by another state and seek to practice in Ohio and instead requires them to comply with the same application procedure as Ohio physicians.

Fiscal effect: Potential loss of fee revenue; potential decrease in administrative costs.

MEDCD5 Certificates to practice a limited branch of medicine

R.C. 4731.15

Requires the State Medical Board to provide a renewal notice one month, instead of six months, before the expiration of a certificate to practice a limited branch of medicine (massage therapy, cosmetic therapy, naprapathy, or mechanotherapy).

Combines the \$100 renewal fee and the \$25 penalty required to reinstate a certificate to practice a limited branch of medicine that has been suspended due to nonrenewal for two years or less into a single reinstatement fee of \$125.

Executive

Combines the \$100 renewal fee and the \$50 penalty required to restore a certificate to practice a limited branch of medicine that has been suspended due to nonrenewal for more than two years into a single \$150 restoration fee.

Fiscal effect: The overall fee revenue should remain about the same.

MEDCD6 Failure to complete continuing education requirements

**R.C. *4731.22, 4731.281, 4731.282, and Section
815.10***

Permits a certificate holder who has failed to complete continuing medical education requirements to agree in writing to complete the education and pay a civil penalty in an amount not to exceed \$5000 in lieu of the State Medical Board taking disciplinary action.

Fiscal effect: Potential gain in penalty revenue.

MEDCD4 Practice of limited osteopathic medicine and surgery

R.C. *4731.141 (repealed)*

Repeals law that authorizes a person who practiced limited osteopathic medicine and surgery on January 1, 1980, to continue to practice in accordance with statutory limits in effect on that date.

Fiscal effect: None.

MEDCD9 English language proficiency

R.C. *4731.142*

Excepts the following individuals from the requirement that physicians educated at foreign institutions demonstrate proficiency in spoken English before receiving a license: (1) an individual licensed in another state who has been actively engaged in practice for the immediately preceding five years and (2) an individual who, at the beginning of that five year period was receiving graduate medical education and, upon completion, has been licensed by another state and actively engaged in practice.

Executive

MEDCD7 Board of Dietetics transfer

**R.C. 4759.011, 125.22, 4731.051, 4731.071,
4759.051, 4759.07, 4759.08, conforming
changes in Chapter 4759., and Section 515.31**

Places the regulation of dietitians under the State Medical Board and abolishes the Ohio Dietetics Board effective January 21, 2018. Specifies that existing licenses, certificates, permits, registrations, or endorsements, issued before January 21, 2018, will continue in effect as if issued by the State Medical Board.

Requires the State Medical Board to appoint a dietetics advisory council to advise the Board on issues relating to the practice of dietetics. Specifies the terms of membership and that the council is to have no more than seven members. Specifies that members may receive a per diem for each day the member performs official duties and be reimbursed for actual and necessary expenses.

Provides that employees of the Ohio Board of Dietetics are transferred to the State Medical Board and are to retain their positions and benefits. Specifies that between January 21, 2018 and June 30, 2019, the Executive Director of the Medical Board may establish, change, and abolish positions on the Board and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all Board employees.

Allows the Ohio Board of Dietetics to establish a retirement incentive plan for eligible employees who are Public Employees Retirement System members. Specifies that the plan remains in effect until January 20, 2018.

Applies procedures for the regulation of dietetics professionals that apply to the other health care professionals the State Medical Board currently regulates, including that fees, penalties, and other funds be deposited in the State Medical Board Operating Fund (Fund 5C60) rather than the Occupational Licensing and Regulatory Fund (Fund 4K90).

Eliminates the requirement that applications for dietetics licenses be written.

Fiscal effect: The State Medical Board receives an increase in appropriation in FY 2018 and FY 2019 as a result of this transfer and the respiratory care licensure transfer.

Executive

MEDCD8 Transfer of respiratory care licensure**R.C. *4761.011, 4731.051, 4731.071, 4761.032,
conforming changes in Chapter 4761., and
Section 515.34***

Abolishes the Ohio Respiratory Care Board and transfers the respiratory care licensing duties to the State Medical Board effective January 21, 2018. Specifies that existing licenses, certificates, permits, registrations, or endorsements issued before January 21, 2018, will continue in effect as if issued by the State Medical Board.

Requires the State Medical Board to appoint a respiratory care advisory council to advise the Board on issues relating to the practice of respiratory care. Specifies the terms of membership and that the council is to have no more than seven members. Specifies that members may receive a per diem for each day the member performs official duties and be reimbursed for actual and necessary expenses.

Provides that employees of the Ohio Respiratory Care Board are transferred to the State Medical Board or State Board of Pharmacy, as applicable, and are to retain their positions and benefits. Specifies that between January 21, 2018 and June 30, 2019, the Executive Director of the Medical Board or Pharmacy Board may establish, change, and abolish positions on the Board and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all employees.

Allows the Ohio Respiratory Care Board to establish a retirement incentive plan for eligible employees who are Public Employees Retirement System members. Specifies that the plan remains in effect until January 20, 2018.

Applies procedures for the regulation of respiratory care professionals that apply to the other health care professionals the State Medical Board currently regulates, including that fees, penalties, and other funds be deposited in the State Medical Board Operating Fund (Fund 5C60) rather than the Occupational Licensing and Regulatory Fund (Fund 4K90).

Fiscal effect: The State Medical Board receives an increase in appropriation in FY 2018 and FY 2019 as a result of this transfer and the dietetics licensure transfer.

Executive

MHACD5 Ohio Pharmacy Services reference correction**R.C. 125.035**

Changes a reference from the Office of Support Services at the Ohio Department of Mental Health to Ohio Pharmacy Services at the Ohio Department of Mental Health and Addiction Services (ODMHAS), this office's current name.

Fiscal effect: None.

MHACD4 Dispute resolution process**R.C. 340.03**

Removes a provision from existing law authorizing an alcohol, drug addiction, and mental health services (ADAMHS) board, a facility, or a community mental health or addiction services provider to apply to the ODMHAS Director for assistance in resolving an ADAMHS board contract dispute through a third party dispute resolution process.

Fiscal effect: None, as this assistance is no longer utilized.

MHACD6 Local ADAMHS boards audit reports**R.C. 340.03**

Removes the Auditor of State as an entity to which a local ADAMHS board must provide a copy of its annual fiscal audit report.

Fiscal effect: Potential negligible decrease in costs to provide the report to the Auditor of State.

MHACD2 References to Department of Mental Health and Addiction Services**R.C. 5119.011**

Stipulates that any reference to either the former Department of Mental Health or the former Department of Alcohol and Drug Addiction Services is to be deemed as referring to ODMHAS.

Executive

Makes the same stipulation with regard to the directors of these former agencies.

Fiscal effect: None.

MHACD1 Residential State Supplement Program eligibility

**R.C. *5119.41, 173.14, 340.091 (repealed), and
5119.34***

Eliminates statutory provisions specifying the living arrangement requirements that must be met to be eligible for the Residential State Supplement Program.

Requires all program eligibility requirements to be established by rule.

Eliminates obsolete provisions and makes conforming changes to reflect changes that were made in previous enactments regarding the program.

MHACD7 Community addiction services waivers

**R.C. *5119.221, 340.032, 340.033, 340.08, 5119.01,
and 5119.22***

Revises the conditions under which the ODMHAS Director may issue to an ADAMHS board a waiver regarding the location of ambulatory detoxification and medication-assisted treatment.

Requires that such a waiver be time limited and specify whether it is for ambulatory detoxification, medication-assisted treatment, or both.

Gives the ODMHAS Director the discretion to disapprove an ADAMHS board's proposed budget in whole or in part, rather than requiring the Director to disapprove a board's proposed budget in whole, for failure to make the essential elements of a community-based continuum of care available in the board's service district.

Eliminates the ODMHAS Director's authority to issue to an ADAMHS board a time-limited waiver of a requirement that the board's community-based continuum of care include all of the essential elements required by state law.

Fiscal effect: None, this provision is modifying language that has not yet gone into effect.

Executive

MHACD3 Confidentiality of quality assurance records**R.C. 5122.32**

Adds improving the safety and security of persons who administer medical and mental health services in ODMHAS hospitals and programs to the duties of a quality assurance program it administers, thereby making records associated with that activity confidential.

Fiscal effect: None.

MHACD8 Resident Trainees**Section: 337.20**

Requires up to \$500,000 in each fiscal year in GRF line item 336402, Resident Trainees, be used to assist with workforce recruitment and retention by supporting community behavioral health centers in the provision of clinical oversight and supervision of practitioners working toward their independent licensure.

Requires up to \$500,000 in each fiscal year in line item 336402 be used to support residency programs for psychiatrists, advanced practice nurses, and physician assistants who engage in the public behavioral health system.

Permits up to \$450,000 in each fiscal year in line item 336402 be used to fund residencies and traineeship programs in psychiatry, psychology, nursing, and social work at state universities and teaching hospitals.

MHACD9 Prevention and Wellness**Section: 337.30**

Requires up to \$500,000 in each fiscal year in GRF line item 336406, Prevention and Wellness, be used to support evidence-based prevention in school settings.

Requires up to \$1,500,000 in each fiscal year in line item 336406 be distributed to ADAMHS Boards to purchase the provision of evidence-based prevention services from providers certified by ODMHAS.

Requires up to \$500,000 in each fiscal year in line item 336406 be used to support suicide prevention efforts.

Executive

MHACD10 Mental Health Facilities Lease Rental Bond Payments**Section: 337.40**

Requires GRF line item 336415, Mental Health Facilities Lease Rental Bond Payments, be used to meet all payments during the period from July 1, 2017, through June 30, 2019, by ODMHAS under leases and agreements made under section 154.20 of the Revised Code.

MHACD11 Continuum of Care Services**Section: 337.50**

Requires a portion of GRF line item 336421, Continuum Services, be allocated to ADAMHS boards in accordance with a distribution methodology determined by the ODMHAS Director for the boards to purchase mental health and addiction services permitted under Chapter 340. of the Revised Code. Permits boards to use a portion of the funds allocated to provide:

- (1) Subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization due to lack of medication; and
- (2) Subsidized support for medication-assisted treatment costs.

Permits a portion of GRF line item 336421, Continuum of Care Services, be distributed to ADAMHS boards, community addiction and/or mental health services providers, courts, or other governmental entities to provide specific grants in support of initiatives concerning mental health and addiction services.

MHACD12 Criminal Justice Services**Section: 337.60**

Requires GRF line item 336422, Criminal Justice Services, be used to provide forensic psychiatric evaluations to courts of common pleas and to conduct evaluations of patients of forensic status in facilities operated or designated by ODMHAS prior to conditional release to the community. Permits a portion of line item 336422 to be allocated through ADAMHS boards to community addiction and/or mental health services providers in accordance with a distribution methodology as determined by the ODMHAS Director.

Executive

Permits line item 336422 to also be used to do any of the following:

- (1) Provide forensic monitoring and tracking of individuals on conditional release;
- (2) Provide forensic training;
- (3) Support projects that assist courts and law enforcement to identify and develop appropriate alternative services to incarceration for nonviolent mentally ill offenders;
- (4) Provide specialized re-entry services to offenders leaving prisons and jails;
- (5) Provide specific grants in support of addiction services alternatives to incarceration;
- (6) Support therapeutic communities; and
- (7) Support specialty dockets and expand or create new certified court programs.

MHACD13**Medication-Assisted Treatment for Drug Court Specialized Docket Programs****Section: 337.70**

Requires ODMHAS to conduct a program to provide addiction treatment, which may include medication-assisted treatment (MAT) and recovery supports, to persons eligible to participate in a MAT drug court program, and are selected to be participants in the program because of their dependence on opioids, alcohol, or both.

Requires ODMHAS to conduct the program in those courts of Allen, Clinton, Crawford, Cuyahoga, Franklin, Gallia, Hamilton, Hardin, Hocking, Jackson, Marion, Mercer, Montgomery, Summit, and Warren counties that are conducting MAT drug court programs. Requires ODMHAS to conduct the program in a court that is conducting a MAT drug court program in another county if there is no MAT drug court program in any of these counties.

Permits ODMHAS to conduct the program in any other court that is conducting a MAT drug court program.

Requires ODMHAS to collaborate with the Supreme Court, the Department of Rehabilitation and Correction, and any agency of the state that ODMHAS determines may be of assistance in accomplishing the objectives of the program.

Permits ODMHAS to collaborate with ADAMHS boards and local law enforcement agencies that serve the counties in which a court participating in the program is located.

Requires a MAT drug court program to select persons who are criminal offenders or who are involved in a family drug or dependency court to be participants in the program.

Caps the total number of persons participating in a program at any time to 1,500, subject to available funding, except that ODMHAS may authorize the maximum number to be exceeded in circumstances that ODMHAS deems appropriate.

Executive

Requires a participant, after being enrolled in a MAT drug court program, to comply with all requirements of the MAT drug court program.

Requires specified services and duties to be provided and performed by a community addiction services provider under the program. Specifies the conditions under which a drug may be used.

Requires the Medicaid Director, in collaboration with major Ohio health care plans, to develop plans related to the implementation of the program. Specifies what these plans should ensure and specifies that there are to be no step therapies or prior authorizations for MAT program participants.

Requires that the institution that prepared the report required in division (J) of Section 331.90 of H.B. 64 of the 131st General Assembly submit the report to the Governor, Chief Justice of the Supreme Court, President of the Senate, Speaker of the House of Representatives, ODMHAS Director, Director of Rehabilitation and Correction, and any state agency that ODMHAS collaborates with in conducting the program.

Requires up to \$5,000,000 in each fiscal year in GRF line item 336422, Criminal Justice Services, be used to support the program.

MHACD14**Addiction Services Partnership with Corrections****Section: 337.80**

Continues temporary law pertaining to the transfer of the Bureau of Recovery Services (BRS), formerly in the Department of Rehabilitation and Corrections (DRC), to ODMHAS as follows:

Requires any business commenced but not completed by July 1, 2015, by DRC regarding recovery services to be completed by ODMHAS.

Requires that no validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer and must be administered by ODMHAS.

Specifies that any rules, orders, and determinations pertaining to BRS continue in effect as rules, orders, and determinations of ODMHAS until modified or rescinded by ODMHAS.

Requires, if necessary to ensure the integrity of the numbering of the Administrative Code, the Director of the Legislative Service Commission to renumber the rules to reflect their transfer to ODMHAS.

Transfers, subject to the lay-off provisions of sections 124.321 to 124.382 of the Revised Code, all employees of BRS to ODMHAS and retain their positions and all of their benefits.

Deems any references to BRS in any law, contract, or other document, to refer to ODMHAS or its director, as appropriate.

Executive

Requires any business commenced but not completed under GRF line item 505321, Institution Medical Services, pertaining to BRS, to be completed under GRF line item 336423, Addiction Services Partnership with Corrections.

MHACD15 Recovery Housing**Section: 337.90**

Requires GRF line item 336424, Recovery Housing, be used to expand and support access to recovery housing.

Requires, for expenditures that are capital in nature, ODMHAS to develop procedures to administer these funds in a manner that is consistent with current community capital assistance guidelines.

MHACD16 Specialized Docket Support**Section: 337.100**

Requires GRF line item 336425, Specialized Docket Support, be used to defray a portion of the annual payroll costs associated with the specialized docket of a common pleas court, municipal court, county court, juvenile court, or family court that meets all of the eligibility requirements.

Permits line item 336425 to be used to defray costs associated with treatment services and recovery supports for participants.

Requires the specialized docket to have received Supreme Court of Ohio final certification and include participants with behavioral health needs in its target population to be eligible.

Requires ODMHAS to use up to one per cent of line item 336425 in each fiscal year to pay the cost it incurs in administering the duties required by the docket program.

Permits ODMHAS, in consultation with the Supreme Court of Ohio, to adopt funding distribution methodology, guidelines, and procedures as necessary to carry out the docket program.

Executive**MHACD17 Community Innovations****Section: 337.110**

Permits GRF line item 336504, Community Innovations, to be used by ODMHAS to make targeted investments in programs, projects, or systems operated by or under the authority of other state agencies, governmental entities, or private not-for-profit agencies that impact, or are impacted by, the operations and functions of ODMHAS, with the goal of achieving a net reduction in expenditure of state general revenue funds and/or improved outcomes for Ohio citizens without a net increase in state GRF spending.

Requires the ODMHAS Director to identify and evaluate programs, projects, or systems proposed or operated, in whole or in part, outside of ODMHAS' authority, where targeted investment of funds is expected to decrease demand for ODMHAS or other resources funded with GRF, and/or to measurably improve outcomes for Ohio citizens with mental illness or with alcohol, drug, or gambling addictions.

Grants the ODMHAS Director discretion to transfer money from GRF line item 336504, Community Innovations, to other state agencies, governmental entities, or private not-for-profit agencies in amounts, and subject to conditions, that the Director determines most likely to achieve state savings and/or improved outcomes.

Requires ODMHAS to enter into an agreement with each recipient of community innovation funds, identifying: allowable expenditure of the funds; other commitment of funds or other resources to the program, project, or system; expected state savings and/or improved outcomes and proposed mechanisms for measurement of such savings or outcomes; and required reporting regarding expenditure of funds and savings or outcomes achieved.

Requires up to \$3,000,000 in FY 2018 and \$4,000,000 in FY 2019 in line item 336504 be used to provide funding for community projects across the state that focus on support for families, assisting families in avoiding crisis, and crisis intervention.

Requires up to \$500,000 in FY 2018 and \$750,000 in FY 2019 in line item 336504 be used to enhance access to naloxone across the state for county health departments to then disperse through a grant program to local law enforcement, emergency personnel, and first responders. Permits, if local law enforcement, emergency personnel, and first responders are not making use of the naloxone grant funds, the county health department to use grant funding to provide naloxone through a Project DAWN program within the county.

Requires \$850,000 in FY 2018 and \$2,000,000 in FY 2019 in line item 336504 be used to support projects that assist local communities in implementing a full continuum of care, including workforce development.

Executive

MHACD18 Residential State Supplement**Section: 337.120**

Permits GRF line item 336510, Residential State Supplement, be used by ODMHAS to provide training for residential facilities providing accommodations, supervision, and personal care services to three to 16 unrelated adults with mental illness and to make payments to Residential State Supplement recipients.

Requires ODMHAS to adopt rules establishing eligibility criteria and payment amounts under section 5119.41 of the Revised Code.

Fiscal effect: Potential increase in administrative costs for rule promulgation.

MHACD19 Early Childhood Mental Health Counselors and Consultation**Section: 337.130**

Requires GRF line item 336511, Early Childhood Mental Health Counselors and Consultation, be used to promote identification and intervention for early childhood mental health and to enhance healthy social emotional development in order to reduce preschool to third grade classroom expulsions.

Requires funds be used by ODMHAS to support early childhood mental health credentialed counselors and consultation services, as well as administration and workforce development for the program.

MHACD20 Medicaid Support**Section: 337.140**

Requires GRF line item 652321, Medicaid Support, be used to fund Medicaid services as delegated by the Department of Medicaid.

Executive

MHACD21 Problem Gambling and Casino Addiction**Section: 337.150**

Requires a portion of GRF line item 336629, Problem Gambling and Casino Addictions, be allocated to ADAMHS boards in accordance with a distribution methodology determined by the ODMHAS Director.

MHACD22 Family and Children First flexible funding pool**Section: 337.160**

Permits a county family and children first council to establish and operate a flexible funding pool in order to assure access to needed services by families, children, and older adults in need of protective services.

Specifies that the operation of the flexible funding pools is subject to the following restrictions:

- (1) Requires the county council to establish and operate the flexible funding pool in accordance with formal guidance issued by the Family and Children First Cabinet Council;
 - (2) Requires the county council to produce an annual report on its use of the pooled funds and requires the report to conform to a format prescribed in the formal guidance issued by the Family and Children First Cabinet Council;
 - (3) Permits, unless otherwise restricted, funds transferred to the flexible funding pool to include state general revenues allocated to local entities to support the provision of services to families and children;
 - (4) Requires the amounts transferred to the flexible funding pool be limited to amounts that can be redirected without impairing the achievement of the objectives for which the initial allocation is designated; and
 - (5) Requires each amount transferred to the flexible funding pool from a specific allocation be approved for transfer by the director of the local agency that was the original recipient of the allocation.
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MHACD23 Medicaid spending as maintenance of effort**Section: 337.170**

Requires the designation of administering agency for federal aid be held jointly by ODMHAS and the Department of Medicaid for determining maintenance of effort established by 42 U.S.C. 300x-30.

Executive

Retains ODMHAS as the designated agency for all other purposes established by 42 U.S.C. 300x et seq. and section 5119.32 of the Revised Code.

MHACD24 Access Success II Program**Section: 337.180**

Permits, to the extent cash is available, the Director of Budget and Management to transfer cash from the Money Follows the Person Enhanced Reimbursement Fund (Fund 5AJ0), used by the Department of Medicaid, to the Sale of Goods and Services Fund (Fund 1490), used by ODMHAS.

Appropriates an amount equal to the transferred cash.

Requires ODMHAS to use the transferred funds to administer the Access Success II Program to help non-Medicaid patients in any hospital established, controlled, or supervised by ODMHAS under Chapter 5119. of the Revised Code to transition from inpatient status to a community setting.

MHACD25 Indigent Drivers Alcohol Treatment Fund transfer**Section: 337.190**

Requires, on a schedule determined by the Director of Budget and Management, the ODMHAS Director to certify the amount of excess license reinstatement fees that are available to be transferred from the Indigent Drivers Alcohol Treatment Fund (Fund 7049) to the Statewide Treatment and Prevention Fund (Fund 4750).

Upon certification, permits the Director of Budget and Management to transfer cash from the Indigent Drivers Alcohol Treatment Fund to the Statewide Treatment and Prevention Fund.

MHACD26 Fund abolishment**Section: 512.90**

Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer any remaining cash balance in the Residential State Supplement Fund (Fund 5CH0) to the Statewide Treatment and Prevention Fund (Fund 4750). Abolishes Fund 5CH0 after the cash transfer is complete.

Executive

DNRCD18 State Park Maintenance Fund**R.C. 1501.08**

Creates the State Park Maintenance Fund, and requires the Department of Natural Resources to use money in the Fund only for maintenance, repair, and renovation projects at state parks that are approved by the Director of Natural Resources. Authorizes the Director of Natural Resources to request the Director of Budget and Management (OBM) to annually transfer cash to the State Park Maintenance Fund in an amount not exceeding 5% of the annual average revenue received by the State Park Fund.

Prohibits the Department from using money in the Fund to construct new facilities.

Requires the Chief of the Division of Parks and Watercraft to submit to the Director a list of projects in order to request a disbursement from the Fund.

Requires the Chief to include with each request a description of necessary maintenance, repair, and renovation projects at state park facilities and requires the Director to determine which projects are eligible for disbursement from the Fund.

Prohibits the Chief from beginning any project for which a request was submitted before obtaining the Director's approval.

DNRCD16 Wildfire suppression payments**R.C. 1503.141, 1503.141, 512.90**

Increases the amount of money annually available for wildfire suppression payments from DNR to local firefighting agencies or companies from not more than \$100,000 to not more than \$200,000.

Eliminates the Wildfire Suppression Fund (Fund 4M70) and the required annual transfer of money from the existing State Forest Fund (Fund 5090) to the Wildfire Suppression Fund for wildfire suppression payment purposes.

Requires wildfire suppression payments to be made directly from Fund 5090.

Replaces the Chief of the Division of Forestry with the Director of Natural Resources or the Director's designee as the designated state agent responsible for the distribution of money for wildfire suppression payments to firefighting agencies or companies.

Requires, on July 1, 2017 or as soon as possible thereafter, the Director of Budget and Management to (1) transfer the cash balance in Fund 4M70 to Fund 5090 and (2) cancel any existing encumbrances against Fund 4M70 appropriation

Executive

item 725686, Wildfire Suppression and reestablish them against Fund 5090 appropriation item 725602, State Forest.

Fiscal effect: None.

DNRCD15 Elimination of the Injection Well Review Fund (Fund 4J20)

**R.C. *1505.09, 6111.046; 1501.022 (repealed);
Section 512.90***

Abolishes the Injection Well Review Fund (Fund 4J20). Requires the 15% portion of the proceeds from permit fees collected under the Injection Well Permit Program that are currently deposited into Fund 4J20 instead be deposited in the existing Geological Mapping Fund (Fund 5110).

Requires the permit fees deposited in Fund 5110 under the bill to be used by specified divisions within DNR to execute the Department's duties under the Injection Well Permit Program, which is generally consistent with their use under current law.

Requires, on July 1, 2017 or as soon as possible thereafter, the Director of Budget and Management to (1) transfer the cash balance in Fund 4J20 to Fund 5110 and (2) cancel any existing encumbrances against Fund 4J200 appropriation item 725628, Injection Well Review and reestablish them against Fund 5110 appropriation item 725646, Ohio Geological Mapping.

Fiscal effect: None apparent. Although the fund supporting injection well review is changed by the bill, DNR's use of the money appears to remain unchanged.

DNRCD17 Oil and Gas Well Fund use for plugging idle and orphaned wells

R.C. *1509.071*

Eliminates the annual minimum 14% of revenue from the previous fiscal year in the Oil and Gas Well Fund (Fund 5180) that the Chief of the Division of Oil and Gas Resources Management must spend for specified purposes related to the plugging of idle and orphaned wells.

Fiscal effect: Under current law, the Chief is required to annually use not less than 14% of the revenue credited to Fund 5180 for activities related to plugging orphaned and idle wells. Because of the recent growth in oil and gas production in the state, and the increased revenue from severance taxes credited to Fund 5180, it is likely that the percentage of the previous fiscal year's revenue used for plugging orphaned wells decreases, while overall dollars spent on those activities increases or remains unchanged under the bill.

Executive

DNRCD19 Mine Regulation and Safety Fund

**R.C. 1513.30, 1561.48; 1513.181 (repealed);
Section 512.90**

Consolidates the Unreclaimed Lands Fund, the Surface Mining Fund, the Mining Regulation Fund, and the Coal Mining and Reclamation Reserve Fund into a new fund called the Mining Regulation and Safety Fund.

Allocates all money that is credited to the consolidated Funds to the Mining Regulation and Safety Fund.

Specifies that the purposes for and the authorized expenditures from the consolidated Funds now apply to the Mining Regulation and Safety Fund.

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible there after, to transfer the cash balances in the Coal Mining Administration and Reclamation Reserve Fund (Fund 5260), the Surface Mining Fund (Fund 5270), the Unreclaimed Lands Fund (Fund 5290), and the Mining Regulation Fund (Fund 5B30), to the new Mining Regulation and Safety Fund (for accounting purposes this fund retains the OBM assigned fund number 5290 assigned to the current Unreclaimed Lands Fund).

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible thereafter, to cancel existing encumbrances against Fund 5260 appropriation item 725610, Strip Mining Administration Fee, Fund 5270 appropriation item 725637, Surface Mining Administration, and Fund 5B30 appropriation item 725674, Mining Reclamation, and reestablish the encumbered amounts against Fund 5290 appropriation item 725639, Mining Regulation and Safety.

Fiscal effect: The bill redirects revenues from all the funds being consolidated to the new Mining Regulation and Safety Fund (Fund 5290).

DNRCD20 Mineral severance tax allocation

R.C. 1514.11, 5749.02

Allocates all of the money generated from the coal severance tax to the Mining Regulation and Safety Fund (new Fund 5290), rather than allocating 4.76% to the existing Geological Mapping Fund (Fund 5110), 80.95% to the Coal Mining Administration and Reclamation Reserve Fund (Fund 5260), and 14.29% to the Unreclaimed Lands Fund (Fund 5290) as provided in current law.

Allocates money generated from the salt severance tax to the Mining Regulation and Safety Fund (new Fund 5290), rather than to Fund 5110 as provided in current law.

Executive

Allocates 92.5% of the money generated from the tax on limestone, dolomite, sand, and gravel to the Mining Regulation and Safety Fund (new Fund 5290), rather than allocating 42.5% to the Unreclaimed Lands Fund (Fund 5290) and 50% to Fund 5270 as under current law.

Allocates all of the money generated from the tax on clay, sand or conglomerate, shale, gypsum, or quartzite to the Mining Regulation and Safety Fund (new Fund 5290), rather than Fund 5270 as under current law.

Allocates all of the money generated from the tax on coal mined by surface mining methods to the Mining Regulations and Safety Fund (new Fund 5290), rather than the Unreclaimed Lands Fund (Fund 5290) as under current law.

Fiscal effect: Because the bill redirects the severance taxes on salt and the portion of coal severance taxes currently deposited to the credit of the Geological Mapping Fund (Fund 5110) to the Mining Regulation and Safety Fund (new Fund 5290), there would likely be a loss of total revenue for Fund 5110.

DNRCD14 Dam construction filing fee and annual fee**R.C. 1521.06, 1521.063**

Removes the statutorily imposed filing fee schedule for dam construction permits, and requires the Chief of the Division of Water Resources to adopt rules establishing the fee schedule.

Removes the statutorily imposed fee schedule for annual fees required to be submitted by owners of Class I, Class II, or Class III dams, and instead requires the Chief to adopt rules establishing the annual fee schedule.

Fiscal effect: Potential gain in fees deposited into the Dam Safety Fund (Fund 6150), depending on the fees that established under the annual fee schedule.

DNRCD27 Park Maintenance**Section: 343.20**

Requires that appropriation item 725514, Park Maintenance, be used to pay the costs of projects supported by the State Park Maintenance Fund (Fund 5TD0).

Requires the Director of Natural Resources, on July 1, 2017 or as soon as possible thereafter, to certify the amount of 5% of the average of the previous five years of deposits in the State Park Fund (Fund 5120) to the Director of Budget and Management. Allows the Director of Budget and Management to transfer up to \$1,500,000 in cash from Fund 5120 to Fund 5TD0.

Executive

DNRCD2 Central Support Indirect Fund**Section: 343.30**

Requires the Director of Natural Resources with the approval of the Director of Budget and Management, to determine each DNR division's payments (with the exception of the Division of Wildlife) into the Central Support Fund (Fund 1570). Requires the methodology used to determine the payments to contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements, and allows the methodology to include direct cost charges for specific services provided. Requires payments to Fund 1570 to be made using intrastate transfer voucher. Specifies that GRF appropriation item 725401, Division of Wildlife - Operating Subsidy, be used to cover the indirect costs of the Division of Wildlife.

DNRCD3 Parks and Recreational Facilities Lease Rental Bond Payments**Section: 343.40**

Requires GRF appropriation item 725413, Parks and Recreational Facilities Lease Rental Bond Payments, to be used during the FY 2018- FY 2019 biennium to make payments on behalf of DNR pursuant to leases and agreements made under section 154.22 of the Revised Code. Specifies that these appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154 or the Revised Code.

DNRCD4 Healthy Lake Erie Program**Section: 343.40**

Requires appropriation item 725505, Healthy Lake Erie Program, to be used in support of: (1) conservation measures in the Western Lake Erie Basin as determined by the Director of Natural Resources, (2) funding assistance for soil testing, winter cover crops, edge of field testing, tributary monitoring, animal waste abatement, and (3) any additional efforts to reduce nutrient runoff as the Director may decide. Requires that the Director give priority to recommendations that encourage farmers to adopt 4R nutrient stewardship practices.

Executive

DNRCD5 Coal and Mine Safety Program**Section: 343.40**

Requires GRF appropriation item 725507, Coal and Mine Safety Program, to be used for the administration of the Mine Safety Program and the Coal Regulation Program.

DNRCD6 Natural Resource General Obligation Bond Debt Service**Section: 343.40**

Requires GRF appropriation item 725903, Natural Resources General Obligation Bond Debt Service, to be used during the FY 2018-FY 2019 biennium to pay all debt service and related financing costs on obligations issued under sections 151.01 and 151.05 of the Revised Code.

DNRCD7 Oil and Gas Well Plugging**Section: 343.50**

Requires Fund 5180 appropriation item 725677, Oil and Gas Well Plugging, to be used exclusively for plugging wells and properly restoring the land surface of idle and orphan oil and gas wells pursuant to section 1509.071 of the Revised Code. Prohibits the funding from being used for salaries, maintenance, equipment, or other administrative purposes, except for those costs directly attributed to the plugging of an idle or orphan well. Prohibits the appropriation item from being used to transfer cash to any other fund or appropriation item.

DNRCD8 Well log filing fees**Section: 343.50**

Requires the Chief of the Division of Water Resources to deposit well log filing fees forwarded to the Division into the Water Management Fund (Fund 5160) for the purposes described in RC 1521.05.

Executive

DNRCD9 Parks Capital Expenses Fund**Section: 343.50**

Requires the Director of Natural Resources to submit to the Director of Budget and Management the estimated design, engineering, and planning costs of capital related work to be done by DNR staff for parks projects within the Ohio Parks and Recreation Improvement Fund (Fund 7035). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7035 appropriation item C725E6, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Parks Capital Expenses Fund (Fund 2270), and requires expenses paid from Fund 2270 to be reimbursed by Fund 7035 using an intrastate transfer voucher.

DNRCD10 NatureWorks Capital Expenses Fund**Section: 343.50**

Requires the Department of Natural Resources to submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by DNR staff for each capital improvement project within the Ohio Parks and Natural Resources Fund (Fund 7031). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7031 appropriation item C725E5, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Capital Expenses Fund (Fund 4S90), and requires expenses paid from Fund 4S90 to be reimbursed by Fund 7031 by using an intrastate transfer voucher.

DNRCD11 Human Resources Direct Service**Section: 343.60**

Requires Fund 2050 appropriation item 725696, Human Resources Direct Service, to be used to cover the cost of support, coordination, and oversight of DNR's human resources functions. Specifies that the Human Resources Chargeback Fund (Fund 2050) consists of cash transferred to it via intrastate transfer voucher from other funds as determined by the directors of DNR and Budget and OBM.

Executive

DNRCD12 Law Enforcement Administration**Section: 343.60**

Requires Fund 2230 appropriation item 725665, Law Enforcement Administration, to be used to cover the cost of support, coordination, and oversight of DNR's law enforcement functions. Specifies that the Law Enforcement Administration Fund (Fund 2230) to consist of cash transferred to it via intrastate transfer voucher from other funds as determined by the Directors of DNR and OBM.

DNRCD13 Fountain Square and ODNR grounds at the Ohio Expo Center**Section: 343.60**

Requires appropriation item 725664, Fountain Square Facilities Management, to be used to pay for repairs, renovation, utilities, property management, and building maintenance expenses for the Fountain Square complex and the DNR grounds at the Ohio Expo Center. Requires that cash transferred by intrastate transfer vouchers from various departmental funds and rental income received by DNR be deposited into the Fountain Square Facilities Management Fund (Fund 6350).

DNRCD26 Clean Ohio Trail Operating Expenses**Section: 343.70**

Requires that appropriation item 725405, Clean Ohio Trail Operating, be used to administer Clean Ohio Trail Fund (Fund 7061) projects under RC 1519.05

DNRCD23 Watercraft Law Enforcement Fund abolishment**Section: 512.90**

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible, to transfer the cash balance in the Watercraft Law Enforcement Fund (Fund 5EN0) to the Natural Resources Law Enforcement Fund (Fund 5EM0) and then abolishes Fund 5EN0.

Executive

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible thereafter, to cancel any existing encumbrances against Fund 5EN0 appropriation item 725614, Watercraft Law Enforcement and reestablish them against Fund 5EM0 appropriation item 725613, Natural Resources Law Enforcement.

DNRCD24 Real Estate Fund abolishment**Section: 512.90**

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible, to transfer the cash balance in the Real Estate Fund (Fund 2070) to the Departmental Projects Fund (Fund 1550) and then abolishes Fund 2070.

Requires the Director of Budget and Management, on July 1, 2017 or as soon as possible thereafter, to cancel any existing encumbrances against Fund 2070 appropriation item 725690, Real Estate Services and reestablish them against Fund 1550 appropriation item 725601, Departmental Projects.

DNRCD25 Water Resources Council Fund abolishment**Section: 512.90**

Abolishes the Water Resources Council Fund (Fund 4X80) on the effective date of the repeal of the Water Resources Council.

Executive

NURCD1**Executive Director****R.C. 4723.05**

Eliminates, beginning on January 21, 2018, the requirement that the executive director of the Board of Nursing be a Registered Nurse (RN) with at least five years experience in the practice of nursing as an RN.

Executive

OODCD5 Governor's Office of Workforce Transformation

R.C. 107.35

Adds the Opportunities for Ohioans with Disabilities Agency (OOD) to the list of agencies that are required to provide staff support to the Governor's Office of Workforce Transformation.

Fiscal effect: None.

OODCD4 Opportunities for Ohioans with Disabilities AgencyR.C. 3304.11, various other sections in chapter
3304., 2329.66, 5709.64

Removes the requirement that OOD receive Controlling Board approval to release funds to be used for the program to provide personal care assistance for individuals with severe physical disabilities.

Changes "person with a disability" to "eligible individual with a disability" throughout the law.

Expands the definition of "physical or mental impairment" to be any physiological, mental, or psychological disorder rather than a physical or mental condition that materially limits a person's activities or functioning.

Specifies the types of activities and items for which maintenance payments may be used.

Fiscal effect: None. The changes align the Revised Code with federal definitions and are consistent with OOD's current practices.

OODCD6 Independent Living Council

Section: 353.10

Requires that GRF appropriation item 415402, Independent Living Council, be used to support the independent living programs and centers under Title VII of the Independent Living Services and Centers for Independent Living of the Rehabilitation Act Amendments of 1992.

Earmarks \$67,662 in each fiscal year of item 415402 to be used as state matching funds for vocational rehabilitation innovation and expansion activities.

Executive

OODCD1 Assistive Technology**Section: 353.10**

Requires that GRF appropriation item 415406, Assistive Technology, be provided to Assistive Technology of Ohio and used to provide grants and assistive technology services for people with disabilities in Ohio.

OODCD2 Brain Injury**Section: 353.10**

Requires that GRF appropriation item 415431, Brain Injury, be provided to the Ohio State University College of Medicine to support the Brain Injury Program established under R.C. 3304.23.

OODCD3 Services for the Deaf**Section: 353.10**

Requires that GRF appropriation item 415508, Services for the Deaf, be used to provide grants to community centers for the deaf.

Executive

PENCD1 Police and Fire Death Benefit Fund**Section: 361.10**

Specifies that GRF appropriation item 090575, Police and Fire Death Benefits, must be disbursed quarterly by the Treasurer of State at the beginning of each quarter of each fiscal year to the Board of Trustees of the Ohio Police and Fire Pension Fund. Requires the Treasurer of State to certify such amounts quarterly to the Director of Budget and Management. Requires the Board of Trustees of the Ohio Police and Fire Pension Fund, by June 20th of each fiscal year, to certify to the Treasurer of State the amount disbursed in that fiscal year to make the payments required by section 742.63 of the Revised Code and return to the Treasurer of State moneys received from this appropriation item but not disbursed.

Executive

PRXCD5 Criminal records checks under the Medical Marijuana Control Program**R.C. 109.572, 4776.01, 4776.02, 4776.04**

(1) Eliminates a provision requiring the results of criminal records checks of individuals seeking employment with entities licensed under the Medical Marijuana Control Program to be reported to those entities by the Bureau of Criminal Identification and Investigation.

(2) Identifies the State Board of Pharmacy and Department of Commerce as "licensing agencies" relative to their authority to issue licenses pursuant to the Program statutes and any rules. Includes this provision in a general law governing criminal records checks of applicants for licensure in various professions, but also retains a law establishing a separate requirement for criminal records checks of entities seeking licensure under the Program.

Fiscal effect: None.

PRXCD11 Wholesale distributor licensure**R.C. 4729.01, 4729.51, 4729.52, 4729.53, 4729.56,
4729.561, 4729.58, 4729.59, 4729.60,
4729.61, 4729.62, 4729.78, 4729.83, 4729.84,
and other sections**

(1) Changes the existing registration for wholesale distributors of dangerous drugs into licensure with new licensure distinctions created according to the activities being performed (distinctions are for manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors which are all required to be registered as wholesale distributors under current law).

(2) Establishes and modifies statutory definitions of activities involving drug distribution, as follows:

(a) Defines "third-party logistics provider" as a person that provides or coordinates warehousing or other logistics services pertaining to dangerous drugs, including distribution, but does not take ownership of the drugs or have responsibility to direct sale or disposition.

(b) Defines "outsourcing facility" as a facility that is engaged in the compounding and sale of sterile drugs and is registered with the U.S. Food and Drug Administration.

Executive

- (c) Modifies the definition of "manufacturer" by excluding a prescriber from the definition (under current law, a manufacturer is a person, other than a pharmacist, who manufactures and sells dangerous drugs).
- (d) Modifies the definition of "sale" or "sell" by adding that the definition also includes distributing, brokering, or giving away, and specifying that transferring includes transfer by passage of title, physical movement, or both (under current law, sale or sell includes delivery, transfer, barter, exchange, or gift, or offer therefor).
- (3) Transfers existing requirements governing registration as a wholesale distributor to the new license categories with the following changes:
 - (a) Specifies that the license of a manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor can be a category II or category III license.
 - (b) Specifies that after an application is filed, it cannot be withdrawn without approval of the Board.
- (4) Permits the Board to issue a license for a person not residing in Ohio if:
 - (a) The person meets the Board's licensure requirements, as verified by a state, federal, or other entity recognized by the Board, pays the required licensure fee, and
 - (b) The person was physically located in the state that licensed them.
- (5) Specifies that licenses for manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors are valid for a period specified in rules, and the period cannot exceed 24 months unless the Board extends it in rule to adjust license renewal schedules. (current law that specifies licenses are valid for 12 months).
- (6) Prohibits a license holder who is a manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor that fails to renew by the renewal date from engaging in manufacturing, repackaging, compounding, or distributing until a valid license is issued.
- (7) Specifies that if a renewal application has not been submitted by the 61st day after the renewal date, the license is considered void and cannot be renewed, but the license holder may reapply for licensure.
- (8) Adjusts license renewal fees to account for biennial registration and increases the fees as follows:
 - (a) For issuance and renewal of a category II license, increases the fee to \$1,900 per biennium (from \$750 per year);
 - (b) For issuance and renewal of a category III license, establishes a fee of \$2,000 (under current law, there are not multiple categories of licenses for wholesale distributors).
- (9) Authorizes the Board to restrict or limit licenses and to reprimand license holders or place them on probation.
- (10) Increases to \$2,500 the discipline fine that may be imposed (from \$1,000) for manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors.

Executive

(11) Adds causes to the conduct for which the Board can impose discipline on manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors, including:

- (a) Falsely or fraudulently promoting a dangerous drug to the public;
- (b) Violating the Federal Food, Drug, and Cosmetic Act or Ohio's Pure Food and Drug Law, and;
- (c) Any other causes set forth by the Board in rules.

(12) Authorizes the Board to suspend a license without a hearing if the Board determines that there is clear and convincing evidence that the method used to possess dangerous drugs presents a danger of immediate and serious harm to others (in addition to current law that authorizes a summary suspension if the method of distributing presents such an immediate danger).

(13) Specifies that a summary license suspension is void on the 121st day after the suspension if the Board has not issued its final adjudication before that date, rather than on the 91st day as under current law.

(14) Continues to require the Board to make available a roster of persons licensed as terminal distributors, manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors, but eliminates a provision requiring the Board to make open for public examination its register of the names, addresses, and date of licensure for those licensees.

(15) Requires manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors to query the Board's roster of licensees before selling or distributing dangerous drugs at wholesale. Requires documentation of the query results be kept for at least three years. Specifies that, if the results of the query demonstrate that the purchaser is licensed, another query regarding that purchaser is not required until 12 months have elapsed since the results were obtained.

(16) Authorizes the Board to specify a time frame in rule within which a manufacturer, outsourcing facility, third-party logistics provider, repackager, or wholesale distributor must notify the Board if the person ceases to engage in the activities for which the license was issued (notice is required under current law but no time frame is specified).

(17) Authorizes the Board to enter into agreements with other states, federal agencies, and other entities to exchange information concerning licensing and inspection of manufacturers, outsourcing facilities, third-party logistics providers, repackagers, and wholesale distributors located within or outside Ohio and to investigate alleged violations of the laws and rules governing distribution of drugs by them.

(18) Requires that any information received pursuant to such an agreement is subject to the same confidentiality requirements that apply to the agency or entity from which the information was received and it cannot be released without prior authorization from that agency or entity.

Executive

(19) Provides that if notice of an opportunity for a hearing is required, but a license holder does not make a timely request for a hearing, the Board is not required to hold a hearing. Allows the Board to adopt a final order that contains the Board's findings. Permits the Board to impose any of the sanctions allowed by the law.

(20) Provides that, notwithstanding continuing law, the sealing of the following criminal records does not have an effect on the Board's action or any sanction imposed: records of any conviction, guilty plea, judicial finding of guilt resulting from a plea of no contest, or a judicial finding of eligibility for a pretrial diversion program or intervention in lieu of conviction.

Fiscal effect: Likely significant annual increase in fee and fine revenues credited to the Occupational Licensing and Regulatory Fund (Fund 4K90), which is the primary source of the Board's financing. Likely minimal onetime and ongoing annual operating expenses to comply with the bill's changes.

PRXCD9 Transfer of home medical equipment service provider licensure from the Respiratory Care Board

**R.C. *4729.021, 4752.22, 4752.24, conforming
changes in Chapter 4752., Section 515.34***

(1) Abolishes the Ohio Respiratory Care Board and places its duties with respect to home medical equipment service providers with the State Board of Pharmacy. Specifies that existing licenses, certificates, permits, registrations, or endorsements, issued before January 21, 2018, will continue in effect as if issued by the State Board of Pharmacy.

(2) Requires the State Board of Pharmacy to appoint a home medical equipment services advisory council to advise the Board on issues relating to providing home medical equipment services. Specifies the terms of membership and that the council is to have no more than seven members. Specifies that members may receive a per diem for each day the member performs official duties and be reimbursed for actual and necessary expenses.

(3) Provides that employees of the Respiratory Care Board are transferred to the State Medical Board, or the State Board of Pharmacy, as applicable, and are to retain their positions and benefits. Specifies that between January 21, 2018 and June 30, 2019, the Executive Director of the Medical Board or Pharmacy Board may establish, change, and abolish positions on the Board and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all employees.

(4) Allows the boards abolished by the bill to establish a retirement incentive plan for eligible employees of those boards who are Public Employees Retirement System (PERS) members. Specifies that the plan remains in effect until January 20, 2018.

Fiscal effect: Presumably, other than the onetime cost to move the program and related personnel from the Respiratory Care Board to the State Board of Pharmacy, there is no ongoing state fiscal effect as the revenue and related expenditures are simply shifting from one state agency to another.

Executive

PRXCD3 Pharmacist licensure

R.C. **4729.06, 4729.08, 4729.09, 4729.11, 4729.12,
4729.13, 4719.15, 4729.16, 4729.67, 4729.14
(repealed)**

- (1) Replaces annual licensure of pharmacists and pharmacy interns with a period to be specified in rules adopted by the Board and specifies that the period cannot exceed 24 months unless the Board extends it in rule to adjust license renewal schedules.
- (2) Prohibits a pharmacist or pharmacy intern who fails to renew by the renewal date from engaging in the practice of pharmacy until a valid license is issued by the Board.
- (3) Requires an applicant to comply with criminal records check requirements that apply to initial licensees, as well as pass an examination as required by current law, in order to renew a license that has been expired for more than three years.
- (4) Adjusts the license renewal fees for pharmacists and pharmacy interns to account for biennial registration, and also increases the fees as follows:
- (a) For renewal of a pharmacist's license before it expires, increases the fee to \$250 per biennium (from \$97 per year);
 - (b) For renewal of a license that has expired for less than three years, increases the fee to \$250 per biennium plus a late fee of \$50 per year or fraction of a year that the renewal is late (from \$135 per year).
 - (c) For certifying licensure and grades for reciprocal licensure, increases the fee to \$35 (from \$10).
- (5) Extends an existing fee waiver for active duty members of the U.S. armed forces to the spouses of active duty members.
- (6) Eliminates pocket identification cards, including the requirements that:
- (a) The Board issue pocket identification cards to pharmacists and pharmacy interns;
 - (b) Pharmacists and pharmacy interns carry the cards while practicing pharmacy; and
 - (c) The Board provide a replacement for lost or destroyed cards.
- (6) Eliminates a requirement that a pharmacist and pharmacy intern display a license at the principal place where the pharmacist or intern practices.
- (7) Requires the Board to define in rule what it means to be of "good moral character" for purposes of pharmacist and pharmacy intern licensure.
- (8) Eliminates a provision authorizing the Board to appoint a director of its existing pharmacy internship program.

Executive

Fiscal effect: Likely significant annual increase in fee and fine revenues credited to the Occupational Licensing and Regulatory Fund (Fund 4K90), which is the primary source of the Board's financing. Likely minimal onetime and ongoing annual operating expenses to comply with the bill's changes.

PRXCD1 **Investigative records**

R.C. 4729.23

- (1) Specifies that information received by the State Board of Pharmacy during an investigation of a license holder is confidential and not subject to discovery in a civil action, and that any record that identifies a patient, confidential informant, or individual who files a complaint with the Board or may reasonably lead to the patient's, informant's, or complainant's identification is not a public record under the Public Records Law and is not subject to inspection or copying under disclosure laws that apply to other state implemented personal information systems.
- (2) Requires the Board to conduct all investigations or inspections and proceedings in a manner that protects the confidentiality of patients, confidential informants, and complainants, and prohibits the Board from making public the names or any other identifying information of these individuals unless the individual consents or, in the case of a patient, a waiver of the patient privilege exists.
- (3) Permits the Board, for good cause shown, to disclose or authorize disclosure of information gathered pursuant to an investigation.
- (4) Permits the Board, upon request, to share any information it receives pursuant to an investigation or inspection, including patient records and patient record information, with law enforcement agencies, other licensing boards, and other state or federal governmental agencies that are prosecuting, adjudicating, or investigating alleged violations of statutes or rules and requires an agency or board that receives the information to generally comply with the same requirements regarding confidentiality that apply to the Board.
- (5) Specifies that any information the Board receives from a state or federal agency is subject to the same confidentiality requirements as the agency from which it was received and must not be released by the Board without prior authorization from that agency.
- (6) Specifies that the bill's confidentiality provisions also apply to any Board activity that involves continued monitoring of a license holder for substance abuse treatment or recovery purposes as part of or following any disciplinary action the Board takes against a license holder.

Fiscal effect: Uncertain.

Executive**PRXCD12 Subpoenas****R.C. 4729.24**

(1) Permits the State Board of Pharmacy, when investigating alleged violations of the Pharmacists and Dangerous Drug Law, to:

- (a) Order the taking of depositions;
- (b) Examine and copy any books, accounts, papers, records, documents, and other tangible objects;
- (c) Issue subpoenas;
- (d) Compel the attendance of witnesses and production of books, accounts, papers, records, documents, and other tangible objects; and
- (e) Apply to the Franklin County Court of Common Pleas, if a person fails to comply with a Board-issued subpoena, for an order compelling the production of persons or records.

(2) Specifies that a subpoena for patient record information may be issued only with the approval of the Board's Executive Director and President or the President's designee, in consultation with the Attorney General's office.

(3) Requires the Executive Director and the Attorney General's office, before issuing the subpoena, to determine whether there is probable cause to believe that:

- (a) The complaint filed alleges, or an investigation has revealed, a violation of the Pharmacists and Dangerous Drug Law;
- (b) The records sought are relevant to the alleged violation and are material to the investigation; and
- (c) The records cover a reasonable period of time surrounding the alleged violation.

(4) Specifies that a subpoena issued by the Board may be served by a sheriff, sheriff's deputy, or a Board employee and that service may be made by delivering a copy of the subpoena to the person named in the subpoena or by leaving it at the person's usual residence.

(5) Permits the Board to adopt rules in accordance with the Administrative Procedure Act establishing procedures to be followed in issuing subpoenas, including procedures regarding payment for and service of subpoenas.

Fiscal effect: Uncertain.

Executive

PRXCD6 Terminal distributor licensure

R.C. 4729.54, 4729.51, 4729.57, 4729.571, 4729.60

- (1) Eliminates category I and limited category I licensure for terminal distributors of dangerous drugs.
- (2) Eliminates a requirement that every terminal distributor license indicate on its face the category of licensure, and for a limited category license, specification that the licensee can possess, have custody or control of, and distribute only the dangerous drugs listed in the license application.
- (3) Eliminates a requirement that the list of drugs which an applicant is seeking to possess that is included with a limited category license application be notarized.
- (4) Eliminates a provision requiring notarization of the standing orders or protocols that must be submitted with the application for licensure as a terminal distributor when the applicant is an emergency medical service organization, but adds a physician signature requirement to a provision that requires submission of a list of dangerous drugs the organization's units may carry.
- (5) Eliminates a requirement that an emergency medical service organization licensed as a terminal distributor must immediately notify the State Board of Pharmacy of changes to its standing orders or protocols that were submitted with its application. Requires instead that the Board adopt rules specifying when the Board must be notified of changes to any of the documentation that was submitted with the application.
- (6) Eliminates a provision requiring notarization of the standing orders or protocols that must be submitted with the application for licensure as a terminal distributor when the applicant is an animal shelter. Requires the Board adopt rules specifying when the Board must be notified of changes to any of the documentation that was submitted with the application.
- (7) Specifies that licenses for terminal distributors are valid for a period specified in rules, and the period cannot exceed 24 months unless the Board extends it in rule to adjust license renewal schedules (current law that specifies licenses are valid for 12 months).
- (8) Prohibits a license holder who is a terminal distributor that fails to renew by the renewal date from engaging in the retail sale, possession, or distribution of dangerous drugs until a valid license is issued.
- (9) Specifies that if a renewal application has not been submitted by the 61st day after the renewal date, the license is considered void and cannot be renewed, but the license holder may reapply for licensure.
- (10) Adjusts license renewal fees to account for biennial registration and increases the fees as follows:

Executive

- (a) For issuance of a category II or limited category II license, increases the fee to \$320 per biennium (from \$112.50 per year);
- (b) For issuance of a category III or limited category III license, increases the fee to \$440 per biennium (from \$150 per year);
- (c) For issuance of a license to a person practicing veterinary medicine, \$120 per biennium (from \$40 per year);
- (d) For renewal of an expired license, the fee is increased to that of the fee paid for the initial license (see above), plus a \$110 penalty fee per biennium (the penalty is currently \$55 per year).
- (11) Authorizes the Board restrict or limit licenses and to reprimand license holders or place them on probation.
- (12) Adds causes to the conduct for which the Board can impose discipline on terminal distributors, including for the conviction of a felony and any other causes set forth by the Board in rules.
- (13) Authorizes the Board to suspend a license without a hearing if the Board determines that there is clear and convincing evidence that the method used to possess dangerous drugs presents a danger of immediate and serious harm to others (in addition to current law that authorizes a summary suspension if the method of distributing presents such an immediate danger).
- (14) Specifies that a summary license suspension is void on the 121st day after the suspension if the Board has not issued its final adjudication before that date, rather than on the 91st day as under current law.
- (15) Modifies the investigation a terminal distributor of dangerous drugs must conduct before purchasing dangerous drugs at wholesale by requiring the terminal distributor to query the Board's roster of licensees before purchasing. Requires documentation of the query results be kept for at least three years. Specifies that, if the results of the query demonstrate that the seller is licensed, another query regarding that seller is not required until 12 months have elapsed since the results were obtained.
- (16) Authorizes the Board to specify a time frame in rule within which a terminal distributor must notify the Board if the person ceases to engage in the activities for which the license was issued (notice is required under current law but no time frame is specified).
- (17) Authorizes the Board to enter into agreements with other states, federal agencies, and other entities to exchange information concerning licensing and inspection of terminal distributors located within or outside Ohio and to investigate alleged violations of the laws and rules governing distribution of drugs by them.
- (18) Requires that any information received pursuant to such an agreement is subject to the same confidentiality requirements that apply to the agency or entity from which the information was received and it cannot be released without prior authorization from that agency or entity.

Executive

(19) Provides that if notice of an opportunity for a hearing is required, but a license holder does not make a timely request for a hearing, the Board is not required to hold a hearing.

(20) Allows the Board to adopt a final order that contains the Board's findings. Permits the Board to impose any of the sanctions allowed by the law.

(21) Provides that, notwithstanding continuing law, the sealing of the following criminal records does not have an effect on the Board's action or any sanction imposed: records of any conviction, guilty plea, judicial finding of guilt resulting from a plea of no contest, or a judicial finding of eligibility for a pretrial diversion program or intervention in lieu of conviction.

Fiscal effect: Likely significant annual increase in fee and fine revenues credited to the Occupational Licensing and Regulatory Fund (Fund 4K90), which is the primary source of the Board's financing. Likely minimal onetime and ongoing annual operating expenses to comply with the bill's changes.

PRXCD2**Drug database access and information retention****R.C. 4729.80, 4729.82, 4729.86**

(1) Authorizes or requires the Board to provide the following from the drug database known as the Ohio Automated Rx Reporting System (OARRS):

(a) Information requested by an agency that licenses health care professionals relating to a government expert witness in an active investigation being conducted by the agency;

(b) Information requested by a judge of a drug court certified by the Ohio Supreme Court relating to a current or prospective participant of a drug court program;

(c) Information requested by the examining coroner, deputy coroner, or coroner's delegate about a deceased person.

(2) Permits the Board to provide a prescriber with a summary of the prescriber's prescribing record if such a record is created by the Board (summary information is subject to the confidentiality requirements of existing law).

(3) Authorizes the Board to provide to a designated representative of the Department of Medicaid records of requests for OARRS information made by a prescriber who is treating or has treated a Medicaid recipient.

(4) Requires the Board to retain OARRS information and make it accessible to identified persons for at least five years (current law requires retention for three years). Extends to five years the time after which information identifying a patient must be destroyed. Permits the Board to retain such information for longer than five years if it considers retention necessary to serve an investigatory or public health purpose.

Fiscal effect: Uncertain.

Executive

PRXCD4 Sanctions against unlicensed pain management clinics**R.C. 4729.552**

Expands the State Board of Pharmacy's authority to impose a fine of up to \$5,000 for violation of pain management clinic licensure requirements by authorizing the fine to be imposed on any person who violates those requirements, as opposed to only if the violator holds a license as a terminal distributor of dangerous drugs.

Fiscal effect: Potential annual increase in fine revenue credited of the Occupational Licensing and Regulatory Fund (Fund 4K90).

Executive

PHSCD1 Creation of the State Physical Health Services Board

**R.C. *4744.06, 125.22, 4744.07-4744.54,
conforming changes in Chapters 4755., 4779.,
and other sections, Section 515.32***

Creates the State Physical Health Services Board (PHS) by consolidating the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board (OTPTAT) with the State Board of Orthotics, Prosthetics, and Pedorthics (OPP). Abolishes the existing boards on January 21, 2018. Specifies that any existing licenses, certificates, permits, registrations, or endorsements issued before January 21, 2018 by any of these abolished boards will continue in effect as if issued by PHS.

Specifies that PHS will have nine board members appointed by the Governor. Specifies the terms of office and that members will receive a per diem for performing official duties as well as actual and necessary expenses. Requires PHS to hire an executive director.

Establishes regulatory procedures for PHS that are similar to current law's provisions that apply to OTPTAT and OPP.

Requires PHS to establish a code of ethical practice for each occupation it will regulate and authorizes PHS to take disciplinary action against an applicant or license holder for violating a code of ethics, which applies under current law to most of the occupations.

Provides that employees of OTPTAT and OPP are transferred to PHS, as applicable, and are to retain their positions and benefits. Allows the PHS Executive Director, beginning January 21, 2018 through June 30, 2019, to establish, change, and abolish positions on the board and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all board employees.

Allows OTPTAT and OPP to establish a retirement incentive plan for eligible employees who are Public Employees Retirement System members. Specifies that the plan remains in effect until January 20, 2018.

Requires license applicants for all occupations regulated by PHS to undergo criminal records checks to receive a license.

Generally provides for electronic occupational license applications and renewals.

Fiscal effect: PHS is appropriated \$0.6 million in FY 2018 and \$1.1 million in FY 2019 to perform the duties required by the bill.

Executive

PUBCD5 Indigent Defense Support Fund**R.C. 120.08**

Modifies existing law by specifying that the State Public Defender must use 83% (decreased from 88%) of the money in the Indigent Defense Support Fund (Fund 5DY0) for the purposes of reimbursing county governments for expenses incurred for indigent defense and that the State Public Defender may not use more than 17% (increased from 12%) of the money in the Fund for the purposes of appointing assistant state public defenders, providing other personnel, equipment, and facilities necessary for the operation of the State Public Defender office, and providing training, developing and implementing electronic forms, or establishing and maintaining an information technology system.

Fiscal effect: Potential: (1) reduction in the amount of funding expended annually from Fund 5DY0 for the county reimbursement system, and (2) increase in the funding available for the State Public Defender's operating expenses by the same amount.

PUBCD6 Affidavit of Indigency**R.C. 120.33, 120.36, and 2941.51**

Removes the existing requirement that a sworn and notarized affidavit of indigency accompany the financial disclosure form completed by an indigent person when seeking counsel for public defense.

Fiscal effect: None.

PUBCD1 Indigent defense office**Section: 371.10**

Requires GRF appropriation item 019404, Trumbull County - State Share, and DPF Fund 4X70 appropriation item 019610, Trumbull County - County Share, be used to support an indigent defense office for Trumbull County.

Executive

PUBCD2 Multi-county office**Section: 371.10**

Requires GRF appropriation item 019403, Multi-County: State Share, and DPF Fund 4C70 appropriation item 019601, Multi-County: County Share, be used to support the Commission's Multi-County Branch Office Program.

PUBCD3 Training account**Section: 371.10**

Requires GRF appropriation item 019405, Training Account, be used to provide legal training programs at no cost for private appointed counsel who represent at least one indigent person at no cost, state and county public defenders, and attorneys who contract with the Ohio Public Defender to provide indigent defense services.

PUBCD4 Federal representation**Section: 371.10**

Requires that FED Fund 3S80 appropriation item 019608, Federal Representation, be used to support representation provided by the Ohio Public Defender in federal court cases.

Executive

DPSCD18 Public Safety funds related to seizures of money**R.C. 4501.07, 5502.1321**

- (1) Establishes the Public Safety Highway Patrol Custodial Fund, consisting of all money seized during investigations or other enforcement activities of the Ohio State Highway Patrol (except as otherwise provided).
- (2) Establishes the Ohio Investigative Unit Contingency Fund, consisting of all money seized during investigations or other enforcement activities of the Department of Public Safety Investigative Unit prior to January 1, 2017.
- (3) Establishes the Ohio Investigative Unit Custodial Fund, consisting of all money seized during investigations or other enforcement activities of the Department of Public Safety Investigative Unit on and after January 1, 2017.
- (4) Requires the money noted above be held by the Treasurer of State, but not as part of the state treasury. Requires the money to be transferred upon the resolution of legal proceedings under the forfeiture law.

Fiscal effect: None, as the provision codifies current practice.

DPSCD24 OVI drug concentration technology requirements**R.C. 4511.19**

Eliminates "gas chromatography mass spectrometry" as the sole technology used to measure the concentration of marihuana metabolite for purposes of the OVI law, thus allowing the use of different technologies.

Fiscal effect: None.

DPSCD19 State disaster relief**Section: 373.20**

Permits the State Disaster Relief Fund (Fund 5330) to be used for the following purposes:

- (1) Accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency (Ohio EMA) disaster response costs and disaster program management costs.

Executive

- (2) Accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio EMA public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs.
- (3) Accept transfers of cash to reimburse costs associated with the Emergency Management Assistance Compact (EMAC).
- (4) Accept disaster-related reimbursement from federal, state, and local governments, and permits the Director of Budget and Management to transfer cash from reimbursements received by Fund 5330 to other state funds from which transfers were originally approved by the Controlling Board.
- (5) Accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters qualifying for the program by written authorization of the Governor, and the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization of the Governor, and requires the Ohio EMA to publish and make available application packets outlining procedures for these two programs.

DPSCD20 Transfer from State Fire Marshal Fund to Emergency Management Agency Service Reimbursement Fund

Section: 373.20

- (1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$200,000 from the State Fire Marshal Fund (Fund 5460) used by the Department of Commerce to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) used by the Department of Public Safety.
- (2) Requires those amounts to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit, other similar urban search and rescue programs around the state, and for maintenance of the statewide fire emergency response by an entity recognized by the Ohio Emergency Management Agency.

DPSCD21 Community police relations

Section: 373.20

Requires DPF Fund 5RS0 appropriation item 768621, Community Police Relations, be used to implement key recommendations of the Ohio Task Force on Community-Police Relations, including a database on use of force and officer involved shootings, a public awareness campaign, and state-provided assistance with policy-making manuals.

Executive

DPSCD22 SARA Title III HAZMAT planning**Section: 373.20**

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 6810) to receive grants from the Emergency Response Commission to implement the Ohio Emergency Management Agency's responsibilities under R.C. Chapter 3750.

Executive

PUCCD3 Power Siting Board updates

R.C. 4906.01, 4906.10, 4906.13

Redefines "major utility facility" to include an electric transmission line and associated facilities with a design capacity of 100 kilovolts or more rather than 125 kilovolts or more.

Eliminates the two-year initial operation period during which the Ohio Environmental Protection Agency (OEPA) monitors and enforces compliance by newly certificated electric generating major utility facilities with OEPA law.

Eliminates from the Ohio Power Siting Board (OPSB) law those provisions stating that a major utility facility (1) is under OEPA continuing jurisdiction and (2) must comply with all laws, rules, and standards regarding air and water pollution and solid and hazardous waste disposal laws.

Limits a public agency or political subdivision from requiring approval, consent, a permit, a certificate, or any other condition for the operation of a major utility facility or an economically significant wind farm (under current law the limit is imposed only on initial operation).

Fiscal effect: Potential increase in the volume of applications and related fees paid to the OPSB by major utility facility owners. The current application fee for an electric power transmission line and other associated facilities ranges from \$10,000 to \$50,000. The amount is based on the estimated construction cost of the facility, and the OPSB chairman may charge the applicant a supplemental application fee to cover any necessary expenses incurred by OPSB in reviewing the application. Both 115 kilovolts (kV) and 120kV are standard electric transmission line voltages that would be newly subject to OPSB authority under the bill, but LSC is only aware of one such presence in Ohio. When the OPSB approved construction of the Blue Creek wind farm in 2010, it approved the installation of an electric collection system to transfer energy from the wind turbines to the collection substations and then to the electric transmission grid. The approved collection system included 7.4 miles of 115kV aboveground lines. According to data from PJM, which is the regional transmission organization that coordinates the movement of electricity in all or parts of 13 states (including Ohio) and the District of Columbia, Ohio's only 115kV facilities (shunt capacitors, transformers, and associated equipment) are located at the Blue Creek substation in Paulding County.

Executive

PUCCD2 Registration, permitting, and application fee changes

R.C. **4921.19, 3734.15, 4905.02, 4921.01, 4921.21, 4923.02, Repealed: 4921.15, 4921.16**

(1) Eliminates the uniform registration and permitting of persons engaged in the transportation of hazardous materials by the Public Utilities Commission of Ohio (PUCO) and makes conforming changes. Requires a person to file an annual registration statement with, and pay an annual registration fee to, the U.S. Department of Transportation in accordance with federal rules in order to transport hazardous waste in Ohio, rather than requiring the person to obtain a uniform permit from PUCO as required by current law.

(2) Eliminates several requirements that apply to PUCO when establishing the application fee for a certificate for the transportation of household goods (e.g., moving companies) that is based on the certificate holder's gross revenue.

Fiscal effect: According to PUCO's budget request, the current language applicable to hazardous materials ("hazmat") registrations is duplicative. Eliminating the hazmat registration requirement will reduce agency revenues by approximately \$400,000 per year. PUCO expects regulated hazmat operations to continue operating at the same level. In doing so, agency expenditures related to hazmat enforcement activities will be funded through motor carrier enforcement registration fees. Separately, the current household goods fee paid by for-hire motor carriers ranges from \$100 to \$300 per year. Current law requires PUCO to set multi-tiered fee amounts based on ranges of carriers' gross revenue. PUCO must also consider over and under collection of the fees when setting these amounts, and it must take into consideration the revenue generated from related forfeitures assessed on household goods transporters.

PUCCD1 Fines applicable to transporters of hazardous material

R.C. **4923.99**

Eliminates the requirement that the Public Utilities Commission use a system for determining the amount of forfeitures that may be imposed on transporters of hazardous material or hazardous waste that is comparable to the recommendations of the Commercial Vehicle Safety Alliance.

Fiscal effect: According to PUCO, the Commercial Vehicle Safety Alliance, which is a nonprofit association, no longer updates its recommendations due to a lack of adoption among state regulators. Therefore, the provision will enable greater flexibility for PUCO when updating civil forfeitures by rule.

Executive

PUCCD5 **Modification of lifeline telephone service****R.C. 4927.13**

Reconciles the eligibility for lifeline service that is based on household income to federal rules, effectively lowering the income threshold from 150% of the federal poverty level to 135%. Reduces from 60 days to 30 the time a customer has, after receiving a lifeline service termination notice, to submit documentation of continued eligibility or to dispute the termination. Eliminates the requirement that lifeline service be touch-tone, flat-rate, and for a primary line.

Fiscal effect: No state budget effect because the Lifeline program is administered by an independent not-for-profit designated by the Federal Communications Commission (FCC). The proposed change to state law is made in response to actions by the FCC. On March 31, 2016, the FCC adopted an order that it described as "a comprehensive reform and modernization of the Lifeline program."

PUCCD6 **Utility Radiological Safety Board assessments****Section: 506.10**

Specifies, absent contractual agreements, the maximum amounts that may be assessed against each nuclear electric utility under R.C. 4937.05 on behalf of four state agencies and deposited into the specified funds as follows:

- (1) \$125,000 in each fiscal year to the Utility Radiological Safety Fund (Fund 4E40), which is used by the Department of Agriculture.
- (2) \$1,086,098 in each fiscal year to the Radiation Emergency Response Fund (Fund 6100), which is used by the Department of Health.
- (3) \$298,304 in FY 2018 and \$303,174 in FY 2019 to the ER Radiological Safety Fund (Fund 6440), which is used by the Environmental Protection Agency.
- (4) \$1,200,000 in each fiscal year to the Emergency Response Plan Fund (Fund 6570), which is used by the Department of Public Safety.

Fiscal effect: Up to \$2.8 million in each fiscal year may be assessed against nuclear electric utilities and made available to the four state agencies for their statutory purposes.

Executive**PUCCD4 PUCO research regarding the electric distribution system****Sections: 749.10, R.C. 4928.02**

Requires the Public Utilities Commission (PUCO) to research the latest technological and regulatory innovations for the electric distribution system. Permits PUCO to examine any resulting research work product and issue a report summarizing its findings and recommending a course of action to implement cost-effective distribution system innovations. Revises the state competitive retail electric services policy to include researching and implementing technological and regulatory innovations in the electric distribution system.

Fiscal effect: Potential increase in agency costs, which would likely be incurred by the Public Utilities Fund (Fund 5F60).

Executive

PWCCD4 Clean Ohio Conservation General Obligation Bond Debt Service**Section: 377.20**

Requires GRF appropriation item 150904, Conservation General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the FY 2018-FY 2019 biennium for obligations issued for the Clean Ohio Conservation Program.

PWCCD5 Infrastructure Improvement General Obligation Bond Debt Service**Section: 377.20**

Requires GRF appropriation item 150907, Infrastructure Improvement General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the FY 2018-FY 2019 biennium for obligations issued for the State Capital Improvement Program.

PWCCD6 Clean Ohio Conservation Program Operating**Section: 377.20**

Requires Clean Ohio Conservation Fund (Fund 7056) appropriation item 150403, Clean Ohio Conservation Operating, to be used by PWC to administer the Clean Ohio Conservation Program.

PWCCD7 State Capital Improvement Program Operating**Section: 377.20**

Requires State Capital Improvements Fund (Fund 7038) appropriation item 150321, State Capital Improvements Program - Operating, to be used by PWC to administer the State Capital Improvements Program.

Executive

PWCCD8 Administrative costs of District Public Works Intergrating Committees**Section: 377.20**

Authorizes PWC to use proceeds of the State Capital Improvement Fund (Fund 7038) and the Local Transportation Improvement Program Fund (Fund 7052) for a District Administration Costs Program, which covers administrative costs incurred by individual District Public Works Integrating Committees (DPWICs). Permits no more than \$1,235,000 per fiscal year to be made available for reimbursement and prohibits any of the 19 DPWICs from receiving more than \$65,000 per fiscal year for these costs.

Requires PWC to define allowable costs for the program. Specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable.

Requires DPWICs to approve such costs in order to participate in the program.

PWCCD9 Administrative costs of Natural Resource Assistance Councils**Section: 377.20**

Authorizes PWC to use proceeds of the Clean Ohio Conservation Fund (Fund 7056) for a District Administration Costs Program, which covers administrative costs incurred by Natural Resource Assistance Councils (NRACs). Prohibits any of the 19 NRACs from receiving more than \$15,000 per fiscal year for these costs.

Requires PWC to define allowable costs of the program. Specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable.

Executive

RACCD1 Wagering tax distribution**R.C. 3769.087**

Requires 0.25% of exotic wagers on quarterhorse races to be paid into the Ohio Thoroughbred Race Fund (Fund 5620). Reduces from 0.5% to 0.25% the amount of exotic wagers on thoroughbred races to be paid into Fund 5620.

Fiscal effect: This results in the correction of a technical error made in Am. Sub. H.B. 64 of the 131st General Assembly. No practical fiscal effect, as the proposed changes to wagering tax distribution are believed to have already been in practice.

RACCD2 Abolishment of the Racetrack Relocation Fund**Section: 512.30**

Transfers the cash balance of the Racetrack Relocation Fund (Fund 5MG0) to the GRF in FY 2018. Abolishes Fund 5MG0 upon completion of the transfer, and directs future revenue intended for the abolished fund into the GRF.

Fiscal effect: None. As of February 2017, Fund 5MG0 has no cash balance; all revenue credited to the Racetrack Relocation Fund has already been disbursed or transferred to the GRF.

Executive

**DRCCD4 Location of imprisonment for commission of a felony
Grant****R.C. 2929.34**

(1) Modifies existing law by providing that a person who is convicted of or pleads guilty to a felony other than aggravated murder, murder, or an offense punishable by life imprisonment and who is sentenced to a term of imprisonment or a prison term pursuant to that conviction generally must serve that term in an institution under the control of the Department of Rehabilitation (DRC) if the term is a prison term of more than 12 months.

(2) Prohibits, on and after July 1, 2018, a person sentenced to a prison term that is 12 months or less for a fifth degree felony from serving that term in an institution under the control of DRC, and must instead serve the sentence as a term of confinement in a county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, in a community alternative sentencing center or district community alternative sentencing center, or a community-based correctional facility.

(3) Prohibits provision (2) above from applying to any person to whom any of the following apply: (a) the fifth degree felony was an offense of violence, a sex offense, or any offense for which a mandatory prison term is required, (b) the person previously has been convicted of or pleaded guilty to any felony offense of violence, or (c) the person previously has been convicted of or pleaded guilty to any felony sex offense.

Fiscal effect: The diversion of these offenders into community based sanctions will reduce state GRF incarceration related expenditures by an unspecified amount that may reach into tens of millions of dollars annually. The executive budget increases funding for community diversion programs, which are designed to reduce prison population growth, by 51.8% in FY 2018 to \$61.3 million and 32.2% in FY 2019 to \$81.1 million.

DRCCD6 Certificates of qualification for employment**R.C. 2953.25**

(1) Permits an out-of-state resident to apply for a certificate of qualification for employment (CQE) by filing a petition with the court of common pleas in any county where the conviction or guilty plea from which the individual seeks relief was entered, or with a designee of the deputy director of the Department of Rehabilitation and Correction's (DRC) Division of Parole and Community Services.

Executive

- (2) Provides that an application must state the length of time the applicant has resided in the person's current state of residence, rather than the applicant's time residing in this state.
- (3) Permits DRC to establish criteria by rule that would allow an individual to apply for a CQE before the expiration of six months or one year from final release from incarceration or supervision, whichever applies.
- (4) Removes the current requirement that an applicant for a CQE list the specific collateral sanctions from which the individual is seeking relief, and instead requires the applicant to provide a general statement as to why the individual has applied and how the CQE would assist the individual.
- (5) Removes a provision that prohibits a court from issuing a CQE that grants relief from certain collateral sanctions, and instead specifies that a CQE does not create relief from those sanctions.
- (6) Creates a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the license, employment opportunity, or certification in question, but permits the agency to deny the license or certification if it determines that the person is unfit for issuance of the license.
- (7) Requires, if an employer has hired a person who has been issued a CQE and applies to a licensing agency for a license or certification that otherwise would be barred due to the person's conviction record, the agency give the person individualized consideration and consider the mandatory civil impact as discretionary. Creates a rebuttable presumption that the person's criminal convictions are insufficient evidence that the person is unfit for the employment, or that the employer is unfit for the license or certification in question.
- (8) Directs DRC to maintain a database that identifies granted and revoked CQEs and the jobs and types of employers to which the CQEs have been most applicable. Requires DRC to annually create a publicly available report summarizing the information maintained in the database, and to make the report available on DRC's website.
- (9) Requires DRC to revoke a CQE if the individual is convicted of or pleads guilty to a felony offense after receiving the CQE. Requires DRC to periodically review its database to identify certificates that are subject to revocation.
- (10) Requires DRC, upon identifying a CQE subject to revocation, to note in the database that the CQE has been revoked, the reason for revocation, and the effective date of revocation.

Fiscal effect: Potential minimal annual expenditure increase for DRC and the counties to comply with these provisions.

Executive

DRCCD3 Earned credit for completion of high school education in prison**R.C. 2967.193**

(1) Allows an incarcerated person to receive 90 days of earned credit toward completion of the person's stated prison term by earning an Ohio high school diploma or certificate of high school equivalence certified by the Ohio Central School System.

(2) Creates an exception to current law, which caps the aggregate days of credit an offender may earn at 8% of the total number of days in the person's stated prison term.

(3) Permits the 90 days of earned credit without regard to the type of offense that led to the person's confinement.

Fiscal effect: An indeterminate number of inmates will be released ninety days earlier than under current law, thereby reducing annual GRF incarceration related expenditures by an uncertain magnitude.

DRCCD5 Property Management Duties**R.C. 5120.22**

(1) Requires the Division of Business Administration within the Department of Rehabilitation and Correction (DRC) to deposit all money collected for rent, utilities, and leasing and services performed in accordance with a lease or agreement into the Property Receipts Fund (Fund 4830).

(2) Provides that if, after meeting the expenditure obligations required by law, the Division determines that Fund 4830 has excess funds, the Division may use money in the fund for services performed, construction, maintenance, repair, reconstruction, or demolition of any other facilities or property owned by DRC.

Fiscal effect: Potential annual increase in the amount of money appropriated from Fund 4830.

DRCCD9 Probation Improvement and Probation Incentive Grants**R.C. 5149.311**

(1) Modifies existing law to provide that eligibility for the Department of Rehabilitation and Correction's (DRC) probation improvement grant and probation incentive grant include county probation departments that supervise offenders sentenced by "county courts".

Executive

(2) Requires that the rules DRC adopts for the distribution of the probation improvement grant include the allocation of funds for the purpose of offsetting costs incurred by political subdivisions in relation to offenders who are prohibited from serving the term of imprisonment in an institution under the control of DRC pursuant to R.C. 2929.34.

(3) Modifies the requirement that DRC calculate annually any cost savings realized by the state from a reduction in the percentage of people who are incarcerated because their terms of supervised probation were revoked, and instead of the cost savings estimate being based on the difference from FY 2010 and the fiscal year under examination, the estimate be based on the average of such commitments from the five calendar years immediately preceding the calendar year in which the application for the grant was made and the fiscal year under examination

Fiscal effect: Uncertain.

DRCCD1 Adult correctional facilities lease rental bond payments**Section: 383.10**

Requires GRF appropriation item 501406, Adult Correctional Facilities Lease Rental Bond Payments, be used to meet all payments during the period from July 1, 2017, through June 30, 2019, by the Department of Rehabilitation and Correction under the primary leases and agreements for buildings under R.C. Chapters 152. and 154. Specifies that the appropriations are the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

DRCCD2 OSU medical charges**Section: 383.10**

(1) Requires The Ohio State University Medical Center, at the request of the Department of Rehabilitation and Correction (DRC), to provide necessary care to persons who are confined in state adult correctional facilities.

(2) Requires the provision of necessary inpatient care billed to DRC be reimbursed at the rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the Medicaid Program.

Executive**DRCCD7 Warren County land conveyance****Section: 753.10**

- (1) Authorizes the conveyance of approximately 1,053 acres of state-owned land in Warren County through a real estate purchase agreement or by sealed bid auction or public auction.
- (2) Requires, before selling the real estate, the Directors of the Department of Administrative Services (DAS) and the Department of Rehabilitation and Correction (DRC) determine the real estate is surplus real property no longer needed by the state and that the conveyance is in the best interest of the state.
- (3) Requires, if sold through a real estate purchase agreement, the consideration and terms and conditions be acceptable to the Directors of DAS and DRC, and the consideration be paid at closing.
- (4) Requires, if a sale is conducted by sealed bid auction or public auction, the real estate be sold to the highest bidder at a price acceptable to the Directors of DAS and DRC.
- (5) Requires the Director of DAS advertise the sealed bid auction or public auction by publication in a newspaper of general circulation in the county where the property is located, once a week for three consecutive weeks before the date on which the sealed bids are to be opened or the auction takes place.
- (6) Requires the Director of DAS advertise the sealed bid auction or public auction by publication in a newspaper of general circulation in the county where the property is located, once a week for three consecutive weeks before the date on which the sealed bids are to be opened or the auction takes place.
- (7) Requires the Director of DAS notify the successful offeror or bidder in writing, and may reject any or all bids. Requires the purchaser pay a deposit of 10% of the purchase price to the Director not later than five business days after receiving a notice that the purchaser's proposal or bid has been accepted, and enter into a real estate purchase agreement in the form prescribed by DAS.
- (8) Requires the purchaser pay the balance of the purchase price at closing, which must occur not later than 60 days after execution of the purchase agreement.
- (9) Requires payment be made by bank draft or certified check payable to the Treasurer of State. Specified that a purchaser who does not satisfy the conditions of the sale forfeit the 10% deposit as liquidated damages.
- (10) Requires the Director of DAS, if a purchaser fails to complete the purchase, to accept the next highest bid subject to the same conditions.

Executive

(11) Permits the Director, if the Director rejects all proposals or bids, to repeat the sealed bid auction or public auction, or use an alternative sale process considered acceptable by the Directors of DAS and DRC.

(12) Requires DRC pay all advertising costs incident to the sale of the real estate, and the purchaser pay all other costs associated with the purchase, closing, and conveyance of the real estate.

(13) Requires the Directors of DAS and DRC determine whether to convey the real estate as entire tracts or as multiple parcels, and whether to convey the real estate to a single purchaser or multiple purchasers. Requires the deeds conveying the property contain restrictions prohibiting the purchaser from occupying, using, developing, or selling the real estate if the occupation, use, development, or sale will interfere with the quiet enjoyment of neighboring state-owned land. Requires the proceeds from those conveyances be deposited into the Adult and Juvenile Correctional Facilities Bond Retirement Fund (Fund 7097).

Fiscal effect: Potential onetime revenue gain in money credited to Fund 7097, which is used for the purpose of debt retirement.

Executive

RDFCD1 Distribution of Local Government Fund money

**R.C. 131.44, 131.51, 5747.50, 5747.501, 5747.502,
5747.503, 5747.504, 5747.51, and Sections
757.20, 757.21, 757.22, 757.23, and 803.210**

Modifies monthly payments from the Local Government Fund (LGF) beginning in January 2018 as follows: (1) Continues the current set-aside and distributes the first \$1 million to townships (83.3%) and villages with a population of less than 1,000 (16.7%) based on the current formula. (2) Distributes the majority of the amount remaining after the township/small village set-aside - 95% in 2018, 87% in 2019, and 80% in 2020 and thereafter - through a formula based on each county's past share of LGF money through each county's undivided local government fund (CULGF) and subsequently distributed among the county government and other political subdivisions within such county. (3) Distributes a smaller portion of the amount after the township and small village set-aside - 5% in 2018, 13% in 2019, and 20% in 2020 thereafter - directly to subdivisions based on each type of subdivision's tax-raising capacity and population as compared to state averages.

Specifies the capacity factors for subdivisions as follows: for counties, sales and property tax; for municipal corporations, income tax or property tax, depending on whether the municipality levies an income tax; and for townships, property tax.

Requires county auditors to report to the Tax Commissioner the LGF amounts distributed to each political subdivision in the previous year, and allows the Commissioner to withhold future LGF payments from the county if the county does not report the required information.

Eliminates the current law LGF distribution formula, which is generally based on each CULGF's share of LGF money in 2013, and which included separate direct payments to municipal corporations.

Freezes the direct payments to municipalities that will be made between July and December of 2017 at 2016 levels, and continues the set-aside for townships and small villages between July and December 2017. Continues current law distributions during the first half of FY 2018 otherwise.

Fiscal effect: Maintains the existing law funding percentage for the LGF. In each month, LGF receives 1.66% of total GRF tax revenue collected during the preceding month. Compared with current law, certain political subdivisions may receive less while others may receive more distributions from the LGF beginning in January 2018. Generally, subdivisions having relatively low tax-raising capacity would receive relatively more money for a given population level.

Executive

RDFCD2 Additional appropriations**Section: 387.20**

Specifies that appropriation items in the RDF section be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. Appropriates additional needed amounts.

RDFCD3 General Revenue Fund transfers**Section: 387.20**

Allows the Director of Budget and Management, during FYs 2018 and 2019, to transfer from the GRF to the Local Government Tangible Property Tax Replacement Fund (Fund 7081) and the School District Tangible Property Tax Replacement Fund (Fund 7047), those amounts necessary to reimburse local taxing units and school districts under sections 5709.92 and 5709.93 of the Revised Code.

Allows the Director of Budget and Management, during FYs 2018 and 2019, to make temporary transfers from the GRF to ensure sufficient balances in Fund 7081 and Fund 7047 and to replenish the GRF for such transfers.

RDFCD4 Property tax reimbursement - education**Section: 387.20**

Specifies that GRF appropriation item 200903, Property Tax Reimbursement - Education, be used to pay for the state's costs incurred for school districts because of the homestead exemption, the property tax rollback, and reimbursements associated with conversion levies. Appropriates any additional amount needed to fully fund these costs.

Executive

RDFCD5 Property tax reimbursement - local government**Section: 387.20**

Specifies that GRF appropriation item 110908, Property Tax Reimbursement - Local Government, be used to pay for the state's costs incurred for local governments because of the homestead exemption, the manufactured home property tax rollback, and the property tax rollback. Appropriates any additional amount needed to fully fund these costs.

RDFCD6 Medicaid Local Sales Tax Transition Fund**Sections: 387.20, 512.50**

Creates the Medicaid Local Sales Tax Transition Fund (Fund 7104) in the State Treasury. Specifies that the fund is to consist of money transferred to it and that the fund be used to mitigate the effects of, and assist in the adjustment to, the reduced sales tax revenues of counties and affected transit authorities caused by the repeal of sales tax collected by Medicaid health insuring corporation on health care service transactions.

Specifies that transition payments use the counties' and transit authorities' annualized Medicaid sales tax revenues during the calendar years 2015 and 2016 and that payments consist of two parts: (a) full replacement of the calculated foregone Medicaid sales tax revenue in CY 2017, which will occur during the period from October 2017 through December 2017 and (b) payments that reflect a computation of the ability of the counties and transit authorities to reasonably adjust to the effects of foregone Medicaid sales tax revenues.

Requires all counties and affected transit authorities, if the Tax Commissioner orders cessation of collection of sales and use tax on transactions of Medicaid health insuring corporations, by October 15, 2017, to establish a County and Transit Authority Medicaid Sales Tax Transition Fund to receive transition payments from the state. Specifies the amount that is to be paid to each county and affected transit authority. Requires the Tax Commissioner, by November 1, 2017, to pay the amount specified in the bill to each county and transit authority.

Fiscal effect: Appropriates \$207 million from FY 2017 GRF ending balance, if the Director of Budget and Management determines that sufficient GRF revenue is available, to Fund 7104 item 110997, Medicaid Local Sales Tax Transition Fund, for these payments. Of the \$207 million, about \$49 million is deemed by the executive as a direct replacement for lost local FY 2017 revenue and the remaining \$158 million is to be distributed according to the formulas that are based on the ability of each county and transit authority to adjust to the effects of foregone Medicaid sales tax revenues. The dollar amounts to be distributed to each county from the appropriation are specified in Section 387.20 of the bill.

Executive

RDFCD7 Municipal Income Net Profits Tax**Section: 387.20**

Specifies that FID Fund 7095 appropriation item 110995, Municipal Income Net Profits Tax, be used to make payments to municipal corporations under Section 5745.05 of the Revised Code. Appropriates additional amounts that are necessary to make payments.

Executive

SANCD1 Sanitarian fee change for initial applications and renewals**R.C. 4736.12**

Increases the application fee to register as a sanitarian-in-training and for a sanitarian-in-training to register as a sanitarian from \$80 to \$120. Increases the registration renewal fee for registered sanitarians and sanitarians-in-training from \$90 to \$105.

Fiscal effect: The increased initial applications fees to register as a sanitarian-in-training and for a sanitarian-in-training to register as a sanitarian will generate about \$21,500 annually in additional revenue beginning in FY 2018. The increased renewal fees for sanitarians-in-training and registered sanitarians will generate an additional \$13,600 over the biennium.

Executive

SOSCD8 Ballot advertising costs**R.C. 395.20**

Allows the Controlling Board, upon request of the Secretary of State, to approve transfers from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Statewide Ballot Advertising Fund (Fund 5FH0) in order to pay for the cost of public notices associated with statewide ballot initiatives.

SOSCD1 Precinct Election Officials Training**Section: 395.20**

Requires appropriation item 050631, Precinct Election Officials Training, to be used to reimburse county boards of elections for precinct election official (PEO) training pursuant to R.C. 3501.27. Reappropriates the unexpended, unencumbered portion of the line item at the end of FY 2018 for the same purpose in FY 2019.

SOSCD2 Board of Voting Machine Examiners**Section: 395.20**

Requires that Fund 4S80 appropriation item 050610, Board of Voting Machine Examiners, be used for the services and expenses of the members of the Board of Voting Machine Examiners and for other expenses that are authorized to be paid from the Board of Voting Examiners Fund (Fund 4S80).

Requires that moneys not used to be returned to the person or entity submitting equipment for examination. States that if it is determined that additional appropriations are necessary, such amounts are appropriated.

Executive

SOSCD3 Holding account fund group**Section: 395.20**

Requires that Fund R001 appropriation item 050605, Uniform Commercial Code Refunds, and Fund R002 appropriation item 050606, Corporate/Business Filing Refunds, be used to hold revenues until they are directed to appropriate accounts or until they are refunded, and appropriates additional amounts if necessary.

SOSCD4 Miscellaneous Federal Grants**Section: 395.20**

Requires that Fund 3FM0 appropriation item 050624, Miscellaneous Federal Grants, be used to support programs that are supported by federal grants deposited into the Miscellaneous Federal Grants Fund (Fund 3FM0) pursuant to section 111.28 of the Revised Code.

SOSCD5 Address Confidentiality Program**Section: 395.20**

Allows the Director of Budget and Management, upon request of the Secretary of State, to transfer up to \$50,000 per fiscal year in cash from the Business Services Operating Expenses Fund (Fund 5990) to the Address Confidentiality Program Fund (Fund 5SN0).

Executive

SOSCD6 Litigation Related Expenses**Section: 395.20**

Allows the Director of Budget and Management, upon request of the Secretary of State, to transfer cash and appropriation from any fund and appropriation item used by the Secretary of State to the Litigation Related Expenses Fund (Fund 5QE0) appropriation item 050625, Litigation Related Expenses, or Business Services Operating Expenses Fund (Fund 5990) appropriation item 050628, Litigation Related Expenses. The amounts transferred shall be used to pay for any expenses related to lawsuits or legal proceedings against the Secretary of State.

SOSCD7 Absent voter's ballot application mailing**Section: 395.20**

Allows the Controlling Board, upon request of the Secretary of State, to approve cash transfers from the Controlling Board Emergency Purposes/Contingencies Fund (5KM0) to the Absent Voter's Ballot Application Mailing Fund (Fund 5RG0) to be used by the Secretary of State to pay the costs of printing and mailing unsolicited applications for absent voters' ballots.

Executive

SENCD1 Operating expenses**Section: 397.10**

Permits the Clerk of the Senate, on July 1 of each fiscal year, or as soon as possible thereafter, to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 020321, Operating Expenses, to be reappropriated from FY 2017 to FY 2018, and similarly, from FY 2018 to FY 2019.

Executive

CSFCD1 Debt service costs**Section: 401.10**

Specifies that appropriation items of the Commissioners of the Sinking Fund be used for the purpose of paying debt service and financing costs during the period from July 1, 2017 through June 30, 2019 on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, to fully fund debt service and financing costs.

Fiscal effect: None.

Executive

Personal Income Tax**TAXCD3 Suspension of inflation indexing of income tax brackets and exemptions****R.C. 5747.02, 5747.025**

Suspends annual inflation indexing in tax years 2017 and 2018 of (1) the income ranges for the personal income tax brackets and (2) the amounts claimed per exemption.

Fiscal effect: Increases personal income tax revenue by \$46 million in FY 2018 and \$121 million in FY 2019. Increases revenue to the Local Government Fund (Fund 7069) and the Public Library Fund (Fund 7065) by a total of \$2 million in FY 2018 and \$4 million in FY 2019. Increases revenue retained by the GRF by \$44 million and \$117 million in these years. LSC assumes that this provision of the bill will be applied by retaining the increases in personal exemption amounts that resulted from inflation indexing in 2016.

TAXCD49 Reduction of income tax rates and number of brackets**R.C. 5747.02**

Reduces the number of income tax brackets for individual nonbusiness income, trusts, and estates from nine to five. Reduces income tax rates applicable to such income in most income ranges for taxable year 2017. Increases marginal tax rates in taxable year 2017 for income ranges (before inflation indexing changes) of \$0 to \$5,000, and of \$25,000 to \$40,000. Consolidates the lowest two income brackets, applicable to income from \$0 to \$10,000, and sets the marginal tax rate at 0.500%. Leaves the top two brackets, applicable to income of \$100,000 to \$200,000 and to income over \$200,000, respectively, and applies marginal tax rates of 4.250% and 4.750%. Reduces income tax rates applicable to such income in all income ranges for taxable years beginning in 2018 and thereafter, lowering the lowest marginal rate to 0.456% and the top two marginal rates to 3.874% and 4.330%. (The rate on business income of individuals is unchanged at 3%.)

Fiscal effect: Due to the tax bracket consolidation, the percentage change in the tax rates compared to the rates in effect for 2016 depends on the taxpayer's income. Reduces tax liabilities by an estimated \$908 million in FY 2018 and \$1,610 million in FY 2019. Reduces revenue to the Local Government Fund (Fund 7069) by an estimated \$15 million and \$27 million, respectively, in these years. Reduces revenue to the Public Library Fund (Fund 7065) by the same amounts. Reduces revenue to the GRF by an estimated \$877 million in FY 2018 and \$1,557 million in FY 2019.

Executive

TAXCD21 Personal income tax exemption increase

R.C. 5747.025

Increases the personal exemption amount beginning in tax year (TY) 2017 for those taxpayers with Ohio adjusted gross income (OAGI) at or below \$80,000. Delineates the personal exemption amount increase at an OAGI of \$40,000. Specifies that those with OAGI at or below \$40,000 may claim \$3,000 for each personal exemption, which is higher than the comparable amount in TY 2016, \$2,250. Specifies that those with OAGI above \$40,000 but lower than \$80,001 may claim \$2,500 for each personal exemption, which is higher than the comparable amount in TY 2016, \$2,000. Sets the TY 2017 personal exemption amount for those with OAGI above \$80,000 equal to \$1,750, which is identical to the comparable amount in TY 2016.

Fiscal effect: Decreases personal income tax revenue by \$69.4 million in FY 2018 and \$71.1 million in FY 2019. Decreases revenue to the Local Government Fund and the Public Library Fund by a total of \$2.3 million in FY 2018 and \$2.4 million in FY 2019. Decreases revenue retained by the GRF by \$67.1 million and \$68.8 million in these years.

TAXCD23 Low income tax credit eligibility expansion

R.C. 5747.056

Extends eligibility for the income tax credit for low-income taxpayers to all individuals whose taxable income is \$15,000 or less rather than the existing threshold of \$10,000 or less. Clarifies that the low income tax credit is available to individuals and married couples filing joint returns.

Fiscal effect: Decreases personal income tax revenue by \$22.1 million in FY 2018 and \$21.4 million in FY 2019. Decreases revenue to the Local Government Fund and the Public Library Fund by a total of \$0.7 million in FY 2018 and \$0.7 million in FY 2019. Decreases revenue retained by the GRF by \$21.3 million and \$20.7 million in these years.

Executive

TAXCD12 Repeal political contribution income tax credit

R.C. 5747.29 (repealed), 5747.98, and Section 803.200

Repeals the income tax credit for monetary contributions to campaign committees of candidates for statewide elected offices and seats in the General Assembly or the state board of education.

Fiscal effect: The credit amount is up to \$50 per year or \$100 for joint filers. According to data from the Tax Expenditure report, this repeal will increase personal income tax revenues by about \$3.3 million in FY 2018 and \$3.6 million in FY 2019. Increases allocations from the GRF to the Local Government Fund (LGF) and the Public Library Fund (PLF). Under existing law, in each month, each fund receives 1.66% of total GRF tax revenue.

TAXCD11 Elimination of fee for administration of income tax refund contribution check-offs

R.C. 5747.113

Eliminates a fee taken from each of the funds (currently six) that receive contributions from income tax refund contribution check-offs on the personal income tax form. (Taxpayers may contribute all or part of their refunds to one or more of the six funds.)

Fiscal effect: The fee is used to pay the Department of Taxation's costs to administer the check-off system and is capped at 2.5% of total fund contributions. Revenue to the Income Tax Contribution Fund (Fund 4370) was \$18,845 in FY 2016, down from \$34,695 in FY 2015 and \$30,105 in FY 2014. The fund revenues that would be eliminated by this provision of the budget bill would likely be in the range encompassed by these amounts. The balance in this fund at the end of FY 2016, \$110,268, plus revenues in FY 2017, estimated at \$30,000, are more than sufficient to cover the annual appropriations of \$38,800 for each of FY 2017 through FY 2019.

Executive

Sales and Use Taxes**TAXCD33 Direct mail sourcing for sales tax purposes****R.C. 5739.01, 5739.033**

Modifies rules for situsing sales and use tax for direct mail to conform with the Streamlined Sales and Use Tax Agreement (SSUTA) and current practice.

Distinguishes between direct mail used for advertising purposes and all other forms of direct mail and applies separate situsing rules for each type. (In general, direct mail is printed material mass mailed by one party -- the "vendor" -- to predetermined recipients on behalf of another party -- the "consumer").

Requires that advertising direct mail continues to be sitused as under current law, but other direct mail is sitused to the location of the direct mail's consumer (who is no longer permitted to furnish delivery information that would require situsing to delivery locations).

Fiscal effect: None.

TAXCD34 Sales tax base expansion**R.C. 5739.01, 5739.02**

Imposes, beginning October 1, 2017, the sales and use tax on the following services: cosmetic surgery and similar non-medically necessary procedures; lobbying by state- or federally-registered lobbyists; repossession; cable service; landscape design; interior design and decorating; travel agent services. Specifies that transactions between members of an affiliated group for the services, excluding cosmetic surgery, would not be made taxable. (An "affiliated group," for this purpose is defined to be two or more persons related such that one person owns or controls the business operation of another member of the group.)

Fiscal effect: According to the Executive, the base expansion would increase sales tax revenue by \$135.9 million in FY 2018 and \$205.8 million in FY 2019. Under permanent law, the GRF would receive 96.68% of these amounts, or \$131.3 million and \$199.0 million, respectively. The rest would be transferred in equal shares to the Local Government Fund (LGF) and the Public Library Fund (PLF). The PLF and the LGF would each experience increases of nearly \$2.3 million in FY 2018 and \$3.4 million in FY 2019. This provision may also increase revenue from permissive county and transit authority sales taxes by up to \$35 million in FY 2018 and \$53 million in FY 2019.

Executive

TAXCD28 Sales and use tax rate increase**R.C. 5739.02, 5739.10 and 5741.02**

Increases the state sales and use tax rate from 5.75% to 6.25% beginning October 1, 2017.

Fiscal effect: Increases revenue from the sales and use tax by \$559 million in FY 2018 and \$865 million in FY 2019 under the existing tax base. Under permanent law, the GRF would receive 96.68% of these amounts, or \$541 million and \$836 million, respectively. The remaining amounts would be transferred in equal shares to the Local Government Fund (LGF) and the Public Library Fund (PLF). The PLF and the LGF would each experience increases of about \$9.5 million in FY 2018 and \$14.5 million in FY 2019. This provision also potentially reduces revenue from permissive county and transit authority sales taxes by up to \$11 million and \$12 million, respectively, in FY 2018 and FY 2019.

TAXCD27 Elimination of sales tax brackets

R.C. 5739.025

Removes obsolete sales and use tax brackets (existing law prescribes the computation of sales and use taxes without the use of the brackets).

Fiscal effect: None.

TAXCD29 Sales and use tax vendor licenses

R.C. 5739.18

Eliminates the requirement that county auditors submit to the Tax Commissioner a list of vendor's licenses issued and requires county auditors to use a system provided and maintained by the Tax Commissioner to issue sales tax licenses.

Requires the Tax Department to make public an electronic list containing the name, account number, and business address of holders of vendor's licenses, direct pay permits, and sellers use tax accounts.

Fiscal effect: None.

Executive

TAXCD13 Sales tax vendor's license suspension

R.C. 5739.30

Disallows reinstatement of a sales tax vendor's license that has been suspended for the vendor's repeated failure to remit sales taxes if the vendor has delinquent employer income tax withholding filing or payment obligations. (Currently, reinstatement of the vendor's license is allowed if the vendor files and pays the sales tax delinquency regardless of whether the licensee is current on employer withholding obligations).

Authorizes the Commissioner to suspend the vendor's license of any vendor that has repeatedly failed to file or pay employer income tax withholdings.

Fiscal effect: Minimal.

Commercial Activity Tax

TAXCD31 CAT interest income exclusion

R.C. 5751.01

Eliminates the CAT exclusion of interest income earned by taxpayers engaged in the business of lending money so that interest on loans made in the normal course of business by such taxpayers is included in taxable gross receipts.

Fiscal effect: According to the Executive budget, this provision increases revenue from the CAT by \$2.8 million in FY 2018 and \$3.9 million in FY 2019. Under the proposed distribution of CAT revenue in the executive budget [see TAXCD35], the GRF would receive an additional \$2.4 million and \$3.3 million, respectively, in FY 2018 and FY 2019. The School District Tangible Property Tax Replacement Fund (Fund 7047) would receive \$0.4 million and \$0.5 million; and the Local Government Tangible Property Tax Replacement Fund (Fund 7081) would receive about \$0.1 million in each year of the biennium.

Executive

TAXCD32 CAT exclusion for qualified distribution center receipts**R.C. 5751.01**

Revises the computation of a qualified distribution center's (QDC) "Ohio delivery percentage" such that at least 10% of the receipts derived by a supplier from property shipped to the QDC are included in the supplier's taxable gross receipts for CAT purposes. (Continuing law excludes a percentage of receipts suppliers of a QDC derive from property they ship to the QDC. A QDC includes a warehouse, refining facility, or other similar facility in Ohio that has obtained a certificate from the Tax Commissioner indicating that the facility's suppliers qualify for the exemption).

Fiscal effect: The Executive budget estimates this provision will increase CAT receipts by \$5.1 million in FY 2018 and \$21.2 million in FY 2019. Under the proposed distribution of CAT revenue in the executive budget [see TAXCD35], the GRF would receive an additional \$4.3 million and \$18.0 million, respectively, in FY 2018 and FY 2019. The School District Tangible Property Tax Replacement Fund (Fund 7047) would receive \$0.7 million and \$2.8 million; and the Local Government Tangible Property Tax Replacement Fund (Fund 7081) would receive about \$0.1 million in FY 2018 and \$0.4 million in FY 2019.

TAXCD35 CAT revenue allocation changes**R.C. 5751.02**

Increases the share of CAT revenue credited to the GRF from 75% to 85% beginning July 1, 2017, and decreases the shares allocated to reimburse school districts and other local taxing units for their loss of tangible personal property taxes, from 20% to 13% for school districts and from 5% to 2% for other taxing units.

Fiscal effect: None. While the proposed allocation change increases the amount of CAT receipts directly credited to the GRF by \$171.4 million in FY 2018 and \$176.1 million in FY 2019, it reduces "excess" CAT receipts that are transferred back to the GRF. Under current law, CAT receipts deposited into Fund 7081 and Fund 7047 are used to make reimbursement payments to school districts and other local taxing units, respectively, for the phase-out of property taxes on general business tangible personal property. Any "excess" receipts that are not needed for making such payments are transferred back to the GRF.

Executive

Cigarette Taxes

TAXCD22 Cigarette tax increase

R.C. *5743.02, 5743.32, Sections 757.10 and 803.180*

Increases the rate of the cigarette excise tax from the current \$1.60 per pack to \$2.25 per pack beginning July 1, 2017. Applies the rate increase to cigarettes and tax stamps in dealers' inventories on July 1, 2017.

Fiscal effect: According to the Executive estimate, the tax increase will raise \$212.9 million in FY 2018 and \$197.9 million in FY 2019. Revenue from the cigarette tax is deposited in the GRF.

TAXCD30 Frequency of cigarette tax dealer returns

R.C. *5743.03, 5743.081*

Increases from semiannually to monthly the frequency of excise tax filing and payment for wholesale cigarette dealers. Provides that the monthly filing and payment will be due on the last day of the month covered by the filing.

Fiscal effect: The purpose of the filing is to reconcile the taxes due on cigarettes in a dealer's inventory with the taxes already paid through the purchase of tax stamps. If the tax on some cigarettes have not yet been paid by a stamp, the dealer must report the discrepancy and pay the tax deficiency. This provision has the potential for accelerating the receipt of tax payments.

TAXCD25 Tax stamp discount computation

R.C. *5743.05, Section 812.10*

Changes the discount given to cigarette dealers in consideration for affixing tax stamps from 1.8% of face value to 0.1125¢ per cigarette (2.25¢ per pack). Applies this change to cigarette tax stamps sold beginning July 1, 2017.

Fiscal effect: No fiscal effect at current tax rates. However, the current discount, 1.8% of face value, is equivalent to 1.28% at the proposed increased tax rate [see TAXCD22]. The Executive budget estimates this provision, if the tax rate increase were enacted, would increase GRF revenue by \$7.9 million in FY 2018 and \$8.5 million in FY 2019.

Executive

TAXCD43 Excise tax increase on other tobacco products

**R.C. 5743.51, 5743.01, 5743.62, 5743.63, Section
803.160**

(1) Increases the rate of the excise tax levied on tobacco products other than cigarettes (OTP) from 17% to 69% of wholesale price.

(2) Limits the maximum tax that may be imposed on the newly defined "specialty cigars" to \$2 per cigar. Eliminates the current OTP tax category of "little cigars" (which are defined differently than specialty cigars and are taxed at the rate of 37% of wholesale price). Defines a specialty cigar as a roll of tobacco with (a) a binder and wrapper consisting entirely of leaf tobacco, (b) no tip or filter or mouthpiece that is not made of tobacco, and (c) a weight of at least six pounds per 1,000 rolls.

(3) Specifies the tax increase and the cigar definition revision used in calculating the tax is effective beginning October 1, 2017.

Fiscal effect: According to the Executive estimate, the rate increase and modification to the cigar tax base will raise a combined \$83.6 million in FY 2018 and \$125.4 million in FY 2019.

TAXCD51 Vapor products tax

**R.C. 5743.51, 5743.01, 5743.025, 5743.14,
5743.20, 5743.41, 5743.44, 5743.52 -
5743.55, 5743.59 - 5743.63, Sections 757.30,
803.170**

Levies a tax on the sale or use of nicotine vapor products beginning January 1, 2018. Levies the tax at a tax rate of 69% to be paid by distributors on the basis of the invoice price of the product excluding discounts.

Specifies that the taxable price of gratis or free tobacco or vapor products is the greater of the wholesale price computed for a transaction involving the same product in the preceding 30 days, or the manufacturer's list price for the product.

Fiscal effect: According to the Executive estimate, the vapor products tax will raise \$4.8 million in FY 2018 and \$9.6 million in FY 2019. Of these amounts, 1.66% would be transferred to each of the Local Government Fund and the Public Library Fund, with the balance retained by the GRF (\$4.6 million in FY 2018 and \$9.3 million in FY 2019).

Executive

TAXCD24 Discount elimination for timely payment of other tobacco products tax

R.C. 5743.52, 5743.62, Section 803.190

Eliminates the 2.5% discount to which a seller is entitled for timely remitting excise taxes for tobacco products other than cigarettes. Specifies the discount will be eliminated beginning July 1, 2017.

Fiscal effect: According to the Executive estimate, eliminating the discount will increase cigarette tax receipts by \$3.2 million in FY 2018 and \$4.9 million in FY 2019, at the proposed OTP rate in the executive budget, increasing GRF revenue by \$3.1 million in FY 2018 and \$4.7 million in FY 2019. The balance of the revenue gain would be split between the Local Government Fund and the Public Library Fund.

Property Taxes and Transfer Fees

TAXCD44 Not-for-profit cemetery property tax exemption

R.C. 1721.01, 759.24 (Repealed), 1721.10, 5709.17

Eliminates redundant language in the Revised Code that exempts cemetery grounds "with no view to a profit" from property taxation while retaining a section of continuing law, R.C. 5709.14, that broadly exempts all not-for-profit cemetery grounds from taxation.

Fiscal effect: None

TAXCD48 Property tax base reductions and school funding recomputations

**R.C. 3317.021, 3316.20, 3317.01, 3317.025,
Repealed: 3317.026, 3317.027**

Repeals two provisions enabling school districts to have their state funding recomputed to reflect reductions in the district's property tax base that become known after the funding initially was computed. Retains a recomputation for reductions in public utility tangible personal property of 5% or more.

Executive

Fiscal effect: The repealed recomputations are for property value reductions causing tax refunds of more than 3% of a district's current expense tax revenue and for property value reductions arising from property owner complaints, late current agricultural use value (CAUV) determinations, and retroactive tax exemptions. A recomputation for reductions in public utility tangible personal property of 5% or more would remain in place (R.C. 3317.028). In recent years, the school funding formula uses a district's three-year average valuation in its calculations. The adjustment payments from R.C. 3317.026 and 3317.027 have not been significant.

TAXCD15 **Extension of authority to propose property tax levies to joint county health boards**

R.C. 3709.29, 5705.01

Authorizes a joint county health board to propose property tax levies directly to voters of the combined health district to pay the district's expenses. (Currently, only single-county general health districts may propose tax levies, and only through their respective boards of county commissioners. Otherwise, general health districts' local sources of tax revenue come from taxes levied by the district's constituent townships and municipal corporations.)

Fiscal effect: May increase property tax revenues to joint county health districts.

TAXCD8 **Change in waiver procedure for penalty for late payment of property tax**

R.C. 5715.39, 5715.20

Eliminates a requirement that appeals of late property tax penalty waiver decisions by a county board of revision be first appealed to the Tax Commissioner, allowing for direct appeal to the Board of Tax Appeals. Requires county auditors who do not waive a penalty to present that decision before the board of revision for review.

Fiscal effect: May reduce Department of Taxation costs.

Executive

Other Taxation Provisions**TAXCD17 Biennial update on business incentive tax credits****R.C. 107.036, Section 757.40**

Requires that the main operating biennial state budget submitted by the Governor and enacted by the General Assembly is to include detailed estimates regarding the amount of business incentive tax credits authorized in each year of the biennium, the amount of credits claimed in each year of the biennium, and the amount of credits that will remain outstanding at the end of the biennium.

Defines "business incentive tax credits" to include the job creation tax credit, job retention tax credit, historic preservation tax credit, motion picture tax credit, New Markets tax credit, research and development tax credit, and small business investment tax credit (i.e., InvestOhio).

Provides a table that lists an estimate of the specified business incentive credits that may be authorized in each fiscal year of the FY 2018-FY 2019 biennium, an estimate of the credits expected to be claimed in each fiscal year, and an estimate of the amount of credits authorized that will remain outstanding at the end of the FY 2018-FY 2019 biennium.

Fiscal effect: None.

TAXCD16 Estate tax annual settlements**R.C. 319.54, 321.27, 5731.46, and 5731.49;
Section 803.110**

Eliminates the August estate tax settlement requirement and requires county treasurers to distribute all estate tax revenue received in the preceding calendar year annually on February 25. (Currently, treasurers are required to make semiannual settlements for all received estate tax revenue on February 25, and August 20 each year).

Fiscal effect: None. The estate tax was repealed for deaths occurring after 2012. However, revenue is still being collected as estate settlements may be lengthy. Eighty per cent of the revenue is distributed to the municipal corporation or township where the tax originates and 20% is allocated to the state GRF.

Executive

TAXCD20 Tourism development districtsR.C. *503.56, 715.014*

Corrects a Revised Code cross-reference and a reporting date relative to "tourism development districts," which are special districts that some townships and municipal corporations may create to fund local tourism promotion and development efforts, including by levying a gross receipts tax on local vendors. (The reporting date correction addresses semiannual reporting of local vendors to the Department of Taxation for tax collection and compliance purposes: the second report each year must be made by July 1 instead of June 1.)

Fiscal effect: None.

TAXCD7 Reduction of Tax Commissioner's role in Ohio Political Party Fund distributionsR.C. *3517.17, Section 803.50*

Reduces the Tax Commissioner's role in distributing revenue from the income tax checkoff for the Ohio Political Party Fund (Fund 6420; instead of distributing half to statewide major political parties and half to their county party committees based on relative numbers of checkoffs, the Commissioner would distribute all money to the statewide parties which would allocate half to county committees based on information from the Commissioner).

Fiscal effect: Minimal reduction of Department of Taxation costs.

TAXCD37 Tax license denial for delinquent tax obligationsR.C. *3734.9011, 5735.02, 5743.15, and 5743.61;
Section 803.120*

Authorizes the Tax Commissioner to deny licenses or registrations to applicants that are delinquent in the reporting or payment of any tax, charge, or fee administered by the Commissioner. Affects licenses and registrations required for wholesale distributors and retail dealers of tires, motor fuel dealers, cigarette wholesalers, and other tobacco product distributors.

Fiscal effect: Could result in additional administrative costs to the Department of Taxation, but may also result in offsetting revenues from improved tax compliance of affected parties.

Executive

TAXCD39 Alcoholic beverage tax rates**R.C. 4301.42, 4301.43, 4305.01; Section 803.60**

- (1) Increases tax on bottled or canned beer from 0.14¢ per ounce to 0.239¢ per ounce or, for beer with over 12% alcohol content, to 0.781¢ per ounce.
- (2) Increases tax on beer packaged in containers other than bottles or cans (e.g. barrels and kegs) from \$5.58 to \$9.49 per 31-gallon barrel, or for beer with over 12% alcohol content, to \$31.00 per 31-gallon barrel.
- (3) Increases tax on wine with between 4% and 14% alcohol content from \$0.31 per gallon to \$0.51 per gallon. Increases tax on wine with between 14% and 21% alcohol content from \$0.98 to \$1.67 per gallon.
- (4) Increases tax on vermouth from \$1.08 per gallon to \$1.67 per gallon.
- (5) Increases tax on bottled mixed drinks from \$1.20 per gallon to \$2.04 per gallon.
- (6) Increases tax on cider from \$0.24 per gallon to \$0.408 per gallon.
- (7) Decreases tax on sparkling wine and champagne from \$1.48 per gallon to \$0.51 per gallon.

Provides that all tax changes are to take effect July 1, 2017.

Fiscal effect: Increases alcoholic beverage tax revenue by \$35.0 million in FY 2018 and \$39.3 million in FY 2019. Increases revenue to GRF by \$33.8 million in FY 2018 and \$38.0 million in FY 2019. Increases revenue to the Local Government Fund (LGF) and Public Library Fund (PLF) by a total of \$1.2 million in FY 2018 and \$1.3 million in FY 2019.

TAXCD36 Tax compliance by liquor permit holders**R.C. 4303.26, 4303.271, 5703.21**

Requires the Tax Commissioner to notify the Department of Commerce's Division of Liquor Control if a liquor permit holder seeking to renew or transfer ownership of the permit is delinquent in paying or reporting various state taxes. (In continuing law, notification of sales tax or employer income tax withholding delinquencies is required. This provision adds requirements to notify of delinquencies in horse-racing taxes, alcoholic beverage taxes, motor fuel taxes, petroleum activity taxes, use taxes, cigarette and other tobacco product taxes, commercial activity taxes, and gross casino revenue taxes. The liquor permit may not be renewed or transferred unless the tax delinquency is resolved.)

Fiscal effect: May result in more punctual tax revenue collections from permit holders, and may increase administrative costs to the Department of Taxation for increased monitoring and enforcement.

Executive

TAXCD41 Alcoholic beverage tax discounts and deadlinesR.C. *4303.33, 4301.42; Section 803.60*

Discontinues the requirement that beer permit holders make advance payments of beer excise taxes, thus removing the 3% credit if advance tax payments are timely received by the Tax Commissioner.

Eliminates the 3% alcoholic beverage tax discount for taxpayers that timely file the required monthly report and changes the deadline for such report.

Fiscal effect: Decreases alcoholic beverage tax revenue by \$2.3 million in FY 2018 and increases it by \$1.9 million in FY 2019. The FY 2018 decrease is due to the elimination of the advance payment requirement for beer permit holders. The provision is to apply beginning July 1, 2017, which will cause a temporary timing effect in FY 2018 only, resulting in the collection of only 11 months worth of alcoholic beverage taxes on beer. Revenue to the GRF would be decreased in FY 2018 by \$2.2 million and would be increased in FY 2019 by \$1.8 million. Revenue to the Local Government Fund (LGF) and Public Library Fund (PLF) would decrease in FY 2018 by about \$75,000 total, and increase in FY 2019 by about \$60,000 total.

TAXCD40 Small brewer excise tax exemption

R.C. *4303.332, Section 803.70*

Decreases the volume of beer exempt from the beer excise tax from the first 9,300,000 gallons of beer sold or distributed by an A-1c permit holder in a calendar year to the first 310,000 gallons of such beer. (A-1c permits are for brewers producing 31 million gallons or less per year.)

Eliminates the specification that the exemption is to be claimed as a monthly credit with reconciliation in the last month of each calendar year.

Fiscal effect: Increases alcoholic beverage tax revenue by \$0.5 million in FY 2018 and \$1.5 million in FY 2019. Increases revenue to GRF by nearly the same amount in each year. Increases revenue to the Local Government Fund (LGF) and Public Library Fund (PLF) by about \$20,000 in FY 2018 and \$50,000 in FY 2019. The revenue gain could grow substantially in future years if small brewer production in Ohio continues to increase at high rates, or if tax rates are increased.

Executive

TAXCD42 Cider exemption from alcoholic beverage taxR.C. *4303.333, Section 803.70*

Exempts from alcoholic beverage excise taxes the first 310,000 gallons of cider produced and sold or distributed in Ohio in a calendar year by an A-2 or A-2f permit holder. (Current law already exempts production and sale or distribution in the state of cider, if total production of wine and mixed beverages by the permit holder does not exceed 500,000 gallons in a calendar year.)

Fiscal effect: Decreases alcoholic beverage tax revenue beginning in FY 2018, but the effect is likely a few hundred thousand dollars or less annually at tax rates under current law. There are currently around 12 cider producers in the state of Ohio, some of which are already exempted from the tax because annual production is under 500,000 gallons. The revenue loss could grow substantially in future years if cider production and sale or distribution in Ohio increases materially, or if tax rates are increased.

TAXCD9 Tax credit documentationR.C. *5703.0510, 122.17, 122.171, and 122.175*

Requires persons claiming tax credits to provide the Tax Commissioner with any applicable certificate or credit tracking form when claiming the credit regardless of whether the Commissioner requests it. Provides that, if such a certificate or form is used but the taxpayer has not provided it when the corresponding tax return is filed, the credit must be denied. Applies the requirement to credits against any tax or fee that is administered by the Commissioner and for which a certificate or tracking form is used to support or monitor a person's right to claim the credit.

Fiscal effect: None.

TAXCD6 License denial or revocation for fraudulent applicationR.C. *5703.26*

Permits denial or revocation of a license if an applicant knowingly files false or fraudulent information with the Department of Taxation, the Treasurer of State, a county auditor, a county treasurer, or a county clerk of courts, with intent to defraud the state or a political subdivision.

Executive

Fiscal effect: None.

TAXCD47 Payment of de minimis fees or charges; interest on wireless 9-1-1 charges

R.C. 5703.75, 5739.132

(1) Specifies that any fee or charge, and not just taxes, administered by the Tax Commissioner do not have to be paid if the amount due is \$1.00 or less.

(2) Specifies that interest is charged for late wireless 9-1-1 fee remittances, and is payable on refunds of overpaid fee remittances, as is the case with unpaid or overpaid sales or use tax remittances.

Fiscal effect: None. Continuing law imposes a wireless 9-1-1 charge of five-tenths of one per cent of the sale price on each retail sale of a prepaid wireless calling service. Each seller of a prepaid wireless calling service must file a monthly return with the Tax Commissioner to remit the wireless 9-1-1 charges due in a manner similar to vendors remitting sales tax collections. Revenue from this charge supports the wireless enhanced 9-1-1 system (E911) through which individuals can request emergency service. According to testimony by the Tax Commissioner before the House Finance Committee, there is a \$1.00 minimum for most taxes and fees administered by the Tax Department. Under current law applicable to E911 charges, all amounts must be collected or refunded, regardless of how small.

TAXCD4 Authority to decide on property tax exemption of state university property returned to Tax Commissioner

R.C. 5715.27

Returns authority to decide on property tax exemption applications for state university property to the Tax Commissioner, from county auditors, to whom the authority to decide on such applications was transferred in 2011.

Fiscal effect: May result in a minimal increase in the Department of Taxation's costs.

Executive

TAXCD38 State-level municipal taxation of business profits

R.C. *5718.01, 113.061, 709.023, 715.691, 715.70,
715.71, 715.72, 718.01, 718.02, 718.04,
718.05, 718.27, 718.41, 5701.11, 5703.052,
5703.053, 5703.19, 5703.21, 5703.50,
5703.57, 5703.70, 5703.90, 5718.02 through
5718.99; Repealed 718.06*

- (1) Centralizes collection and administration of municipal income taxes on business income, other than the income of sole proprietors, from individual municipal corporations to the Department of Taxation, for a taxable year beginning on or after January 1, 2018. Provides that municipal corporations may continue to administer and collect income taxes on the income of individuals, including taxing their residents' distributive shares of pass through entity income.
- (2) Creates Revised Code Chapter 5718 to include provisions for the calculation of a business' taxable income, filing and payment requirements, and the imposition of penalties. Specifies that businesses subject to Chapter 5718 would file a single tax return with the Department covering the business' taxable income for all municipal corporations.
- (3) Removes, for businesses subject to Chapter 5718, the "throw-back" provision in current law used in determining what amount of a business' income is apportioned to a particular municipal corporation. Requires that sales be apportioned to the municipal corporation where the property is received by the purchaser.
- (4) Requires the Department to distribute municipal income tax revenue to the appropriate municipal corporations quarterly, less 1% of collections to be used to cover the Department's administrative expenses.
- (5) Decreases from three to one the number of municipal tax administrator representatives on the Ohio Business Gateway Steering Committee.

Executive

Fiscal effect: Removal of the throw back provision will create fiscal losses for certain municipalities, especially those that have a high concentration of warehouses and distribution centers. Statewide revenue loss from this provision is uncertain, though it is likely to be significant. The bill establishes a new appropriation item in the Department of Taxation budget, 110605, Municipal Income Tax Administration, to cover departmental costs in administering this provision, and appropriates \$3.15 million in FY 2018 and \$6.75 million in FY 2019 for this purpose. Funding for the appropriation comes from the 1% fee paid by municipalities. Municipalities that collect income taxes through their own income tax division will incur additional costs for the 1% fee for collection of the net profit tax by the Department of Taxation. Centralized collection of net profits taxes may ultimately reduce overall municipal costs of tax administration. Depending on terms of the contracts, municipalities that contract with third-party tax administrators may experience some cost reductions if fees paid to the Department of Taxation are lower than fees paid to the third-party administrators.

TAXCD26 Changes to New Markets Tax Credits
R.C. 5725.33

Modifies how the annual "cap" on New Markets Tax Credits is determined, while generally retaining the current law amount of the "cap" on credits issued, \$10 million. Changes the basis for the Director of Development Services' determination of the cap, from an amount based on qualified investment credits claimed by a taxpayer in a year to the amount of tax credits the Director of Development Services may approve in a year.

Fiscal effect: None.

TAXCD10 Public utility excise tax collection

**R.C. 5727.26, 5727.28, 5727.31, 5727.311,
5727.38, 5727.42, 5727.47, 5727.48, 5727.53,
and 5727.60**

Transfers the collection and refund responsibilities related to the public utility excise tax from the Treasurer of State to the Tax Commissioner. Requires all payments to be made to, and all refunds to be made by, the Commissioner, except for tax payments required to be made by electronic funds transfer, which will continue to be paid to the Treasurer.

Shortens the maximum tax filing extension that the Tax Commissioner may allow for public utilities, from 60 to 30 days. Removes a requirement that excise tax penalties not paid within 15 days be certified to the Attorney General for collection (another existing law still provides for certification of tax debts, but not within 15 days), and allows the Commissioner to assess the excise tax against utilities.

Executive

Fiscal effect: The transfer would minimally decrease the Treasurer of State's administrative costs. Currently, the Commissioner determines and certifies the amount of tax due to the utility company and the Treasurer. However, the company pays the tax and estimated tax installments to the Treasurer, though tax reports are filed with the Commissioner. The Treasurer also issues refunds, although the Commissioner determines refund amounts. The public utility excise tax is imposed on the basis of the gross receipts of various classes of utilities, including natural gas, water-works, and pipe-line companies. All revenue from the public utility excise tax is credited to the GRF.

TAXCD19 Petroleum Activity Tax: taxpayer licenses

R.C. 5736.06

Clarifies that the annual licenses that taxpayers subject to the petroleum activity tax must obtain are valid from March 1 through the last day of the following February.

Fiscal effect: None.

TAXCD18 School district income tax consolidation

R.C. 5748.10, 3311.27

Prescribes the manner in which school district income tax applies to a school district resulting from the consolidation of territory of two or more districts by specifying that the tax will be levied at the rate, and according to the other terms of the "surviving" school district into which territory of another district is merged. Requires the board of education of a surviving school district to report certain tax-related information to the Tax Commissioner before such a consolidation takes effect.

Fiscal effect: School district income tax is administered by the Department of Taxation. Any increase in the Department's administrative costs related to such tax would be paid from the Department's Fund 4380, line item 110609, School District Income Tax Administration.

Executive

TAXCD50 Oil and gas severance tax

R.C. *5749.02, 1509.01, 1509.02, 1509.11, 1509.34, 1509.50 (Repealed), 1513.08, 1513.182, 1514.11, 5703.052, 5703.19, 5749.01 - 5749.04, 5749.06 - 5749.08, 5749.10 - 5749.15, 5749.17, Sections 803.90 and 803.220*

Replaces the existing volume-based tax on severances of oil and gas with a new value-based tax, and further applies this tax to natural gas liquids (NGLs) and condensate severed from wells beginning on October 1, 2017. Repeals a cost recovery assessment imposed on all wells from which oil and gas is severed. Credits revenue from the severance tax to the existing Severance Tax Receipts Fund, and requires the OBM Director to make monthly transfers to distribute the proceeds to the GRF.

- (1) Levies a 6.5% severance tax on oil, unprocessed gas, and condensate separated from oil or gas, severed from a well based on the volume of the resource severed or collected and multiplied by the resource's applicable spot price.
- (2) Levies a new 4.5% severance tax on processed gas and NGLs separated from oil or gas, severed from a well based on the volume of the resource collected or processed multiplied by the resource's applicable spot price.
- (3) Exempts from the new severance taxes gas severed from an exempt domestic well but imposes a \$60 annual fee on the owners of certain such wells, payable to the Oil and Gas Well Fund.

Fiscal effect: According to the Executive estimate, the redesigned oil and gas severance tax will raise GRF revenue by \$136.6 million in FY 2018 and \$310.6 million in FY 2019, and will raise all funds revenue by an additional \$42 million in FY 2018 and \$46 million in FY 2019. The budget bill directs all oil and gas severance tax revenue to GRF, though, making it unclear which funds would receive the additional revenue. Under current law, oil and gas receipts are used in their entirety by two Ohio Department of Natural Resources (ODNR) funds, the Oil and Gas Well Fund (Fund 5180) and Geological Mapping Fund (Fund 5110), and conversations with OBM staff support the view that the \$42 million and \$46 million are intended to go to Funds 5180 and 5110.

Executive

TAXCD45 Severance tax exemption for domestic well production

R.C. 5749.03, 5749.01, Section 803.220

Removes the existing \$1,000 limit on a severance tax exemption for natural resources severed from land owned by the severer and instead exempts gas severed by an "exempt domestic well," generally a gas well owned by a landowner for the purpose of providing gas for the owner's domestic use. Specifies this provision applies on and after October 1, 2017.

Fiscal effect: Minimal. Under current law, individuals who have gas wells on their property do not pay the severance tax on the first \$1,000 market value of gas they use themselves. According to testimony by the Tax Commissioner to the House Finance Committee, these domestic wells are not metered and market prices change frequently. Therefore, those individuals may not be able to accurately determine whether they have gone over the threshold and owe the severance tax.

TAXCD5 Natural resource severance permits

R.C. 5749.04, 5749.06

Removes authority of the Tax Commissioner to issue a severance permit that a severer must obtain before severing natural resources in Ohio, so that severers must obtain such a permit only from the Department of Natural Resources (DNR), as they may currently. Authorizes the Commissioner to request DNR to revoke such a permit if a severer or a well owner fails to comply with severance tax obligations. Requires a severer subject to severance tax to establish a tax account with the Commissioner.

Fiscal effect: Eliminating severance permit issuance authority of the Tax Commission may reduce costs of the Department of Taxation (TAX) and increase costs of DNR, likely by minimal amounts. Establishment of severance tax accounts with TAX may increase costs, but may also contribute to more efficient administration of the severance tax.

TAXCD46 Severance tax return filing requirement for domestic well owners

R.C. 5749.06

Expressly removes the requirement for owners of exempt domestic wells designated on or after June 30, 2010, to file severance tax returns.

Executive

Fiscal effect: None, based on other provisions proposed in the Executive budget. The introduced version exempts owners of domestic wells from the severance tax. Under continuing law, such owners are still subject to an annual fee of \$60, payable to the Ohio Department of Natural Resources for deposit in the Oil and Gas Well Fund.

Appropriation Language

TAXCD14 **Pollution control and energy facility exemption fees**

R.C. 5709.212

Eliminates the requirement that half of the application fees paid to have various pollution control or energy conversion facilities certified for property tax and sales tax exemptions be credited to the Exempt Facility Administration Fund (Fund 5W70) for use by the Department of Taxation (DOT) to recover costs of administering the issuance of certificates for such tax exemptions. (Administrative costs are currently paid from DOT's Fund 5W70 appropriation item 110627, Exempt Facility Administration.)

Earmarks all revenue arising from such fees to the appropriate state oversight agency (i.e., the Environmental Protection Agency or Development Services Agency).

Fiscal effect: The provision would decrease revenue allocation to Fund 5W70 and increases revenue allocation to the appropriate oversight agencies' fund (i.e. the Clean Air - Non Title V Fund (Fund 4K20) or the Surface Water Protection Fund (Fund 4K40) for use by the EPA, or the Exempt Facility Inspection Fund (Fund 5X10) for use by the DSA). Currently, half of the fee (0.5% of the total exempt facility project cost, not to exceed \$2,000 per facility) is credited to Fund 5W70 and the remaining half is allocated to the appropriate oversight agencies' fund - Fund 4K20, Fund 4K40, or Fund 5X10. Under continuing law, property used for pollution control or converting natural oil or gas to other forms of energy in industrial or commercial settings may be exempted from property taxation, and purchases of such property may be exempted from sales and use taxation. The DOT receives exemption applications and makes the final determination and handles administrative appeals. The EPA and DSA provide DOT with an opinion on whether property qualifies.

TAXCD52 **Tax refunds**

Section: 409.20

Specifies that appropriation item 110635, Tax Refunds, be used to pay refunds under R.C. 5703.052 and appropriates additional needed amounts.

Executive

TAXCD53 Vendor's license payments**Section: 409.20**

Specifies that FID Fund 5CZ0 appropriation item 110631, Vendor's License Application, be used to make payments to county auditors under R.C. 5739.17 and appropriates additional needed amounts.

TAXCD54 International registration plan administration**Section: 409.20**

Specifies that DPF Fund 4C60 appropriation item 110616, International Registration Plan Administration, be used under R.C. 5703.12 for audits of persons with vehicles registered under the International Registration Plan.

TAXCD55 Travel expenses for the Streamlined Sales Tax Project**Section: 409.20**

Allows a portion of DPF Fund 4350 appropriation item 110607, Local Tax Administration, to be used for travel expenses incurred by members of Ohio's delegation to the Streamlined Sales Tax Project in accordance with applicable state laws and guidelines.

TAXCD56 Tobacco settlement enforcement**Section: 409.20**

Specifies that GRF appropriation item 110404, Tobacco Settlement Enforcement, be used to pay costs incurred in the enforcement of divisions (F) and (G) of R.C. 5743.03, and that in fiscal year 2018 these expenses will be covered by DPF Fund 6390 appropriation item 110614, Cigarette Tax Enforcement.

Executive

TAXCD57 STARS Development and Implementation Fund**Section: 409.20**

Specifies that DPF Fund 5MN0 appropriation item 110638, STARS Development and Implementation, be used to pay costs incurred in the development and implementation of the department's State Tax Accounting and Revenue System.

Requires the Director of Budget and Management to develop a schedule to transfer up to \$6.0 million cash over the biennium from various funds into the STARS Development and Implementation Fund (Fund 5MN0).

TAXCD58 Appropriation increase and cash transfer to the Municipal Income Tax Administration Fund**Section: 409.20**

Specifies that if the Tax Commissioner determines that the Municipal Income Tax Administration Fund (Fund 5N50) has insufficient cash to pay expenses of administering the new tax imposed by R.C. 5718.041 [see TAXCD38], the Tax Commissioner shall certify the additional cash needed to the Director of Budget and Management. Requires the Director to transfer cash from the GRF to Fund 5N50 if the Director determines that sufficient funds are available in the GRF,

Requires the Director and Commissioner, if such a cash transfer is made, to jointly develop a plan to repay the GRF.

Requires the Commissioner to certify to the Director any additional appropriation needed due to the new tax administration obligation imposed by R.C. 5718.041. Requires the Director to approve the appropriation increase if sufficient funds are available in Fund 5N50, and appropriates the needed amount.

Executive

DOTCD30 Office of Aviation oversight of navigable airspace

R.C. *4561.01, 4561.021, 4561.05, 4561.30
(repealed), 4561.31-4561.341, 4561.36-
4561.40, 4563.01, 4563.032, 4906.10*

Alters various provisions of law governing the oversight and permitting of navigable airspace conducted by the Office of Aviation, as follows:

- (1) Eliminates a provision of law that exempts a person who obtains a permit from an airport zoning board for the construction or alteration of a structure within an airport hazard area from the requirement to obtain a permit to penetrate the navigable airspace from the Office;
- (2) Modifies the process for filing an application or an amended application to construct or alter a structure that is reasonably expected to penetrate the navigable airspace;
- (3) Allows the Office to order the owner of a nonconforming structure to remove the structure if the nonconforming use is voluntarily discontinued for two years or more;
- (4) Specifies that the Office is not liable for damages caused by a structure that obstructs the navigable airspace if the structure was not issued a permit or is not in compliance with a permit;
- (5) Specifies that when a court determines that a person has violated, or threatens to violate, the law governing obstructions to the navigable airspace, the court may authorize the Office to either (A) enter upon the premises on which the structure is located; or (B) remove or demolish the structure or otherwise correct or abate the violation at the expense of the owner of the property; and
- (6) Modifies other provisions of law to conform with federal aviation law, and makes other various changes.

Fiscal effect: Presumably minimal, as the intent of this language is to clarify existing law and to conform with current federal guidelines.

Executive

DOTCD28 Airport Improvements - State**Section: 411.20**

Requires GRF appropriation item 777471, Airport Improvements – State, to be used to continue the Ohio Airport Grant Program for grants to publicly owned, public use airports in the state that receive neither Federal Aviation Administration Air Carrier Enplanement Funds nor Air Cargo Entitlements in order to (A) support capital improvements, (B) maintain infrastructure, and (C) ensure safety at the airports.

DOTCD29 Diesel Emissions Reduction Grant Program**Section: 512.80**

- (1) Establishes a Diesel Emissions Reduction Grant Program (DERG) in the Highway Operating Fund (Fund 7002) and requires the Ohio Environmental Protection Agency (EPA) to administer the program and solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. Requires ODOT to process Federal Highway Administration (FHWA) projects as recommended by EPA.
- (2) Specifies that in addition to the expenditures allowed pursuant to section 122.861 of the Revised Code, program funds also may be used to assist projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under CMAQ guidance developed by FHWA.
- (3) Requires public entities eligible to receive program funds to be reimbursed from moneys in Fund 7002. Requires private entities eligible to receive funds to be reimbursed at the discretion of the local public sector agency and upon approval by ODOT, through direct payments to the vendor in the prorated share of federal/state participation. Specifies that the reimbursements shall be made from moneys in Fund 7002.
- (4) Specifies that expenditures for the program from Fund 7002 shall not exceed \$10 million in both FY 2018 and FY 2019.
- (5) Specifies that any allocations under this section of the bill represent CMAQ program moneys within ODOT for program use by EPA, and that such allocations shall not reduce the amount of moneys designated for metropolitan planning organizations (MPOs).
- (6) Requires EPA, in consultation with ODOT, to develop guidance for the distribution of funds and for the administration of the program. Requires the guidance to include a method of prioritization for projects, acceptable technologies, and procedures for awarding grants.

Executive

Fiscal effect: The Diesel Emissions Reduction Grant Program has been authorized under temporary law of main operating budget bills in the same or a similar manner since the FY 2012-FY 2013 biennium. Up to \$10 million over the FY 2018-FY 2019 biennium may be used for the program from Fund 7002, complementing the federal CMAQ funding that metropolitan planning organizations (MPOs) receive from the Federal Highway Administration.

Executive

TOSCD1 Office of the Sinking Fund**Section: 413.20**

Specifies that GRF appropriation item 090401, Office of the Sinking Fund, must be used for costs incurred by or on behalf of the Commissioners of the Sinking Fund and the Ohio Public Facilities Commission with respect to State of Ohio general obligation bonds or notes, and the Treasurer of State with respect to State of Ohio general obligation and special obligation bonds or notes.

Specifies that the GRF be reimbursed for costs relating to the issuance and administration of Highway Capital Improvement bonds or notes from appropriation item 155902, Highway Capital Improvement Bond Retirement Fund, by intrastate transfer voucher pursuant to a certification by the Office of the Sinking Fund of the actual amounts used.

Specifies that the amounts necessary to make such a reimbursement are appropriated from the Highway Capital Improvement Bond Retirement Fund.

TOSCD2 ABLE Account Administration**Section: 413.20**

Specifies that GRF appropriation item 090613, ABLE Account Administration, must be used for administering the ABLE account program.

TOSCD3 Tax refunds**Section: 413.20**

Specifies that Fund 4250 appropriation item 090635, Tax Refunds, must be used to pay specified tax refunds. Appropriates additional amount if the Director of Budget and Management determines that an additional amount is necessary.

Executive

TOSCD4 Treasury management system lease rental payments**Section: 413.30**

Specifies that GRF appropriation item 090406, Treasury Management System Lease Rental Payments, must be used for payments during the period from July 1, 2017, through June 30, 2019, pursuant to leases and agreements with respect to financing the costs associated with the acquisition and implementation of the Treasury Management System. Appropriates additional amounts, if necessary, to pay such financing costs.

TOSCD5 OhioMeansJobs Workforce Development Revolving Loan Program**Section: 413.40**

Specifies that DPF appropriation item 090610, OhioMeansJobs Workforce Development Revolving Loan Program, be used for the OhioMeansJobs Workforce Development Revolving Loan Program to provide loans to individuals for workforce training, and earmarks up to \$250,000 in FY 2018 for the Treasurer of State to administer the program. Reappropriates unexpended and unencumbered appropriation item 090610 at the end of FY 2018 to FY 2019 and reestablishes the earmark in FY 2019 to the extent funding is available.

Executive**DVSCD1 County veterans service commission****R.C. 5901.06, 5901.07**

- (1) Defines the minimum qualifications for an executive director of a veterans service commission (possess at least three years of experience in administration, fiscal matters, law, operations, or communications).
- (2) Permits a veterans service commission to hire a spouse, surviving spouse, child, or parent of a veteran as a service officer if a qualified veteran is not available.
- (3) Adds that a veteran may also file a DD215, NGB22, or official summary to the Department of Veterans Services to prove veteran status.
- (4) Requires, if a spouse, surviving spouse, child, or parent of a veteran is employed as a service officer, in addition to filing proof of the veteran's status, the service officer also file proof of the relationship to the veteran, such as a birth certificate, marriage certificate, or other official record.
- (5) Requires the executive director, investigators, clerks, and other employees to submit proof of veterans' status within 60 days of the date of initial employment.
- (6) Adds that a spouse, surviving spouse, child, or parent of a veteran may also be hired as an employee.
- (7) Adds that any spouse, surviving spouse, child, or parent of a veteran hired as an investigator, clerk, or other employee must file proof of veteran's status and proof of the relationship to the veteran, such as birth certificate, marriage certificate, or other official record.
- (8) Removes the provision that requires the veterans service commission to employ and fix compensation for the necessary clerks, stenographers, and other personnel that assist service officers.
- (9) Removes the requirement that the clerks, stenographers, and other personnel be a veteran or a spouse, surviving spouse, child, or parent of a veteran and that these employees are employed in the classified service and exempt from civil service examination

Fiscal effect: None.

Executive

DVSCD6 Veterans organizations grant program**R.C. 5902.02, 126.211 (repealed)**

(1) Requires the Director of Veterans Services to develop and maintain the veterans organizations grant program.

(2) Requires the Director to adopt rules under the Administrative Procedure Act to identify eligible veterans organizations and the manner in which funds will be distributed. Requires any rules adopted give priority funding to organizations and programs that improve access for veterans and their families to resources from the U.S. Department of Veterans Affairs and to programs that enhance access to employment opportunities.

(3) Requires the Director to prescribe the reporting requirements for veterans organizations that receive funding. Requires the veterans organization report annually, unless the Director specifies a shorter period. Prohibits the release of state funding to a veterans organization unless the Director determines the reporting requirements are met.

(4) Removes the specific requirement that the Director review reports within 30 days of receiving it and to inform the organization of any deficiencies.

(5) Repeals the requirement of the Director of Veterans Services to advise the Director of Budget and Management when a report has been submitted, reviewed, and determined satisfactory before the Director of Budget and Management can release funds to a veteran organization.

(6) Removes the requirement that the Director of Veterans Services advocate for adequate state subsidization of veterans organizations.

Fiscal effect: Potential minimal annual expenditure increase to establish and maintain the required veterans organizations grant program.

DVSCD5 Veterans' physician recruitment program**R.C. 5907.17**

(1) Authorizes the Department of Veterans Services to establish a physician recruitment program.

(2) Requires the Department adopt rules under the Administrative Procedure Act to establish the criteria for designating institutions that will be supported under the program, selecting physicians, determining the portion of a physician's loan the Department agrees to repay, determining reasonable amounts of expenses for other school expenses and room and board, procedures for monitoring compliance with the terms of the contract, and any other criteria or procedures necessary.

Executive

(3) Requires the Department agree to repay all or part of the principal and interest of a government or other educational loan incurred by a physician who agrees to provide services to the institutions designated under the Department's rules.

(4) Specifies that a physician is eligible to participate in the program if the physician attended a medical or osteopathic medical school that was located in the U.S. and accredited by the Liaison Committee on Medical Education or the American Osteopathic Association or located outside the U.S. and acknowledged by the World Health Organization and verified by a member state of that Organization.

(5) Requires the Department and the physician to enter into a contract that states: (a) the physician agrees to provide a scope of medical or osteopathic services for a specified number of hours per week and a specified number of years, (b) the Department agrees to repay all or specified portion of the principal and interest of a government or other educational loan if the physician fulfills the service obligation and the expenses were incurred while the physician was in school and was used for tuition, other educational expenses, and room and board, (c) the physician agrees to pay the Department a specified amount as damages if the physician fails to comply with the contract terms, and (d) any other terms agreed upon by the Department and physician.

Fiscal effect: Potential increase in costs if the Department decides to establish a physician recruitment program related to developing the program and loan repayments to participants.

DVSCD2**Veterans organizations' rent****Section: 415.10**

Requires GRF appropriation item 900408, Department of Veterans Services, be used to pay veterans organizations' rent in buildings managed by the Department of Administrative Services.

Executive

DVSCD3 Veterans organizations' subsidies**Section: 415.10**

Earmarks the entire FY 2018 appropriation for GRF appropriation item 900501, Veterans Organizations, to be allocated to 13 specified veterans organizations as follows: (1) \$28,910 to the American Ex-Prisoners of War, (2) \$63,539 to the Army Navy Union, USA, Inc., (3) \$57,118 to the Korean War Veterans, (4) \$34,321 to the Jewish War Veterans, (5) \$66,978 to the Catholic War Veterans, (6) \$65,116 to the Military Order of the Purple Heart, (7) \$214,776 to the Vietnam Veterans of America, (8) \$349,189 to the American Legion of Ohio, (9) \$332,547 to the AMVETS, (10) \$249,836 to the Disabled American Veterans, (11) \$133,947 to the Marine Corps League, (12) \$6,868 to the 37th Division of Veterans' Association, and (13) \$284,841 to the Veterans of Foreign Wars.

Requires, not later than July 30, 2017, each organization listed in the provision above submit a report to the Director of Veterans Services that meets the requirement established by the Director. Permits the Director to request an organization supplement any report with additional information to sufficiently meet the established requirements. Prohibits any funds from being distributed to an organization listed in the above provision until the Director determines that the organization has provided information to the Director that sufficiently meets the established requirements.

Requires the FY 2019 appropriation to GRF appropriation item 900501, Veterans Organizations, to be used to provide grants pursuant to the veterans organizations grant program established by the bill in RC 5902.02. to improve access for veterans and their families to benefits and resources from the U.S. Department of Veterans Affairs or programs that enhance access to employment services and opportunities, or other resources.

DVSCD4 Veterans compensation general obligation bond debt service**Section: 415.10**

Requires GRF appropriation item 900901, Veterans Compensation General Obligation Bond Debt Service, be used to pay all debt service and related financing costs during the period from July 1, 2017, through June 30, 2019, on obligations issued under R.C. 151.01 and 151.12.

Executive

VHPCD1 Creation of State Vision and Hearing Professionals Board

**R.C. *4744.02, conforming changes in Chapters
4725., 4747., 4753., and other R.C. sections,
and Section 515.33***

Creates the State Vision and Hearing Professionals (VHP) Board by consolidating the State Board of Optometry, the Ohio Optical Dispensers Board, the Board of Speech-Language Pathology and Audiology, and the Hearing Aid Dealers and Fitters Licensing Board. Abolishes the existing boards on January 21, 2018. Specifies that any existing licenses, certificates, permits, registrations, or endorsements issued before January 21, 2018 by any of these abolished boards will continue in effect as if issued by VHP.

Specifies that VHP will have nine board members appointed by the Governor. Specifies the terms of office and that members will receive a per diem for performing official duties as well as actual and necessary expenses. Requires VHP to hire an executive director.

Establishes regulatory procedures for VHP that are similar to current law's provisions that apply to the boards abolished. Requires VHP to establish a code of ethical practice for each occupation that it will regulate and authorizes VHP to take disciplinary action against an applicant or license holder for violating a code of ethics (speech-language pathologists and audiologists, which are to be regulated by VHP, include these provisions in current law).

Provides that employees of the applicable abolished boards are transferred to VHP and are to retain their positions and benefits. Allows the VHP Executive Director, beginning January 21, 2018 through June 30, 2019, to establish, change, and abolish positions on the board and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all VHP employees.

Allows the boards abolished, at the board's discretion and with the approval of the Office of Budget and Management, to establish a retirement incentive plan for its employees who are members of the Public Employees Retirement System. Specifies that the plan remains in effect until January 20, 2018.

Requires license applicants for all occupations regulated by VHP to undergo criminal records checks to receive a license (continuing law generally requires a criminal records check for most professions as a condition of licensure, but the bill adds these provisions for hearing aid dealers and fitters, speech-language pathologists, and audiologists licenses).

Generally provides for electronic occupational license applications and renewals by eliminating current law requirements that certificates of licensure and certificate reinstatements to practice optometry be written.

Executive

Authorizes VHP, with Controlling Board approval, to increase fees for the optical dispensing licensing examination in excess of the fee currently established by rule, so long as the increase does not exceed 50% of the current fee.

Specifies that hearing aid dealers and fitters licensing fees are to be deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90) rather than the General Operations Fund (Fund 4700).

Fiscal effect: The bill appropriates \$627,824 in FY 2018 and \$1.1 million in FY 2019 for the new VHP Board.

Executive

DYSCD1 Juvenile correctional facilities lease rental bond payments**Section: 421.10**

Requires GRF appropriation item 470412, Juvenile Correctional Facilities Lease Rental Bond Payments, be used to meet all payments during the period from July 1, 2017, through June 30, 2019, by the Department of Youth Services under the leases and agreements for facilities under R.C. Chapters 152. and 154. Specifies that the appropriation is the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

DYSCD2 Education services**Section: 421.10**

Requires DPF Fund 1750 appropriation item 470613, Education Services, be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services, including, but not limited to, teachers' salaries, maintenance costs, and educational equipment.

DYSCD3 Flexible funding for children and families**Section: 421.10**

Permits the juvenile court, in collaboration with that county's family and children first council, to transfer portions of its allocations from one or both of GRF appropriation items 470401, RECLAIM Ohio, and 470510, Youth Services, to a flexible funding pool as authorized by Section 337.160 (Family and Children First Flexible Funding Pool) of the bill.

Executive

LOCCD2 Appointment of coroners and county engineers and mergers of the positions and offices

**R.C. 313.01, 314.01, 314.02, 314.03, 314.04,
 314.05, 314.06, 314.13, 315.01**

Creates a procedure whereby a board of county commissioners, with approval of the voters, appoints the county coroner or county engineer, or both positions, instead of having those positions elected.

Allows a board of county commissioners of any county, by a two-thirds vote of the board, or otherwise requires the board, upon a petition filed with the board by three percent of the electors of the county that voted in the last gubernatorial election, to submit the question to the voters as to whether the county coroner or county engineer will be appointed or elected.

Specifies that if the voters approve a ballot measure for appointment, the candidate being appointed must meet the qualifications of office required by law, and if the voters do not approve the measure, the office must continue to be elected.

Specifies that the appointment of these positions are for an indefinite term and requires a majority vote of the county commissioners to be removed from office and requires that the salary of the appointed position be not less than the salary that the officer would have received if elected.

Specifies that an appointed county officer is the county officer of the county for purposes of the Revised Code, and specifies that the officer must exercise any power, perform an function, and render any service vested in law to that county office.

Authorizes the board of county commissioners in a county that already has an appointed coroner or county engineer, or both, to merge that officer's position, or office and position, with the same appointed county officer position, or office and position, in any number of adjoining counties, by resolutions of the boards and with voter approval. Establishes the procedure for submitting the merger question to each county's voters.

Specifies that the merger resolution indicate: The county officer position being merged; the names of all counties participating in the merger; what offices or positions are to be eliminated; the location of the merged office; the minimum amount of funds, the services, and property to be contributed to the appointed county officer's office by each participating county; a transition plan and schedule; and the name of the merged position, or office and position.

Specifies that the salary of the position must be fixed by a vote of a majority of the county commissioners of all the counties participating in the merger, and the appointed office holder must exercise any power, perform any function, or render any service vested by law for all counties participating in the merger.

Executive

Establishes a procedure to discontinue a merger with voter approval, and specifies that a merger must be dissolved if only one county is left remaining in the merger. Conversely, allows for a county that has appointed a coroner or county engineer under the bill and that is adjacent to a county participating in a merger to join the merger under the merger process described in the bill.

LOCCD4 County auditor financial report**R.C. 319.11**

Increases, from 90 to 150, the number of days after the close of the fiscal year within which a county auditor must prepare a financial report of the county for the preceding fiscal year.

LOCCD3 Municipal annual reports not required to be filed with Auditor of State**R.C. 705.22**

Removes the Auditor of State from the list of entities to which a municipality is required to provide its annual report, but retains the municipal library and any citizen applying for a copy of the report as recipients.

LOCCD5 Community-based correctional facility reporting**R.C. 2301.56**

Provides that specified community-based correctional facilities file an annual financial report, rather than quarterly reports to the Auditor of State.

Fiscal effect: Would reduce the costs of producing these reports for community-based correctional facilities.

LOCCD1 Township road construction estimates**R.C. 5575.02, 5575.03**

Eliminates the requirement that, when advertising a bid for a road improvement project, a board of township trustees provide notice of the estimate of the project.

Executive

Specifies that a board is not required to provide notice of the estimate or amended estimate when the board readvertises for bids if the original bidding process did not yield a bid within 110% of the estimate.

Fiscal effect: It is unclear as to whether or not including a project estimate in an advertisement would impact the number of bids or impact the bid prices.

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