



# COMPARISON DOCUMENT

## House Bill 49 132<sup>nd</sup> General Assembly

### Main Operating Budget Bill (FY 2018 – FY 2019)

As Introduced  
As Passed by the House  
As Passed by the Senate

*\*Items on which the Executive, House, and Senate are in agreement are **not** shown.*

## 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. 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), as well as a Local Government Provisions (LOC) section for provisions that affect local governments and that are not entered in other agency sections. 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.

*\*Items on which the Executive, House, and Senate are in agreement are **not** shown.*

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Executive

As Passed by the House

As Passed by the Senate

**ADJCD6 Military leave for permanent public employees**

No provision.

**R.C. 5923.05**  
 Modifies the operation of the leave of absence law for certain permanent public employees who are members of the Ohio organized militia or members of other reserve components of the Armed Forces of the United States, including the Ohio National Guard, by establishing that the entitlement applies to each federal fiscal year (instead of each calendar year as under current law).  
**Fiscal effect: Uncertain.**

**R.C. 5923.05**  
 Same as the House.

**Fiscal effect: Same as the House.**

**ADJCD7 Wright-Patterson Air Force Base**

No provision.

**Sections: 205.10, 205.20**  
 Reestablishes DPF Fund 5RV0 appropriation item 745630, Ohio Military Facilities Support, with an appropriation of \$1,000,000 in each fiscal year. Requires the Director of Budget and Management, on July 1 of each fiscal year, or soon as possible thereafter, to transfer \$1,000,000 from the GRF to the Ohio Military Facilities Fund (Fund 5RV0). Requires that amount to be used by the Ohio Military Facilities Commission exclusively to finance or assist in the financing of infrastructure capital improvements at Wright-Patterson Air Force Base in preparation for future federal Defense Base Closure and Realignment Commission (BRAC) actions.

No provision.

Executive

As Passed by the House

As Passed by the Senate

ADJCD8      Cash transfer from the Ohio Federal Military Jobs Commission Fund to the GRF

No provision.

No provision.

**Section: 205.20**

Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer \$350,000 from the Ohio Federal Military Jobs Commission Fund (Fund 5SD0) used by the Adjutant General's Department to the GRF.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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 antitrust review, unless such an action is requested 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 against 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: (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.

**R.C.        107.56**

Same as the Executive, except requires the Common Sense Initiative Office instead of DAS to perform antitrust review duties.

Same as the Executive, but makes two changes: (a) expands the review exemption because of denial of licensure to include failure to comply with in addition to violating Ohio Law or administrative rules and (b) exempts from antitrust review any action by a board or commission in which members of the board or commission who practice the affected occupation or industry are statutorily prohibited from participating (rather than any action by a board or commission that is limited by statute to only the public members of the board or commission as proposed by the Executive).

Same as the Executive.

**R.C.        107.56**

Same as the House.

Same as the House.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

Specifies the procedure to be followed when an action is referred 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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive, except substitutes CSI for DAS.

Same as the House.

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

Same as the Executive, except substitutes CSI for DAS.

Same as the House.

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 before pursuing the antitrust claim. Excludes the Attorney General, county prosecutors, or assistant prosecutors from this requirement.

Same as the Executive.

Same as the Executive.

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. Requires

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.**

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

**Fiscal effect: Same as the House.**

**DASCD32 Control of legislative agency office space**

**R.C. 123.01**

No provision.

Allows all agencies within the legislative branch of the state government (not just the Joint Legislative Ethics Committee as under current law) to make purchases, leases, and repairs for the agencies' office spaces, and provides the agencies custody of the office spaces, thereby exempting them from DAS oversight for these services.

**R.C. 123.01**

Same as the House.

No provision.

Allows all legislative agencies (except the Capitol Square Review and Advisory Board as under continuing law) to contract with DAS for services related to the legislative office spaces.

Same as the House.

**Fiscal effect: Any fiscal effect will depend on the particular services a legislative agency needs and the entity that the agency chooses to provide those services.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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 U.S. 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 U.S. Public Health Service (current law), (d) the merchant marine service during wartime, or other service as may be designated by congress, or (e) the Ohio organized militia when engaged in full-time national guard duty for a period of 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.

No provision.

No provision.

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.

No provision.

No provision.

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

No provision.

No provision.

**Fiscal effect: Negligible.**

Executive

As Passed by the House

As Passed by the Senate

**DASCD36 High deductible health plan with a health savings account - state employee health care option**

**R.C. 124.823**

No provision.

Repeals the pilot program that required the Department of Administrative Services (DAS) to establish a medical savings account pilot program.

No provision.

No provision.

Requires DAS to establish and offer a high-deductible health plan (HDHP) with a health savings account (HSA) as part of the package of health care benefits offered to state employees and state elected officials paid by warrant of the Director of Budget and Management. Specifies that the HDHP must not increase the cost of providing health benefits to such employees and officials.

No provision.

No provision.

Specifies that the HDHP with an HSA must include all health benefits that an employee is entitled (i.e., health, medical, hospital, dental, surgical, and vision benefits).

No provision.

No provision.

Permits DAS to require state employees enrolled in the HDHP to contribute to their HSAs.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential increase in administrative expenses to establish an additional health care plan option for state employees and state elected officials. It may also increase the state's administrative costs associated with HSAs. Any such costs would be paid from the Human Resources Services Fund (Fund 1250). Any impacts on the state's cost for providing health benefits to employees and dependents would depend on the scope of the HDHP. Currently, medical claims costs of the state's self-insured health plan are paid out of the State Employee Health Benefit Fund (Fund 8080). The provision that specifies that the HDHP must not increase the state cost of providing health insurance to its employees and state elected officials implies that any additional administrative costs are expected to be offset by savings in benefit costs.**

**DASCD20            Creation of the Professions Licensing System Fund**

**R.C.            125.18, Section 207.40**

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.

**R.C.            125.18, Section 207.40**

Same as the Executive.

Same as the Executive.

**R.C.            125.18, Section 207.40**

Same as the Executive.

Same as the Executive, but makes the following clarifications: (1) Specifies that the transaction fee applies to all transactions regardless of form that immediately precede the issuance, renewal, reinstatement, reactivation of, or other activity that results in, a licenses or registration to operate as a regulated professional or entity; (2) specifies that each license or registration is a separate transaction to which a transaction fee shall apply; (3) prohibits an agency,

Executive

As Passed by the House

As Passed by the Senate

board, or commission from issuing a license or registration unless a transaction fee due, if assessed, has been received; (4) specifies that the Director of Administrative Services may require a board or commission, in addition to just a state agency using the system, to collect the fee, and (5) requires the fees to be deposited in or transferred to Fund 5JQ0, rather than just deposited into Fund 5JQ0.

**DASCD39 Pay for Success Contracting Program**

**R.C. 125.66, 125.661, Sections 207.10, 207.20 and 207.60**

No provision.

Establishes the Pay for Success Contracting Program and authorizes the Director of Administrative Services to enter into multi-year contracts with social service intermediaries under the Program to achieve certain social goals in Ohio.

No provision.

No provision.

Specifies that contracts under the Program must include provisions that: (1) require DAS, in consultation with an agency that administers programs or services related to the contract's subject matter, to specify performance targets to be met by the social service intermediary; (2) specify the process or methodology that an independent evaluator contracted by DAS must use to evaluate the social service intermediary's progress toward meeting each performance target; (3) require DAS to pay the social service intermediary in installments at times determined the Director of DAS that are specified in the contract and are consistent with applicable state law; (4) require installment payments to be based on the intermediary's progress toward achieving each performance target; (5) specify the maximum amount an intermediary may earn for its progress toward achieving performance targets; and (6) require DAS to ensure that the

No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	intermediary, in accordance with applicable state and federal law, has access to any data in the possession of a state agency that the intermediary requests for the purpose of performing contractual duties.	No provision.
No provision.	Requires the Director of Administrative Services, in consultation with the Department of Health, to contract with one or more social service intermediaries to administer one or two pilot projects intended to reduce the incidence of infant mortality, low-birthweight births, premature births, and still births in the urban and rural communities that are specified by the Director of Health and promote equity in birth outcomes among infants of different races.	No provision.
No provision.	Requires appropriation item 100461, Pay For Success Contracting, to be used to support the initiative.  <b>Fiscal effect: Under the bill, DAS will pay the administrative and contracting costs of the program. The bill includes appropriations of \$500,000 in each fiscal year under new GRF appropriation item 100461, Pay For Success Contracting, to pay these costs.</b>	No provision.
<hr/>		
<b>DASCD37</b>	<b>Authority over contracts for improvements to existing facilities</b>	
	<b>R.C. 153.01, 123.21, 123.211</b>	
No provision.	Specifies that the Ohio Facilities Construction Commission's powers do not extend to letting or administering contracts that fall under the power of the Department of Administrative Services to make changes to existing facilities.	No provision.
No provision.	Provides that a contract awarded by DAS takes precedence over the authority of the Ohio Facilities Construction Commission.	No provision.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: None apparent.

DASCD35

Staggered renewal process for electronic licensing

R.C. 4745.05, 4745.01

No provision.

Requires occupational licensing agencies that use the electronic licensing system operated by DAS to adopt rules incorporating into the agency's licensing process (1) a minimum license duration of 2 years, and (2) a staggered renewal schedule so that an approximately equal number licenses are subject to renewal during each year of the duration of a particular license.

No provision.

No provision.

Allows a licensing agency, after a reasonable period of time, to opt out of the above requirements if conformance did not establish a more uniform funding stream for the agency and has had an adverse effect on both the agency staff and the community regulated by the agency.

No provision.

**Fiscal effect: Although requiring staggered renewal periods would alter the timing of license revenue receipts, overall revenue for occupational licensing and regulatory boards should not be affected. There may, however, be some administrative costs for converting to a two-year renewal process.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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 Fund 7036.

**Section: 207.20**

Same as the Executive, except corrects the reference to the fund where charges are applied instead to the Public Safety - Highway Purposes Fund (Fund 5TM0). (Fund 7036 was abolished under H.B. 26, the FY 2018-FY 2019 transportation budget act.)

Same as the Executive, except gives the correct reference to the Public Safety - Highway Purposes Fund (Fund 5TM0).

**Section: 207.20**

Same as the House.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**DASCD34      MARCS Administration Fund - Tier 1 subscriber subsidies**

**Section: 207.40**

**Section: 207.20**

No provision.

Requires the Director of Budget and Management, upon the request of the Director of Administrative Services, to transfer up to \$1.0 million in cash in each fiscal year from the GRF to the MARCS Administration Fund (Fund 5C20) to reduce or eliminate MARCS subscriber fees paid by entities classified as Tier 1 subscribers by the MARCS Steering Committee.

Replaces the House provision with one that provides the same subsidy but via a direct GRF appropriation of \$1.0 million in each fiscal year under new GRF appropriation item 100501, MARCS Fee Offset.

**DASCD38      Funding for voting machine upgrades**

**Section: 610.23**

**Section: 610.23**

No provision.

Amends S.B. 310 of the 131st G.A. to create capital item C10037, Voting Machine Reimbursement, with funding of \$1.0 million to be used by DAS, in consultation with the Secretary of State, to provide reimbursements of up to 50%, but not more than \$250,000, to counties that have acquired new voting machines on or after January 1, 2014.

Same as the House, but specifies that (1) reimbursement to counties is based on the number of registered voters in a county as of January 1, 2017, instead of an up to 50% reimbursement basis, and (2) the \$250,000 cap applies only to this specific appropriation.

No provision.

Requires DAS, in conjunction with the Secretary of State, to issue a request for proposal (RFP) and select not more than three certified voting machine and equipment vendors to implement a unified statewide purchasing or leasing plan.

No provision.

No provision.

Specifies that it is the intent of the General Assembly to provide additional funding for voting machine purchases and reimbursement in FY 2019.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**AGECD2 Assisted Living Program**

**R.C. 173.541, 173.544**

**Section: 209.50**

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.

No provision.

No provision.

No provision.

Creates a workgroup to review the Assisted Living Program and specifies membership.

No provision.

No provision.

Requires the workgroup to (1) identify potential barriers to enrollment in the Program and providers' participation in the Program and (2) consider making community-based services that are similar to assisted living services available under other programs that ODA currently administers or under a new program.

No provision.

No provision.

Requires that the workgroup complete a report of its review by July 1, 2018.

No provision.

**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.**

**Fiscal effect: The provision states that members are to serve without compensation or reimbursement. However, there could be a minimal increase in administrative costs for the departments of Aging and Medicaid to provide administrative assistance.**

Executive

As Passed by the House

As Passed by the Senate

AGECD18      Assisted Living Program rates

**Section: 209.60**

No provision.

Prohibits the establishment of a new rate-setting methodology for the Assisted Living Program during the FY 2018-FY 2019 biennium.

No provision.

No provision.

Provides that the Medicaid rates for the Assisted Living Program during the FY 2018-FY 2019 biennium cannot exceed the rates in effect on June 30, 2017.

No provision.

**Fiscal effect: Assisted Living rates were anticipated to be increased by \$34.9 million (\$13.0 million state share) in FY 2019. As a result, appropriations to GRF line item 651525, Medicaid Health Care Services, which is used by the Department of Medicaid to pay for Assisted Living services, have been reduced accordingly.**

Executive	As Passed by the House	As Passed by the Senate
<p><b>AGRCD18 Soybean marketing program</b></p>	<p><b>R.C. 924.211, 924.01 and 924.09</b></p> <p>Establishes the Soybean Marketing Program, and requires it to be operated under the same operating procedures and requirements that apply to the existing Grain Marketing Program. Specifies that the assessments levied on soybean producers is 0.5% of the per-bushel price at first point of sale.</p> <p><b>Fiscal effect: Gain in revenue deposited into the Agriculture Commodity Marketing Program Fund (Fund 4940) from assessments levied on soybean producers.</b></p>	<p><b>R.C. 924.211, 924.01 and 924.09</b></p> <p>Same as the House, but prohibits the Ohio Soybean Marketing Program from levying assessments if assessments are levied under the National Soybean Checkoff Program.</p> <p><b>Fiscal effect: Same as the House, but could limit the extent of the potential additional revenue deposited into Fund 4940.</b></p>
<p><b>AGRCD19 Inflatable amusement ride inspection</b></p>	<p><b>R.C. 1711.51, 1711.53 and Section 709.10</b></p> <p>Revises the law governing the inspection and reinspection fee for inflatable amusement rides by eliminating the existing \$105 annual fee and instead requires the Director of Agriculture to set the fee by rule.</p> <p>Requires the Director of DAS to review the costs for conducting inspections and reinspections for inflatables, and authorizes the Director to contract with a private entity to perform the review. Requires the review to be completed and recommendations on the annual fee amount to be submitted to the Director of Agriculture no later than October 15, 2017.</p> <p>Bars the Director of Agriculture from adopting rules on the fees until the fee review and recommendations described above have been submitted. Requires that rules dealing with the annual inspection and reinspection fees and consistent</p>	<p><b>R.C. 1711.53</b></p> <p>Same as the House.</p> <p>No provision.</p> <p>No provision.</p>

Executive	As Passed by the House	As Passed by the Senate
No provision.	with the recommendations be adopted no later than January 31, 2018. Exempts the rules from the business impact analysis process under current law.	No provision.
No provision.	Requires the Director Agriculture to charge a prorated fee for the issuance of a permit that has a term of less than one year.	No provision.
No provision.	Adds two members representing the inflatable amusement ride industry to the existing Advisory Council on Amusement Ride Safety.	No provision.
	<b>Fiscal effect: DAS would incur one-time costs to perform the required review. Any change in fees collected and deposited into the Amusement Ride Inspection Fund (Fund 5780) will depend on the outcome of the required fee review and the rules that are adopted.</b>	<b>Fiscal effect: Same as the House, but eliminates the role of DAS to review the fee and the potential one-time costs to perform the required review.</b>
<b>AGRCD17</b>	<b>Exemption for certain apple syrup and apple butter processors from food processing standards</b>	
No provision.	<p><b>R.C. 3715.021</b></p> <p>Exempts a processor of apple syrup or apple butter who directly harvests from trees at least 75% of the apples used to produce these items from rules governing standards and good manufacturing practices for food processing establishments.</p> <p><b>Fiscal effect: Uncertain.</b></p>	No provision.

Executive

As Passed by the House

As Passed by the Senate

**AGOCD15 Authority of third party to receive notices of sealed records**

**R.C. 109.38, 109.381, 2953.32, 2953.37, 2953.38, 2953.53**

(1) No provision.

(1) Requires the Attorney General to select a private entity as a qualified third party to receive notices of court orders sealing or expunging criminal records, and specifies that the Attorney General has oversight of the third party's activities.

(1) No provision.

(2) No provision.

(2) Requires the Attorney General and the third party to enter into a contract specifying the fee to be paid by an applicant who wishes to have the court send the third party notice of its record sealing or expunging order.

(2) No provision.

(3) No provision.

(3) Requires the clerk of court to (a) notify an applicant for record sealing or expungement that the court will notify the qualified third party, (b) allow the applicant to opt out, and (c) collect the fee provided in the contract between the Attorney General and the qualified third party.

(3) No provision.

(4) No provision.

(4) Requires the third party who receives notice of such court order to send notice of the order to data repositories, websites, and publications known to utilize or disseminate information from those records.

(4) No provision.

(5) No provision.

(5) Requires such data repository to remove from its database, and the websites and publications to remove from the website or publication, all records that are subject to the sealing or expunging court order and information from those records.

(5) No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: The Attorney General's annual costs to manage the contracting process are likely to be minimal at most. Clerks of common pleas, municipal, county, and mayor's courts will see an increase in expenses to establish and maintain a system for sending court notices and applicant fees to the third-party contractor. Presumably, the proportion of the fee remitted back to the clerk will offset some, if not all, of the associated costs.**

AGOCD10 Domestic Violence Program

**R.C. 109.46, Sections 221.10 and 221.20**

**R.C. 109.46, 109.91, Sections 221.10 and 221.20**

(1) No provision.

(1) Creates the Domestic Violence Program Fund (Fund 5TW0) consisting of money appropriated to the fund by the General Assembly or donated to the fund. Requires the Attorney General to administer the fund for the purpose of providing funding to domestic violence programs. Requires the Attorney General use at least 95% of the money for the purpose of providing funding to domestic violence programs, and permits the Attorney General to use not more than 5% of the money to pay costs associated with administering the fund.

(1) Same as the House.

(2) No provision.

(2) Defines "domestic violence program" to mean either: (a) the nonprofit state domestic violence coalition designated by the Family and Youth Services Bureau of the U.S. Department of Health and Human Services, or (b) a program operated by a nonprofit entity the primary purpose of which is to provide a broad range of services to victims of domestic violence.

(2) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(3) No provision.

(3) Requires the Attorney General to adopt rules pursuant to R.C. Chapter 119. that establish procedures for domestic violence programs to apply for funding and for distribution of money out of the fund.

(3) Same as the House.

(4) No provision.

(4) Requires priority of funding be given to domestic violence programs in existence on or after July 1, 2017. Requires a domestic violence program that receives funding use it for the following purposes: (a) to provide training and technical assistance to service providers, if the program that receives the funds is the nonprofit state domestic violence coalition, and (b) to provide services to victims of domestic violence. Permits funds for the purpose specified in (b) to also be used for general operating support, including capital improvements and primary prevention and risk reduction programs for the general population.

(4) Same as the House.

(5) No provision.

(5) Establishes the Domestic Violence Advisory Board consisting of four members appointed by the Attorney General. Requires the Board to provide advice and counsel to the Attorney General in determining the needs of domestic violence victims and developing a policy for administering the fund and to make recommendations regarding distribution of funds.

(5) Same as the House, but eliminates the Domestic Violence Advisory Board and instead assigns its duties to the existing State Victims Assistance Advisory Council.

(6) No provision.

(6) Specifies that the members of the Domestic Violence Advisory Board serve without compensation, but are eligible for reimbursement of their travel and other necessary expenses.

(6) No provision.

(7) No provision.

(7) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$100,000 from the GRF to the Domestic Violence Program Fund. Creates related DPF Fund 5TW0 appropriation item 055602, Domestic Violence Program, with an appropriation of \$100,000 in each fiscal year, and

(7) No provision.

Executive

As Passed by the House

As Passed by the Senate

(8) No provision.	requires the appropriation to be used to fund domestic violence programs.	(8) No provision.	(8) Permits the Attorney General to use \$100,000 of the amount appropriated to GRF appropriation item 055321, Operating Expenses, in each fiscal year for the purpose of providing funding to domestic violence programs as defined in R.C. 109.46.
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**AGOCD17 Ohio Peace Officer Training Commission membership**

No provision.	No provision.	<p><b>R.C. 109.71</b></p> <p>Adds one member from a fraternal organization that represents law enforcement officers as the 10th member of the Ohio Peace Officer Training Commission.</p> <p><b>Fiscal effect: Potential minimal annual expenditure increase, as members receive no compensation for their services, but are allowed their actual and necessary expenses incurred in the performance of their duties.</b></p>
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Executive

As Passed by the House

As Passed by the Senate

**AGOCD11 Continuing professional training for peace officers**

No provision.

**R.C. 109.803**

Requires the Attorney General, in rules setting forth the minimum standards and administration of continuing professional training for peace officers and troopers, to include rules that do all of the following: (1) allow peace officers to earn up to four hours of continuing professional training (CPT) hours by providing drug use prevention education in K-12 public schools, (2) allow a peace officer to earn CPT hours for other peace officers in the same law enforcement agency by providing drug use prevention education in K-12 public schools, and (3) prohibit CPT hours earned through drug-use prevention education from being used to offset hands-on training that is otherwise required.

**Fiscal effect: Uncertain.**

**R.C. 109.803**

Same as the House.

**Fiscal effect: Same as the House.**

**AGOCD12 Retained Applicant Fingerprint Database and criminal records checks**

(1) No provision.

**R.C. 109.5721**

(1) Includes within the Retained Applicant Fingerprint Database (RAPBACK) individuals who are issued a license by a licensing agency and are subject to a criminal records check.

(1) No provision.

(2) No provision.

(2) Requires the Bureau of Criminal Identification and Investigation to periodically conduct criminal records checks on those individuals in professions requiring a license and whose names are in RAPBACK.

(2) No provision.

Executive

As Passed by the House

As Passed by the Senate

(3) No provision.

(3) Requires the Bureau, if any of those individuals have been arrested for, convicted of, or pleaded guilty to any offense since the initial criminal records check, to compile the names of such individuals and the offenses for which the individuals were arrested for, convicted of, or pleaded guilty to, and annually report that information to the Inspector General.

(3) No provision.

**Fiscal effect: Uncertain.**

AGOCD20

Background investigations under Solid, Hazardous, and Infectious Wastes Law

No provision.

No provision.

**R.C. 3734.42**

Alters the time frame for updating information concerning background information submitted via a disclosure statement by permit applicants, permittees, and prospective owners under the Solid, Hazardous, and Infectious Wastes Law by requiring both of the following:

(1) No provision.

(1) No provision.

(1) The Attorney General, every five years (rather than every three years as under current law), to request from the Federal Bureau of Investigation any information regarding a criminal conviction with respect to each officer, director, partner, or key employee of an applicant, permittee, or prospective owner.

(2) No provision.

(2) No provision.

(2) An applicant, permittee, or prospective owner, every five years (rather than every three years as under current law), to submit an affidavit listing information related to administrative, civil, and criminal actions during the previous five-year period (rather than the previous three years as under current law) regarding a business concern required to be listed on the disclosure statement.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential expenditure savings for the Attorney General's Environmental Background Investigation Unit and Bureau of Criminal Investigation as certain background investigations will be conducted less frequently. Revenue loss of as much as \$200,000 annually, as the related background maintenance investigation fee (\$1,500-\$5,000) credited to the Solid and Hazardous Waste Background Investigations Fund (Fund 6590) will be collected less frequently.**

AGOCD14 Forensic laboratory funding

**Sections: 221.10, 221.20**

**Sections: 221.10, 221.20**

(1) No provision.

(1) Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer \$3,500,000 from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Attorney General Reimbursement Fund (Fund 1060). Appropriates that amount to the FY 2018 appropriation for related DPF Fund 1060 appropriation item 055612, Attorney General Operating.

(1) Same as the House.

(2) No provision.

(2) Earmarks \$2,000,000 of the amount appropriated to appropriation item 055612 in FY 2018 to be used by the Attorney General to fund criminal laboratory case work primarily related to opioid or other criminal cases submitted to the Bureau of Criminal investigation.

(2) Same as the House.

(3) No provision.

(3) Earmarks \$1,500,000 of the amount appropriated to appropriation item 055612 in FY 2018 to be used to support each public forensic laboratory in Ohio that is accredited in chemistry by The American Society of Crime Laboratory Directors/Laboratory Accreditation Board (ASCLD/LAB) or

(3) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

the ANSI-ASQ National Accreditation Board (ANAB) to perform chemistry laboratory work. Requires the Attorney General to distribute the funds directly to such laboratories based on the recommendation of the Forensic Science Institute of Ohio, and provides that no accredited laboratory receive less than \$100,000.

AGOCD19 Drug Abuse Response Team Grant Program

(1) No provision.

(1) No provision.

Sections: 221.10, 221.20

(1) Creates GRF appropriation item 055431, Drug Abuse Response Team Grants, with an appropriation of \$2,500,000 in each of FYs 2018 and 2019.

(2) No provision.

(2) No provision.

(2) Requires the Attorney General to establish the Drug Abuse Response Team Grant Program for the purpose of replicating or expanding successful law enforcement programs that address the opioid epidemic similar to the Drug Abuse Response Team established by the Lucas County Sheriff's Department, and the Quick Response Teams established in Colerain Township's Department of Public Safety in Hamilton County and Summit County.

(3) No provision.

(3) No provision.

(3) Requires that GRF appropriation item 055431, Drug Abuse Response Team Grants, be used by the Attorney General to fund grants to law enforcement or other government agencies primarily for the purpose of expanding or replicating successful law enforcement programs that address the opioid epidemic similar to the Drug Abuse Response Team established by the Lucas County Sheriff's Department and the Quick Response Teams established in Colerain Township's Department of Public Safety in Hamilton County and Summit County.

Executive	As Passed by the House	As Passed by the Senate
(4) No provision.	(4) No provision.	(4) Requires that each recipient of funding submit, within six months of the end date of the grant, a written report describing the outcomes that resulted from the grant to the Governor, President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives.
<b>AGOCD16      Organized Crime Investigations Commission Pilot Project</b>		
No provision.	No provision.	<p><b>Section: 221.20</b></p> <p>Requires \$50,000 of the amount appropriated to GRF appropriation item 055321, Operating Expenses, in each fiscal year to be allocated for a pilot project developing new investigatory tools for the Organized Crime Investigations Commission on behalf of task forces investigating drug trafficking and related criminal activity.</p>

Executive

As Passed by the House

As Passed by the Senate

**AUDCD3 Deputy Auditor of State CPA**

No provision.

**R.C. 117.04**

Requires an individual to hold a CPA certificate in order to be appointed as Deputy Auditor of State.

No provision.

**AUDCD4 Continuance of fiscal watch provisions**

No provision.

**R.C. 118.023, Section 105.20**

Repeals a future version of a statute, scheduled to take effect September 29, 2017, that would have eliminated the Auditor of State's ability to declare a fiscal emergency for a municipal corporation, county, or township that is under a fiscal watch, thereby also continuing the current statute which also reduces from 120 to 90 days, the amount of time such a local government under fiscal watch has to submit a financial recovery plan.

**R.C. 118.023, Section 105.20**

Same as the House.

**AUDCD5 Removal of local government fiscal officers**

No provision.

**R.C. 319.26, 321.37, 507.13, 733.78**

Increases the time, from ten business days, to 30 calendar days, during which the Auditor of State must review a sworn affidavit and evidence against a local fiscal officer and must determine whether clear and convincing evidence supports allegations of misconduct.

**R.C. 319.26, 321.37, 507.13, 733.78**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

AUDCD2      Training for local fiscal officers

No provision.

**R.C.      321.46, 507.12, 733.81**

Adds cybersecurity to the list of subjects allowable for inclusion in the Auditor of State's and Treasurer of State's training of local officers.

**Fiscal effect: Unclear as to whether this would increase training costs charged to local fiscal officers. Training event proceeds are deposited into the Auditor of State Training Fund (Fund 5840) or the state fund which the Treasurer uses to support this training.**

**R.C.      321.46, 507.12, 733.81**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

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.

No provision.

No provision.

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

No provision.

No provision.

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

No provision.

No provision.

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).

No provision.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

No provision.

No provision.

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.

No provision.

No provision.

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).

No provision.

No provision.

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.

No provision.

No provision.

**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

As Passed by the House

As Passed by the Senate

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.

(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

Section: 281.20

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but decreases the earmark to \$992,978 in each fiscal year.

(2) Same as the Executive, but decreases the earmark to \$2,614,284 in each fiscal year.

(3) Same as the Executive, but decreases the earmark to \$290,476 in each fiscal year.

Section: 281.20

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but decreases the earmark to \$977,856 in each fiscal year.

(2) Same as the Executive, but decreases the earmark to \$2,574,472 in each fiscal year.

(3) Same as the Executive, but decreases the earmark to \$286,053 in each fiscal year.

## Executive

## As Passed by the House

## As Passed by the Senate

**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.

**R.C. 109.112, 126.071**

Same as the Executive.

Same as the Executive, but replaces the requirement to consult the OBM Director with a requirement to have a previous appropriation and approval from the Controlling Board, prior to a state agency agreeing to any monetary settlement that obligates payments from any fund within the state treasury.

No provision.

No provision.

**OBMCD44**      **Biannual OBM report**

No provision.

No provision.

No provision.

No provision.

**R.C. 126.231**

Requires the Director of OBM to submit reports to the President and Minority Leader of the Senate, the Speaker and Minority Leader of the House, and the chairpersons of the finance committees of the Senate and House every six months beginning July 1, 2018 on the following:

(1) Line items that have been discontinued but have a remaining balance

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	(2) Funds without expenditures
No provision.	No provision.	(3) Funds that have spent less than 50% of their appropriations
No provision.	No provision.	(4) Dedicated purpose funds that have over 100% of their appropriation in cash on hand
<b>OBMCD42 Cash transfer from select non-GRF funds to the GRF</b>		
No provision.	No provision.	<p><b>Section: 512.12</b></p> <p>Authorizes the OBM Director to transfer cash each fiscal year from certain funds that are used by the Department of Commerce, the Environmental Protection Agency, the Department of Insurance, the Office of the Consumers' Counsel, the Bureau of Workers' Compensation, the Ohio Industrial Commission, the Public Utilities Commission, or the State Racing Commission, limiting the amounts transferred to no more than 2% of each fund's total FY 2017 appropriation, to the GRF. Specifies that such transfers may be made by intrastate transfer voucher.</p>
<b>OBMCD41 Workforce and Higher Education Programs Fund cash balance transfer to the GRF</b>		
No provision.	No provision.	<p><b>Section: 512.150</b></p> <p>Requires the Director of OBM to transfer the unexpended, unencumbered cash balance in the Workforce and Higher Education Programs Fund (Fund 5RA0) to the GRF on July 1, 2017, or as soon as possible thereafter.</p>

## Executive

## As Passed by the House

## As Passed by the Senate

**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 board consolidations and transfers provided in Sections 515.30 to 515.34 of the bill.

Permits the Director of Budget and Management to cancel an existing encumbrance of an abolished agency and to reestablish the encumbrance under the appropriate newly created or continuing board, and reappropriates the amounts encumbered.

**Section: 515.35**

Same as the Executive.

Same as the Executive, but rather than specifying that encumbrances may be reestablished to a licensing board established in Chapter 4744. of the Revised Code, specifies that they may be reestablished to the State Vision Professionals Board and the State Speech and Hearing Professionals Board.

**Section: 515.35**

Same as the Executive.

Same as the House, but adds the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board to the list of boards to which encumbrances may be reestablished.

Executive

As Passed by the House

As Passed by the Senate

SCRCD3 Student disclosure fee

**R.C. 3332.071, Section 233.20**

Prohibits SCR from charging a student disclosure course fee for new students that enroll in a proprietary school.

**R.C. 3332.071, Section 233.20**

Replaces the House provision with a provision that requires a registered career college or school to pay any disclosure course fee for new students and prohibits them from charging a student for such a fee, either directly or through any increase in fees or tuition charged to a student to pay the disclosure course fee.

No provision.

Requires SCR to refund all student disclosure course fees collected by SCR since January 2017.

Same as the House, but adds that SCR refund the money for the purpose of refunding that money to students who were charged that fee by a college or school.

No provision.

**Fiscal effect: Loss in revenue from student disclosure course fees and increase in expenditures to refund all such fee revenue received since January 2017. SCR established an online Student Consumer Information Course to meet the student disclosure requirement that was previously met using a paper form, effective January 1, 2017. The fee for the course is \$25.**

**Fiscal effect: Allows SCR to continue to charge the fee and receive revenue. However, career colleges and schools will incur increased expenditures to pay the cost of the student disclosure fee.**

Executive

As Passed by the House

As Passed by the Senate

CACCD1 Permanent Joint Committee on Gaming and Wagering

R.C. 3772.03, 3772.032 (*repealed*), 3772.17,  
3772.99 and 5119.47

No provision.

Eliminates the Permanent Joint Committee on Gaming and Wagering. (The Committee is to review, study, and submit recommendations and reports on various items related to gaming, including reviewing license fees and penalties under the Casino Law); makes conforming changes related to the abolishment.

**Fiscal effect: None.**

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

CIVCD1

Civil Rights Law technical changes

R.C. 4112.05

Makes technical changes to fix typographical errors in the Civil Rights Law housing mediation and civil penalty provisions.

Fiscal effect: None.

R.C. 4112.05

Same as the House.

Fiscal effect: Same as the House.

No provision.

Executive	As Passed by the House	As Passed by the Senate
<p><b>COMCD20</b>      <b>Banking law</b></p>		
<p>R.C.      <i>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</i></p>	<p>R.C.      <i>1101., to 1125. and 1181.; Chapters 1133., 1151. to 1157., and 1161. to 1165. (All Repealed); 135.182; Sections 130.21 to 130.27, 512.90, 512.120, and 803.30</i></p>	<p>R.C.      <i>1101., to 1125. and 1181.; Chapters 1133., 1151. to 1157., and 1161. to 1165. (All Repealed); 135.182; Sections 130.21 to 130.27, 512.90, 512.120, and 803.30</i></p>
<p>No provision.</p>	<p>Enacts a new Banking Law governing banks, savings and loan associations, and savings banks under the same statute, also modifying parts of current law governing banks. Expands the definition of "bank" to include savings and loan associations and savings banks and provides for a single "bank" charter under which all three types of financial institutions may operate. Eliminates the separate laws regulating savings and loan associations and savings banks.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Enacts provisions specifically addressing savings and loan associations and savings banks whose ownership structure, unlike banks, may not be represented by shares of stocks.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Modifies a number of provisions of existing law to make them expressly applicable only to state banks.</p>	<p>Same as the House.</p>
<p>No provision.</p>	<p>Specifies that certain information about a bank serving as a public depository that is used for purposes of the Ohio Pooled Collateral Program is confidential and not a public record.</p>	<p>Same as the House.</p>
<p>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</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>

**Executive**

**As Passed by the House**

**As Passed by the Senate**

and loan holding companies.

Allows the Banking Commission to hold meetings via teleconference.

Same as the Executive, but also allows the Banking Commission to hold meetings via interactive video conference. Specifies the procedures for holding meetings via teleconference or interactive video conference. Requires the Commission to adopt rules concerning remote attendance.

No provision.

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.)

Same as the Executive.

Same as the Executive.

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 on the effective date of the provision or as soon as possible thereafter.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Additional revenue deposited into Fund 5440 from the reinstatement of assessments on banks, savings and loan associations, and savings banks to fund the operations of the Division of Financial Institution, as well as the cash transfer from Fund 5450, subsequently abolished by the bill.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**COMCD19 Residential real estate - Disbursements from escrow accounts**

**R.C. 1349.21**

**R.C. 1349.21**

No provision.

Increases from \$1,000 to \$10,000 the maximum amount that can be disbursed by an escrow or closing agent from an escrow account when the funds necessary for the disbursement are in the form of cash or check.

Same as the House.

No provision.

Modifies the types of funds that may be accepted for immediate disbursement by replacing the requirement that electronically transferred funds be via the real-time gross settlement system provided by the Federal Reserve Bank with a requirement that the electronic transfer be direct, irrevocable, and originate from a federally insured financial institution into an escrow account.

Replaces the House provision with one specifying that the acceptable electronically transferred funds are any other electronically transferred funds.

**Fiscal effect: None.**

**Fiscal effect: Same as the House.**

**COMCD21 Free tasting samples of beer, wine, and spirituous liquor at casinos**

**R.C. 4301.22**

**R.C. 4301.22**

No provision.

Expands the types of liquor permit holders that may offer free tasting samples of beer, wine, or spirituous liquor to include casinos (D-5n permits) and restaurants in casinos (D-5o permits).

Same as the House.

**Fiscal effect: None apparent.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**COMCD17**      **Manufacture and sale of alcoholic ice cream**

**R.C.      4303.05**

**R.C.      4303.05**

No provision.

Allows a person to manufacture and sell ice cream containing at least 0.5% and up to 6% alcohol by volume (ABV) and requires such a person to obtain an A-4 liquor permit (manufacture and sale of mixed alcoholic beverages).

Same as the House.

No provision.

Lowers the minimum allowable ABV that applies to all A-4 permit holders from 4% to 0.5% ABV.

Same as the House.

**Fiscal effect: Potential gain in A-4 permit fee revenue deposited into the Undivided Liquor Permit Fund (Fund 7066) that would subsequently be distributed to the State Liquor Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%). The A-4 permit fee is \$3,906.**

**Fiscal effect: Same as the House.**

**COMCD18**      **Reports by H liquor permit holders**

**R.C.      4303.22**

No provision.

Requires a person that transports beer or intoxicating liquor into Ohio for delivery (H liquor permit holders) to submit a monthly report to the Division of Liquor Control.

No provision.

No provision.

Requires the report to include specified information relating to the delivery, including: (1) the name and address of each consignor and consignee of the beer or intoxicating liquor; (2) the weight of, and unique tracking number assigned to,

No provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.

the delivery; and (3) the date of delivery.

Prohibits a person from violating the reporting requirements, and allows the Liquor Control Commission to suspend or revoke any liquor permit issued to the violator.

No provision.

No provision.

Requires a person that submits the report under the provision, within 30 days after requested by the Division of Liquor Control, to provide the documents used to prepare the report to the Division. Requires that the person retain these documents for two years after submitting a report, unless given written permission to destroy the documents at an earlier date. Requires the person to allow the Division, any other state regulatory body, or any law enforcement agency to inspect the documents at any time during regular business hours.

No provision.

**Fiscal effect: The new reporting requirements could lead to a potential gain in sales tax revenue based on increased use tax compliance. Some increase in administrative costs for the Division of Liquor Control to collect reports and for the Liquor Control Commission to enforce the reporting requirements. Any costs would be paid out of the State Liquor Regulatory Fund (Fund 5LP0).**

Executive

As Passed by the House

As Passed by the Senate

**COMCD24 Issuance of D-5j liquor permit in a specified municipal corporation**

No provision.

No provision.

**R.C. 4303.181**

Modifies the following conditions for certain community entertainment districts where a D-5j liquor permit may be issued: (1) decreases the minimum population of a municipal corporation in which a community entertainment district may be located from 5,000 to 3,000, and (2) increases the minimum investment in development and construction in the district from \$100 million to \$150 million.

**Fiscal effect: Potential gain in D-5j permit fee revenue deposited into the Undivided Liquor Permit Fund (Fund 7066) that would subsequently be distributed to the State Liquor Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%). The D-5j permit fee is \$2,344.**

**COMCD23 F-9 liquor permit**

No provision.

No provision.

**R.C. 4303.209, 4301.62**

Allows an F-9 liquor permit to be issued to a nonprofit that operates or manages entertainment for a city park if the park property is the subject of an agreement between a municipal corporation, a national nonprofit that is a foundation, and an Ohio-based nonprofit for the purposes of hosting outdoor performing arts events or orchestral performances.

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Exempts from the law governing opened containers of beer or intoxicating liquor a person who is attending an outdoor performing arts event or orchestral performance if all of these conditions apply: (1) the event or performance is hosted by an F-9 permit holder, (2) the event or performance is free of charge, and (3) the F-9 permit holder annually hosts not less than 25 other events or performances that are free of charge on the permit premises.

**Fiscal effect: Potential gain in F-9 permit fee revenue deposited into the Undivided Liquor Permit Fund (Fund 7066) that would subsequently be distributed to the State Liquor Regulatory Fund (Fund 5LP0) used by the Division of Liquor Control (45%), the local taxing district where the permit is issued (35%), and the Statewide Treatment and Prevention Fund (Fund 4750) used by the Department of Mental Health and Addiction Services (20%). The F-9 permit fee is \$1,700.**

**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.

No provision.

**R.C. 4781, with conforming changes in 1923.02, 3781.06, 4505.181, Sections 137.10 to 137.15**

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

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.

No provision.

Same as the Executive.

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).

No provision.

Same as the Executive.

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.

No provision.

Same as the Executive.

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.

No provision.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

No provision.

Same as the Executive.

**COMCD9 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.

No provision.

**Section: 243.20**

Same as the Executive.

Earmarks \$150,000 of the amount appropriated to DPF Fund 5F10 appropriation item 800635, Small Government Fire Departments, in FY 2018 to provide a loan for fire training center equipment to a fire training center that received an appropriation in S.B. 310 of the 131st General Assembly.

**Section: 243.20**

Same as the Executive.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

COMCD22 Wayne County Regional Training Facility

No provision.

**Section: 610.23**

Amends Section 217.10 of S.B. 310 of the 131st General Assembly to create new capital appropriation item C80033, Wayne County Regional Training Facility, with an appropriation of \$500,000.

**Section: 610.23**

Same as the House.

## Executive

## As Passed by the House

## As Passed by the Senate

OCCCD1      **Permit Consumers' Counsel to assist with consumer complaints**

**R.C.      4911.021**

Permits the Office of Consumers' Counsel to assist consumers with utility complaint calls or forward them to the Public Utilities Commission's call center.

**Fiscal effect: None.**

**R.C.      4911.021**

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

CEBCD6 Purchase of automatic data processing, computer, and electronic services

R.C. 125.03

R.C. 125.03

(1) No provision.

(1) Requires that any state agency purchase of automatic data processing, computer services, electronic publishing services, electronic information services, or consulting services related to information technology, the aggregate cost of which would amount to more than \$50,000 over the succeeding five-year period, be made by competitive selection and with the approval of the Controlling Board. Defines "computer services" as having the same meaning as in R.C. 2913.01 under current law.

(1) Same as the House.

(2) No provision.

(2) Requires the state agency, in its request for approval of the purchase, to provide the Controlling Board with a comparative analysis of the cost of similar systems utilized by other states and a description of the measures the agency took to find the most cost-effective system. Provides that the comparative analysis is not a public record under Ohio's Public Records Law, unless the agency makes the purchase.

(2) Same as the House.

**Fiscal effect: Potential annual expenditure increase for state agencies to comply with the above provisions.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**CEBCD8 Agency procurement of energy**

No provision.

No provision.

**R.C. 125.03**

Requires that any state agency contract for the procurement of energy, the aggregate cost of which would amount to more than \$50,000 over the succeeding five-year period, be made by competitive selection and with the approval of the Controlling Board.

**Fiscal effect: Uncertain**

**CEBCD5 Purchases of advertising by state governmental entities**

(1) No provision.

**R.C. 125.051**

(1) Requires Controlling Board approval of any advertising purchased by a state governmental entity for the same purpose that, in the aggregate, exceeds \$50,000 during the fiscal year.

**R.C. 125.051**

(1) Same as the House but makes the provision apply instead to any official elected to a statewide office or member of the General Assembly, and clarifies that the purchase is made with public money.

(2) No provision.

(2) Defines "advertising" to include advertising in print, or electronic newspapers, journals, or magazines and advertising broadcast over radio or television or placed on the Internet.

(2) Same as the House.

**Fiscal effect: Potential minimal annual expenditure increase for state governmental agencies related to the time and effort necessary to prepare such requests for Controlling Board approval.**

**Fiscal effect: Potential minimal annual expenditure increase for certain state officials related to the time and effort necessary to prepare such requests for Controlling Board approval.**

Executive

As Passed by the House

As Passed by the Senate

**CEBCD7 Controlling Board authority**

**R.C. 131.35**

**R.C. 131.35**

(1) No provision.

(1) Prohibits the Controlling Board from authorizing expenditure of unanticipated revenue received by the state if the revenue exceeds the lesser of: (a) 10% of the amount appropriated for the specific or related purpose or item for that fiscal year, or (b) \$10,000,000.

(1) Same as the House, but changes the threshold amount regarding Controlling Board expenditure authorization of unanticipated revenue to 1% of the GRF appropriations for that fiscal year.

(2) No provision.

(2) Prohibits the Controlling Board from creating additional funds to receive unanticipated revenue in an appropriation act for the biennium in which the new revenues are received if the revenue exceeds \$10,000,000.

(2) No provision.

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the House.**

**CEBCD4 Cash transfer from the Controlling Board Emergency Purposes/Contingencies Fund to the GRF**

**Section: 512.130**

**Section: 512.130**

No provision.

Requires the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer \$7,500,000 from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the General Revenue Fund (GRF).

Same as the House.

## Executive

## As Passed by the House

## As Passed by the Senate

## 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.

No provision.

No provision.

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.

No provision.

No provision.

**Fiscal effect: Increase in fee revenue.**

Executive

As Passed by the House

As Passed by the Senate

CLACD3 Wrongful imprisonment

R.C. 2305.02, 2743.48

R.C. 2305.02, 2743.48

(1) No provision.

(1) Removes the requirement that a determination of an individual as a "wrongfully imprisoned individual" must be made in a separate civil action in the common pleas court of the county in which the underlying criminal action was initiated, and, instead, allows an action to be filed in any court of common pleas in the state.

(1) Same as the House, but (a) adds that an action to be declared a "wrongfully imprisoned individual" brought by a "nonresident" of Ohio must be brought in the common pleas court in the county where the underlying criminal action was initiated and (b) permits an action to be declared a "wrongfully imprisoned individual" by a "resident" of Ohio to be brought in the common pleas court in either the county where the underlying criminal action was initiated or the county in which the person resides rather than in any court of common pleas in the state as currently provided in the bill.

(2) No provision.

(2) Clarifies the criterion to be designated as a wrongfully imprisoned individual to include that the individual did not commit the crime in question or that no crime was committed.

(2) Same as the House, but adds that to be designated as a wrongfully imprisoned individual, no criminal proceeding may be pending against the individual.

(3) No provision.

(3) Modifies the "error in procedure that resulted in the individual's release" criterion that an individual must satisfy to be a "wrongfully imprisoned individual" to specify that the procedural error was discovered subsequent to sentencing or during or subsequent to imprisonment and that it occurred prior to, during, or after sentencing and violated the individual's constitutional rights to a fair trial, and makes the change apply retroactively to individuals whose wrongful imprisonment action was barred or dismissed on or after March 5, 2014, based on the current provisions of that criterion

(3) Same as the House, but adds that if an individual had a claim dismissed, has a claim pending, or did not file a claim because the law in effect prior to the effective date barred the claim or made it appear to be futile, the House provision applies with respect to the individual and the claim and, on or after the effective date of this provision, the individual may file a claim and obtain the benefit of that provision.

(4) No provision.

(4) Removes the criterion that the prosecutor will not appeal or refile charges.

(4) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(5) No provision.

(5) Expands the law concerning wrongfully imprisoned individuals to also apply regarding misdemeanor convictions, including compensation by the Court of Claims.

(5) Same as the House.

(6) No provision.

(6) Requires the Court of Claims to deduct any known debts owed by a wrongfully imprisoned individual to the state or a political subdivision from the sum of money that the individual otherwise would be awarded and pay those deducted amounts to the state or political subdivision, as applicable.

6) Same as the House.

**Fiscal effect: Potential: (1) indeterminate annual increase in state-paid wrongful imprisonment compensation awards, and (2) annual increase in operating expenses for courts of common pleas and the Court of Claims to hear additional wrongful imprisonment cases stemming from both felony and misdemeanor convictions.**

**Fiscal effect: Same as the House.**

## Executive

## As Passed by the House

## As Passed by the Senate

**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**

**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**

**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, and 4715.63**

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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

## Executive

## As Passed by the House

## As Passed by the Senate

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.

Same as the Executive.

Same as the Executive.

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

Same as the Executive.

No provision.

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

Same as the Executive.

Same as the Executive.

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

Same as the Executive.

Same as the Executive.

**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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive, except the Board will not receive revenue from the financial services fee, which would have resulted in an increase of approximately \$179,000 over the biennium.**

Executive

As Passed by the House

As Passed by the Senate

**DEVCD3            Duties of the 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.**

**R.C.        122.08, 122.081**

Same as the Executive.

Same as the Executive.

No provision.

**Fiscal effect: Same as the Executive.**

**R.C.        122.08, 122.081**

Same as the Executive.

Same as the Executive.

No provision.

**Fiscal effect: Same as the Executive.**

**DEVCD46            Thomas Alva Edison Grant Program changes**

No provision.

No provision.

**R.C.        122.33, 122.01**

(1) Permits DSA to waive the matching fund requirement for a project to receive a grant under the program if the project will enable Ohio companies to access new technology applications.

(2) Defines "new technology applications" as the provision of existing technology proven in at least one commercial environment to companies that have neither (1) used the technology, nor (2) used the technology for the purpose it was originally created.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.

(3) Defines "Ohio companies" as companies that either (1) have a principal place of business in the state, or (2) propose to be engaged in research and development, manufacturing, or the provisioning of products or services in the state.

No provision.

No provision.

(4) Defines "Edison Center Network" as the six cooperative, industry-connected, nonprofit organizations that have met the following three criteria: (1) historically received funding under the program, (2) existed for at least 15 years, and (3) are experienced in delivering technical and networking services to Ohio manufacturers.

No provision.

**Fiscal effect: Funding under the program is typically contained under GRF appropriation item 195453, Technology Programs and Grants. The bill allows up to \$10.5 million per year to be used for the program (see DEVCD10).**

DEVCD48

Annual report due date for the Ohio Aerospace and Aviation Technology Committee

No provision.

No provision.

**R.C. 122.98**

Changes the due date by which the Ohio Aerospace and Aviation Technology Committee must submit an annual report, from July 1 of each year to December 31 of each year. (In continuing law, the committee is made up of six members of the General Assembly and 15 other members appointed by the six legislative members, except one of the 15 members is appointed by the Governor.)

**Fiscal effect: None apparent.**

## Executive

## As Passed by the House

## As Passed by the Senate

## DEVCD41 Lakes in Economic Distress Revolving Loan Program

R.C. 122.641

No provision.

Relaxes an existing criterion used to determine eligibility for the Lakes in Economic Distress Loan Program by requiring a loan applicant to have incurred a year-to-year reduction in gross revenue of 10%, instead of 40% as under current administrative guidelines, as measured between 2014 and 2015, 2015 and 2016, or 2014 and 2016. States that any materials a loan applicant submits are confidential and not a public record.

**Fiscal effect: Potential increase in program activity, since the bill also reappropriates funding for the program from FY 2017 to FY 2018 (see DEVCD47).**

R.C. 122.641

Same as the House.

**Fiscal effect: Same as the House.**

## DEVCD39 Definition of microbusiness

R.C. 166.50

No provision.

Defines a "microbusiness" in statute as an independently owned and operated for-profit business entity, including affiliates, that has fewer than 20 full-time employees or full-time equivalent (FTE) employees and is located in Ohio.

**Fiscal effect: None.**

R.C. 166.50

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

DEVCD40 Housing Trust Fund changes

**R.C. 174.02, 319.63, 174.09 (repealed)**

No provision.

Removes the \$50 million cap on the amount of Housing Trust Fund (HTF) fees collected by county recorders that are deposited each year into the Low- and Moderate-Income Housing Trust Fund (Fund 6460). (Thus, all HTF fees are to be deposited into Fund 6460.)

No provision.

No provision.

Eliminates the Housing Trust Reserve Fund into which HTF fees collected in excess of \$50 million would be deposited under current law.

No provision.

No provision.

For the four-year period from FY 2018 to FY 2021, requires that, in any of those fiscal years, if the amount in Fund 6460 exceeds \$60 million, then \$6 million from the fund be provided to the Department of Mental Health and Addiction Services to advance housing opportunities for individuals exiting residential opiate addiction treatment who lack affordable, suitable housing.

No provision.

**Fiscal effect: The bill also increases some county recorder fees that would be deposited into Fund 6460 (see LOCCD18). Thus these provisions would result in an increase in annual revenue into Fund 6460. The current balance of Fund 6460 is \$67.5 million. Additionally, for FY 2018 to FY 2021, there will be potential revenue increase of up to \$6 million per fiscal year for a fund under the budget of the Department of Mental Health and Addiction Services.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

No provision.

**Section: 259.20**

Same as the Executive.

(1) Same as the Executive, but increases the earmark to up to \$10.5 million in each fiscal year.

(2) Same as the Executive.

No provision.

**Section: 259.20**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Exactly \$25,000 in each fiscal year for the Camp Ravenna Joint Military Training Center to help with securing federal funding in promoting the defense of the United States.

**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.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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

Same as the Executive.

Same as the Executive.

No provision.

Earmarks \$250,000 in each fiscal year for Lumos Innovation.

No provision.

**DEVCD12      Appalachia Assistance and Appalachian Workforce Assistance**

**Section: 259.20**

**Section: 259.20**

**Sections: 259.20, 259.30**

(1) Allows GRF appropriation item 195455, Appalachia 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.

(1) Same as the Executive.

(1) Replaces the Executive provision with provisions specifying both (A) identical language for these activities are to be funded under new Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) appropriation item 195403, Appalachian Workforce Assistance, and (B) GRF appropriation item 195455, Appalachian Workforce Assistance, is to be used in conjunction with appropriation item 195403, Appalachian Workforce Assistance.

(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.

(2) Same as the Executive.

(2) Replaces the Executive provision with one that includes identical language but under Fund 5HR0 appropriation item 195403, Appalachian Workforce Assistance.

(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.

(3) Same as the Executive.

(3) Replaces the Executive provision with one that includes identical language but under Fund 5HR0 appropriation item 195403, Appalachian Workforce Assistance.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(4) Same as the Executive.

(4) Replaces the Executive provision with one that includes identical language but under Fund 5HR0 appropriation item 195403, Appalachian Workforce Assistance.

(5) No provision.

(5) Earmarks \$100,000 in each fiscal year for the iBELIEVE Foundation to provide opportunities for Appalachian youth to develop twenty-first century skills, including leadership, communication, and problem-solving for college access and retention.

(5) Replaces the House provision with one that includes identical language but under GRF appropriation item 195501, Appalachian Local Development Districts.

(6) No provision.

(6) No provision.

(6) Requires the Director of Budget and Management to transfer cash from the Economic Development Programs Fund (Fund 5JC0) to Fund 5HR0 in an amount that is necessary to support the FY 2019 appropriation under appropriation item 195403, Appalachian Workforce Assistance.

**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.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

Earmarks \$50,000 in each fiscal year to support the Cleantech component of the Ohio-Israel Agricultural Initiative.

No provision.

**DEVCD43 Local Development Projects**

**Section: 259.20**

**Section: 259.20**

No provision.

Requires GRF appropriation item 195503, Local Development Projects, to be allocated to Cleveland Neighborhood Progress to support the Community Financial Centers Pilot Program.

Same as the House.

**DEVCD44 Incumbent Workforce Training Vouchers**

**Section: 259.30**

No provision.

(1) Requires Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) appropriation item 195662, Incumbent Workforce Training Vouchers, to be used for the Incumbent Workforce Training Voucher Program.

No provision.

No provision.

(2) Sets certain requirements for the program, including (A) that a training voucher under the program shall not exceed \$6,000 per worker per year; (B) that employers may apply for a voucher on behalf of eligible employees; (C) that an eligible employee may apply directly for a training voucher with the pre-approval of the employee's employer; and (D) that an employee participating in the program, or the employee's employer, shall pay for not less than 33% of the training costs under the program.

No provision.

No provision.

(3) Reappropriates the unexpended, unencumbered balance of the FY 2018 appropriation to appropriation item 195662 for FY 2019 based on review and approval of the Director of

No provision.

Executive

As Passed by the House

As Passed by the Senate

Budget and Management.

**DEVCD45 Defense Development Assistance**

**Section: 259.30**

**Section: 259.30**

No provision.

Requires Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) appropriation item 195622, Defense Development Assistance, to be allocated to Development Projects, Inc. for various Department of Defense- and aerospace industry-related workforce and economic development activities.

Same as the House, but earmarks \$250,000 in each fiscal year for this purpose.

No provision.

Reappropriates the unexpended, unencumbered balance of the FY 2018 appropriation to appropriation item 195622 for FY 2019 based on review and approval by the Director of Budget and Management.

No provision.

No provision.

No provision.

Earmarks \$100,000 in each fiscal year from appropriation item 195622 for the Aerospace Professional Development Center in Dayton for statewide workforce development services in the aerospace industry.

No provision.

No provision.

Requires the transfer of \$700,000 from the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0) under the budget of the Treasurer of State to Fund 5HR0 at the beginning of FY 2018.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**DEVCD35 HEAP Weatherization**

**Section: 259.80**

(1) No provision.

(2) 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.

(3) 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.

**Section: 259.80**

(1) Requires DSA to submit a waiver to the U.S. Department of Health and Human Services and other applicable federal agencies seeking approval to expend 25% of federal Home Energy Assistance Program (HEAP) funding for weatherization services. Requires the waiver to be submitted by April 1st of each year of the biennium.

(2) Same as the Executive, but requires exactly 25% of the federal HEAP funds to be spent for HEAP Weatherization, instead of up to 15%.

(3) No provision.

**Section: 259.80**

(1) No provision.

(2) Same as the Executive.

(3) Same as the Executive.

**DEVCD42 Opioid addiction treatment website and mobile application**

No provision.

**Section: 259.90**

Requires the Development Services Agency, the Department of Mental Health and Addiction Services, and the Ohio State University to collaborate to develop a web site and a mobile application to provide resources and information regarding opioid addiction treatment services.

**Section: 259.90**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Uncertain costs out of funds used by each of the three agencies involved.

Fiscal effect: Same as the House.

DEVCD47 Reappropriations of Lakes in Economic Development Revolving Loan Program appropriations

Section: 259.100

Section: 259.100

No provision.

Reappropriates the unexpended, unencumbered balance of the FY 2017 appropriation for Lakes in Economic Development Revolving Loan Fund (Fund 5RQ0) appropriation item 195546, Lakes in Economic Distress Revolving Loan Program, for the same purpose in FY 2018, and adds that any such amount may also be used to support stormwater drainage infrastructure improvements or a stormwater drainage study at the Buckeye Lake Dam.

Same as the House.

No provision.

Reappropriates the unexpended, unencumbered balance of the FY 2017 portion of GRF appropriation item 195407, Travel and Tourism, that was earmarked for grants to assist businesses and other entities adversely affected due to economic circumstances that result in the declaration of a lake as an area under economic distress by the Director of Natural Resources for the same purpose in FY 2018.

Same as the House.

**Fiscal effect: The FY 2016-FY 2017 budget provided \$500,000 for the loan program. In addition, there was a \$250,000 earmark in each fiscal year from GRF line item 195407 for program-related grants. Any amounts remaining available from these sources would thus be available in the FY 2018-FY 2019 biennium.**

Fiscal effect: Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

**Section: 259.30**

Same as the Executive.

Same as the Executive.

No provision.

**Section: 512.160**

No provision.

No provision.

Requires the Director of Budget and Management to transfer the unexpended, unencumbered cash balance in the Local Government Innovation Fund (Fund 5KN0) to the GRF at the beginning of FY 2018.

Executive

As Passed by the House

As Passed by the Senate

DDDCD28 Expiration of supported living certificates

R.C. 5123.033, 5123.163, 5123.164, 5123.1611, and 5123.1612

No provision.

Delays a supported living certificate's expiration date by 90 days if the certificate holder applies for renewal before the expiration date and the Director of the Ohio Department of Developmental Disabilities (ODODD) has not made a determination regarding the renewal application by the expiration date.

No provision.

No provision.

Permits the Director to restore an expired supported living certificate for 90 days if the certificate holder applies to renew the certificate and pays a restoration fee.

No provision.

No provision.

For supported living certificate holders whose certificates expired before the bill's effective date because the Director did not approve or deny a renewal application before the certificate's expiration date, makes the certificate's renewal effective retroactively to the date the certificate expired.

No provision.

**Fiscal effect: ODODD may experience a gain in fee revenue due to the provision that allows the Director to charge a restoration fee. In addition, certificate holders might be able to provide services and receive reimbursement during the expiration date delay.**

Executive

As Passed by the House

As Passed by the Senate

**DDDCD30 Supported Living**

**R.C. 5123.162, 5123.166, 5123.1611, and 5126.48**

No provision.

Requires that a survey of an applicant for an initial or renewed Supported Living certificate be conducted by a county DD board unless the board provides Supported Living.

No provision.

No provision.

Requires the ODODD Director to suspend a Supported Living certificate if a survey report issued by a county DD board recommends the suspension.

No provision.

No provision.

Permits a county DD board to establish and operate a quality incentive program to increase the number of providers of Medicaid-funded Supported Living and to improve the quality of such Supported Living.

No provision.

**Fiscal effect: Currently, ODODD is permitted to conduct these surveys or delegate this responsibility to a county DD board. Thus, county DD boards that do not currently conduct surveys could realize an increase in costs to do this, while ODODD could realize a decrease.**

**DDDCD2 Ventilator-dependent ICF/IID residents**

**R.C. 5124.25, 5124.15**

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.

No provision.

**R.C. 5124.25, 5124.15**

Same as the Executive.

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

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**DDDCD27 County boards of developmental disabilities – restriction on employment**

No provision.

**R.C. 5126.0221**  
 Modifies a provision in current law to prohibit a county commissioner's spouse, son, or daughter (rather than an "immediate family member") from being employed by the county board of developmental disabilities for the county the commissioner serves.  
**Fiscal effect: None.**

**R.C. 5126.0221**  
 Same as the House.  
**Fiscal effect: Same as the House.**

**DDDCD29 County DD board waiting lists**

No provision.

**R.C. 5126.042, 5126.054, and 5166.22**  
 Revises the law governing the waiting lists county boards of developmental disabilities establish for home and community-based services available under Medicaid waivers administered by ODODD as follows:  
 (1) Requires a county board to establish such a waiting list if resources are insufficient to enroll in such services all individuals assessed as needing the services (rather than if resources are insufficient to meet the needs of all individuals requesting the services).  
 (2) Replaces statutory criteria for emergency or priority placement on a waiting list with a requirement that the ODODD Director (in consultation with interested parties) adopt rules regarding how individuals are placed on or removed from a county board's waiting list or enrolled in a waiver program.

**R.C. 5126.042, 5126.054, and 5166.22**  
 Same as the House.  
 (1) Same as the House.  
 (2) Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**Fiscal effect: Potential minimal increase in administrative costs for ODODD to adopt rules and to county DD boards depending on rules adopted.**

**Fiscal effect: Same as the House.**

**DDDCD35 Special Olympics**

No provision.

No provision.

**Section: 261.12**

Requires funds from GRF appropriation item 320411, Special Olympics, to be distributed to The Ohio State University to support its hosting of the annual Special Olympics Ohio Summer Games.

**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.

No provision.

**Section: 261.30**

Same as the Executive.

Requires \$30,000 in each fiscal year in appropriation item 322420 be distributed to the Preble County Board of Developmental Disabilities for the Play and Language for Autistic Youngsters Project.

**Section: 261.30**

Same as the Executive.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

No provision.

No provision.

**Section: 261.120**

Same as the Executive.

Same as the Executive.

No provision.

No provision.

**Section: 261.120**

Same as the Executive.

Same as the Executive.

Permits a portion of appropriation item 322612, Community Social Service Programs, to be used to provide a subsidy, disbursed in quarterly installments, to county family and children first council administrative agencies to support central coordination and child find activities in accordance with 34 C.F.R. 303.302.

Requires the ODODD Director, in consultation with the Early Intervention Services Advisory Council, to establish a formula for allocating the funds and restrictions on the use of the subsidy funds disbursed to county family and children first council administrative agencies.

Executive

As Passed by the House

As Passed by the Senate

**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**

**Section: 261.165**

**Sections: 261.165, 261.167, 261.168, and 261.169**

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

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

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

No provision.

No provision.

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

No provision.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

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

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

No provision.

Provides for the FY 2018 Medicaid rates for ICFs/IID to be determined in accordance with the formula that is in current law with certain modifications.

Same as the House, but (1) provides for an ICF/IID's FY 2018 efficiency incentive for indirect care costs to be not more than \$3.69 if it is in peer group 1 or not more than

Executive

As Passed by the House

As Passed by the Senate

No provision.

Provides for the FY 2019 Medicaid rates for ICFs/IID to be determined in accordance with the formula that is in current law with certain modifications.

\$3.19 if it is in peer group 2 instead of equaling those specific amounts, and (2) provides for an ICF/IID's FY 2018 rate to be increased by a direct support personnel payment equal to 3.04% of its per Medicaid day direct care costs from calendar year 2016 or, if it is a new ICF/IID, the median direct support personnel payment made to non-new ICFs/IID, instead of being increased by 3.04% to reflect direct support personnel costs.

Replaces the House provision with provisions that (1) state the General Assembly's intent to enact legislation establishing a new formula to be used to determine the rates beginning not sooner than July 1, 2018, and not later than January 1, 2019, (2) require ODODD to work in collaboration with certain organizations to finalize recommendations for the new formula, (3) require that the recommendations include certain features, including a feature that establishes a method to transition ICFs/IID to the new formula during a 36-month period, (4) provide for an ICF/IID's rate for the part of FY 2019 that is before the new formula takes effect to be determined in the same manner that its FY 2018 rate is determined, except that data for a subsequent fiscal or calendar year is to be used to determine certain parts of the rate, and (5) provide for an ICF/IID's rate for the part of FY 2019 that begins when the new formula takes effect to be determined in accordance with the new formula and be subject to (a) a maximum cap of \$295.90 per Medicaid day and (b) the transition that must be included in the ODODD's recommendations for the new formula.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Fiscal effect:** The rates for ICF/IIDs will be determined by the current formula with modifications. However, it is anticipated that there will be no additional costs during FY 2018 or FY 2019.

**Fiscal effect:** The impact to the reimbursement rate for FY 2018 rate will be determined by the current formula with modifications and the impact for FY 2019 will depend on a future agreement between provider associations, stakeholders, and ODODD.

**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.

No provision.

No provision.

**Fiscal effect: Potential administrative costs.**

**DDDCD37 Stakeholder workgroup**

No provision.

No provision.

**Section: 261.230**

Requires ODODD, not later than 30 days after the bill's effective date, to convene a stakeholder workgroup to evaluate services provided to individuals with developmental disabilities living in the community and to develop recommendations related to the provision of such services.

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Requires the workgroup to submit a report with the recommendations to ODODD and the General Assembly not later than one year after the workgroup first convenes.

**Fiscal effect: ODODD may experience a minimal increase in costs to participate and to provide any administrative assistance to the workgroup. County DD boards may also experience a negligible increase in costs to participate.**

DDDCD36

Mahoning County land conveyance

No provision.

No provision.

**Section: 753.50**

Authorizes the conveyance for \$1.00 of ODODD's Youngstown Developmental Center property to the Mahoning County Mental Health and Recovery Board, or to an alternate purchaser.

Executive

As Passed by the House

As Passed by the Senate

**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.**

**R.C. 3314.08, 3326.33, 3326.41**

Same as the Executive, but increases the formula amount to \$6,020 for both years of the biennium (see EDUCD58).

Same as the Executive.

**Fiscal effect: Same as the Executive, but the higher formula amount will lead to greater deductions from school districts and corresponding payments to community schools.**

**R.C. 3314.08, 3326.33, 3326.41**

Same as the House, but decreases the formula amount to \$6,010 in FY 2018 (see EDUCD58).

Same as the Executive.

**Fiscal effect: Same as the House, but reduces the deductions and payments in FY 2018.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD58 Traditional school district funding**

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

**R.C.** 3317.02, 3317.013, 3317.014, 3317.017, 3317.022, 3317.0212, 3317.0218, **Sections 265.220 and 265.233**

**R.C.** 3317.02, 3317.013, 3317.014, 3317.017, 3317.022, 3317.0212, 3317.0218, **Sections 265.220 and 265.233**

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 (TYs) 2014, 2015, and 2016, (2) for the purposes of targeted assistance and capacity aid, the average of total taxable value for TYs 2014, 2015, and 2016 for FY 2018 and the average of total taxable value for TYs 2015, 2016, and 2017 for FY 2019.

Same as the Executive, but (1) increases the formula amount to \$6,020 in both years of the biennium, (2) increases a multiplier used in the formula for computing capacity aid funds to 4.0 (from 3.5 under current law), and (3) adjusts the valuation index used in the state share index calculation by replacing a district's three-year average value with a district's total taxable value for TY 2016, if that value is less than the three-year average value, for "eligible school districts," which are districts that satisfy all of the following: (a) the total taxable value of public utility personal property in the district is at least 10% of the district's total taxable value for TY 2015; (b) the total taxable value of public utility personal property in the district for TY 2016 is at least 10% less than the total taxable value of public utility property in the district for TY 2015; and © the total taxable value of power plants in the district for TY 2016 is at least 10% less than the total taxable value of power plants in the district for TY 2015.

Same as the House, but (1) decreases the formula amount to \$6,010 in FY 2018 and (2) adjusts the valuation index used in the state share index calculation by (a) specifying that a district may be eligible for the adjustment in FY 2018 or 2019 and (b) changing the conditions for replacing an "eligible district's" three-year average value by substituting all references to TY 2015 and TY 2016 with "the tax year immediately preceding the most recent tax year for which data is available" and "the most recent tax year for which data is available," respectively (in effect, requiring a new determination of "eligible districts" each fiscal year and, for purposes of computing the district's state share index, allowing an "eligible district's" three-year average value to be replaced with the value for the most recent tax year available (for example, an "eligible district" would qualify for its TY 2017 value to be used in place of its three-year average value to compute its state share index 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.

Same as the Executive.

Same as the Executive.

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

Same as the Executive, but makes the following changes:

Same as the Executive, but makes the following changes:

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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 based on each district's total ADM percentage change between FY 2011 and FY 2016:

(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.

(1) Same as the Executive, but specifies that total ADM for FY 2011 is the lesser of (a) the ADM used to derive formula ADM for funding purposes in fiscal year 2011 (in FY 2011, ADM for funding purposes used the FY 2010 count unless a district's actual FY 2011 count exceeded FY 2010 by 2% or more, in which case the actual FY 2011 count was used) and (b) the district's ADM reported in October 2010 (that is, the actual count of students in FY 2011).

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(2) Same as the Executive, but (a) increases the funding limitation in each fiscal year to 1.055 times the district's state aid (except for exempt components) in the prior fiscal year, except for "eligible school districts," (as defined above), (b) adds the amount calculated for the cap offset payment in FY 2018 to the district's limitation base in FY 2019 (see below), and (c) specifies that the funding limitation for "eligible school districts" is the greater of (i) the amount described in (a) above and (ii) the lesser of (I) the district's foundation funding each fiscal year before the funding limitation is applied and (II) the district's limitation base for the fiscal year

(1) Same as the Executive, but calculates a district's percentage change in total ADM between FY 2014 and FY 2016.

(a) Same as the Executive, but calculates a district's percentage change in total ADM between FY 2014 and FY 2016.

(b) Same as the Executive, but calculates a district's percentage change in total ADM between FY 2014 and FY 2016.

(c) Replaces the Executive provision with a provision that includes career-technical education funds, career-technical education associated services funds, the third grade reading bonus, and the graduation bonus in the guarantee.

(2) Same as the House, but (a) decreases the funding limitation in each fiscal year to 1.03 times the district's state aid (except for exempt components) in the prior fiscal year, except as follows based on each district's total ADM percentage change between FY 2014 and FY 2016: (i) If a district's percentage change in total ADM between FY 2014 and FY 2016 is 5.5% or greater in FY 2018 or 6% or greater in FY 2019, the funding limitation is 1.055 times the district's previous year's state aid in FY 2018 and 1.06 times the district's previous year's state aid in FY 2019; (ii) If a district's percentage change in total ADM between FY 2014

Executive

As Passed by the House

As Passed by the Senate

plus the district's taxes charged and payable for TY 2015 minus the district's taxes charged and payable for TY 2016.

and FY 2016 is between 3% and 5.5% in FY 2018 or between 3% and 6% in FY 2019, the funding limitation is a scaled amount, corresponding the district's percentage change in total ADM, between 1.03 and 1.055 times the district's previous year's state aid in FY 2018 and between 1.03 and 1.06 times the district's previous year's state aid in FY 2019, and (b) modifies an "eligible school district's" funding limitation in FY 2019 to, in effect, take into account the district's loss in taxes charged and payable between TY 2016 and TY 2017 rather than the district's loss in taxes charged and payable between TY 2015 and TY 2016, which applies to both fiscal years under the House-Passed bill.

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.

Same as the Executive.

Same as the Executive.

No provision.

Provides a cap offset payment in FY 2018 for districts subject to the cap that year and experiencing a decrease in "combined state aid" from foundation aid and fixed rate operating direct reimbursements between FY 2017 and FY 2018. Calculates the payment as an amount equal to the lesser of (1) the amount by which the district's foundation funding is capped in FY 2018 and (2) the district's combined state aid in FY 2017 minus the district's combined state aid in FY 2018.

Same as the House.

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

**Fiscal effect: Same as the Executive, but increases the allocation to \$7.96 billion in FY 2018 and \$8.10 billion in FY 2019.**

**Fiscal effect: Same as the Executive, but decreases the allocation to \$7.93 billion in FY 2018 and \$8.05 billion in FY 2019.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD59 Joint vocational school district funding**

**Sections: 265.230, R.C. 3317.16, 3317.02**

**R.C. 3317.02, 3317.16, Section 265.230**

**R.C. 3317.02, 3317.16, Section 265.230**

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.

Same as the Executive, but increases the formula amount to \$6,020 for both years of the biennium.

Same as the House, but decreases the formula amount to \$6,010 in FY 2018.

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).

Same as the Executive, but increases the funding limitation in each fiscal year to 1.055 times the district's state aid in the prior fiscal year, except for exempt components.

Same as the Executive, but (1) modifies the funding limitation to scaled amounts between 1.03 and 1.055 times the district's state aid in the prior fiscal year in FY 2018 and 1.03 and 1.06 times the district's state aid in the prior fiscal year in FY 2019, except for exempt components; (2) calculates a district's guarantee base percentage according to the district's percentage change in formula ADM between FY 2014 and FY 2016; and (3) includes career-technical education funds, career-technical associated services funds, and the graduation bonus in the guarantee calculations.

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).

Same as the Executive.

Same as the Executive.

No provision.

No provision.

Removes a provision of current law requiring a JVSD to spend at least 75% of the state career-technical education funding it receives on costs directly associated with career-technical education programs and not more than 25% on personnel expenditures.

Executive

As Passed by the House

As Passed by the Senate

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

Fiscal effect: Same as the Executive, but increases the allocation to \$293.0 million in both FY 2018 and FY 2019.

Fiscal effect: Same as the Executive, but increases the allocation to \$293.3 million in FY 2018 and to \$294.4 million in FY 2019.

**EDUCD134** Report on compensation for certain districts experiencing losses in public utility personal property valuation

No provision.

No provision.

**R.C. 3317.27**

Requires ODE, on an annual basis, to recommend to the General Assembly a structure to compensate each school district that experiences at least a 50% decrease in public utility personal property valuation from one year to the next for a percentage of the effect that decrease has on the district's foundation aid payments.

**Fiscal effect: Increases the administrative responsibilities of ODE.**

**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.)

No provision.

**R.C. 5709.92, 3317.018 (repealed), 3317.019 (repealed)**

Same as the Executive.

No provision.

**R.C. 5709.92, 3317.018 (repealed), 3317.019 (repealed)**

Same as the Executive.

Modifies the schedule for phasing down payments for fixed-rate operating TPP tax losses so that, in FY 2018, the payments to traditional school districts are to be the greater of: (a) the district's payment for TPP fixed rate operating tax

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

losses for FY 2017, including the TPP supplement payment for FY 2017 authorized in S.B. 208 of the 131st G.A., minus 3.5% of the district's total resources (i.e., its combined tax revenue, state aid, and TPP reimbursements) for FY 2017; or (b) the district's TPP reimbursement payment for FY 2017, excluding the supplement, minus 5/8 of one mill of the district's three-year average property valuation for tax years 2014, 2015, and 2016) (the phase-down provided in current law). Retains the current 5/8 of one mill phase down for FY 2019.

Modifies the schedule for phasing down payments for fixed-rate operating TPP tax losses beginning in FY 2018 so that payments to JVSJs will equal the district's TPP reimbursement payment for the previous fiscal year minus 3.5% of the district's total resources (rather than 5/8 of one mill of the district's three-year average property valuation for tax years 2014, 2015, and 2016, as under current law).

No provision.

Provides that, in FY 2020 and thereafter, reimbursement payments to school districts for their fixed-rate TPP tax losses will be phased-down each year by an amount equal to 1/4 of one mill of the district's average property valuation in tax years 2016, 2017, and 2018 (under current law, the reimbursements in FY 2018 and thereafter are scheduled to phase-down each year by 5/8 of one mill of the district's average property valuation for tax years 2014, 2015, and 2016).

Same as the House, except that the phase-down based on 1/4 of one mill of the district's average property valuation only applies to traditional districts.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.**

**Fiscal effect: Slows the reimbursement phase-down beginning in FY 2020, when the rate at which the payments for fixed-rate operating levies decreases from 5/8 mill (0.000625) to 1/4 mill (0.00025).**

**Fiscal effect: Same as the House, but increases TPP reimbursement payments by \$5.5 million in FY 2018 and \$2.5 million in FY 2019.**

**EDUCD77 Educational service centers funding**

**Section: 265.360**

Sets the per-pupil state payment amount in each fiscal year to \$20 for high-performing ESCs and \$18 for all other ESCs 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.

No provision.

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

**Section: 265.360**

Same as the Executive, but increases the per-pupil state payment amount in each fiscal year to \$25 for high-performing ESCs and \$23 for all other ESCs and, if necessary, requires ODE to prorate the payment amounts for students in an ESCs student count attributable to the "big-eight districts" to fit the earmark for state payment of ESCs (see EDUCD68).

No provision.

Establishes a moratorium on additional school districts joining ESCs during FY 2018-FY 2019.

**Fiscal effect: Same as the Executive, but increases the earmark to up to \$39.0 million in each fiscal year for state funding of ESCs.**

**Section: 265.360**

Same as the House, but increases the per-pupil state payment amount in each fiscal year to \$26 for high-performing ESCs and \$24 for all other ESCs (see EDUCD68).

No provision.

Same as the House.

**Fiscal effect: Same as the Executive, but increases the earmark to up to \$40.0 million in each fiscal year for state funding of ESCs.**

Executive

As Passed by the House

As Passed by the Senate

EDUCD103 Gifted funding study

No provision.

**Section: 265.480**

Requires ODE to conduct a study of appropriate funding levels and methods for gifted students and to report its findings by May 1, 2018.

**Fiscal effect: Increases ODE's administrative responsibilities.**

**Section: 265.480**

Same as the House, but no longer requires the report to be submitted to JEO, which the bill eliminates (see JEOCD5).

**Fiscal effect: Same as the House.**

Scholarship Programs

EDUCD88 Exemption from state test and graduation requirements for scholarship students at ISACS-accredited nonpublic schools

No provision.

**R.C. 3301.0711, 3310.03, 3310.14, 3310.522, 3313.612, and 3313.976**

Exempts a student who is (1) attending a chartered nonpublic school that is accredited through the Independent Schools Association of the Central States (ISACS) and (2) attending the school under a state scholarship from the requirement to complete one of three high school graduation pathways and from the requirement to take the assessments under the College and Work Ready Assessment System (current law applies these exemptions to nonscholarship students attending chartered nonpublic schools accredited by ISACS).

No provision.

No provision.

Maintains the graduation and testing requirements for scholarship students and nonscholarship students who are enrolled in a non-ISACS chartered nonpublic school, which requires the completion of one graduation pathway and to take the assessments under the College and Work Ready Assessment System.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Decrease in state assessment system costs.**

**EDUCD23 Application periods for the income-based Educational Choice Scholarship**

**R.C. 3310.16, Section 265.260**

**R.C. 3310.16**

**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.

No provision.

Same as the Executive.

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

No provision.

Same as the Executive.

No provision.

Requires ODE, by May 31st of each school year, to determine whether funds remain available for the income-based expansion of the Ed Choice Scholarship Program after the first application period.

Same as the House.

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

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD96 Jon Peterson Special Needs Scholarship Program - application periods**

**R.C. 3310.52, 3323.052**

**R.C. 3310.52, 3323.052**

No provision.

Eliminates the application periods for the Jon Peterson Special Needs (JPSN) Scholarship Program and, instead, requires ODE to pay a scholarship to the parent of each student receiving a scholarship or to the child's provider, upon receiving the parent's application for a scholarship.

Same as the House.

No provision.

Prohibits ODE from adopting specific deadline dates for the JPSN Scholarship Program.

Same as the House.

**Fiscal effect: Allows parents of qualifying children to apply for a JPSN scholarship year-round, similar to the Autism Scholarship Program, which may increase participation in the program and thus, the deductions of the resident district's state aid to pay providers. Presumably, the scholarship payment for students applying after the start of the school year would be prorated.**

**Fiscal effect: Same as the House.**

**EDUCD138 Cleveland Scholarship Program**

No provision.

No provision.

**R.C. 3313.978**

Increases the maximum amount that may be awarded under the Cleveland Scholarship Program to students in grades K-8 from \$4,250 to \$4,650, and to students in grades 9-12 from \$5,700 to \$6,000.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Possible decrease in the number of Cleveland scholarships available, though ODE indicates there is sufficient appropriation available to fund the current number of scholarships at the higher maximum scholarship amounts. The program is funded by both a deduction from the Cleveland Municipal School District's foundation funding and direct state payments through an earmark of GRF line item 200550, Foundation Funding.**

Community Schools

**EDUCD116 Access to school district property by STEM and STEAM schools**

No provision.

No provision.

**R.C. 3313.411, 3313.413**

Adds STEM and STEAM schools to the list of other public schools (community schools and college-preparatory boarding schools) that must be offered the right of first refusal when a school district decides to sell real property or is required to offer for sale or lease unused property.

No provision.

No provision.

Maintains current law requiring priority for "high-performing" community schools to acquire school district property in the voluntary sale or involuntary sale or lease of such property.

**Fiscal effect: May give STEM and STEAM schools more opportunity to obtain space for operation.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD122 Student withdrawal from online schools for failing to take state assessments**

No provision.

No provision.

**R.C. 3313.6410, 3314.26**

Specifies that, for purposes of the current law requirement that an online school of a school district or internet- or computer-based community school ("e-school") withdraw a student for failure to participate in the administration of state assessments for two consecutive years, the consecutive years are of a student's enrollment in that school.

**Fiscal effect: May reduce the number of students that are withdrawn. Since state foundation aid is generally based on enrollment, this provision may minimally increase state foundation aid for school districts as well as deductions from the resident school district's state aid allocation transferred to e-schools if the number of students withdrawn from e-schools decreases.**

**EDUCD97 Community school sponsor evaluations - assigning ratings**

No provision.

**R.C. 3314.016**

Requires ODE to weight the "Progress" component at 60% of the total score for the academic performance component if ODE uses a component from the state report card rating system to calculate the academic performance component of the community school sponsor evaluation system. (The "Progress" component is composed of the overall value-added progress dimension and the value-added progress dimension disaggregated by specified subgroups.)

**R.C. 3314.016**

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Prohibits ODE from assigning an automatic overall rating to a community school sponsor based solely on the sponsor receiving an equivalent score of "0" points on one or more individual components not including academic performance, provided ODE uses a points system to determine the ratings under the evaluation system.	Same as the House.
No provision.	<p>Specifies that a community school's overall rating is a cumulative score of the individual components of the evaluation system unless a sponsor receives a "0" on the academic performance component.</p> <p><b>Fiscal effect: Increases the administrative responsibilities of ODE to make the modifications to the evaluation system, which will likely alter a sponsor's rating from what it would have been otherwise (for example, the Progress component is weighted less than 60% under the current system). Under continuing law, sponsors rated exemplary may take advantage of certain incentives, which may result in some administrative cost savings, while sponsors rated poor or ineffective are subject to certain sanctions, including, in certain circumstances, prohibitions on sponsoring additional schools and revocation of sponsorship authority.</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>
<b>EDUCD92 Community school sponsor evaluations - appeals</b>		
No provision.	<p><b>R.C. 3314.016</b></p> <p>Requires ODE to notify each community school sponsor in writing of its preliminary ratings and determinations for each component of the sponsor evaluation system no later than 45 days prior to ODE's publication of the final ratings.</p>	No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits a community school sponsor, within 10 days of receiving the preliminary ratings, to request an informal hearing to dispute the overall rating or determination for any component and requires ODE to hold an informal hearing within 10 days of receiving that request.	No provision.
No provision.	Requires ODE to issue a written decision either affirming or modifying the ratings and determinations and the reasons for that decision, prior to publishing the final ratings. <b>Fiscal effect: May Increase the administrative responsibilities of ODE.</b>	No provision.
<b>EDUCD98</b>	<b>ESC community school sponsors</b>	
	<b>R.C. 3314.016</b>	<b>R.C. 3314.016</b>
No provision.	Permits an ESC that sponsors community schools and has a sponsor rating of "effective" or higher to do both of the following:	Same as the House, but makes the following changes:
No provision.	(1) Sponsor an internet- or computer-based school ("e-school") without any previous experience sponsoring an e-school.	(1) No provision.
No provision.	(2) Sponsor a community school regardless of whether or not it is located in a county within the ESC's territory or a contiguous county.	(2) Same as the House.
No provision.	Specifies that an ESC may continue to sponsor any community school authorized under the bill if the sponsor subsequently receives an overall rating lower than "effective."	No provision.
	<b>Fiscal effect: None.</b>	<b>Fiscal effect: Same as the House.</b>

Executive

As Passed by the House

As Passed by the Senate

**EDUCD120 Community school sponsor evaluations – notice and training requirements**

No provision.

No provision.

**R.C. 3314.016**

Requires ODE to annually post on its web site the evaluation system it is required to develop and implement under current law and specifies that any changes to that system take effect the following rating period.

No provision.

No provision.

Requires ODE to make the training they must provide on an annual basis regarding the evaluation system available to sponsors by July 15 of each year.

**Fiscal effect: Increases the administrative responsibilities of ODE.**

**EDUCD118 Dividing an e-school into separate schools**

No provision.

No provision.

**R.C. 3314.29**

Authorizes, beginning in the 2018-2019 school year, the governing authority of an e-school that serves all of grades K-12, has an enrollment of at least 2,000 students, and has a sponsor rated effective or higher to adopt a resolution, subject to approval of the school's sponsor, to divide the school into two or three separate schools.

No provision.

No provision.

Requires the governing authority of a school divided under this provision to file the resolution with ODE by March 15 prior to the school year in which it will take effect.

No provision.

No provision.

Specifies that each school that is a result of the separation has the same governing authority and that the sponsor and governing authority must enter into a separate contract for each school.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Prohibits any resulting school from operating as a dropout prevention and recovery school.
No provision.	No provision.	Prohibits any resulting school from dividing again.
No provision.	No provision.	Requires that all resulting schools be included in the calculation of the academic performance component for sponsor ratings under the community school sponsor evaluation system.
No provision.	No provision.	Requires ODE to issue a report card for each resulting school, the results on which count toward closure of each school and any other matter based on report card ratings or measures without the two-year grace period that applies to other new community schools.
No provision.	No provision.	Specifies that ODE assign the resulting school with the highest grade the same internal retrieval number used by the divided school and that the other resulting schools receive new numbers.

Executive

As Passed by the House

As Passed by the Senate

**EDUCD115 Tuition for out-of-state STEM school students**

No provision.

No provision.

**R.C. 3326.10, 3326.101**

Permits a STEM school to determine the amount of tuition to charge an out-of-state student, as long as the tuition is no less than the minimum amount that the school receives from the state for a student who is an Ohio resident Applies also to STEAM schools as authorized under the bill (Under current law, STEM schools must charge tuition for out-of-state students that is equal to the amount that the school would have received for that student if the student were an Ohio resident).

**Fiscal effect: Potential gain in tuition revenue for STEM schools for out-of-state students.**

**EDUCD121 Community school sponsor authority revocation exception**

No provision.

No provision.

**Section: 265.500**

Permits a community school sponsor that has had its sponsorship authority revoked following the 2015-2016 school year due to an overall rating of "poor" to renew sponsorship for the 2017-2018 school year of a school it previously sponsored if the sponsor received a score of "3" or a "B" or higher on the academic performance component of the sponsor rating.

No provision.

No provision.

Permits the community school sponsor to continue sponsoring such a school in the 2018-2019 school year if it receives a score of "3" or a "B" (or an equivalent score as determined by ODE) or higher on the academic performance component of the sponsor rating for the 2017-2018 school

Executive

As Passed by the House

As Passed by the Senate

year, so long as the sponsor receives an overall rating of "ineffective" or higher.

**Educator Provisions**

EDUCD94

Teacher retirement incentives

**R.C. 3311.771, 3314.104, 3319.0812, 3326.082, and Section 803.310**

No provision.

Allows a public school or school district (including a community school and STEM school) to enter into an agreement to provide an early retirement incentive, severance pay, or both, to a teacher to retire only if the school or district determines that (1) the agreement is financially sound and (2) in the case of a school district, the district complies with continuing law's tax levy provisions concerning any wage or salary schedule increase made during the school year.

No provision.

No provision.

Specifies that the provision prevails over any collective bargaining agreement entered into on or after the provision's effective date and applies to contracts entered into, extended, or renewed on or after that date.

No provision.

**Fiscal effect: Potential decrease in such retirement payments for public districts and schools.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD136**      **Substitutes for educational aides**

No provision.

No provision.

**R.C.      3319.088, 3319.36**

Permits a school district superintendent to allow an employee who does not hold an educational aide permit or an educational paraprofessional license to work as a substitute for an educational assistant who is absent on account of illness or on a leave of absence, or to fill a temporary position created by an emergency, provided that the superintendent believes the employee's application materials indicate that the employee is qualified to obtain a permit or license.

No provision.

No provision.

Specifies that the employee must complete a criminal records check in accordance with continuing law for nonlicensed school employees.

No provision.

No provision.

Specifies that an employee working as a substitute under this provision must begin work no earlier than the date on which the employee files an application with the State Board of Education for an educational aide permit or an educational paraprofessional license.

No provision.

No provision.

Specifies that an employee working as a substitute under this provision must cease working as a substitute on the earliest of (1) the date on which the employee files a valid educational aide permit or educational paraprofessional license with the superintendent, (2) the date on which the employee is denied an educational aide permit or educational paraprofessional license, or (3) 60 days following the date on which the employee began work as a substitute under this provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Permits a school district treasurer to pay an employee who works as a substitute under this provision without that employee filing certain reports and written statements that most teachers must file under current law prior to receiving payment.

**Fiscal effect: Provides school districts with additional flexibility in responding to certain staffing needs.**

**EDUCD91 Elimination of Ohio Teacher Residency Program**

**R.C. 3319.223 (repealed), 3302.151, 3319.111, 3319.22, 3319.227, 3319.26, 3319.61, 3333.048, 3333.39 and Section 733.60**

**R.C. 3319.223 (repealed), 3302.151, 3319.111, 3319.22, 3319.227, 3319.26, 3319.61, 3333.048, 3333.39 and Section 733.60**

No provision.

Eliminates the Ohio Teacher Residency program, a four-year, entry-level program for educators that must be completed in order to qualify for a professional educator license issued by the State Board of Education.

Same as the House.

No provision.

Maintains the resident educator license and the alternative resident educator license, which are both four-year, renewable, entry-level licenses that an educator must hold prior to applying for a five-year professional educator license.

Same as the House.

No provision.

Specifies that individuals currently participating in the Ohio Teacher Residency program must not be required to complete the program or its components, and the State Board must not require any applicant for a new educator license, or for renewal of an educator license, to complete the Ohio Teacher Residency program or its components as a condition for issuance of the license.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Decrease in ODE expenditures of roughly \$5 million each fiscal year from Fund 4L20 line item 200681, Teacher Certification and Licensure, due to elimination of the Resident Educator Summative Assessment (RESA), required in the third year of the residency program. Decrease in ODE administrative expenditures. May decrease school district expenditures since districts would no longer be required to supply mentor teachers and perform other responsibilities associated with operating the program at the local level.**

**Fiscal effect: Same as the House.**

**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

**R.C. 3319.229 (repealed and reenacted)**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but (a) removes the requirement that an applicant for a Level I license must have at least 5 years of work experience in the subject area in which the applicant will teach and, for specified applicants, hold an industry-recognized credential, and (b) removes the specified criteria for the higher education program that qualifies the individual for Level II licensure and instead

**R.C. 3319.229 (repealed and reenacted)**

(1) Same as the Executive, but refers to the two new educator licenses as the Initial Career-Technical Workforce Development Educator License and the Advanced Career-Technical Workforce Development Educator License and authorizes individuals holding these licenses to teach career-technical and workforce development subject areas in any of grades 4-12.

(2) Same as the Executive.

(3) Same as the Executive, but, for purposes of obtaining the license, removes the requirement for specified applicants to hold an industry-recognized credential, permits the equivalent of five years of work experience to satisfy the condition, and requires a district superintendent to provide documentation, in accordance with procedures prescribed by ODE, that the applicant is enrolled in a career-technical

**Executive**

**As Passed by the House**

**As Passed by the Senate**

program meeting certain criteria 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.

(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.**

requires the program to meet the same criteria that career-technical educator preparation programs are currently required to meet for purposes of the Ohio Teacher Residency Program.

(4) Same as the Executive, but makes conforming changes with respect to the higher education program described in (3) above.

(5) Same as the Executive.

(6) Same as the Executive.

**Fiscal effect: Same as the Executive, but would allow additional individuals to qualify for a Level I license.**

workforce development educator preparation program offered by an institution of higher education that meets certain criteria.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

**Fiscal effect: Same as the Executive, but would allow additional individuals to qualify for the new licenses.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

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

No provision.

No provision.

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

No provision.

No provision.

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

**EDUCD38 Bright New Leaders for Ohio Schools Program**

**R.C. 3319.271**

(1) 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).

**R.C. 3319.271, 3319.27, and 3319.272**

(1) Replaces the Executive provision with a provision that specifies the Governor (or the Governor's designee), the Superintendent, and the Chancellor are to serve as nonvoting members of the board of directors

**R.C. 3319.271**

(1) No provision.

(2) No provision.

(2) Reduces, from two to one, the number of individuals that the Senate President and Speaker of the House of

(2) No provision.

Executive

As Passed by the House

As Passed by the Senate

Representatives appoint to the board, and removes the qualifications for those individuals.

(3) No provision.

(3) Requires the Governor to appoint one individual to the board.

(3) No provision.

(4) No provision.

(4) Removes a provision of current law specifying that state financial support for the program ceases on June 30, 2018.

(4) Same as the House.

(5) No provision.

(5) Removes a provision of current law specifying that the Ohio State University Fisher College of Business is to provide oversight to the nonprofit corporation that implements the Program (but retains provisions of current law specifying that the College is to provide the corporation with office space, and with office furniture and equipment, as is necessary for the corporation successfully to fulfill its duties).

(5) No provision.

(6) No provision.

(6) Requires the rules adopted by the State Board of Education establishing alternative principal licenses to prohibit an applicant for that license who has completed a Masters of Business Administration degree in lieu of a graduate degree in an education-related field from receiving the license unless the applicant has also successfully completed the Bright New Leaders Program.

(6) No provision.

(7) No provision.

(7) Requires ODE to secure principal positions for individuals who receive alternative principal licenses upon successful completion of the Program in low-performing public schools that have a high percentage of their students living in poverty.

(7) No provision.

(8) No provision.

(8) Permits the Governor, Senate President, and Speaker of the House of Representatives each to select an individual to be a participant in the Bright New Leaders for Ohio Schools Program.

(8) No provision.

Executive	As Passed by the House	As Passed by the Senate
Fiscal effect: None.	Fiscal effect: Minimal increase in administrative responsibilities for ODE. In addition, permits the program to continue to receive state support past FY 2018 (the program receives a total of \$2.5 million in both FY 2018 and FY 2019 under the bill).	Fiscal effect: Same as the House, but eliminates the provision's fiscal effect on ODE (state support for the program decreases to \$1 million in each fiscal year).
<b>EDUCD110</b>	<b>Licensed educator fingerprint requirements</b>	
No provision.	<p><b>R.C. 3319.291</b></p> <p>Requires ODE to request fingerprints from licensed educators and applicants for licensure who are not enrolled in the Retained Applicant Fingerprint Database (RAPBACK) to enroll them (RAPBACK is a continuous criminal record monitoring service overseen by the Attorney General's Office (AGO)).</p>	<p><b>R.C. 3319.291</b></p> <p>Same as the House.</p>
No provision.	<p>Requires the Department to inactivate a license or reject an application of an educator who does not comply.</p> <p><b>Fiscal effect: Potential increase in ODE's administrative responsibilities. ODE may also pay more in fees for the RAPBACK service if additional individuals become enrolled. AGO's Bureau of Criminal Investigation (BCI) charges participating agencies an initial fee for each individual entered in RAPBACK and an ongoing annual fee per individual, both of which are \$5. ODE pays the fees from the Teacher Licensure and Certification Fund (Fund 4L20). Upon receipt, AGO deposits RAPBACK fees into the General Reimbursement Fund (Fund 1060).</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>

Executive

As Passed by the House

As Passed by the Senate

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.

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

Requires ODE to distribute the remainder to pay the costs of early childhood programs that serve eligible children, first to existing providers that received early childhood education funds in the previous fiscal year and the balance to new eligible providers or to existing providers to serve more eligible children or for purposes of program expansion, improvement, or special projects to promote quality and innovation.

Requires ODE to distribute new or remaining funds to serve more eligible children where there is a need, as determined by ODE, and specifies that such funds be distributed based on community economic disadvantage, limited access to high quality preschool or childcare services, and demonstration of high quality preschool services as

**Section: 265.20**

Same as the Executive, but qualifies a child who is at least three years of age, as of the district entry date for kindergarten, if funds remain after awards are made for eligible four-year-olds.

Same as the Executive.

Same as the Executive.

Same as the Executive, but (1) eliminates the authority of ODE to distribute new or remaining funds where there is a need determined by ODE and, instead, requires any new or remaining funding to support early learning and development programs operating in smaller communities and programs that are rated at not lower than the third highest tier in the

**Section: 265.20**

Same as the House, but (1) changes the age of eligibility from age four as of the district entry date for kindergarten to simply age four, (2) qualifies a child who is simply three years of age (instead of age three as of the district entry date for kindergarten) if funds remain on October 1st after awards are made for eligible four-year-olds, and (3) removes specification that funds for eligible three-year-olds may be awarded only after awards have been made for all eligible four-year-olds.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

determined by ODE using new metrics developed pursuant to Ohio's Race to the Top-Early Learning Challenge Grant.

Step Up to Quality program or comply with other requirements, (2) replaces the metrics ODE must use to determine high quality preschool services with weighted factors including the program's Step Up to Quality rating, compliance with rules, and use of collaborative practice; and (3) requires ODE to assess the effectiveness of early childhood education programs that receive new or remaining funding using specified factors.

Requires awards to providers be distributed on a per-pupil basis and 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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

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

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

the requirements under the Step Up to Quality system, and (12) requires providers who are not highly rated to meet certain qualifications.

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.

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

**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.**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive, but increases the administrative responsibilities of ODE and reduces the appropriations for item 200408 to \$67.8 million each fiscal year.**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive, but reduces the appropriations for item 200408 to \$68.1 million each fiscal year.**

**EDUCD139 Early Childhood Education Pilot Program in Appalachia**

No provision.

No provision.

**Section: 265.20**

Allows a portion of GRF appropriation item 200408, Early Childhood Education, to be used by ODE to implement a pilot program in no more than two counties in the Appalachian region of the state.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires ODE to distribute funding to existing or new eligible providers of early childhood education to serve a total of 125 eligible children each fiscal year.
No provision.	No provision.	Requires ODE to collect and review data from the participating programs.
No provision.	No provision.	Allows ODE to use a portion of the funds for administration and evaluation of the pilot program.

**Other Education Provisions**

EDUCD127	Social studies assessments	
No provision.	No provision.	<p><b>R.C. 3301.0710, 3302.01, 3302.03, and 3313.6012</b></p> <p>Eliminates the fourth- and sixth-grade statewide achievement assessments in social studies.</p>
No provision.	No provision.	<p>Requires each school district or school to teach and assess social studies in at least the fourth and sixth grades, but adds that (1) any social studies assessment must be determined by the district or school and may be formative or summative in nature and (2) the results of any social studies assessment may not be reported to ODE.</p> <p><b>Fiscal effect: School districts and schools will experience an increase in costs to procure or develop social studies assessments. ODE will experience a decrease in assessment costs of about \$3.3 million from GRF line item 200437, Student Assessment.</b></p>

Executive

As Passed by the House

As Passed by the Senate

EDUCD95 Paper and online state tests

**R.C. 3301.0711**

No provision.

Permits public districts and schools and chartered nonpublic schools to administer the state achievement assessments in a paper format.

No provision.

No provision.

Specifies that public districts and schools and chartered nonpublic schools may not be required to administer such assessments in an online format.

No provision.

No provision.

Permits public districts and schools and chartered nonpublic schools to administer such assessments in a combination of online and paper formats.

No provision.

No provision.

Requires ODE to furnish, free of charge, all such assessments regardless of the format selected by the district or school.

No provision.

**Fiscal effect: None, at least in the short term. Ohio's current contract for the state's achievement assessments calls for a cost of \$13 per content test, regardless of the format in which the test is delivered. However, over the long-term, paper tests tend to be more expensive than computer-based assessments due to additional printing, shipping, and test security costs. All districts and schools were required to administer the state tests online in the current 2016-2017 school year unless a district or school could demonstrate a need for paper tests.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD99**      **Access to student data verification codes**

No provision.

**R.C.      3301.0714**

Permits the State Board of Education and ODE to have access to information that would enable student data verification codes (often called student "SSID" numbers) to be matched to personally identifiable student data for the purpose of making per-pupil payments to community schools under the school funding formula.

**Fiscal effect: May reduce the circumstances in which multiple SSID numbers are created in the Education Management Information System (EMIS) for the same student. Any effect on funding is likely minimal, as EMIS already has the capability of recognizing some circumstances when multiple SSIDs are occurring and generating an error in those situations to prevent the new SSID from being created in the first place.**

No provision.

**EDUCD123**      **Reporting of victims of student violence**

No provision.

No provision.

**R.C.      3301.0714, 733.13**

Requires, beginning on July 1 that next succeeds the amendment's effective date, the guidelines adopted by the State Board of Education for the statewide Education Management Information System (EMIS) to require the data maintained by the system to include an identification of the person or persons, if any, at whom a student's violent behavior that resulted in discipline was directed.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Specifies that the person or persons must be identified by the respective classification at the district or school, such as student, teacher, or nonteaching employee, and prohibits the person or persons from being identified by name.
No provision.	No provision.	Requires ODE to prepare a report of the information for the first two school years following the bill's effective date and submit that report to the General Assembly by October 1 that follows the final day of the second school year.
No provision.	No provision.	<p>Specifies that the amendment's provisions no longer apply after the date that is two years following the submission of the report.</p> <p><b>Fiscal effect: Increases the administrative responsibilities for districts and schools to collect and report the additional data in EMIS and for ODE to prepare the required report.</b></p>
<b>EDUCD128 Kindergarten readiness diagnostic assessments</b>		
No provision.	No provision.	<p><b>R.C. 3301.0715</b></p> <p>Permits school districts to administer the selected response and performance task items part of the kindergarten readiness diagnostic assessment up to two weeks prior to the first day of the school year and specifies that the provision is effective immediately (under current law, a district must administer the assessment not earlier than the first day of the school year and not later than the first day of November).</p> <p><b>Fiscal effect: Provides additional flexibility for school districts in administering the kindergarten readiness assessment.</b></p>

Executive

As Passed by the House

As Passed by the Senate

**EDUCD113 Chartered nonpublic school reporting requirements**

No provision.

**R.C. 3301.16, 3301.164**

Requires each chartered nonpublic school to publish on its website all of the following: (1) the number of enrolled students as of the last day of October, (2) its policy regarding background checks for employees and for volunteers who have direct contact with students, and (3) its curricula and reading lists for each grade.

No provision.

No provision.

Requires each chartered nonpublic school to make its curricula and reading lists for each grade available to parents, guardians, and custodians.

No provision.

**Fiscal effect: None.**

**EDUCD132 At-risk student information clearinghouse**

No provision.

No provision.

**R.C. 3301.28 (repealed)**

Repeals a provision in current law that requires ODE to establish a clearinghouse of information regarding the identification of and intervention for at-risk students.

**Fiscal effect: Decrease in administrative duties for ODE.**

**EDUCD112 ODE assistance to the Ohio FFA Association**

No provision.

**R.C. 3303.20, 733.63**

Permits ODE's supervisor of agricultural education to serve as the chair of the board of trustees of the Ohio FFA Association.

**R.C. 3303.20, 733.63**

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits the supervisor to assist with the Association's programs and activities in a manner that enables the Association to maintain its state charter and to meet applicable requirements of the U.S. Department of Education and the National FFA Organization, and specifies that this assistance may include the provision of ODE personnel, services, and facilities.	Same as the House.
No provision.	Prohibits ODE employees from receiving compensation from the Association, but permits the ODE to be reimbursed by the Association for reasonable expenses related to assistance provided to the Association.	Same as the House.
No provision.	States the General Assembly's finding that the Ohio FFA Association is an integral part of the organized instructional programs in career-technical agricultural education that prepare students for a wide range of careers in agriculture, agribusiness, and other agriculture-related occupations.	Same as the House.
	<b>Fiscal effect: May increase ODE's administrative costs if ODE opts to provide assistance to the Ohio FFA Association. Any costs ODE incurs to provide assistance may be reimbursed by the Ohio FFA Association.</b>	<b>Fiscal effect: Same as the House.</b>

Executive

As Passed by the House

As Passed by the Senate

**EDUCD104 Transfers of territory between districts party to the "win-win" annexation agreement territory transfers**

No provision.

**R.C. 3311.06**

Beginning on the bill's effective date until October 1, 2021, prohibits a school district that is a party to an annexation ("win-win") agreement from transferring territory to another school district that is a party to the annexation agreement without the approval of the board of education of each of the school districts.

**Fiscal effect: May limit the circumstances in which a transfer of territory can occur.**

**R.C. 3311.06**

Same as the House, but (1) limits the provision to territory that is or will be used for nonresidential purposes and (2) excludes situations in which the school district territory of one of the district boards overlaps with a "new community authority" (under continuing law regarding community development within counties, a "new community" is defined as "a community or development of property in relation to an existing community planned so that the resulting community includes facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, and designed in accordance with planning concepts for the placement of utility, open space, and other supportive facilities.").

**Fiscal effect: Same as the House.**

**EDUCD125 Municipal School District Transformation Alliance**

No provision.

No provision.

**R.C. 3311.86**

Extends indefinitely the authority of Cleveland's mayor to establish a Municipal School District Transformation Alliance (for the Cleveland Metropolitan School District, which is currently the only municipal school district in the state) and retains that Alliance, along with its powers and duties, by removing sunset provisions that would, on January 1, 2018, (1) eliminate that authority and (2) terminate any Alliance established by the mayor pursuant to that authority.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Allows the Cleveland Transformation Alliance to continue operating past January 1, 2018. The Alliance is funded by various non-profit organizations.**

**EDUCD135      Payments to students in residential facilities**

No provision.

No provision.

**R.C.      3313.64, 3323.14**

Permits a school district to receive a tuition payment for a special education student when the child is admitted to a school district other than the one in which the child's parent resides due to the child being placed in a residential facility where the child receives educational services (current law specifies that the tuition provision does not apply if the child receives special education).

No provision.

No provision.

Permits a district to choose whether to receive a tuition payment for a special education student that fits the criteria described above or to receive an excess costs payment for that student from the parent's resident district for special education. (Under current law, the district providing special education services may receive additional payments from the parent's resident district to cover the full cost of those services.)

**Fiscal effect: Under continuing law, the parent's resident district is generally responsible to pay tuition in these circumstances. Thus, the provision may increase payments between school districts.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD129 School district policy on application of sunscreen**

No provision.

No provision.

**R.C. 3313.713**

Prohibits a school district from requiring written authorization from a health care provider in order to administer sunscreen to a student.

No provision.

No provision.

Permits a student to possess and self-apply sunscreen without written authorization from a healthcare provider.

No provision.

No provision.

Permits a district to require parental authorization for the possession or application of sunscreen.

**Fiscal effect: None.**

**EDUCD124 Prohibition on use of betel nut substances in schools**

No provision.

No provision.

**R.C. 3313.751**

Prohibits the use or possession of any substance containing betel nut in any area under the control of, or at any activity supervised by, a school district or educational service center (ESC).

No provision.

No provision.

Requires each school district board and ESC governing board to adopt a policy providing for the enforcement of this prohibition and establishing disciplinary measures for a violation of this prohibition.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential increase in school district and ESC workload to enforce the prohibitions under the bill and discipline individuals for violations, depending on the policy adopted by each school board or ESC governing board.**

EDUCD119 Summer food service programs

No provision.

No provision.

**R.C. 3313.813**

Requires a school district that provides summer academic intervention services and that opts out of offering summer food service in a school in which at least half of the students are eligible for free lunches to allow an approved summer food service program sponsor to use the school's facilities.

**Fiscal effect: Although a district may incur costs through the use of its facilities, the bill allows districts to offset these costs by charging the sponsor a reasonable fee. May also increase the administrative responsibilities of ODE if the number of food service programs increases. ODE receives federal administrative funding for its duties related to food service programs.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD5**      **Advisory members of school district boards of education**

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

**R.C. 3313.821**

**R.C. 3313.821**

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.

No provision.

Same as the House.

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

No provision.

Same as the House.

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.)

No provision.

Same as the House.

No provision.

Requires the Superintendent of Public Instruction, in consultation with the Governor's Executive Workforce Board, to establish standards for the operation of business advisory councils that each school district board of education and governing board of an educational service center must appoint.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

No provision.

Specifies that the standards must include a requirement that each business advisory council and its appointing board must develop a plan under which the council must advise the board, under continuing law, of matters such as (1) the delineation of employment skills and the development of curriculum to instill those skills, (2) changes the economy and the job market and the types of employment in which future jobs are most likely to be available, and (3) suggestions for developing a working relationship among businesses, labor organizations, and educational personnel.

Same as the House.

No provision.

Specifies that the standards also must require (1) each business advisory council to meet at least quarterly and (2) each business advisory council and its board to file a joint statement by March 1 of each year describing how both parties have fulfilled their responsibilities.

Same as the House.

Fiscal effect: None.

**Fiscal effect: Increases the administrative responsibilities of ODE, school district boards, and business advisory councils.**

**Fiscal effect: Same as the House.**

EDUCD131

Sudden cardiac arrest in youth athletic activities

No provision.

No provision.

**R.C. 3313.5310, 3707.58**

Specifies that a student participating in a school athletic activity or an individual participating in an athletic activity of a youth sports organization must submit the signed form indicating review of sudden cardiac arrest guidelines prior to participating in an athletic activity once every year (rather than once every year for every athletic activity in which the student or youth athlete participates as under current law).

**Fiscal effect: May reduce administrative costs for school districts.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD130 International student participation in interscholastic athletics**

No provision.

No provision.

**R.C. 3313.5315**

Authorizes any student from a country or province outside the United States, who holds an F-1 visa issued by the U.S. Department of State and attends an elementary or secondary school in Ohio that began operating a dormitory on the school's campus prior to 2014, to participate in interscholastic athletics at that school on the same basis as students who are Ohio residents.

No provision.

No provision.

Specifies that such a student must not be denied the opportunity to participate in interscholastic athletics solely because the student's parents do not reside in Ohio.

No provision.

No provision.

Prohibits school districts, schools, interscholastic conferences, or organizations that regulate interscholastic athletics from having a rule, bylaw, or other regulation that conflicts with the bill's provisions.

**Fiscal effect: None.**

Executive

As Passed by the House

As Passed by the Senate

EDUCD137 Early college high schools

No provision.

No provision.

**R.C. 3313.6013, 3365.02, 3365.10**

Exempts all Early College High School (ECHS) programs from the requirements of the CCP program, so long as the ECHS program meets the statutory definition of ECHS programs and is approved by the Superintendent of Public Instruction and the Chancellor of Higher Education (under current law, ECHS programs are exempted from CCP if they (1) apply for and obtain a waiver from the requirements of the CCP program; (2) began operation before July 1, 2014, and whose agreement has not yet expired; (3) received a Straight A program grant during the 2014-2015 school year to establish or expand an ECHS program; or (4) do not confer transcribed credit, but only for that portion of the program).

No provision.

No provision.

Changes the definition of "early college high school program" so that it means a partnership between at least one school district or school and at least one institution of higher education that allows participants to simultaneously complete requirements toward earning a high school diploma and have the opportunity to earn not less than 24 credits that are transferable to the institutions of higher education in the partnership as part of an organized course of study toward a post-secondary degree or credential at no cost to the participant or participant's family.

No provision.

No provision.

Specifies that ECHS programs "prioritize," rather than only include as under current law, students who are (1) underrepresented in higher education, (2) economically disadvantaged, or (3) first-generation (parents did not earn degree).

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Maintains current law permitting high schools and colleges to apply for and obtain a waiver from the requirements of the CCP program for agreements or proposed agreements that offer innovative programming for underrepresented students and meet the criteria set forth in rule by the Chancellor and State Superintendent. (Under current law, this waiver is also specifically available to ECHS programs.)

**Fiscal effect: Provides additional flexibility with respect to the operation and financing of applicable ECHS programs. Subject to the approval of the program by the Chancellor and the Superintendent, the operation of the programs would be based on the agreements between school districts or schools and the institutions of higher education. May increase the administrative responsibilities for BOR and ODE to review and approve ECHS programs.**

EDUCD100

School employee training in use of automated external defibrillator

No provision.

**R.C. 3313.6023, 3313.717**

Exempts the following individuals employed by school districts and most community schools from the current law requirement to complete training in the use of an automated external defibrillator: (1) substitute teachers, (2) adult education instructors who are scheduled to work the full-time equivalent of less than one hundred twenty days per school year; and (3) persons who are employed on an as-needed, seasonal, or intermittent basis.

**Fiscal effect: Minimal decrease in training costs for employees.**

**R.C. 3313.6023, 3313.717**

Same as the House, but specifically excludes coaches and supervisors of interscholastic athletics from the bill's exemption.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD53 Approval of industry-recognized credentials and licenses**

**R.C. 3313.6113, 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.**

**R.C. 3313.6113, 3302.03, 3313.618**

Same as the Executive, but changes, from "biannually" to "at least biennially", the bill's deadline by which the Superintendent must update the list.

**Fiscal effect: Same as the Executive.**

**R.C. 3313.6113, 3302.03, 3313.618**

Same as the House.

**Fiscal effect: Same as the Executive.**

**EDUCD114 Auxiliary services for non-religious schools**

No provision.

No provision.

**R.C. 3317.024, 3317.06, 3317.062**

Requires ODE to pay auxiliary services funds directly to each chartered nonpublic school that is not affiliated with religion or has a curriculum or mission that contains religious content, religious courses, or any other religious activity (maintains the current law procedure of making these payments to school districts for chartered nonpublic schools affiliated with a religion so that the districts may make purchases for those chartered nonpublic schools).

**Fiscal effect: None.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD93**      **Permissible uses of auxiliary services funds**

**R.C.      3317.06**

**R.C.      3317.06**

No provision.

Adds the following to the list of services that can be purchased with state auxiliary services funds paid to a school district for chartered nonpublic schools located within the district:

Same as the House.

No provision.

(1) Procurement of security services through a county sheriff, police force, or from a certified special police officer, security guard, or privately employed person serving in a police capacity provision of language; and

(1) Same as the House.

No provision.

(2) Academic support services for English language learners.

(2) Same as the House.

**Fiscal effect: None.**

**Fiscal effect: Same as the House.**

**EDUCD126**      **Timeline for assignment of a student to an absence intervention team**

No provision.

No provision.

**R.C.      3321.19**

Removes the requirement that assignment of a student to an absence intervention team must be made within ten days after becoming an habitual truant, but retains the time-specific continuing law requirements related to team member selection (which must occur within seven school days of the triggering absence), attempts to engage the student's parent, and intervention plan development.

**Fiscal effect: None.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD105 Staffing levels for preschool children with disabilities**

**R.C. 3323.022**

**R.C. 3323.022**

No provision.

Requires a ratio of one full-time staff member for every eight full-day or 16 half-day preschool children eligible for special education enrolled in a center-based preschool special education program.

Same as the House.

No provision.

Specifies that the ratio of one teacher to eight children must be maintained at all times and that a second adult must be present when there are nine or more children, including any nondisabled children enrolled in a class session.

Same as the House.

**Fiscal effect: May decrease the number of full-time staff required for these preschool special education classrooms and the associated personnel cost. Current rules require a ratio of one full-time staff member for every six full-day or 12 half-day preschool children.**

**Fiscal effect: Same as the House.**

**EDUCD101 Purchase of school buses**

**R.C. 3327.08**

**R.C. 3327.08**

No provision.

Specifies that bid bonds are not required for the purchase of school buses unless a district board or educational service center governing board requests that bid bonds be part of the competitive bidding process for a specified purchase.

Same as the House.

**Fiscal effect: None.**

**Fiscal effect: Same as the House.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

No provision.

No provision.

**R.C. 3365.03, Section 733.20**

Same as the Executive.

Same as the Executive.

Requires the college to which a student applies to participate in the CCP program to pay for one assessment to determine the student's eligibility. Specifies that any additional assessments used to determine the student's eligibility are the financial responsibility of the student.

No provision.

**R.C. 3365.03, 3365.05, Section 733.20**

Same as the Executive, but also requires the college to determine whether each student meets the "remediation-free" threshold or the alternative criteria.

Same as the Executive.

No provision.

Requires, beginning with the 2018 summer academic session, the college to do one of the following, if the college requires students to take the ACT or SAT for eligibility and admission purposes: (1) administer the Accuplacer test as an alternative to the ACT or SAT at no cost to the student and align the results to the ACT or SAT; or (2) continue to

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

require the ACT or SAT and develop a process for fully reimbursing students who take the ACT or SAT and who qualify for free or reduced price lunches under federal law.

Specifies that a student may receive such reimbursement only once for CCP participation purposes.

**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.**

**Fiscal effect: Same as the Executive, but may increase costs to colleges to pay for the assessments.**

**Fiscal effect: Same as the House.**

EDUCD89 College Credit Plus - minimum grade for high school and college credit

**R.C. 3365.04, 3365.05, 3365.12, conforming change in R.C.3365.15**

No provision.

Requires high schools and colleges to adopt a policy for awarding grades under the CCP program, under which CCP participants must receive a grade of "C" or better in a CCP course to receive credit for that course. (This provision applies to the awarding of both high school and college credit.)

No provision.

No provision.

Applies the minimum grade threshold ("C" or better) for a CCP course to count toward the high school's graduation requirements and subject area requirements.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: None directly. According to Department of Higher Education data, roughly 95% of CCP participants in the 2015-2016 school year had a GPA of 2.0 or more (which, on a 4.0 scale, typically equates to a "C" or better) in CCP courses.**

**EDUCD45 College Credit Plus - default payment structure**

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

Prohibits payments made by ODE 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).  
No provision.

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

No provision. (Current law permits CCP payments below the default floor, so long as the agreement complies with all other requirements of the CCP program.)  
No provision.

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

No provision.  
Permits, rather than requires as under current law, the Chancellor of Higher Education to approve payments made by ODE for a CCP course under an alternative payment structure to be below the default floor amount, so long as the provisions of the agreement comply with all other requirements of CCP to ensure program quality.

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.

Same as the Executive.

Same as the Executive.

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

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

**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.**

**Fiscal effect: Same as the Executive, but eliminates the As Introduced bill's fiscal effects associated with its prohibition on payments below the default floor.**

**Fiscal effect: Same as the House, but also gives the Chancellor additional discretion in approving payments below the default floor.**

**EDUCD117 College Credit Plus - dates for payments to colleges**

No provision.

No provision.

**R.C. 3365.07**

Specifies January 31, for fall participants, and July 31, for spring participants, as the dates by which ODE must make payments to colleges for CCP program participants, unless there is incomplete or disputed information for a participant (under current law, payments must be made "each January and July, or as soon as possible thereafter").

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

No provision.

Maintains current law requiring payments for summer term CCP participants to be made each September, or as soon as possible thereafter.

**Fiscal effect: None.**

**EDUCD48**

**College Credit Plus - textbooks**

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

**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.

Same as the Executive.

No provision.

Requires the agreement to include the following provisions:

Same as the Executive, but makes the following changes:

No provision.

(1) The college must provide all required textbooks to participants.

(1) Same as the Executive.

No provision.

(2) The high school must pay for the textbooks under one of the following two options:

(2) Same as the Executive, but makes the following changes:

No provision.

(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

(a) Same as the Executive, but specifies the school pays the college 50% of the cost of required textbooks for each participant.

No provision.

(b) The school and the college agree on an amount, which the school pays to the college, and specify who owns the

(b) Same as the Executive.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

textbooks and to whom the participant returns the textbooks.

(3) Participants cannot be charged for required textbooks.

(3) Same as the Executive.

No provision.

(4) The procedures established for the efficient distribution of textbooks to participants, which must include specified administrative and procedural information.

(4) Same as the Executive.

No provision.

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

Same as the Executive, but makes the following changes:

No provision.

(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.

(1) Same as the Executive, but specifies that the participant pays the college 50% of the cost of required textbooks.

No provision.

(2) The participant purchases and owns the textbooks.

(2) Same as the Executive.

No provision.

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

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

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.

Fiscal effect: Same as the Executive, but may increase the share of textbook costs paid by a participant's school district.

EDUCD109 College Credit Plus - biennial report

No provision.

**R.C. 3365.15**

Specifies, for the purposes of the biennial CCP report required under current law, that only data available through the Higher Education Information System (a database administered by the Chancellor of Higher Education through which colleges submit various enrollment and finance data) may be included in that report.

No provision.

**Fiscal effect: None.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD90 College Credit Plus - outcomes report**

**R.C. 3365.15**

No provision.

Requires the Chancellor of Higher Education and Superintendent of Public Instruction to submit an annual report on outcomes of the CCP program, supported by empirical evidence.

No provision.

No provision.

Requires the annual report to include a number of measures that are disaggregated by students who participated in CCP and, upon graduation, enroll in an Ohio college during the same academic year.

No provision.

No provision.

Requires each report to be submitted annually by December 31 from 2018 to 2023.

No provision.

**Fiscal effect: May minimally increase administrative costs for the Department of Higher Education and ODE.**

**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 (CCP) that include a recognized pre-apprenticeship program that imparts the skills and knowledge needed for successful participation in a registered apprenticeship occupation course are exempt from the state minor labor law, which restricts employment of minors in certain occupations, in addition to career-technical programs approved by ODE as under current law.

**Fiscal effect: None.**

**R.C. 4109.06**

Same as the Executive, but specifies that the CCP classes must include a "state-recognized" pre-apprenticeship program.

**Fiscal effect: Same as the Executive.**

**R.C. 4109.06**

Same as the House.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD75      Straight A Program**

**Section: 265.340**

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.

**Section: 265.340**

Same as the Executive, but specifies that institutions of higher education may be part of, including the lead applicant for, education consortia that receive grants under the Straight A Program.

Same as the Executive, but adds that new career and job pathways for underserved students from rural and urban areas that enhance access to employment in high-demand fields, including software and mobile application development, through innovation programs and partnerships between schools, institutions of higher education, and employers may be a goal for a project that receives grants under the Program.

Same as the Executive, but also requires the Program's governing board to select grant advisors with workforce development expertise and technology or high-demand careers expertise.

Same as the Executive, but (1) also requires the Program's governing board to (a) establish an initial grant application period of at least 60 days and (b) give priority to applicants that demonstrate new career and job pathways for underserved students from rural and urban areas (in addition to those that demonstrate cost savings as in the Executive) over other applicants when determining whether to award

No provision.

No provision.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

Specifies that a grant awarded under the Program shall not exceed \$1,000,000.

grants from among two or more applicants of similar score and (2) removes a provision stating that if the proposal submitted by a grant applicant for a project will result in increased ongoing spending, that proposal must show how the spending will be offset by verifiable, credible, and permanent spending reductions.

Same as the Executive, but permits a grant awarded to an education consortium to exceed \$1,000,000.

No provision.

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

**Fiscal effect: Decreases appropriations for SLF Fund 7017 appropriation item 200648, Straight A Fund, to \$5 million each fiscal year, including an earmark of \$500,000 each fiscal for the Bright New Leaders for Ohio Schools Program.**

EDUCD102 School property

No provision.

**Sections: 610.60, 610.61**

Amends Section 7 of Sub. H.B. 532 of the 129th General Assembly, as amended by Am. Sub. H.B. 64 of the 131st General Assembly to extend, from December 31, 2017, to December 31, 2019, the expiration of a provision of current law that temporarily permits a city school district to provide to a chartered nonpublic school that is the current leaseholder the highest priority to purchase an athletic field that the district owns.

**Fiscal effect: None.**

**Sections: 610.60, 610.61**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

EDUCD106 Workgroup on related services personnel

**Section: 733.65**

**Section: 733.65**

No provision.

Requires the Superintendent of Public Instruction to establish a workgroup on related services personnel, for the purpose of improving the coordination of state, school, and provider efforts to address the related services needs of students with disabilities.

Same as the House.

No provision.

Requires the workgroup to include the following members: employees of ODE, the Department of Higher Education, and other state agencies that have a role in addressing the related services needs of students with disabilities as well as representatives from certain interested parties and stakeholder groups.

Same as the House.

No provision.

Requires the workgroup to (1) identify and evaluate causes and solutions for the shortage of related services personnel in schools, (2) establish short-term, medium-term, and long-term goals to address the shortage and monitor progress on those goals, and (3) report, as needed, on its work and findings.

Same as the House.

No provision.

Requires ODE to provide administrative support to the workgroup.

Same as the House.

No provision.

Specifies that the workgroup will cease to exist on June 30, 2019, unless the General Assembly authorizes its continuation.

Same as the House.

**Fiscal effect: Increases the administrative responsibilities of ODE, the Department of Higher Education, and other participating state agencies.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**EDUCD133**      **Graduation pathways for the Class of 2018**

No provision.

No provision.

**Section: 733.67**

Creates two alternative graduation pathways exclusively for students who are enrolled in a school district, other public school, or chartered nonpublic school and who entered ninth grade for the first time on or after July 1, 2014, but before July 1, 2015 (Class of 2018), as follows:

(1) No provision.

(1) No provision.

(1) Specifies that such a student may qualify for a high school diploma if the student:

(a) No provision.

(a) No provision.

(a) Takes all of the end-of-course exams required for the student or takes an alternate assessment for chartered nonpublic school students, as applicable;

(b) No provision.

(b) No provision.

(b) Retakes, at least once, any end-of-course exam in the area of English language arts or mathematics for which a student received an equivalent score of lower than "3";

(c) No provision.

(c) No provision.

(c) Completes the district's or school's required units of instruction, and

(d) No provision.

(d) No provision.

(d) Completes at least two of the following conditions: (i) Has an attendance rate of at least 93% during the 12th grade, (ii) Takes at least four full-year or equivalent courses during the 12th grade and has a grade point average of at least 2.5 for courses completed during the 12th grade year, (iii) Completed, during the 12th grade, a capstone project as defined by the district or school, (iv) Completed, during the 12th grade, 120 hours of work in a community service role or in a position of employment, including internships, work study, co-ops, and apprenticeships as defined by the district or school, (v) Earned three or more transcribed credit hours

Executive

As Passed by the House

As Passed by the Senate

		<p>under the College Credit Plus program, at any time during high school, (vi) Passed an Advanced Placement (AP) or International Baccalaureate (IB) course, and received a score of "3" or higher on the corresponding AP course or a score of "4" or higher on the corresponding IB course at any time during high school, (vii) earned at least a "level three" score on each of the "reading for information," "applied mathematics," and "locating information" components of the WorkKeys assessment, or a comparable score on similar components of any successor version of that assessment, (viii) Obtain an industry-recognized credential or a group of credentials equal to at least three points, or (ix) Satisfies the conditions required to receive an OhioMeansJobs-readiness seal (created under the bill).</p>
(2) No provision.	(2) No provision.	(2) Also, specifies that such a student may qualify for a high school diploma if the student:
(a) No provision.	(a) No provision.	(a) Takes all of the end-of-course exams required for the student or takes an alternate assessment for chartered nonpublic school students, as applicable;
(b) No provision.	(b) No provision.	(b) Completes the district's or school's required units of instruction;
(c) No provision.	(c) No provision.	(c) Completes a career-technical training program approved by ODE that includes at least four career-technical courses; and
(d) No provision.	(d) No provision.	(d) Completes one of the following conditions: (i) Attains a cumulative score of at least proficient on career-technical education exams, or test modules, that are required for a career-technical education program, (ii) Obtains an industry-recognized credential, or a group of credentials equal to at least 12 points, or (iii) Demonstrates successful workplace

Executive

As Passed by the House

As Passed by the Senate

participation, as evidenced by documented completion of 250 hours of workplace experience and by evidence of regular, written, positive evaluations from the workplace employer or supervisor and representative of the district or school (Specifies that the third condition must be based on a written agreement signed by the student, a representative of the district or school, and an employer or supervisor).

**Fiscal effect: May allow more students in the Class of 2018 to graduate on time.**

Appropriation Language

**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

**Section: 265.40**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

students. Permits a portion to be used for program administration, monitoring, technical assistance, support, research, and evaluation of the grant program.

**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.

**Section: 265.70**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**Section: 265.70**

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but reduces the earmark to up to \$9,686,658 in each fiscal year.

(2) Same as the Executive, but reduces the earmark to up to \$4,843,329 in each fiscal year.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

No provision.

**Section: 265.80**

Same as the Executive.

Requires ODE to utilize educational service centers in the development and delivery of professional development programs on content standards and model curriculum.

**Section: 265.80**

Same as the Executive.

Same as the House.

**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.

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

**Section: 265.100**

Same as the Executive.

Replaces the Executive provision with a provision that requires a portion be provided to educational service centers to support training and professional development.

Same as the Executive.

**Section: 265.100**

No Provision. (Funding for this purpose is provided in DPF Fund 5UC0 appropriation item 200662, Accountability/Report Cards (see EDUCD143)).

No Provision. (Funding for this purpose is provided in DPF Fund 5UC0 appropriation item 200662, Accountability/Report Cards (see EDUCD143)).

No Provision. (Funding for this purpose is provided in DPF Fund 5UC0 appropriation item 200662, Accountability/Report Cards (see EDUCD143)).

**Executive**

**As Passed by the House**

**As Passed by the Senate**

teacher value-added reports, the teacher student linkage/roster verification process, and the performance management section of ODE's website.

No provision.

No provision.

Requires GRF appropriation item 200439, Accountability/Report Cards, to be used in conjunction with DPF Fund 5UCO appropriation item 200662, Accountability/Report Cards (see EDUCD143).

**EDUCD66 Education 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

**Section: 265.110**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 265.110**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) No provision.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

Same as the 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.

(3) No provision.

(4) No provision.

(5) No provision.

**Section: 265.120**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) No provision.

(4) No provision.

(5) No provision.

**Section: 265.120**

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but decreases the earmark to up to \$339,783 in each fiscal year.

(2) Same as the Executive, but decreases the earmark to up to \$67,957 in each fiscal year.

(3) Earmarks up to \$250,000 in each fiscal year to support Teach for America (previous versions of the bill earmarked \$2,000,000 in each fiscal year for this purpose from GRF appropriation item 200597, Education Program Support (see EDUCD25)).

(4) Earmarks \$75,000 in FY 2018 and \$100,000 in FY 2019 to support FASTER Saves Lives training for selected school staff.

(5) Earmarks \$25,000 in FY 2018 to purchase trauma training and equipment for school staff that have completed FASTER Saves Lives training. Reappropriates the

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

unexpended, unencumbered balance of this earmark at the end of FY 2018 to FY 2019.

Same as the Executive.

**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.

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

**Section: 265.140**

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but increases the earmark to up to \$2,500,000 in each fiscal year.

(2) Same as the Executive, but increases the earmark to up to \$1,778,879 in each fiscal year.

Same as the Executive, but (1) permits the remainder to be used to (a) support assistance with compliance reporting for federal E-rate funds and (b) a program of study for K-8 students related to online safety skills and specifies that the program of study must provide the electronic data necessary for E-rate compliance reporting at the student, classroom,

**Section: 265.140**

Same as the House.

(1) Same as the House.

(2) Same as the House.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

initiative and for internet safety training for students, teachers, and administrators.

and district levels, and (2) clarifies that the internet safety training is only for 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.

**Section: 265.150**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 265.150**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) No provision.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

**Section: 265.170**

Same as the Executive.

Same as the Executive.

No provision.

**Section: 265.170**

Same as the Executive.

Same as the Executive, but requires these funds to be used to make the payments to school districts so that they can make purchases for religious chartered nonpublic schools and directly to chartered nonpublic schools that are not religious (see EDUCD114).

No provision.

**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.

**Section: 265.180**

Same as the Executive.

Same as the Executive, but increases the cap on the payments to \$405 per student for each school year.

**Section: 265.180**

Same as the Executive.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**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

**Section: 265.200**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

(7) Same as the Executive.

**Section: 265.200**

Same as the Executive, but makes the following changes:

(1) No provision.

(2) Same as the Executive.

(3) Same as the Executive, but increases the earmark to up to \$2,872,948 in FY 2018 and \$1,936,474 in FY 2019.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive, but reduces the earmark to up to \$200,000 in each fiscal year.

(7) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

(8) No provision.

(8) Earmarks up to \$162,200 in FY 2018 and \$162,000 in FY 2019 to support VoAg programs in one at-risk nonvocational school in both the Cleveland Municipal School District and the Cincinnati City School District.

(8) No provision.

(9) No provision.

(9) Earmarks up to \$128,500 in FY 2018 to support the Ottawa County Business Advisory Council's Career Development Roadmap Program.

(9) No provision.

(10) No provision.

(10) No provision.

(10) Earmarks up to \$100,000 in each fiscal year to support the Ohio ProStart school restaurant program (the House-Passed bill provided funding for this purpose in GRF appropriation item 200597, Education Program Support, but at \$50,000 in each fiscal year (see EDUCD25)).

**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.

**Section: 265.210**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

**Section: 265.210**

Same as the House, but makes the following changes:

(1) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Up to \$31,000,000 in each fiscal year to fund the state reimbursement of ESCs

(3) Same as the Executive, but increases the earmark to up to \$39,000,000 in each fiscal year.

(3) Same as the Executive, but increases the earmark to up to \$40,000,000 in each fiscal year.

(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.

(4) Same as the Executive, but reduces the earmark to up to \$8,198,297 in each fiscal year.

(4) Same as the Executive, but reduces the earmark to up to \$3,500,000 in each fiscal year.

(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.

(5) Same as the Executive.

(5) Same as the Executive, but reduces the earmark to up to \$7,000,000 in FY 2019 .

(6) Up to \$28,600,000 in FY 2018 and up to \$26,400,000 in FY 2019 to support school choice programs.

(6) Same as the Executive.

(6) Same as the Executive.

(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.

(7) Same as the Executive.

(7) Same as the Executive.

(8) Up to \$1,500,000 in each fiscal year for home-instructed students to participate in the College Credit Plus Program.

(8) Same as the Executive.

(8) Same as the Executive.

(9) An amount to fund joint vocational school districts (JVSDs).

(9) Same as the Executive.

(9) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(10) Up to \$700,000 in each fiscal year for the private treatment facility project.

(10) Same as the Executive.

(10) Same as the Executive.

(11) An amount to pay college-preparatory boarding schools the per pupil boarding amount.

(11) Same as the Executive.

(11) Same as the Executive.

(12) Up to \$2,000,000 in each fiscal year for the Bright New Leaders for Ohio Schools Program

(12) Same as the Executive.

(12) Same as the House, but reduces the earmark to up to \$1,000,000 in each fiscal year.

(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.

(13) Same as the Executive.

(13) Same as the Executive.

(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.

(14) Same as the Executive.

(14) Same as the House, but reduces the earmark to up to \$600,000 in each fiscal year.

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.

Same as the Executive, but also specifies that the remainder be used to distribute payments for the cap offset amount in FY 2018 (see EDUCD58).

Same as the House.

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.

Same as the Executive.

Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
<p>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.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p><b>EDUCD111      Adaptive Sports Program</b></p>		
<p>No provision.</p>	<p><b>Section: 265.260</b> Requires GRF appropriation item 200576, Adaptive Sports Program, to fund adaptive sports programs in school districts across the state.</p>	<p><b>Section: 265.260</b> Same as the House.</p>
<p><b>EDUCD25      Education Program Support</b></p>		
<p><b>Section: 265.270</b> Specifies the following for GRF appropriation item 200597, Education Program Support:</p> <p>(1) Earmarks \$2,000,000 in each fiscal year to support Teach For America.</p> <p>(2) No provision.</p> <p>(3) No provision.</p> <p>(4) No provision.</p>	<p><b>Section: 265.270</b> Same as the Executive, but makes the following changes:</p> <p>(1) Same as the Executive.</p> <p>(2) Earmarks \$500,000 in each fiscal year to be used as matching funds for the Accelerate Great Schools public-private partnership.</p> <p>(3) Earmarks \$250,000 in each fiscal year to support various activities of The Childhood League Center.</p> <p>(4) Earmarks \$150,000 in each fiscal year to support a pilot program to demonstrate that cognitive artificial intelligence can create a comprehensive learning solution to improve student performance.</p>	<p>No provision.</p> <p>(1) No provision.</p> <p>(2) No provision. (Funding for this purpose is provided in DPF Fund 5UC0 appropriation item 200662, Accountability/Report Cards (see EDUCD143)).</p> <p>(3) No provision.</p> <p>(4) No provision.</p>

Executive	As Passed by the House	As Passed by the Senate
(5) No provision.	(5) Earmarks \$50,000 in each fiscal year to support the Ohio ProStart school restaurant program.	(5) No provision. (Funding for this purpose is provided in GRF appropriation item 200545, Career-Technical Education Enhancements (see EDUCD4)).
(6) No provision.	(6) Earmarks \$100,000 in each fiscal year to support the Supporting Partnerships to Assure Ready Kids (SPARK) program in Ohio.	(6) No provision.

EDUCD143	Accountability/Report Cards	
No provision.	No provision.	<p><b>Sections: 265.323, 265.324</b></p> <p>Earmarks up to \$500,000 in each fiscal year from DPF Fund 5UC0 appropriation item 200662, Accountability/Report Cards, to be used as matching funds for the Accelerate Great Schools public-private partnership (The House-Passed bill provided funding for this purpose in GRF appropriation item 200597, Education Program Support (see EDUCD25)).</p>
No provision.	No provision.	<p>Permits a portion of item 200662 in each fiscal year to be provided to educational service centers 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 (previous versions of the bill provided funding for this purpose in GRF appropriation item 200439, Accountability/Report Cards (see EDUCD65)).</p>
No provision.	No provision.	<p>Requires a portion of item 200662 to be provided to educational service centers to support training and professional development (previous versions of the bill provided funding for this purpose in GRF appropriation item 200439, Accountability/Report Cards (see EDUCD65)).</p>

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	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 (previous versions of the bill provided funding for this purpose in GRF appropriation item 200439, Accountability/Report Cards (see EDUCD65)).
No provision.	No provision.	Requires the Director of OBM to transfer \$5,000,000 cash in each fiscal year from the State Board of Education Licensure Fund (Fund 4L20) to the Accountability/Report Cards Fund (Fund 5UC0), which the bill creates in the state treasury.
<b>EDUCD142 Educational Improvement Grants</b>		
No provision.	No provision.	<b>Section: 265.325</b> Makes the following earmarks from DPF Fund 6200 appropriation item 200615, Educational Improvement Grants:
(1) No provision.	(1) No provision.	(1) Up to \$100,000 in each fiscal year for the Lake County Educational Service Center to support the Lake and Geauga Counties Manufacturing K-12 Partnership.
(2) No provision.	(2) No provision.	(2) Up to \$125,000 in FY 2018 for the Trumbull County Educational Service Center to support the creation of a STEAM program.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(3) No provision.

(3) No provision.

(3) Up to \$75,000 in FY 2018 to support the creation of an additional welding laboratory at the Trumbull Career and Technical Center.

No provision.

No provision.

Requires the Director of OBM to transfer \$400,000 cash from the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0) to the Educational Grants Fund (Fund 6200).

**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 the Superintendent of Public Instruction to develop guidelines for the grants. 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.

**Section: 265.330**

Same as the Executive.

**Section: 265.330**

Same as the Executive, but requires the guidelines to give priority to grant applicants that deliver volunteer-based K-12 programs that foster financial literacy, career readiness, and entrepreneurship skills through experiential learning opportunities in classroom settings.

Requires each grant award to match up to three times the funds allocated to the project by the local network.

Same as the Executive.

Same as the Executive, but also permits the Superintendent to prescribe a maximum grant award, but prohibits the maximum award from being less than \$150,000 and permits grant recipients in prior fiscal years to reapply for grants awarded under the bill.

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.

Same as the Executive.

Same as the Executive.

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

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

**EDUCD74      Straight A Fund**

**Section: 265.330**

No provision.

**Section: 265.330**

Earmarks \$500,000 in each fiscal year for the Bright New Leaders for Ohio Schools Program, to be used in conjunction with funds earmarked for the Program from GRF appropriation item 200550, Foundation Funding (see EDUCD68).

No provision.

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.

Same as the Executive, but requires the remainder of item 200648 to be used make grants under the Straight A Program.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Section: 265.350**

Same as the Executive, but requires the Lottery Commission Director to certify the amount by which lottery profits exceeded \$1,092,060,000 in FY 2018.

**Section: 265.350**

Same as the Executive, but requires the Lottery Commission Director to certify the amount by which lottery profits exceeded \$1,078,130,000 in FY 2018.

**EDUCD87 Prioritizing unused federal block grant funds**

No provision.

**Section: 265.490**

Directs ODE to use any unused portion of the new Title IV, Part A federal block grant funds to pay for the cost of Advanced Placement (AP) or International Baccalaureate (IB) exams for low-income students.

**Fiscal effect: This new block grant program created in the federal Every Student Succeeds Act consolidates the funding for many formerly separate programs, including the reimbursement of AP and IB test costs for low-income students. Funding allocations for the new block grant are not yet reflected in ODE's proposed appropriations.**

**Section: 265.490**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

EDUCD140      Transfer from the Straight A Fund (Fund 5RB0) to the GRF

No provision.

No provision.

**Section: 512.170**

Requires the Director of OBM to transfer the unexpended, unencumbered cash balance in the Straight A Fund (Fund 5RB0) to the GRF by January 31, 2018.

Executive

As Passed by the House

As Passed by the Senate

**FUNCD2 Funeral directors, embalmers, and crematory operators**

R.C. 4717.02, 4717.01, 4717.03, 4717.04, 4717.05, 4717.051, 4717.06, 4717.07, 4717.08, 4717.09, 4717.10, 4717.11, 4717.13, 4717.14, 4717.15, 4717.16, 4717.21, 4717.23, 4717.24, 4717.25, 4717.26, 4717.27, 4717.28, 4717.30

R.C. 4717.02, 4717.01, 4717.03, 4717.04, 4717.05, 4717.051, 4717.06, 4717.07, 4717.08, 4717.09, 4717.10, 4717.11, 4717.13, 4717.14, 4717.15, 4717.16, 4717.21, 4717.23, 4717.24, 4717.25, 4717.26, 4717.27, 4717.28, 4717.30

No provision.

Modifies the membership criteria for the Board of Embalmers and Funeral Directors. Requires five members to be licensed practicing funeral directors, four of which shall also be licensed embalmers. Requires one of the funeral directors to also hold a crematory operator permit.

Same as the House.

No provision.

Requires the Board to adopt rules related to the lawful disposition of unclaimed cremated remains held in funeral home or crematory that has been closed.

Same as the House.

No provision.

Modifies the definition of "embalming" to include the specified chemical treatments that reduce microorganic activity, slow decomposition, and restore acceptable physical appearance.

Same as the House.

No provision.

Replaces the term "operator of a crematory facility" with "crematory operator." Specifies that a "crematory operator" must operate with a permit and a "crematory facility" must operate with a license.

Same as the House.

No provision.

Establishes criteria for a crematory operator permit, associated fees, and continuing education requirements. Sets the initial and biennial renewal fees for a crematory operator permit at \$100.

Same as the House.

No provision.

Eliminates the requirement that a funeral home be established under the name of the license holder and the requirement that the license not include directional or

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	geographical references in the name. Caps reinstatement fees at a maximum of \$1,000.	Same as the House, but caps reinstatement fees for lapsed crematory operator licenses and permits at a maximum of \$500.
No provision.	Exempts courtesy card permit holders from continuing education requirements.	Same as the House.
No provision.	Prohibits any person from knowingly refusing to promptly submit the custody of a dead human body or cremated remains upon the order of the person legally entitled to the body or cremated remains.	Same as the House.
No provision.	Prohibits, with a few exceptions, a person from knowingly failing to carry out the final disposition of a dead human body within 30 days after taking custody of the body.	Same as the House.
	<b>Fiscal effect: Crematory operator permits established by the bill may increase revenue collected by the Board and deposited into the Occupational Licensing and Regulatory Fund (Fund 4K90). Capping reinstatement fees for lapsed licenses at specified amounts is not likely to result in any change to the amount of license revenue collected by the Board.</b>	<b>Fiscal effect: Same as the House.</b>
<b>FUNCD1</b>	<b>Preeneed funeral contracts</b>	
No provision.	R.C. <b>4717.41, 4717.07, 4717.32, 4717.33, 4717.35, 4717.36</b> Requires the Board to adopt rules regarding violations relating to the submission of sale reports for preeneed funeral contracts.	R.C. <b>4717.41, 4717.07, 4717.32, 4717.33, 4717.35, 4717.36</b> Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires a funeral home licensee for a funeral home that is closing to send written notice to the purchaser of every preneed funeral contract to which the funeral business is a party containing the name of any funeral business that has been designated to assume the obligations of the preneed contract.	Same as the House.
No provision.	Requires within 30 days of the closing of a funeral home, the funeral home licensee to transfer all preneed contracts to the funeral home or funeral homes that have been designated to assume the obligation of the preneed contracts.	Same as the House.
No provision.	Requires the Board to make designations for preneed contract in the case of a closed funeral home, if the person who holds a funeral home license fails to designate a successor.	Same as the House.
No provision.	Requires that all preneed funeral contracts include a disclosure that any purchaser may be eligible for reimbursement of financial losses suffered as a result of malfeasance, misfeasance, default, failure, or insolvency of the licensee.	Same as the House.
No provision.	Requires preneed contracts held in trust to contain a disclosure regarding whether the seller will charge an initial service, cancellation, or service fees.	Same as the House.
No provision.	Requires payment for preneed contracts to be paid directly to an insurance company or to the contract's trustee.	Same as the House, but exempts any applicable sales tax payment on a preneed funeral contract from the requirements that payment generally be in a specific form and payable only to the preneed funeral contract trust.
No provision.	Establishes the Preneed Recovery Fund, a custodial fund to be used to reimburse purchasers of preneed funeral contracts who have suffered financial loss as a result of the malfeasance, misfeasance, default, failure, or insolvency in connection with the sale of a preneed funeral contract.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Imposes a \$10 fee on the sale of preneed funeral contracts other than those funded by insurance policy assignment. Requires the fee to be deposited to the credit of the Preneed Recovery Fund that is created under the bill.	Same as the House.
No provision.	Allows the Board to invest such portions of the Fund as are not currently needed to reimburse losses and maintain adequate reserves, as are permitted to be made by fiduciaries under current law.	Same as the House.
No provision.	No provision.	Requires the seller of a preneed funeral contract, within 30 days of receiving a payment made payable to the contract trustee, to remit the payment to the trustee, unless the purchaser rescinds the contract.
No provision.	No provision.	Eliminates from existing law a requirement that taxes, expenses, and fees be paid only from the accumulated income on the preneed funeral contract trust.
<b>Fiscal effect: Minimal.</b>		<b>Fiscal effect: Same as the House.</b>

Executive

As Passed by the House

As Passed by the Senate

EPACD26 Automotive shredder residue

**R.C. 3734.576**

(1) No provision.

(1) Exempts automotive shredder residue from classification as a solid waste, and requirements and fees applicable to other solid wastes if both of the following apply: (a) the automotive shredder residue is of uniform consistency resembling dirt or mulch; and (b) the particulate pieces that make up the residue do not exceed three inches in diameter.

(1) No provision.

(2) No provision.

(2) Specifies that automotive shredder residue that does not meet the exemption criteria is subject to the requirements and fees otherwise applicable to solid wastes.

(2) No provision.

(3) No provision.

(3) Authorizes automotive shredder residue that complies with the requirements for exemption as a solid waste to be used as daily cover if the residue provides protection comparable to six inches of soil.

(3) No provision.

**Fiscal effect: Potential annual decrease in fees levied on the transfer or disposal of solid wastes (\$4.75 per ton) and credited to Fund 5BCO (\$2.85/ton), Fund 5030 (\$0.20/ton), Fund 5050 (\$0.70/ton), and Fund 4K30 (\$0.75/ton), all of which are used by the Ohio EPA, and Fund 5BV0 (\$0.25/ton) used by the Department of Agriculture. Potential annual decrease in similar fees that otherwise may have been collected by local solid waste management districts.**

Executive

As Passed by the House

As Passed by the Senate

EPACD32 Alternative Daily Cover

No provision.

No provision.

**R.C. 3734.578**

Exempts solid waste that the Director of Environmental Protection approves for use as alternative daily cover and that is used as alternative daily cover from fees otherwise applicable to solid waste under current law.

**Fiscal effect: Potential annual decrease in fees levied on the transfer or disposal of solid wastes (\$4.75 per ton) and credited to Fund 5BCO (\$2.85/ton), Fund 5030 (\$0.20/ton), Fund 5050 (\$0.70/ton), and Fund 4K30 (\$0.75/ton), all of which are used by the Ohio EPA, and Fund 5BV0 (\$0.25/ton) used by the Department of Agriculture. Potential annual decrease in similar fees that otherwise may have been collected by local solid waste management districts.**

EPACD28 LGF penalty for municipal water and sewer actions

(1) No provision.

**R.C. 5747.504, 5747.51, 5747.53, Section 803.210**

(1) Penalizes a municipal corporation that does not timely publish a plan to equalize water and sewer rates and that does not charge the same sewer and water rates its residents and nonresidents by reducing its Local Government Fund (LGF) payments by 20% until such time as the municipality charges the same sewer and water rates to all of its customers.

**R.C. 5747.504, 5747.51, 5747.53, Section 803.210**

(1) Same as the House.

(2) No provision.

(2) Withholds LGF funding from any municipal corporation that: (a) requires, as a condition of providing water or sewer services to another subdivision's territory, annexation, direct

(2) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

payments to the municipal corporation not related to providing such services, or compliance with any requirement not related to the services, or that (b) withdraws or threatens to withdraw service for the subdivision's failure to make such payments or comply with such conditions. Withholds LGF payments until the municipality no longer imposes those conditions. Distributes withheld LGF revenue to subdivisions affected by the municipal corporation's water and sewer-related actions. Specifies that the LGF penalty applies only against a municipal corporation that operates a municipal water or sewerage system serving nonresidents and residents of the municipal corporation and having a population of over 700,000 as determined by the most recent federal decennial census.

(3) No provision.

(3) Requires the Director of the Ohio EPA to send letters to subdivisions affected by any action described in (2) above explaining the process for creating a regional water and sewer district.

(3) Same as the House.

**Fiscal effect: Currently, the provision applies only to the City of Columbus. The estimated amount of LGF funding that would be withheld from the City of Columbus is about \$4.4 million per year. The state allocated about \$22 million from the LGF to the City of Columbus in CY 2015. Actual penalties would depend on its LGF allocations in future years. The provision may also minimally increase the Department of Taxation's administrative expenses related to LGF distributions.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

EPACD29      **Areawide waste treatment management planning**

**R.C.      6111.61, 6111.62, 6117.38**

**R.C.      6111.61, 6111.62, 6117.38**

(1) No provision.

(1) Requires the Governor to designate Clean Water Central Ohio as the entity responsible for waste treatment planning for Franklin County, and portions of Delaware, Licking, Fairfield, Pickaway, and Union Counties.

(1) No provision.

(2) No provision.

(2) Requires the governing board for Clean Water Central Ohio to consist of nine initial members designated by the Governor.

(2) No provision.

(3) No provision.

(3) Requires the membership of the initial governing board to consist of three members from the most populous municipal corporation within Clean Water Central Ohio's jurisdiction, and the remaining members to represent the next six most populous municipal corporations within such jurisdiction.

(3) No provision.

(4) No provision.

(4) Requires the initial governing board to adopt a resolution specifying the manner by which subsequent members of the governing board are selected and the term of office for those members. Specifies that the resolution must require three members to represent the most populous municipal corporation within Clean Water Central Ohio's jurisdiction and the remaining six members to equitably represent all other municipal corporations within that jurisdiction.

(4) No provision.

(5) No provision.

(5) Requires Clean Water Central Ohio to coordinate with the Ohio EPA to amend any existing plan established under the Federal Water Pollution Control Act that is applicable to the area within its jurisdiction, or create a new plan for that area.

(5) No provision.

Executive

As Passed by the House

As Passed by the Senate

(6) No provision.

(6) Requires Clean Water Central Ohio, in executing its duties, to comply with applicable requirements of the Federal Water Pollution Control Act and regulations promulgated under it.

(6) No provision.

(7) No provision.

(7) Authorizes a county sewer district to contract to provide water and sewerage services to persons or entities located outside of the district, including outside of the county in which the district has jurisdiction.

(7) Same as the House.

(8) No provision.

(8) Requires an entity responsible for waste treatment management planning under the Federal Water Pollution Control Act, including the Ohio EPA, to do both of the following with regard to each waste treatment management plan over which the entity has authority:

(8) No provision.

(a) No provision.

(a) Determine if any element of each plan conflicts with or supersedes the authority of a county sewer district to enter into a contract for water and sewerage services with persons or entities located outside the district's jurisdiction;

(a) No Provision.

(b) No provision.

(b) If any element of a plan does conflict with or supersede any such authorizations or requirements, amend the plan to eliminate the conflicting or superseding element.

(b) No Provision.

(9) No provision.

(9) Prohibits an entity responsible for waste treatment management planning from adopting or amending a plan in a manner that results in a conflict with a county sewer district's contracting authority referenced above.

(9) No provision.

**Fiscal effect: Uncertain.**

**Fiscal effect: Presumably, a county sewer district only would enter into the type of contract noted in provision (7) above if the revenue generated exceeded the amount expended to provide the service(s).**

Executive

As Passed by the House

As Passed by the Senate

**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 (U.S. EPA).

(2) Outlines the scope of this authority in order to supersede 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:

**R.C. 6111.561, 6111.03, and Section 761.10**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(1) No provision.

(2) No provision.

(3) No provision.

(4) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(5) Same as the Executive.

(5) No provision.

(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.

(6) Same as the Executive.

(6) No provision.

(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 among point and nonpoint sources contributing to the impairment sufficient to meet water quality standards.

(7) Same as the Executive.

(7) No provision.

(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

(8) Same as the Executive.

(8) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

(9) Same as the Executive.

(9) No provision.

(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.

(10) Same as the Executive.

(10) No provision.

(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.

(11) Same as the Executive.

(11) No provision.

(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.

(12) Same as the Executive.

(12) No provision.

(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

(13) Same as the Executive.

(13) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

(14) Same as the Executive.

(14) No provision.

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the Executive.**

**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.

**Section: 277.20**

Same as the Executive.

**Section: 277.20**

Same as the Executive, but increases the amount of the scheduled cash transfers by \$1,712,000, from up to \$3,000,000 to up to \$4,712,000.

Executive

As Passed by the House

As Passed by the Senate

**EPACD31 Cash transfer to the Environmental Protection Remediation Fund from the Litter Prevention and Recycling Fund**

No provision.

No provision.

**Section: 277.20**

Permits the Director of Budget and Management, in consultation with the Director of Environmental Protection, to transfer, on July 1, 2017, or as soon as possible thereafter, up to \$3,650,000 from the Litter Prevention and Recycling Fund (Fund 5320) to the Environmental Protection Remediation Fund (Fund 5410) to be used for the remediation of the ARCO construction and demolition debris site in Cleveland, Ohio. Appropriates the transferred cash to DPF Fund 5410 appropriation item 715670, Site Specific Cleanup.

**EPACD30 Alternative Fuel Vehicle Conversion Program**

No provision.

No provision.

**Section: 277.20**

Requires, during the period from July 1, 2017, to June 30, 2019, the Director of Budget and Management, in consultation with the Director of Development Services and the Director of Environmental Protection, to transfer up to \$5,000,000 from the Alternative Fuel Transportation Fund (Fund 5CG0) used by the Development Services Agency to the Non-Title V Clean Air Fund (Fund 4K20) used by the Ohio Environmental Protection Agency. Appropriates the transferred amount to DPF Fund 4K20 appropriation item 715648, Clean Air - Non Title V. Requires that the appropriated amount be used for the Alternative Vehicle Conversion Program established under R.C. 122.076.

Executive

As Passed by the House

As Passed by the Senate

EPACD27 Volkswagen settlement funding

**Section: 737.20**

(1) No provision.

(1) Requires the Director of the Ohio EPA, in consultation with the Director of Transportation, to distribute \$15 million in each of FY 2018 and FY 2019 from funding received under the Volkswagen Mitigation Trust Agreement or the Volkswagen Zero Emission Vehicle Fund arising from the Volkswagen Clean Air Act Settlement in accordance with the preferential scheme described in (2) below.

(1) No provision.

(2) No provision.

(2) Requires that: (a) first preference be given to qualifying projects that provide the greatest quantifiable reduction, in dollars per ton reduction, of carbon dioxide and nitrogen oxide; (b) second preference be given to qualifying projects that provide the greatest quantifiable reduction, in dollars per ton reduction, of carbon monoxide, fine particulate matter (pm 2.5), sulfur dioxide, and mercury; and (c) the methodology for calculating the quantifiable reductions be based on the U.S. EPA's methodology and incorporate the Greenhouse Gases, Regulated Emissions, and Energy Use in Transportation model.

(2) No provision.

(3) No provision.

(3) Establishes appropriations of \$15 million for each of FY 2018 and FY 2019 to award to transit authorities for purposes of rolling stock projects to supplement money awarded by the Department of Transportation under the Ohio Transit Preservation Partnership Program.

(3) No provision.

(4) No provision.

(4) Requires the Department of Transportation to collaborate with the Ohio EPA to ensure distribution of the money complies with the preferential scheme and with the terms of the Volkswagen Clean Air Act Settlement, and specifies that the appropriations are from the Ohio EPA fund that receives

(4) No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

(5) No provision.

the amounts under the settlement.

(5) Requires the directors of the Ohio EPA and Transportation, after they receive applications for qualifying projects, to submit a report of their findings and recommendations to the General Assembly before submitting the applications to the Settlement Trustee to request funding.

**Fiscal effect: The \$15 million in funding for each of FYs 2018 and FY 2019 provided under this provision supplements the Highway Operating Fund (Fund 7002) transit funding already contained in the Department of Transportation's appropriations enacted by H.B. 26 of the 132 General Assembly.**

(5) No provision.

Executive

As Passed by the House

As Passed by the Senate

**ETHCD1 Public official and employee travel expenses**

**R.C. 102.01, 102.03, Sections 110.10, 110.11**

(1) No provision.

(1) Allows a public official or employee who is required to file financial disclosure statements under the Ethics Law (a filer) to accept payment of event registration fees from a qualifying organization at its meeting or convention.

(1) No provision.

(2) No provision.

(2) Expands the types of organizations from which a filer may accept those payments to include a national, state, or regional organization to which any state agency, institution of higher education, or political subdivision pays membership dues.

(2) No provision.

(3) No provision.

(3) Allows a public official or employee who is not required to file financial disclosure statements (a non-filer) to accept payment of event registration fees, actual travel and lodging expenses, or meals, food, and beverages provided to the person by a national, state, or regional organization to which a state agency, state institution of higher education, or political subdivision pays membership dues at a meeting or convention of that organization.

(3) No provision.

**Fiscal effect: None.**

**ETHCD2 Financial disclosure statement for faculty members**

**R.C. 102.023, 102.05, 102.06, 102.09, 102.99**

(1) No provision.

(1) Requires a faculty member of a state institution of higher education that assigns textbooks for a course taught by the faculty member to file a financial disclosure statement.

(1) No provision.

Executive

As Passed by the House

As Passed by the Senate

(2) No provision.	(2) Requires the financial statement to include all of the following:	(2) No provision.
(a) No provision.	(a) Name of the faculty member filing the statement and each member of the faculty member's immediate family and all names under which the faculty member or members of the faculty member's immediate family do business;	(a) No provision.
(b) No provision.	(b) Source of each gift over \$25 received from any person that represents or has an interest in supplying or making available textbooks for purchase;	(b) No provision.
(c) No provision.	(c) Identification of the source of payment of expenses incurred for travel that is received by the faculty member in connection with the faculty member's official duties, except for travel to meetings or conventions of a national or state organization to which any state institution of higher education pays membership dues;	(c) No provision.
(d) No provision.	(d) Identification of the source of payment of expenses for meals and other beverages, other than for meals and other food and beverages provided at a meeting where the faculty member participated in a panel, seminar, or speaking engagement.	(d) No provision.
(3) No provision.	(3) Requires the faculty member to file the statement not later than May 15th each year and pay a \$35 filing fee.	(3) No provision.
(4) No provision.	(4) Authorizes the Commission to assess a late filing fee of \$10 per day, up to a total amount of \$250, if a statement is not filed by the date which it is required to be filed.	(4) No provision.
(5) No provision.	(5) Requires that financial disclosure filing fees and late fees identified in provisions (3) and (4) be deposited into the Ohio Ethics Commission Fund (Fund 4M60).	(5) No provision.

Executive

As Passed by the House

As Passed by the Senate

(6) No provision.

(6) Prohibits a faculty member required to file a financial disclosure statement under R.C. 102.023 from serving as a member on the Ohio Ethics Commission.

(6) No provision.

(7) No provision.

(7) Requires a state institution of higher education to provide a financial disclosure statement to any faculty member it employs or promotes that is required to file a financial disclosure statement under R.C. 102.023.

(7) No provision.

(8) No provision.

(8) Expands existing Ethics Law criminal penalties to apply to faculty members failing to file or that knowingly file a false financial disclosure statement.

(8) No provision.

**Fiscal effect: Annual increase in administrative costs to process additional financial disclosure statements. Costs would at least partially be offset by financial disclosure filing and late fees deposited into the Ohio Ethics Commission Fund (Fund 4M60).**

## Executive

## As Passed by the House

## As Passed by the Senate

## 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

No provision.

**Fiscal effect: None.**

## R.C. 123.20, Section 803.10

Same as the Executive.

Same as the Executive.

Same as the Executive.

Adds as nonvoting members to OFCC two senators appointed by the Senate President and two representatives appointed by the Speaker of the House and specifies that the senators must not be from the same political party and that the representatives must not be from the same political party.

**Fiscal effect: Same as the Executive (members of FCC serve without compensation).**

## R.C. 123.20, Section 803.10

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the House.

**Fiscal effect: Same as the House.**

## Executive

## As Passed by the House

## As Passed by the Senate

FCCCD20

School district indebtedness for purchase of alternative fuel vehicles

No provision.

No provision.

**R.C. 133.06, 3313.372, 3313.46**

Permits a school district to contract with a person experienced in the implementation of student transportation to produce a report that includes an analysis of and recommendations for the use of alternative fuel vehicles by school districts.

No provision.

No provision.

Requires the report to include cost estimates detailing the return on investment over the life of the alternative fuel vehicles and environmental impact of alternative fuel vehicles and estimates of all costs associated with alternative fuel transportation, including facility modifications and vehicle purchase costs or conversion costs.

No provision.

No provision.

Permits a district to submit to OFCC a copy of its findings and a request for approval to incur unvoted indebtedness to finance the purchase of the new alternative fuel vehicles or vehicle conversions, in an amount of up to 9/10 of 1% of the district's tax valuation.

No provision.

No provision.

Permits OFCC, in consultation with the Auditor of State, to deny a district that submits a request if that district is in a state of fiscal watch and the expenditure of funds is not in the best interest of the district.

No provision.

No provision.

Requires the district to monitor the purchase of new alternative fuel vehicles or vehicle conversions, and maintain and annually update a report to be submitted to OFCC that documents the purchase of new alternative fuel vehicles or vehicle conversions, the associated environmental impact, and return on investment.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Prohibits a district that is in a state of fiscal emergency from submitting a request without the approval of the district's financial planning and supervision commission.
No provision.	No provision.	Prohibits a district for which an academic distress commission has been established from submitting a request without the approval of the academic distress commission. <b>Fiscal effect: Permissive.</b>
<b>FCCCD16</b>	<b>School facilities assistance segmenting</b>	
	<b>R.C. 3318.037</b>	<b>R.C. 3318.037</b>
No provision.	Specifies that the portion of the cost for a second or subsequent segment of a school district's facilities project under the Classroom Facilities Assistance Program (except for the Accelerated Urban Program) must be the "required percentage" of the basic project costs based on the district's current percentile ranking, if the district satisfies all of the following criteria:	Same as the House.
No provision.	(1) The district executed the agreement for the project that was segmented;	Same as the House.
No provision.	(2) The district has undertaken one or more segments of that project and has applied to FCC for funding for subsequent segment of the project; and	Same as the House.
No provision.	(3) Since the original project agreement was executed, the district has experienced a decrease in its adjusted valuation per pupil such that the district's current percentile ranking is lower than its percentile ranking on the date the district executed the original agreement for the project.	Same as the House.

## Executive

## As Passed by the House

## As Passed by the Senate

**Fiscal effect: May decrease the local share of the cost for classroom facilities project segments for eligible districts and thus, increase the state share of the cost for those project segments (in general, the district's local share of the basic project cost is based on its percentile ranking).**

**Fiscal effect: Same as the House.**

**FCCCD22      1:1 School Facilities Option Program**

No provision.

No provision.

**R.C.      3318.39**

Establishes the 1:1 School Facilities Option Program as an alternative to assist school districts that have not entered into an agreement for classroom facilities assistance (except for emergency assistance) with constructing, acquiring, reconstructing, or making additions or repairs to any feature of a classroom facility.

No provision.

No provision.

Specifies that a district becomes eligible for the alternative program only at the time it becomes eligible for assistance under the Classroom Facilities Program (CFAP) or Vocational School Facilities Assistance Program (VFAP), in accordance with the annual wealth percentile rankings of districts under continuing law.

No provision.

No provision.

Requires OFCC, at the request of an eligible district, to assess the district's current facilities conditions and determine the scope of the entire project, the basic project cost of the district's classroom facilities needs, and the state's portion of the total project if the school were to receive assistance under CFAP or VFAP.

No provision.

No provision.

Specifies that a district that opts to receive assistance under the alternative program is eligible to receive up to the greater of \$1 million or 10% of the state's share of the total

## Executive

## As Passed by the House

## As Passed by the Senate

No provision.

No provision.

project cost under CFAP or VFAP, provided that the district matches the amount of state funds it receives on a one-to-one basis.

Specifies that a district that receives assistance under the 1:1 School Facilities Option Program is not eligible for subsequent assistance under either CFAP or VFAP until the expiration of 20 years after the date the district enters into an agreement under the program.

**Fiscal effect: Traditional and joint vocational school districts that may not actually participate in and therefore may not receive any actual funding from any of the state's school facilities assistance programs, including CFAP, may choose to participate in this new program to receive some state funds for facilities projects. The number of districts opting for this CFAP alternative program and the amount of state funds these districts will receive will depend on the scope of the projects, the facilities needs assessment conducted by OFCC, as well as the program's guidelines, procedures, and appropriation levels.**

## FCCCD19

## JVSD facilities projects

No provision.

No provision.

**R.C. 3318.421**

Permits OFCC to select one JVSD in each of fiscal years 2018 and 2019 to receive assistance to do one or both of the following:

No provision.

No provision.

(1) Construct a new complete classroom facility as a replacement for one or more of the facilities currently operated by the district;

## Executive

## As Passed by the House

## As Passed by the Senate

No provision.

No provision.

(2) Renovate the district's existing facilities.

No provision.

No provision.

Requires the selection to be made through a competitive process that allows any JVSD to apply for assistance.

No provision.

No provision.

Specifies that OFCC must select a district that has a compelling need for new construction and that demonstrates to the satisfaction of OFCC that the project is necessary for the district to meet the workforce deficiency or demand in the local community or a local industry.

No provision.

No provision.

Permits OFCC to consult with other state agencies, public entities, nonprofit organizations, private corporations, or JobsOhio in making its determination.

No provision.

No provision.

Specifies that the district's portion of the total cost of the project to be calculated in accordance with current law, but specifies that the district's portion must not exceed 50% but also specifies that the state portion of the cost for any district's project may not exceed \$26 million.

**Fiscal effect: Districts whose projects are selected for funding under the provision may be served sooner and with a lower local share than otherwise. Accordingly, the provision may increase the state share of the cost of such projects and delay the execution of facilities projects for other districts.**

## Executive

## As Passed by the House

## As Passed by the Senate

## FCCCD18 Community School Classroom Facilities Grants capital appropriation

**Section: 503.05**

No provision.

Makes a capital appropriation of \$7,989,174 for the FY 2018-FY 2019 biennium from Fund 7021 capital appropriation item C230W4, Community School Classroom Facilities Grants, to provide funding to certain "high performing" community schools for the purchase, construction, reconstruction, renovation, remodeling, or addition to classroom facilities.

No provision.

No provision.

Requires an eligible community school to demonstrate that the funds will be used to increase classroom seating, serve unmet student needs, and show innovation in design so as to be replicable. Requires a facility purchased, constructed, or modified through a grant to purposes for a minimum of ten years after receiving the grant funds.

No provision.

No provision.

Requires FCC, in consultation with the Department of Education, to develop guidelines for the program. Permits FCC to adopt rules.

No provision.

No provision.

Requires that grants be jointly approved by the FCC Executive Director and the Superintendent of Public Instruction.

No provision.

**Fiscal effect: Appears to continue the grant program for an additional fiscal year. S.B. 260 of the 131st General Assembly reappropriated \$25 million from capital appropriation item C230W4 for the grants (using identical requirements and criteria) for the FY 2017-FY 2018 capital biennium. The amount appropriated in the bill is the same as the balance currently remaining from the reappropriation in S.B. 260.**

## Executive

## As Passed by the House

## As Passed by the Senate

FCCCD15

## Capital appropriations

**Sections: 610.36, 610.37****Sections: 610.36, 610.37**

No provision.

Amends Section 239.10 of S.B. 310 of the 131st General Assembly to establish two new capital appropriation items:

Same as the House.

No provision.

(1) Fund 7030 appropriation item C230EJ, James A. Garfield Monument Maintenance, with an appropriation of \$500,000.

Same as the House.

No provision.

(2) Fund 7030 appropriation item C230EK, Ohio Soldiers and Sailors Orphans Home/Ohio Veterans Children's Home Chapel Restoration, with an appropriation of \$150,000.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**GOVCD1 Ohio Institute of Technology**

**R.C. 107.71**

**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:

Same as the Executive.

No provision.

(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;

(1) Same as the Executive.

No provision.

(2) Prioritize, coordinate, and focus all state-funded research;

(2) Same as the Executive.

No provision.

(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;

(3) Same as the Executive.

No provision.

(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;

(4) Same as the Executive.

No provision.

(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;

(5) Same as the Executive.

No provision.

(6) Manage the continued implementation of the Ohio Innovation Exchange and the Ohio Federal Research Network;

(6) Same as the Executive.

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

(7) Advise the Governor on technology and issues relevant to the duties of the office; and

(7) Same as the Executive.

No provision.

(8) Perform such other duties as may be prescribed by the Governor.

(8) Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

**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.**

**Fiscal effect: Same as the Executive, but reduces appropriations for item 042420 to \$738,750 each fiscal year.**

Executive

As Passed by the House

As Passed by the Senate

DOHCD43 Health Care Compact

R.C. 190.01, and 190.02

R.C. 190.01, and 190.02

No provision.

Adopts "The Health Care Compact," which permits Ohio to become a member state, and, along with other member states, enact the Compact.

Same as the House.

No provision.

Provides the legislature of a member state with the primary responsibility to regulate health care.

Same as the House.

No provision.

Authorizes a member state to suspend the operation of any federal law, rule, regulation, or order regarding health care that is inconsistent with laws and regulations adopted under the Compact.

Same as the House.

No provision.

Provides a member state with federal money up to an amount equal to the member state's current year funding level for that fiscal year.

Same as the House.

No provision.

Establishes the Interstate Advisory Health Care Commission, which consists of members appointed by each member state.

Same as the House.

No provision.

Specifies that the Compact is effective upon its adoption by at least two member states and consent of Congress.

Same as the House.

**Fiscal effect: There could be costs to the state associated with participation in the Interstate Advisory Health Care Commission such as program support, administration, and travel. Any other impacts will depend on whether Congress consents to the Compact and actions taken.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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.

Same as the Executive.

No provision.

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).

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

Grants immunity from civil liability to committee members and any individual or entity providing information to a committee.

Same as the Executive.

No provision.

**Fiscal effect: Local boards of health could experience administrative costs if a board establishes a review committee.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

DOHCD29 Vital statistics fees

**R.C. 3109.14**

No provision.

Increases to \$6 (from \$3 in existing law) the fee for a certified copy of a birth record, a certification of birth, or a copy of a death record.

No provision.

No provision.

Increases to \$14 (from \$11 in existing law) the fee that a court of common pleas may charge to file for a divorce decree or a decree of dissolution.

No provision.

**Fiscal effect: An increase in the fee amount could result in millions of additional dollars credited to the Children's Trust Fund (Fund 1980), which is under the Department of Job and Family Services.**

DOHCD49 Program for Medically Handicapped Children – eligible providers

**R.C. 3701.021**

No provision.

No provision.

Specifies that a Medicaid provider is eligible to be a provider of the same goods and services for the Program for Medically Handicapped Children (also known as "BCM").

No provision.

No provision.

Requires the ODH Director to approve a Medicaid provider for participation in BCMH.

**Fiscal effect: ODH could realize an increase in administrative costs to adopt rules and to approve providers. This provision may also expand the number of BCMH providers.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

Prohibits any Medicaid-eligible individual from being enrolled in an ODH special medical needs program on or after January 1, 2018. (See MCD45)

No provision.

No provision.

Limits the provision of BCMH diagnostic services to individuals enrolled in the "income-blind" diagnostic component of BCMH before January 1, 2018.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

**Fiscal effect: Current participants will continue to be served under ODH, though costs for the program will eventually begin to be reduced as new enrollment will end January 1, 2018. However, ODH estimates it will owe approximately \$12.7 million in unpaid claims to providers by the end of FY 2017. (See entry MCD45 for the Department of Medicaid's impacts for establishing a new program.)**

Executive

As Passed by the House

As Passed by the Senate

**DOHCD39 Help Me Grow Program**

**R.C. 3701.61**

No provision.

Clarifies that the Help Me Grow Program has two components (home visiting and part C early intervention services) and that ODH is the lead agency to oversee the delivery of home visiting services while the Ohio Department of Developmental Disabilities (ODODD) is the lead agency to oversee the delivery of early intervention services.

No provision.

No provision.

Requires that families be referred to appropriate part C early intervention services (in addition to home visiting services) through the central intake and referral system created under existing law.

No provision.

No provision.

Requires ODH to enter into an interagency agreement with ODODD to implement the Help Me Grow Program and to distribute Help Me Grow Program funds to ODODD in accordance with a formula in the agreement.

No provision.

**Fiscal effect: Potential increase in administrative costs for ODH and ODODD.**

**DOHCD47 Ohio Breast and Cervical Cancer Project**

**R.C. 3701.144, 3701.601**

**R.C. 3701.144, 3701.601**

No provision.

Requires ODH to set new eligibility requirements for services provided through the Ohio Breast and Cervical Cancer Project (BCCP).

Same as the House.

No provision.

Requires ODH to adopt rules specifying the cost sharing limit for each screening and diagnostic service that may be obtained through the Project.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: There could be an increase in costs for ODH since the provisions appear to expand BCCP coverage and require ODH to adopt rules.**

**Fiscal effect: Same as the House.**

**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.

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.**

**R.C. 3701.243, 5119.27**

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 3701.243**

Same as the Executive.

No provision.

**Fiscal effect: Same as the Executive.**

**DOHCD31 Breast and Cervical Cancer Project fund: exclusive use**

No provision.

**R.C. 3701.601**

Repeals a provision that permits the Breast and Cervical Cancer Project (BCCP) to use remaining contributed funds, after paying for screening, diagnostic, and outreach services provided by local health departments, federally qualified health centers (FQHCs), or community health centers, to pay for services provided by other providers.

**R.C. 3701.601**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Currently, regional BCCP agencies are required to first use funds to pay for direct services provided by local health departments, FQHCs, and community health centers. If funds remain, then a regional BCCP agency could use funds to pay for services provided by other providers. As a result of the provision, remaining funds could no longer be used for this purpose.**

**Fiscal effect: Same as the House.**

**DOHCD40 Central intake and referral system for home visiting and part C early intervention services**

**R.C. 3701.611, Section 291.60**

**R.C. 3701.611**

No provision.

Requires ODH and ODODD to rescind any requests for proposals (RFP) that they have issued for a person or governmental entity to operate the central intake and referral system for home visiting services required by law recently enacted by S.B. 332 of the 131st General Assembly and, instead, to issue a new RFP that meets requirements specified in the bill.

No provision.

No provision.

Requires ODH and ODODD to consult with appropriate stakeholders before issuing an RFP to operate a central intake and referral system for home visiting and part C early intervention services.

No provision.

No provision.

Requires that the central intake and referral system serve as a single point of entry for access, assessment, and referral of families to part C early intervention services (in addition to home visiting services).

Same as the House.

No provision.

No provision.

Requires ODH and ODODD to share any funding made available to each for local outreach and child find efforts after creating the central intake and referral system.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential administrative costs for ODH and ODODD.**

**Fiscal effect: ODH and ODODD will have to share certain funds.**

**DOHCD44 Expedited process for certificate of need review**

**R.C. 3702.52**

No provision.

Requires the ODH Director to administer an expedited review process for the certificate of need (CON) program in addition to the process currently in use.

No provision.

No provision.

Requires the ODH Director to issue a reviewable activity ruling not later than 14 days after receiving a request accompanied by information necessary to make the ruling, rather than the usual 45 days after receiving the request and information.

No provision.

No provision.

Reduces response and comment times in the expedited CON review process and requires the Director to grant or deny an application in expedited review not later than 30 days after mailing a notice that the application is complete, rather than 60 days after the notice is mailed.

No provision.

**Fiscal effect: Potential increase in costs for ODH to conduct expedited reviews of CON applications.**

Executive

As Passed by the House

As Passed by the Senate

**DOHCD46**      **Owner or operator changes and certificates of need**

No provision.

**R.C.      3702.52**

Provides that a change in the owner or operator of a long-term care facility for which a CON was granted that occurs during the five-year period of monitoring by ODH is not a reviewable activity unless the new owner or operator is associated with certain violations specified in existing law; thus, allows the holder of a CON to transfer or sell a facility during the five-year period without requiring the new owner or operator to submit a CON application and pay the application fee.

**Fiscal effect: Potential loss of CON certificate revenue for ODH and a corresponding decrease in administrative expenditures for the CON Program.**

**R.C.      3702.52**

Same as the House.

**Fiscal effect: Same as the House.**

**DOHCD30**      **Palliative care facility licensure – correction of drafting error**

No provision.

**R.C.      3712.042 (repealed)**

Repeals a provision regarding palliative care facility licensure that was removed from Sub. H.B. 470 of the 131st General Assembly (through the adoption of AM4217 when that bill was considered by the Senate Rules and Reference Committee), but was inadvertently enacted because of an LSC drafting error while preparing the committee report.

**Fiscal effect: None.**

**R.C.      3712.042 (repealed)**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**DOHCD45      Nursing home inspection not needed to increase licensed capacity**

No provision.

**R.C.      3721.02**

Provides that a nursing home does not need to be inspected before the ODH Director increases its licensed capacity if the new beds are placed in an area that was inspected as part of the most recent previous inspection of the nursing home.

**Fiscal effect: Potential decrease in costs to ODH since inspections will not be conducted in certain circumstances. However, if ODH collects fees to conduct inspections, there could be a corresponding loss of fee revenue.**

**R.C.      3721.02**

Same as the House, but specifies that the exemption applies if the resident rooms to which the beds will be added were inspected (as part of the nursing home's most recent inspection) for the same number of residents proposed to be placed in a room after the capacity increase.

**Fiscal effect: Same as the House.**

**DOHCD2      Penalties for residential care facilities violations**

**R.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.**

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

Permits the Director to take action and impose civil penalties of up to \$250,000 for not complying with such an order.

No provision.

No provision.

Requires ODH to seek reimbursement from a home or facility for any costs incurred in taking action against the home or facility.

No provision.

No provision.

**Fiscal effect: ODH could realize an increase in administrative costs; however, ODH may also realize a gain in civil fines and reimbursements.**

**DOHCD32 Biennial review and submission of hospital nurse staffing plan**

**R.C. 3727.54**

No provision.

Requires each hospital to have its nursing services staffing plan reviewed by the hospital's nursing care committee at least once every two years rather than annually.

**R.C. 3727.54**

Same as the House.

No provision.

Requires a hospital, not later than March 1 each even-numbered year, to submit to ODH its nursing services staffing plan in effect at that time.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential decrease in administrative costs for government-owned hospitals since staffing plans will be reviewed every two years instead of annually; potential minimal increase in administrative costs for ODH to review staffing plans.**

**Fiscal effect: Same as the House.**

DOHCD48

Felonious conduct in recreational vehicle parks

**R.C. 3729.08, 3729.14**

**R.C. 3729.08, 3729.14**

No provision.

Prohibits certain felonious conduct in recreational vehicle parks and combined use parks.

Same as the House.

No provision.

Requires a local camp licensing entity to revoke the license of a park or park-camp operator, if the licensing entity receives notice that three or more nuisance activities have occurred in the park in a six-month period.

Same as the House.

No provision.

Requires a local board of health to send notice to a camp park operator, upon the occurrence of two or more nuisance activities on the operator's property during a consecutive six-month period, that property will be declared a chronic nuisance and the operator's license will be revoked if one or more nuisance activities occurs on the property during a six-month period.

Same as the House.

**Fiscal effect: Potential increase in costs for local boards of health to send notices regarding nuisance activities and to revoke licenses.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**DOHCD34**      **Sole and exclusive authority of ODH to regulate lead abatement**

No provision.

**R.C.      3742.04**

Generally provides that the state, acting through ODH, has the sole and exclusive authority to compel, prohibit, license, or regulate lead abatement activities in Ohio, including the licensing of lead abatement professionals and excepting only those activities for which oversight has been delegated by the Revised Code to boards of health.

**Fiscal effect: Potential decrease in costs for any local public entity involved in regulation of lead abatement activities; however, these entities might also realize a loss in revenue if any fees are charged for relevant activities.**

No provision.

**DOHCD36**      **ODH and local health districts to approve, license, and inspect aquatic amusement rides**

No provision.

**R.C.      3749.01, 1711.53, 3749.02-3749.07, and Section 737.40**

Subjects aquatic amusement rides built or renovated after the bill takes effect to approval by ODH.

No provision.

No provision.

Subjects all aquatic amusement rides to inspection and licensure by city and general health districts beginning April 2018.

No provision.

No provision.

Removes the exemption for special use pools in amusement areas from such approval, inspection, and licensure.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential increase in costs for ODH to approve aquatic amusement rides and to adopt rules; however, ODH may collect fees for the approval of plans to build the rides. Potential increase in costs for local boards of health to inspect and license aquatic amusement rides; however, boards may collect fees for licensure and inspection.**

DOHCD33

Smoke Free Workplace Act; research exception

**R.C. 3794.03**

**R.C. 3794.03**

No provision.

Exempts, from the Smoke Free Workplace Act, an enclosed space in a laboratory facility at an accredited college or university, when used solely and exclusively for clinical research activities by a person, organization, or other entity conducting institutional review board-approved scientific or medical research related to the health effects of smoking or the use of tobacco products.

Same as the House.

No provision.

Requires the research to be conducted in an enclosed space that is not open to the public and that is designed to minimize exposure of nonsmokers to smoke.

Same as the House.

No provision.

Requires a notice of new research to be filed annually with ODH on a form prescribed by the Department.

Same as the House.

**Fiscal effect: Potential minimal increase in administrative costs for ODH to process notices.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

DOHCD37

Merger of State Board of Sanitarian Registration into ODH

R.C. *4736.02, 4736.03, 4736.05, 4736.07, 4736.08, 4736.09, 4736.10, 4736.11, 4736.12, 4736.13, 4736.14, 4736.17, 4736.18, 4736.01, 4736.04 (repealed), 4736.15, 4736.16 (repealed), Sections 125.22, 515.13, and 515.15*

R.C. *4736.02, 4736.03, 4736.05, 4736.06, 4736.07, 4736.08, 4736.09, 4736.10, 4736.11, 4736.12, 4736.13, 4736.14, 4736.17, 4736.18, 4736.01, 4736.04 (repealed), 4736.15, 4736.16 (repealed), Sections 125.22, 515.13, and 515.15*

No provision.

Eliminates the State Board of Sanitarian Registration's governing authority and transfers the Board's duties and powers to the Director of Health.

Same as the House.

No provision.

Requires the Director to establish an advisory board to advise the Director regarding the registration of sanitarians-in-training and sanitarians and other matters.

Same as the House.

No provision.

Reduces by 25% the amount that the Director can charge for an application for registration as a sanitarian or a sanitarian-in-training or for a late fee.

Same as the House.

No provision.

Specifies that revenues and receipts are to be deposited into ODH's General Operations Fund (Fund 4700).

Same as the House, but clarifies that money collected by ODH that is associated with sanitarian and sanitarian-in-training registration and renewal fees must be deposited in Fund 4700.

No provision.

Allows the Director of Budget and Management to make any necessary budget changes as a result of this transfer.

Same as the House.

No provision.

Specifies that on or before October 30, 2017, the Director of Health shall certify to the Director of OBM an amount of cash in Fund 4K90 representing the amount of remaining receipts deposited into the fund by the Board of Sanitarian Registration. Specifies that the Director of OBM shall transfer the remaining revenue in Fund 4K90 deposited by

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

<p>No provision.</p>	<p>the Board of Sanitarian Registration to Fund 4700. Cancels any existing encumbrances against appropriation item 893609, Operating Expenses, and re-establishes them against appropriation item 440647, Fee Supported Programs. Appropriates the re-established amounts.</p> <p>Specifies that any business commenced but not completed under appropriation item 893609, Operating Expenses, shall be completed under appropriation item 440647, Fee Supported Programs.</p> <p><b>Fiscal effect: Costs and revenues associated with sanitarian registration will transfer to ODH from the Sanitarian Registration Board. However, the provision that requires the fees to be reduced by 25% will result in a loss of revenues from what is currently collected.</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>
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**DOHCD13 FQHC Primary Care Workforce Initiative**

**Section: 291.20**

Requires funds in GRF appropriation item 440465, FQHC Primary Care Workforce Initiative, 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.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

No provision.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**DOHCD35 Chronic Disease/Health Promotion**

**Section: 291.20**

**Section: 291.20**

No provision.

Requires \$250,000 in each fiscal year from GRF appropriation item 440482, Chronic Disease/Health Promotion, be made available to nonprofit organizations that are providing the Diabetes Prevention Program, as recognized by the CDC.

No provision.

No provision.

Specifies that organizations may receive up to \$40,000 per year to assist in the expansion of the Diabetes Prevention Program.

No provision.

No provision.

No provision.

Reappropriates \$20,000 of the unexpended, unencumbered balance of GRF appropriation item 440477, Emergency Preparation and Response, to GRF appropriation item 440482, Chronic Disease/Health Promotion, at the end of FY 2017 for FY 2018. Requires the funds to be used to purchase naloxone.

**DOHCD53 Tobacco Use Prevention Cessation and Enforcement**

**Section: 291.20**

No provision.

No provision.

Changes the name of DPF Fund 5BX0 appropriation item 440656, Tobacco Use Prevention, to "Tobacco Use Prevention Cessation and Enforcement."

No provision.

No provision.

Requires \$250,000 in each fiscal year from appropriation item 440656 to be distributed to boards of health for the Baby and Me Tobacco Free Program.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

No provision.

Requires the Director of Health to determine how the funds are to be distributed for the Baby and Me Tobacco Free Program and to prioritize awards to boards that serve women who reside in communities that have the highest infant mortality rates in this state.

**DOHCD55 Lupus Awareness**

No provision.

No provision.

**Section: 291.20**

Requires appropriation item 440481, Lupus Awareness, to be used for the Lupus Education and Awareness Program.

**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

**Sections: 291.30, 291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Sections: 291.30, 291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

findings and recommend whether the program should be continued.

Requires \$500,000 in each fiscal year from GRF appropriation item 440473, Tobacco Prevention Cessation and Enforcement, to be used to award grants for the Moms Quit for Two Grant Program.

Same as the Executive.

Same as the Executive, but increases the earmark to \$750,000 in each fiscal year and instead funds the earmark out of DPF Fund 5BX0 appropriation item 440656, Tobacco Use Prevention Cessation and Enforcement.

**DOHCD54 Cash transfer to the Tobacco Use Prevention Fund**

No provision.

No provision.

**Section: 291.43**

Requires, on July 1, 2017, or as soon as possible thereafter, the Director of Budget and Management to transfer the cash balance in the Lung Cancer Research Fund (Fund 5CY0) to the Tobacco Use Prevention Fund (Fund 5BX0). Specifies that, upon completion of the transfer, Fund 5CY0 is abolished.

No provision.

No provision.

Requires the Director to cancel any existing encumbrances against line item 195682, Lung Cancer and Lung Disease Research, and reestablish them against line item 440656, Tobacco Use Prevention Cessation and Enforcement. Appropriates the reestablished encumbrance amounts.

Executive

As Passed by the House

As Passed by the Senate

**DOHCD50 Cash transfer to the Emergency Preparation and Response Fund**

No provision.

No provision.

**Section: 291.70**

Allows the ODH Director, if the ODH Director determines there are insufficient funds in GRF appropriation item 440477, Emergency Preparation and Response, to certify to the Director of Budget and Management an amount necessary to address public health emergency preparedness and response activities.

No provision.

No provision.

Requires the Director of Budget and Management, upon certification, to transfer up to \$500,000 cash in each fiscal year from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Emergency Preparation and Response Fund (Fund 5UA0), which is created in the state treasury.

No provision.

No provision.

Appropriates the transferred amount.

**DOHCD51 The Legislative Committee on Public Health Futures**

No provision.

No provision.

**Section: 737.23**

Re-establishes the Legislative Committee on Public Health Futures.

No provision.

No provision.

Requires the Committee to review the reports of previous public health futures committees in Ohio and requires the Committee to prepare a report that includes the Committee's review of the previous reports, previous policy recommendations, and new policy recommendations.

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Provides that the Committee must produce its report by January 31, 2019, and dissolves the Committee once the report is issued.

**Fiscal effect: Potential minimal increase in administrative costs for ODH to participate in the Committee and to provide meeting and office space, equipment, and professional, technical, and clerical staff as necessary.**

Executive

As Passed by the House

As Passed by the Senate

**BORCD112 Standardize sick leave at state colleges and universities**

**R.C. 124.38**

No provision.

Reduces the amount of sick leave employees of a state college or university are entitled to receive for each 80 hours of service from 4.6 hours under current law to 3.1 hours (the amount most state employees are entitled to receive under continuing law).

No provision.

No provision.

Prohibits a state college or university from doing either of the following:

No provision.

No provision.

(1) Providing sick leave in an amount greater than the sick leave required by statute;

No provision.

No provision.

(2) Agreeing to a provision in a collective bargaining agreement after the effective date of the amendment that provides sick leave in an amount greater than the sick leave required by statute.

No provision.

**Fiscal effect: Decreases the amount of paid time off that state colleges or universities are required to pay.**

**BORCD119 Student fees at state institutions of higher education**

**R.C. 3333.0416**

No provision.

Authorizes the Chancellor to (1) investigate all fees charged to students by state institutions of higher education and (2) prohibit any state institution from charging a fee that the Chancellor determines is not in the best interest of students.

No provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.

Authorizes a state institution to seek approval from the Controlling Board to charge a fee prohibited by the Chancellor.

No provision.

**Fiscal effect: Potential increase in administrative responsibilities to investigate fees. Any costs would likely depend on the number of investigations and the time it takes to investigate. If the Chancellor prohibits a state institution from charging a fee, then the institution would forego the revenue it otherwise would have received unless the Controlling Board subsequently approves the fee.**

**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)

R.C. 3333.051 (conforming changes in 3354.01, 3354.09, 3357.010, 3357.09, 3357.19, 3358.01, and 3358.08)

R.C. 3333.051, 3333.052, (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.

Same as the Executive.

Same as the Executive.

Authorizes the Chancellor to approve programs that demonstrate the following:

Same as the Executive, but makes the following changes:

Same as the House, but makes the following changes:

(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;

(1) Same as the Executive.

(1) Same as the Executive.

(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;

(2) Same as the Executive.

(2) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(3) Supporting data that identifies the specific workforce need the program will address;

(3) Same as the Executive.

(3) Same as the Executive.

(4) The absence of a bachelor's degree program that 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

(4) Same as the Executive, but removes the 30-mile radius provision (that is, permits the Chancellor to approve only programs that are not offered by any state university or private college).

(4) Same as the House.

(5) Willingness of an industry partner to offer workplace-based learning and employment opportunities to students enrolled in the proposed program.

(5) Same as the Executive.

(5) Same as the Executive.

No provision.

Creates a second pathway for program approval, under which the Chancellor may approve a program that does not meet the bill's prescribed conditions, if the program clearly demonstrates a unique approach, as determined by the Chancellor, to benefit Ohio's higher education system or the state.

No provision.

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.

Same as the Executive.

Same as the Executive.

Requires the Chancellor to define the term "applied bachelor's degree."

Replaces the Executive provision with a provision defining "applied bachelor's degree" as a bachelor's degree that is specifically designed for individuals who have an associate of applied science degree and is based on curriculum that incorporates both theoretical and applied knowledge and skills in a specific field.

Same as the House.

No provision.

No provision.

Requires the Chancellor to conduct and complete two studies (one to be completed by December 31, 2020, and one to be completed by December 31, 2022) of the applied

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: May increase enrollment at community and technical colleges that offer these programs and lead to higher costs and revenues as a result.**

**Fiscal effect: Same as the Executive.**

bachelor's degree programs created under the bill to determine their effects on fulfilling the needs of students and local industry.

**Fiscal effect: Same as the Executive, but may also increase the administrative responsibilities of DHE for conducting and completing the two studies.**

**BORCD120 In-state tuition for transferred G.I. Bill beneficiaries**

No provision.

**R.C. 3333.31**

Modifies current law providing for in-state tuition at state institutions of higher education for persons receiving transferred federal veterans' education (G.I. Bill) benefits by also qualifying persons who are receiving transferred benefits from a service member who is on active duty (rather than only a veteran who has completed military service).

**Fiscal effect: May increase the number of individuals who are eligible for in-state tuition.**

**R.C. 3333.31**

Same as the House.

**Fiscal effect: Same as the House.**

**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 follows:

(1) "An institution of higher education that is created by the governors of several states" and specifies that one of the

**R.C. 3333.45**

Same as the Executive, but authorizes the Chancellor to recognize or endorse, instead of entering into a partnership with, an eligible institution of higher education.

Same as the Executive, but makes the following additions and changes:

(1) Same as the Executive, but adds that this type of institution be "a regionally accredited private, nonprofit"

**R.C. 3333.45**

Same as the House.

Same as the House.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

governors of these states must be a member of the institution's board of trustees.

institution.

(2) No provision.

(2) A state institution of higher education.

Same as the House.

(3) No provision.

(3) A private nonprofit institution of higher education.

Same as the House.

No provision.

Authorizes the Chancellor, in recognizing or endorsing an eligible institution under the program, to: (1) recognize competency-based education as an important component of this state's higher education system; (2) eliminate any unnecessary barriers to the delivery of competency-based education; (3) facilitate opportunities to share best practices on the delivery of competency-based education with any eligible institution; and (4) establish any other requirements that the Chancellor determines are in the best interest of this state.

Same as the House.

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).

Replaces the Executive proposal with a proposal that prohibits the Chancellor from providing any public operating or capital assistance to an institution that is created by the governors of several states for the purpose of providing competency-based education in this state.

Same as the House.

**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.**

**Fiscal effect: Same as the Executive, but adds public and private, nonprofit institutions as eligible institutions for the program. Also, specifies that Western Governors' is ineligible for any public operating or capital assistance, instead of just SSI as under the Executive proposal.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**BORCD127 Workforce Grant Program**

No provision.

No provision.

**R.C. 3333.93 (repealed), conforming changes in 3333.122, 3333.94, and 6301.11**

Repeals on the effective date of this provision, instead of December 31, 2019 as under current law, the Workforce Grant Program that provides grant funds to a public or private institution of higher education or an Ohio Technical Center to make grants to eligible students pursuing degrees, certificates, or licenses that qualify students for an in-demand job (The maximum annual amount of an award is \$5,000 per eligible student and may not exceed 75% of the cost of tuition for an academic year.)

**Fiscal effect: The bill eliminates appropriations of \$3.0 million each fiscal year for the grant program in DPF Fund 5RA0 line item 235616, Workforce and Higher Education Programs under the House bill (see BORCD32).**

**BORCD43 Non-credit and credit-bearing 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

**R.C. 3333.94, Sections 610.50 and 610.51**

Same as the Executive, but adds credit-bearing certificate programs to the inventory.

Same as the Executive, but requires that preference be given to all certificate programs that support adult learners and are included in the Chancellor's inventory, rather than

**R.C. 3333.94, Sections 610.50 and 610.51**

Same as the House.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

that support adult learners and are included in the inventory.

only to non-credit programs.

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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Increased administrative responsibilities for DHE to create the inventory. 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 budget in Fund 5NH0 appropriation item 090610, OhioMeansJobs Revolving Loan Program, which is appropriated \$23.3 million in FY 2018 under the bill.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**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.

**R.C. 3333.98**

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

Authorizes public and chartered nonpublic schools with approved programs to offer college-ready courses beginning with the 2018-2019 school year.

Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

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).

Fiscal effect: Same as the Executive.

BORCD122 OCOG for short-term certificate programs

R.C. 3333.122

No provision.

Qualifies for OCOG students who are enrolled in a program at a state institution of higher education that may be completed in less than one year and for which a certificate or industry-recognized credential is awarded in an in-demand job.

No provision.

No provision.

Creates a new OCOG calculation for students enrolled in a certificate or credential program for a high-demand job, to be determined by the Chancellor, that does not apply the student's federal Pell grant to the state cost of attendance.

No provision.

**Fiscal effect: Expands eligibility for OCOG need-based financial aid. Prohibiting the "Pell-first" policy allows these students to receive higher OCOG award amounts than otherwise. Separate OCOG funding for these students is provided under GRF appropriation item 235500, Short-Term Certificates, with an appropriation of \$5,000,000 in FY 2019 (see BORCD121).**

Executive

As Passed by the House

As Passed by the Senate

**BORCD132 OCOG for students with intellectual disabilities**

No provision.

No provision.

**R.C. 3333.122**

Qualifies for OCOG persons with intellectual disabilities who are enrolled in a comprehensive transition and postsecondary program certified by the United States Department of Education.

No provision.

No provision.

Defines a "comprehensive transition and postsecondary program" as a "degree, certificate, or non-degree program that is designed to support persons with intellectual disabilities who are receiving academic, career, technical, and independent living instruction at an institution of higher education in order to prepare for gainful employment."

**Fiscal effect: Expands eligibility for OCOG need-based financial aid, which may lower awards for those already receiving aid under the program. However, Kent State University, Ohio State University, and the University of Cincinnati are the only state institutions in Ohio currently operating these programs, which have a total enrollment of about 85 students. Individuals speaking on behalf of the three programs anticipate that very few of the enrolled students would be eligible for OCOG based on the number of students that applied for financial aid through the Pell program. Therefore, the fiscal impact of adding these students to OCOG would likely be minimal.**

Executive

As Passed by the House

As Passed by the Senate

**BORCD118**      **Transfer of credits for proprietary schools**

Executive	As Passed by the House	As Passed by the Senate
No provision.	<p><b>R.C. 3333.166</b></p> <p>Requires the Chancellor to establish criteria, policies, and procedures that enable students to transfer credits earned from a proprietary school to a state institution of higher education without unnecessary duplication or institutional barriers. Requires, where applicable, that the policies and procedures build upon the articulation agreement and transfer initiative course equivalency system.</p>	<p><b>R.C. 3333.166</b></p> <p>Same as the House, but requires the Chancellor, in consultation with necessary stakeholders, to "prepare a transferability strategy plan that defines criteria, policies, procedures, and timelines" that enable students to transfer credits earned from a career college or school to a state institution of higher education without unnecessary duplication or institutional barriers.</p>
No provision.	<p>No provision.</p>	<p>Requires the Chancellor to submit an interim strategy plan by July 1, 2018, and a final plan by January 1, 2019, to the Governor, President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives.</p>
	<p><b>Fiscal effect: Potential increase in DHE's administrative costs for establishing the system for the transfer of credits from a proprietary school to a state institution of higher education.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>

**BORCD103**      **Textbooks at state institutions of higher education**

Executive	As Passed by the House	As Passed by the Senate
No provision.	<p><b>R.C. 3333.951</b></p> <p>Requires a state institution of higher education, annually, to do the following: (1) report to the Efficiency Advisory Committee on its efforts to reduce textbook costs and (2) conduct a study to determine the current cost of textbooks and submit it to the Chancellor.</p>	<p><b>R.C. 3333.951</b></p> <p>Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Increases the administrative responsibilities of state institutions of higher education.**

**Fiscal effect: Same as the House.**

**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**

**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.

Same as the Executive.

No provision.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**BORCD131 Textbook selection policy**

No provision.

No provision.

**R.C. 3345.025**

Requires the board of trustees of each state institution of higher education to adopt a textbook selection policy for faculty to use when choosing and assigning textbooks and other instructional materials.

**Fiscal effect: Increases the administrative responsibilities of state institutions of higher education.**

Executive

As Passed by the House

As Passed by the Senate

**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.**

**R.C. 3345.062**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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 update tenure policies.**

**R.C. 3345.45**

Same as the Executive, but applies this requirement only to the board of trustees of each state university and specifies that the policy may promote excellence in any combination of those areas.

Same as the Executive, but applies this requirement to the board of trustees of each state university and requires that the university include multiple pathways for tenure in its policy, one of which may be a commercialization pathway.

**Fiscal effect: Same as the Executive, but limits the effects to only state universities by exempting community colleges, technical colleges, and university branches from the requirements.**

**R.C. 3345.45**

Same as the House.

Same as the House, but changes the date on which each state university is required to include multiple pathways for faculty tenure in its policy from January 1, 2018, to July 1, 2018.

**Fiscal effect: Same as the House.**

**BORCD124 Undergraduate Tuition Guarantee Program**

No provision.

**R.C. 3345.48**

Removes the current law limit on the one-time tuition increase permitted under the Undergraduate Tuition Guarantee program, including a maximum 6% tuition increase for the first cohort and, for subsequent cohorts, up to the sum of the average rate of inflation and the percentage amount the General Assembly restrains increases on in-state undergraduate instructional and general fees for the applicable fiscal year.

No provision.

No provision.

Authorizes, instead, each participating state institution a one-time tuition increase for each cohort, in an amount to be determined by the institution's Board of Trustees.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Provides state institutions participating in the program some flexibility should they increase the guaranteed tuition amount.**

**BORCD129 Paid leave donation programs for state institutions of higher education**

No provision.

No provision.

**R.C. 3345.57**

Allows a state institution of higher education to establish a program under which an employee of the institution may donate that employee's accrued but unused paid leave to another employee of the institution who has no accrued but unused paid leave and who has a critical need for it because of circumstances such as a serious illness or the serious illness of a member of the employee's immediate family.

No provision.

No provision.

Requires a state institution establishing a leave donation program to adopt rules to provide for the administration of the program, including provisions that identify the circumstances under which leave may be donated and that specify the amount, types, and value of leave that may be donated.

**Fiscal effect: Minimal increase in administrative responsibilities for institutions that opt to establish a leave donation program.**

Executive

As Passed by the House

As Passed by the Senate

**BORCD123      Awarding college credit for comparable courses**

**R.C.      3345.58**

No provision.

Prohibits state institutions of higher education from refusing to accept college credit earned in Ohio in the past five years as a substitute for comparable coursework, including credit that was earned in advanced or upper level coursework, which must be accepted as a substitute for comparable core or lower level coursework.

No provision.

No provision.

Requires state institutions, for college credit earned in Ohio more than five years ago, to (1) permit the student to take a competency-based assessment in the relevant subject area, and (2) if the student passes the assessment, to excuse the student from completing the course and grant the student credit for that course.

No provision.

**Fiscal effect: Potential loss in revenue for state institutions of higher education if a student is awarded college credit for a comparable course, instead of enrolling in and paying for that course at the state institution.**

**BORCD114      Post-tenure review**

**R.C.      3345.451**

No provision.

Requires each state institution of higher education to adopt a policy for post-tenure review.

No provision.

No provision.

Requires each state institution of higher education to conduct a post-tenure review of each tenured faculty member at least once every five years that indicates whether

No provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.	<p>the faculty member "exceeds expectations," "meets expectations," or "does not meet expectations."</p> <p>Require any faculty member who "does not meet expectations" to submit a professional performance improvement plan and make significant improvement to avoid discipline, including a reduction in academic rank and dismissal, if appropriate.</p> <p><b>Fiscal effect: Increases the administrative responsibilities of state institutions of higher education.</b></p>	No provision.
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**BORCD113 University housing, dining, and recreation facilities**

No provision.	<p><b>R.C. 3347.091</b></p>	<p><b>R.C. 3347.091</b></p>
No provision.	<p>Permits a university housing commission to develop housing, dining, and recreation (HDR) facilities on property within or outside the political subdivision in which the administrative offices of the university identified with the commission are principally located.</p>	Same as the House.
No provision.	<p>Restricts any limitations on the following regarding certain contiguous property to be developed for HDR:</p>	Same as the House.
No provision.	<p>(1) HDR uses permitted under existing law;</p>	(1) Same as the House.
No provision.	<p>(2) Development accommodating population and structural densities exhibited on other university property;</p>	(2) Same as the House.
No provision.	<p>(3) The operation of land use laws of local subdivisions, subdivision regulations, and other similar laws.</p>	(3) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Any costs for universities or associated housing commissions are permissive.

Fiscal effect: Same as the House.

**BORCD139**      **Rhodes State College - designation as a state community college**

**R.C. 3358.051**

No provision.

No provision.

Permits the Chancellor of Higher Education to designate Rhodes State College as a state community college rather than a technical college, as under current law.

No provision.

No provision.

Requires the initial board of trustees of the College to be appointed in the manner prescribed for appointments of initial boards of trustees of other state community colleges under current law, with the members of the board of trustees as it existed on the date of the Chancellor's designation serving the balance of their current terms as part of the initial board as prescribed in current law.

No provision.

No provision.

Requires the initial board of trustees of the College to enter into an agreement with the Chancellor within 90 days after the board's appointment that designates the county or counties to be included in the state community college's district.

No provision.

No provision.

Requires the county auditor and treasurer of each county that currently collects tax levies for the College to, on the effective date of the Chancellor's designation of the College as a state community college, take any action necessary to cease collection of those tax levies.

No provision.

No provision.

Specifies that this provision does not affect the rights of holders or owners of bonds or notes issued pursuant to current law until the bonds or notes are returned or provisions made.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: None.** It appears that Rhodes State College currently does not collect revenue from a tax levy. Furthermore, the designation change should have no impact on the state share of instruction (SSI) subsidy received by the College as state community and technical colleges share the same SSI distribution formula.

**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.

**Section: 381.70**

Same as the Executive.

**Section: 381.63**

Same as the Executive, but changes the name of item 235428 to Appalachian New Economy Workforce Partnership and requires that funding from item 235428 be used in conjunction with funding from DPF Fund 5JC0 appropriation item 235407, Appalachian New Economy Workforce Partnership (see BORCD136).

**BORCD121 Short-Term Certificates**

No provision.

**Section: 381.130**

Requires GRF appropriation item 235500, Short-Term Certificates, to be used by the Chancellor to award need-based financial aid under the Ohio College Opportunity Grant Program (OCOG) to students who are enrolled in a state institution of higher education in a program that may be completed in less than one year and for which a certificate or industry-recognized credential is awarded in an in-demand job (see BORCD122).

No provision. (Funding for this purpose is provided in DPF Fund 5NH0 appropriation item 235517, Short-Term Certificates (see BORCD138)).

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

**Section: 381.150**

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but decreases the earmarks to \$456,256,006 in each fiscal year.

(2) Same as the Executive, but decreases the earmarks to \$1,523,160,544 in each fiscal year.

**Section: 381.150**

Same as the House.

(1) Same as the House.

(2) Same as the House.

**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.

**Section: 381.160**

Same as the Executive, but authorizes each community college, state community college, or technical college to increase its in-state undergraduate instructional and general fees no more than \$10 over what the college charged the previous academic year to support quality academic programming.

**Section: 381.160**

Same as the House, but (1) also authorizes a state university and university branch to increase its instructional and general fees by no more than \$10 per credit hour in FY 2018 over the previous academic year and, in FY 2019, by no more than the previous year's rate of inflation (as measured by the consumer price index prepared by the Bureau of Labor Statistics of the United States Department of Labor (all urban consumers, all items)) or by 2.0%, whichever is lower, over what the institution charged in FY 2018 and (2) requires that any fee increase by a state university or university branch be used to support quality academic programming, need-based financial aid, or career services.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

Exempts room and board from the above prohibition.

Same as the Executive, but adds the following fees that are exempt from the prohibition on fee increases: (1) student health insurance, (2) fees for auxiliary goods or services provided to students at the cost incurred to the institution, (3) noninstructional program fees, (4) fees assessed to students as a pass-through for licensure and certification examinations, (5) fees in elective courses associated with travel experiences, (6) "elective service charges," (7) fines, (8) voluntary sales transactions, and (9) career services.

Same as the House, but modifies the list of fees that are exempt from the prohibition on fee increases by (1) removing noninstructional program fees and (2) adding fees that offset the cost of providing textbooks to students, which may appear directly on a student's tuition bill as assessed by the institution's bursar.

No provision.

No provision.

Authorizes, in FY 2018 and FY 2019, the Chancellor to permit a state institution of higher education, upon an institution's formal request to the Chancellor, to increase noninstructional program fees if the Chancellor determines the fee increase is necessary to provide quality service to students.

No provision.

No provision.

Requires that an institution that increases a noninstructional fee or other fee permitted by the bill demonstrate, upon request of the Chancellor, that revenue derived from the fee is dedicated for the purposes for which the fee is assessed.

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 prorate the fee for a part-time student based on the number of credit hours the student is enrolled.

No provision.

No provision.

Defines a "textbook" as any required instructional tool, such as bound and electronic textbooks and software, used specifically for curricular content in a course.

No provision.

No provision.

Specifies that limitations do not apply to increases required to comply with institutional covenants related to obligations

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

No provision.

Specifies that the prohibition on fee increases also does not apply to institutions that participate in an undergraduate tuition guarantee program.

Same as the House.

**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.

No provision.

No provision.

**Section: 381.230**

Same as the Executive.

Earmarks \$134,244 in FY 2018 and \$141,136 in FY 2019 for salaries and benefits for staff of 4-H Clubs in Cleveland and Cincinnati and \$7,000 in each fiscal year for expenses related to the clubs.

Earmarks \$48,831 in each fiscal year for the Food Policy Coordinator pilot project at the OSU Extension office in Ashtabula County (see BORCD126).

**Section: 381.230**

Same as the Executive.

No provision.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**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, in each fiscal year, be based on whether or not an institution has submitted and gained approval for a plan.

**Section: 381.281**

Same as the Executive, but specifies that the distribution take place in FY 2018 only (item 235526 is consolidated under GRF appropriation item 235528, Clinical Teaching, in FY 2019 (see BORCD105)).

**Section: 381.281**

Same as the Executive (item 235526 is no longer consolidated under item 235528 in FY 2019 (see BORCD105)).

**BORCD105 Clinical Teaching**

No provision.

**Section: 381.282**

Requires that GRF appropriation item 235528, Clinical Teaching, be distributed through the Chancellor to support a variety of programs, including laboratory and clinical components of medical and other health-related education at Ohio's medical colleges, dental and veterinary medicine clinics at the Ohio State University, and family practice residencies and instructional costs at Ohio's medical colleges. (Under current law and in the Executive proposal, each of the seven purposes listed under this provision are appropriated among 12 separate appropriation items.)

No provision.

No provision.

Requires, prior to July 1, 2018, the Chancellor, in consultation with the recipients of funds from the 12 appropriation items consolidated into 235528 to develop a plan to prioritize the distribution of funds from item 235528.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**BORCD110 Higher Education Program Support**

**Section: 381.283**

No provision.	Makes the following earmarks from GRF appropriation item 235533, Higher Education Program Support:	No provision.
No provision.	(1) \$37,500 in FY 2018 for the Center for Cyber Defense and Forensics at Tiffin University for activities associated with the 2017 Maritime Risk Symposium.	No provision.
No provision.	(2) \$250,000 in each fiscal year to Ohio University for the Rural Revitalization Partnership.	No provision.
No provision.	(3) \$250,000 in each fiscal year to support the SmartOhio Financial Literacy Program at the University of Cincinnati.	No provision. (Funding for this purpose is supported by GRF appropriation item 235537, University of Cincinnati Clinical Teaching, but at \$100,000 in each fiscal year (see BORCD46)).
No provision.	(4) \$750,000 in FY 2018 to the University of Dayton Research Institute to purchase big area additive manufacturing equipment.	No provision.
No provision.	(5) \$5,000,000 in FY 2018 for The Ohio State University's John Glenn College of Public Affairs to establish the State of Ohio Leadership Institute to provide leadership training and education for current and future elected officials and senior staff in state and local government.	No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

**Section: 381.300**

Same as the Executive, but these items are consolidated under GRF appropriation item 235528, Clinical Teaching, in FY 2019 (see BORCD105).

No provision.

**Section: 381.300**

Same as the Executive (these items are no longer consolidated under item 235528 in FY 2019 (see BORCD105)).

Earmarks \$100,000 in each fiscal year from GRF appropriation item 235537, University of Cincinnati Clinical Teaching, to support the SmartOhio Financial Literacy Program at the University of Cincinnati (in the House-Passed bill, this earmark was supported by 235533, Higher Education Program Support, but at \$250,000 in each fiscal year (see BORCD110)).

**BORCD108 Central State University - Agriculture Education**

No provision.

**Section: 381.353**

Requires GRF appropriation item 235559, Central State University - Agriculture Education, to be used to establish a School of Agriculture Education and Food Science within the College of Education at Central State University.

No provision.

No provision.

Requires the School to use the funds for specified activities related to agriculture education and food science.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**BORCD51 Ohio College Opportunity Grant**

**Section: 381.360**

Earmarks the following from GRF appropriation item 235563, Ohio College Opportunity Grant:

(1) \$93,104,152 in FY 2018 and \$95,241,809 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.

(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

**Section: 381.360**

Same as the Executive, but makes the following changes in the earmarks:

(1) Same as the Executive, but decreases the earmark to "at least" \$92,663,037 in FY 2018 and "at least" \$93,578,797 in FY 2019.

(2) Same as the Executive.

**Section: 381.360**

Same as the House, but makes the following changes in the earmarks:

(1) Same as the House, but increases the earmark to at least \$97,792,598 in FY 2018 and at least \$99,132,084 in FY 2019.

(2) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

the sector allocations of public, private nonprofit, and private for-profit institutions.

Prohibits the Chancellor from distributing or obligating more than the appropriation amount.

Same as the Executive.

Same as the Executive.

Requires the Chancellor to post award tables on DHE's website and notify students and institutions of any reductions in awards.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

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).

Same as the Executive.

Same as the Executive.

**BORCD106 Co-op Internship Program**

**Section: 381.371**

**Section: 381.371**

No provision.

Makes the following earmarks of GRF appropriation item 235591, Co-op Internship Program:

Same as the House.

No provision.

(1) \$50,000 in each fiscal year for Ohio University's Voinovich School.

(1) Same as the House.

No provision.

(2) \$50,000 in each fiscal year for The Ohio State University's John Glenn College of Public Affairs.

(2) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	(3) \$50,000 in each fiscal year for the Bliss Institute of Applied Politics at the University of Akron.	(3) Same as the House.
No provision.	(4) \$50,000 in each fiscal year for the Center for Public Management and Regional Affairs at Miami University.	(4) Same as the House.
No provision.	(5) \$150,000 in each fiscal year for the Washington Center Internship Program.	(5) Same as the House.
No provision.	(6) \$50,000 in each fiscal year for the Ohio Center for the Advancement of Women in Public Service at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University.	(6) Same as the House.
No provision.	(7) \$50,000 in each fiscal year for the University of Cincinnati Internship Program.	(7) Same as the House.
No provision.	(8) \$50,000 in each fiscal year for the Center for Regional Development at Bowling Green State University.	(8) Same as the House.
No provision.	(9) \$50,000 in each fiscal year for the Center for Liberal Arts Student Success at Wright State University.	(9) Same as the House.
No provision.	(10) \$50,000 in each fiscal year for the Kent State University Columbus Program.	(10) Same as the House.
No provision.	(11) \$50,000 in each fiscal year for the University of Toledo Urban Affairs Center.	(11) Same as the House.
No provision.	(12) \$50,000 in each fiscal year for the Center for Urban and Regional Studies at Youngstown State University.	(12) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Section: 381.430**

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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

Same as the Executive.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

**BORCD136 Appalachian New Economy Workforce Partnership**

No provision.

No provision.

**Section: 381.431**

Requires that DPF Fund 5JC0 appropriation item 235407, Appalachian New Economy Workforce 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 (this item will be used in conjunction with GRF appropriation item 235428, Appalachian New Economy Workforce Partnership; previous versions of the bill provided funding for this purpose only in 235428 (see BORCD17)).

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

**Section: 381.440**

Same as the Executive, but requires Ohio State University to collaborate with federal installations in Ohio, state institutions of higher education, and private nonprofit institutions of higher education instead of the Wright-Patterson Air Force, the NASA Glenn Research Center, and Ohio's research universities (the funds may also be used to collaborate with the private sector as in the As Introduced bill).

Same as the Executive.

**Section: 381.440**

Same as the House.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

**BORCD138 Short-Term Certificates**

No provision.

No provision.

**Section: 381.443**

Requires DPF Fund 5NH0 appropriation item 235517, Short-Term Certificates, be used by the Chancellor to award need-based financial aid to students who are enrolled in a state institution of higher education in a program that may be completed in less than one year and for which a certificate or industry-recognized credential is awarded in an in-demand job (the House-Passed bill provided funding for this purpose in GRF appropriation item 235500, Short-Term Certificates (see BORCD121)).

**BORCD32 Workforce and Higher Education Programs**

**Section: 381.460**

Earmarks the following from DPF Fund 5RA0 appropriation item 235616, Workforce and Higher Education Programs:

(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.

**Section: 381.460**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

No provision.

(1) No provision.

(2) No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Section: 381.470**

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

Limits an allocation to a participating institution to no more than \$15,000 in any single fiscal year.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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)

Same as the Executive.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

No provision.

**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)

**Section: 381.480**

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

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.

Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Section: 381.490**

Same as the Executive.

No provision.

**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.

**Section: 381.560**

Same as the Executive.

No provision.

**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.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

**BORCD115      Transfers from the GRF to the Economic Development Programs Fund (Fund 5JC0)**

No provision.

**Section: 381.601**

Requires the Director of OBM to transfer \$3,500,000 cash in each fiscal year from the GRF to the Economic Development Programs Fund (Fund 5JC0) to support the appropriations for the Federal Research Network

**Fiscal effect: The bill appropriates \$3,500,000 each fiscal year in DPF Fund 5JC0 appropriation item 235654, Federal Research Network (see BORCD56).**

**Section: 381.601**

Same as the House, but reduces the transfer to \$1,750,000.

**Fiscal effect: Same as the House, but decreases the appropriations for item 235654 to \$1,750,000 in each fiscal year.**

Executive

As Passed by the House

As Passed by the Senate

**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.

**Section: 381.610**

Same as the Executive.

Same as the Executive.

No provision.

No provision.

**BORCD134 Transfer from the OCOG Reserve Fund (Fund 5PU0) to the GRF**

No provision.

No provision.

**Section: 381.617**

Requires the Director of OBM, on July 1, 2017, or as soon as possible thereafter, to transfer \$8,000,000 cash from the Ohio College Opportunity Grant Program Reserve Fund (Fund 5PU0) to the GRF for purposes of the OCOG program.

Executive

As Passed by the House

As Passed by the Senate

**BORCD133 Transfers from the Casino Operator Settlement Fund (Fund 5KT0) to the GRF**

No provision.

No provision.

**Section: 512.25**

Requires the Director of OBM, on July 1, 2017, or as soon as possible thereafter, to transfer \$10,000,000 cash from the Casino Operator Settlement Fund (Fund 5KT0) to the GRF.

**BORCD135 Transfer from the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0) to the GRF**

No provision.

No provision.

**Section: 512.26**

Requires the Director of OBM, on July 1, 2017, or as soon as possible thereafter, to transfer \$2,000,000 cash from the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0) to the GRF.

**BORCD111 Southern State Community College capital appropriations**

No provision.

**Sections: 610.30, 610.31, 610.100, 610.101**

Amends Section 207.440 of S.B. 310 of the 131st General Assembly to allow the Ohio Public Facilities Commission to issue and sell an additional \$1,000,000 of original obligations to support capital appropriations from the Higher Education Improvement Fund (Fund 7034).

**Sections: 610.30, 610.31, 610.100, 610.101**

Same as the House.

No provision.

Amends Section 207.290 of the S.B. 310 of the 131st General Assembly to do both of the following:

Same as the House.

No provision.

(1) Increase Fund 7034 appropriation item C32206, Adams County Satellite Campus, by \$1,000,000;

(1) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

No provision.

(2) Eliminate the following earmarks under Fund 7034 appropriation item C32216, Wilmington Air Park Aviation Infrastructure Improvements, used by Southern State Community College: (a) \$450,000 to be used to replace antenna equipment; (b) \$1,247,800 to be used for crack sealing; and, (c) \$1,275,200 to be used for concrete repairs.

(2) Same as the House.

**BORCD126**

**Food policy coordinator in Ashtabula County**

No provision.

**Section: 733.61**

Requires the county OSU Extension office serving Ashtabula County to establish a pilot program through which it employs a food policy coordinator who will be responsible for connecting local food producers with local consumers.

**Fiscal effect: The bill earmarks \$48,831 in each fiscal year from GRF appropriation item 235511, Cooperative Extension Service, to support the pilot project (see BORCD25).**

**Section: 733.61**

Same as the House.

**Fiscal effect: Same as the House.**

**BORCD109**

**Ohio State University utility agreement**

No provision.

**Section: 749.20**

Allows The Ohio State University (OSU) to contract with a special purpose vehicle to improve the energy efficiency of the University's utility system, beginning in calendar year 2017.

Prohibits the special purpose vehicle from taking ownership of the utility services delivered by a public utility.

**Section: 749.20**

Same as the House, but defines "university," for the purpose of granting authority to enter into the utility agreement and other duties, requirements, and limitations under the agreement, as "the Ohio State University, Columbus, Ohio campus," instead of "the Ohio State University."

No provision.

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Limits the utility agreement to cover only OSU's Columbus, Ohio campus utility system and further defines the OSU Columbus, Ohio campus utility system to include buildings, structures, and facilities "behind the meter" of the public utility service provider serving the campus.	Same as the House.
No provision.	No provision.	Prohibits OSU or the special purpose vehicle from selling electricity generated by the utility system to any customer outside of the utility system, unless otherwise permitted under state and federal laws and the rules of the Public Utilities Commission of Ohio.
<b>Fiscal effect: Potential reduction in future utility expenses.</b>		<b>Fiscal effect: Same as the House.</b>
<b>BORCD125</b>	<b>University of Akron land conveyance</b>	
No provision.	<b>Section: 753.20</b> Authorizes the conveyance of state-owned real estate in Summit County by any sale process and for consideration deemed acceptable to the Board of Trustees of the University of Akron (UAK).	<b>Section: 753.20</b> Same as the House.
No provision.	Requires the net proceeds of the sale be deposited in UAK's endowment account for purposes to be determined by its Board.	Same as the House.
No provision.	Specifies that the section expires three years after its effective date.	Same as the House.
<b>Fiscal effect: Potential increase in revenue for UAK's endowment account.</b>		<b>Fiscal effect: Same as the House.</b>

Executive

As Passed by the House

As Passed by the Senate

**BORCD137 University of Cincinnati land conveyance**

No provision.

No provision.

**Section: 753.30**

Authorizes the conveyance of state-owned land under the jurisdiction of the University of Cincinnati to the Cincinnati Center City Development Corporation, an Ohio nonprofit corporation, or a subsidiary thereof, through a real estate purchase agreement.

No provision.

No provision.

Specifies that consideration is an amount acceptable to the Board of Trustees of the University of Cincinnati, and the net proceeds of the conveyance must be deposited into university accounts for purposes to be determined by the Board.

No provision.

No provision.

Specifies the section expires three years after its effective date.

**Fiscal effect: Potential increase in revenue for the University of Cincinnati.**

## Executive

## As Passed by the House

## As Passed by the Senate

OHSCD4

State Historical Grants

**Section: 297.10**

Makes the following earmarks from GRF appropriation item 360508, State Historical Grants:

(1) \$250,000 in each fiscal year for the Cincinnati Museum Center.

(2) \$250,000 in each fiscal year for the Western Reserve Historical Society.

**Section: 297.10**

No provision.

No provision

No provision.

No provision.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

REPCD3 Mileage reimbursement for members

**R.C. 101.27**

(1) No provision.

(1) Permits members of the General Assembly to receive mileage reimbursements if the member travels to and from a location outside the seat of government if the legislature convenes for session at that location.

(1) No provision.

(2) No provision.

(2) Specifies that if session is held at the seat of government and at a location outside the seat of government in the same week, a member is entitled to reimbursement only for travel to either the session held at the seat of government or at a location outside the seat of government, whichever is a farther distance for the member to travel.

(2) No provision.

(3) No provision.

(3) Permits members of the General Assembly to decline mileage reimbursements provided to members for travel to and from the seat of government once a week during session and to and from a location outside the seat of government if the legislature convenes for session at that location.

(3) No provision.

**Fiscal effect: Potential minimal at most annual increase in the amount of money expended by the House and Senate for travel reimbursements.**

## Executive

## As Passed by the House

## As Passed by the Senate

IGOCD1

Term of the Inspector General

R.C. 121.48

Extends the term of the current Inspector General by two years to end January 11, 2021, instead of January 13, 2019, and modifies the general term of the Inspector General to begin every four years thereafter on the second Monday of January.

Fiscal effect: None.

R.C. 121.48

Same as the House.

Fiscal effect: Same as the House.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**INSCD7      Suspension of open enrollment, conversion, and reinsurance board provisions**

**R.C.      610.53, 610.54**

**R.C.      610.53, 610.54**

No provision.

Extends the provisions of Section 3 of Substitute Senate Bill 9 of the 130th General Assembly from January 1, 2018, to January 1, 2022, suspending the operation of all of the following until that date:  
 1) Ohio's Open Enrollment Program;  
 2) Ohio's Health Reinsurance Program; and  
 3) Conversion options under an existing health insuring corporation contract.

Same as the House.

**Fiscal effect: None.**

**Fiscal effect: None.**

**INSCD8      Application of prior authorization requirements to dental benefits**

**R.C.      1751.72, 3923.041, and 1739.05**

**R.C.      1751.72, 3923.041, and 1739.05**

No provision.

Exempts dental benefits offered as a part of a health benefit plan from prior authorization requirements imposed on health insuring corporations, sickness and accident insurers, public employee benefit plans, and multiple employer welfare arrangements.

Same as the House.

**Fiscal effect: The exemption may decrease insurance premiums for the state and local governments' health benefit plans, thus reducing the state and local governments' costs to provide health benefits to employees and their beneficiaries.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**INSCD5 Health insuring corporation accreditation**

**R.C. 1751.75**

No provision.

Enables a health insuring corporation to use an accreditation from the Accreditation Association for Ambulatory Health Care to meet quality assurance program requirements.

**R.C. 1751.75**

Same as the House.

**Fiscal effect: None.**

**Fiscal effect: None.**

**INSCD6 Coverage of telemedicine services**

**R.C. 3902.30**

No provision.

Requires a health benefit plan to cover telemedicine services on the same basis and to the same extent that the plan covers in-person health services, and prohibits such plans from excluding coverage for a service solely because it is provided as a telemedicine service.

No provision.

No provision.

Stipulates that these requirements are not to be construed as prohibiting a health benefit plan from assessing cost-sharing requirements to a covered individual for telemedicine services, provided that such cost sharing requirements for telemedicine services are not greater than those for comparable in-person services. Stipulates that these requirements are not to be construed as requiring a health plan issuer to reimburse a physician for any costs or fees associated with the provision of telemedicine services that would be in addition to or greater than the standard reimbursement for a comparable in-person service.

No provision.

No provision.

Applies these requirements to health benefit plans issued, offered, or renewed on or after January 1, 2018.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: "Health benefit plan" is defined as in section 3922.01 of the Revised Code, and includes a nonfederal, government health plan. The requirement may increase costs for the state, counties, municipalities, townships, and school districts statewide to provide health benefits to their employees and their dependents. The magnitude of the fiscal impact on any of these entities is unknown at this time.**

**INSCD11 Health insurance mandates**

No provision.

No provision.

**R.C. 3901.89**

Prohibits any new health care mandates impacting individual and group health insurance plans not subject to the federal Employee Retirement Income Security Act of 1974 (ERISA) during the remainder of the 132nd General Assembly.

**Fiscal effect: None.**

**INSCD4 Payer education on mental health and addiction services**

No provision.

**R.C. 3901.90, 5119.89**

Requires the Superintendent of Insurance, in consultation with the Director of Mental Health and Addiction Services, to develop consumer education on mental health and addiction services insurance parity, including establishing a consumer hotline to collect information and help consumers understand their insurance benefits.

**R.C. 3901.90, 5119.89**

Same as the House.

No provision.

Requires the Department of Insurance and the Department of Mental Health and Addiction Services to jointly report on their efforts under the program, before each January 30, to

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

the General Assembly, the Joint Medicaid Oversight Committee, and the Governor.

**Fiscal effect: Increase in administrative costs for the Department of Insurance or the Department of Mental Health and Addiction Services, and potentially for both. The cost of establishing, staffing, and operating a consumer hotline would be about \$100,000 annually. The Department of Insurance's administrative costs are paid from the Department of Insurance Operating Fund (Fund 5540).**

**Fiscal effect: Same as the House.**

**INSCD9 Notice of cancellation of automobile insurance**

No provision.

**R.C. 3937.25, 3937.32**

Allows an insurer to include a notice of cancellation of automobile insurance due to nonpayment of premium with a bill.

**Fiscal effect: None.**

No provision.

**INSCD10 Application for innovative waiver**

No provision.

No provision.

**Section: 305.20**

Requires the Superintendent of Insurance to apply to the U.S. Secretary of Health and Human Services and the U.S. Secretary of the Treasury for an innovative waiver regarding health insurance coverage in this state as specified under section 3901.052 of the Revised Code by January 31, 2018.

Executive

As Passed by the House

As Passed by the Senate

JFSCD39 Criteria for evaluating workforce development

R.C. 107.35

Requires that the criteria established by the Governor's Office of Workforce Transformation to evaluate workforce programs include the effectiveness of a program in transitioning individuals participating in a means-tested public assistance program to unsubsidized employment.  
**Fiscal effect: Increase in administrative costs for the Department of Job and Family Services (ODJFS), the Opportunities for Ohioans with Disabilities Agency, and the departments of Education and Higher Education, to support the Governor's Office of Workforce Transformation to develop and include this additional metric in the evaluation of workforce programs.**

R.C. 107.35

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

JFSCD49 Adult protective services

R.C. 173.501, 173.521, 173.542, 1347.08, 2317.54, 4715.36, 5101.60, 5101.61, 5101.611, 5101.612, 5101.62, 5101.622, 5101.63, 5101.632, 5101.64, 5101.65, 5101.66, 5101.67, 5101.68, 5101.69, 5101.691, 5101.692, 5101.70, 5101.71, 5101.72, 5101.73, 5101.74, 5101.741, 5101.99, 5123.61, 5126.31, Repealed: 5101.621

Makes several changes to laws governing adult protective services, including:

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

(1) No provision.	(1) Modifies and adds definitions to the adult protective services statutes.	(1) No provision.
(2) No provision.	(2) Expands and modifies the list of persons required to report to a CDJFS suspected abuse, neglect, or exploitation of certain older adults.	(2) No provision.
(3) No provision.	(3) Permits a county prosecutor to petition courts for orders related to the provision of adult protective services.	(3) No provision.
(4) No provision.	(4) Requires a CDJFS to notify a local law enforcement agency if it has reasonable cause to believe that the subject of a report of abuse, neglect, or exploitation is being or has been criminally exploited.	(4) No provision.
(5) No provision.	(5) Modifies provisions governing the release of information from the uniform statewide automated adult protective services information system.	(5) No provision.
(6) No provision.	(6) Creates the Elder Abuse Commission to formulate and recommend strategies on matters related to elder abuse and to issue a biennial report.	(6) No provision.
(7) No provision.	(7) Requires ODJFS to provide training for implementing the statutes on adult protective services, to make educational materials available to mandatory reporters, and to facilitate interagency cooperation.	(7) No provision.
(8) No provision.	(8) Requires each entity that employs or is responsible for licensing or regulating mandatory reporters of abuse, neglect, or exploitation to ensure that they have access to the relevant ODJFS educational materials.	(8) No provision.
(9) No provision.	(9) Repeals a requirement that each CDJFS prepare a memorandum of understanding that establishes the procedures to be followed by local officials regarding cases of elder abuse, neglect, and exploitation.	(9) No provision.

Executive

As Passed by the House

As Passed by the Senate

(10) No provision.

(10) Changes the definition of "home health agency" in the statute shielding certain entities from liability for the failure of a physician who is not an employee to obtain an informed consent from a patient prior to a surgical or medical procedure.

(10) No provision.

(11) No provision.

(11) Renumbers and rearranges portions of the statutes governing adult protective services and makes various technical and clarifying changes to the law.

(11) No provision.

**Fiscal effect: Changing definitions in the adult protective services statutes and expanding the list of mandatory reports will likely increase the number of reports of abuse, posing a significant cost to CDJFSs which are required to investigate them.**

JFSCD35

Ohio Children's Trust Fund Board membership

No provision.

**R.C. 3109.15**

Repeals the requirements that: (1) Five of the members appointed to the Ohio Children's Trust Fund Board be residents of metropolitan statistical areas exceeding 400,000 in population; and (2) No two of those members be residents of the same metropolitan statistical area.

**R.C. 3109.15**

Same as the House.

**Fiscal effect: None.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**JFSCD48 Workforce development for home health agency employees**

No provision.

**R.C. 3701.916**

Specifies that direct care provided by a home health agency is a targeted industry sector when identifying jobs that are in demand in Ohio. Requires the ODJFS Director to review the criteria for any program that provides occupational training, adult education, or career pathway assistance through a grant or other funding source to determine whether a home health agency employee may participate in the program, and make changes to the criteria to allow such an employee to participate in the program to the extent possible.

**Fiscal effect: Reviewing program criteria will pose a minimal cost.**

**R.C. 3701.916**

Same as the House.

**Fiscal effect: Same as the House.**

**JFSCD44 County family services agency special funds**

No provision.

**R.C. 5101.105**

Permits a county family services agency to have a deficit in a special fund if (1) the agency has a request for payment pending with the state to cover the amount of the deficit and the payment will likely be made and (2) the unspent and unencumbered balance in the county's general fund is greater than the aggregate deficit amounts in all of the county's special funds.

**Fiscal effect: None.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.**

**R.C. 5116.02, 5107.10, 5116.01-5116.25, Section 307.210**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 5116.02, 5107.10, 5116.01-5116.25, Section 307.210**

Same as the Executive, but clarifies that the program is to be administered if funds are available under either the TANF Block Grant or the WIOA Youth Grant.

Same as the Executive, but clarifies certain groups are required or permitted to participate if funds are available under either the TANF Block Grant or the WIOA Youth Grant.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**JFSCD43 Child welfare applicant fitness review**

No provision.

**R.C. 5153.113**

Requires the executive director of a public children services agency (PCSA), or designee, to review promptly any information relevant to evaluating an applicant's fitness (which includes an applicant who is an intern or volunteer) before employing the applicant.

**R.C. 5153.113**

Same as the House.

No provision.

Specifies that the information reviewed must include any child abuse and neglect reports made involving the applicant; final disposition, or status of, the child abuse and

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
<p>No provision.</p>	<p>neglect report investigations; and any underlying report documentation.</p> <p>Prohibits the name of the person or entity that made the report of abuse or neglect or participated in making the report from being included in the information the PCSA reviews.</p> <p><b>Fiscal effect: These requirements will likely pose only a minimal cost to public children services agencies.</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>
<p><b>JFSCD1</b>      <b>List of in-demand jobs</b></p> <p><b>R.C. 6301.111</b></p> <p>No provision.</p> <p>Requires OWT to work with ODJFS to conduct an electronic biennial survey of Ohio employers and publish an updated in-demand jobs list by December 31, 2018, and every two years thereafter.</p> <p><b>Fiscal effect: Potential increase in administrative costs for OWT and ODJFS.</b></p>	<p><b>R.C. 6301.11, 6301.111</b></p> <p>Requires that the methodology used by the Governor's Executive Workforce Board to identify in-demand jobs include an analysis of jobs that pay a wage rate of 125% or more of the federal minimum wage.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Potential increase in administrative costs for the Workforce Board, OWT, ODJFS and public and private institutions of higher education that assist with creating and updating the list.</b></p>	<p><b>R.C. 6301.11, 6301.111</b></p> <p>No provision.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>

Executive

As Passed by the House

As Passed by the Senate

**JFSCD52 TANF State Maintenance of Effort**

No provision.

No provision.

**Section: 307.26**

Earmarks \$300,000 in each fiscal year from GRF appropriation item 600410, TANF State Maintenance of Effort, for the Ohio Parenting and Pregnancy Program.

**JFSCD41 Healthy Food Financing Initiative**

No provision.

**Section: 307.35**

Requires that GRF appropriation item 600546, Healthy Food Financing Initiative, be used to contract with the Finance Fund Capital Corporation, in cooperation with the Department of Health and Office of Health Transformation, to support healthy food access in underserved communities.

No provision.

**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

**Section: 307.40**

Same as the Executive, but reduces the amount from \$17,050,000 to \$16,550,000.

Same as the Executive, but reduces the amount from \$19,550,000 to \$19,050,000.

**Section: 307.40**

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

Same as the Executive.

**JFSCD24 TANF Block Grant**

**Sections: 307.70, 307.80, 307.90**

**Sections: 307.70, 307.25, 307.45, 307.80, 307.90, 307.93**

**Sections: 307.70, 307.25, 307.45, 307.80, 307.90, 307.93, 307.95, 307.96, 307.97**

Makes the following earmarks of FED Fund 3V60 appropriation item 600689, TANF Block Grant:

Same as the Executive, but makes the following changes to the earmarks:

Same as the House, but makes the following changes to the earmarks:

(1) \$6,540,000 in each fiscal year for the Governor's Office of Faith-Based and Community Initiatives;

(1) Same as the Executive.

(1) Same as the Executive.

(2) \$2,000,000 in each fiscal year for the Independent Living Initiative;

(2) Same as the Executive.

(2) Same as the Executive.

(3) \$1,000,000 in each fiscal year for the Ohio Commission on Fatherhood.

(3) Same as the Executive.

(3) Same as the Executive.

(4) No provision.

(4) \$1,000,000 in each fiscal year for the Ohio Alliance of Boys and Girls Clubs.

(4) Same as the House, but specifies that not less than \$50,000 in each fiscal year shall be provided to the Boys and Girls Club of Massillon.

(5) No provision.

(5) \$500,000 in each fiscal year to be provided to food banks or food pantries unaffiliated with the Ohio Association of Food Banks.

(5) Same as the House.

(6) No provision.

(6) \$10,000,000 in each fiscal year to support a kinship caregiver child care program.

(6) Same as the House, but increases the amount to \$15,000,000 and removes a requirement that PCSAs

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(7) No provision.

(7) No provision.

receive an allocation.

(7) \$500,000 in each fiscal year for Big Brothers Big Sisters of Central Ohio.

(8) No provision.

(8) No provision.

(8) \$5,000,000 in each fiscal year to provide services to youth with complex care needs whose parent or legal guardian is at risk of relinquishing custody of the youth to access needed services.

(9) No provision.

(9) No provision.

(9) \$100,000 in each fiscal year for the establishment of up to three local court-appointed special advocate programs.

(10) No provision.

(10) No provision.

(10) \$100,000 in each fiscal year for recruitment and training of additional local court-appointed advocates in areas with high rates of heroin use and overdoses.

(11) No provision.

(11) No provision.

(11) \$100,000 in each fiscal year to enhance the role of local court-appointed special advocate programs in the recruitment, training, and support of local court-appointed special advocates.

(12) No provision.

(12) No provision.

(12) \$250,000 in each fiscal year for the Children's Hunger Alliance.

**JFSCD6 Families and Children Programs**

**Section: 307.100**

Makes the following earmarks from GRF appropriation item 600423, Families and Children Programs:

(1) \$2,000,000 in each fiscal year to fund Predictive Analytics to use current and historical data to predict future outcomes and behaviors in high-risk foster care children.

**Section: 307.100**

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

**Section: 307.100**

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(2) No provision.

(2) \$750,000 in each fiscal year for the Star House Youth Drop-In Center to provide services for homeless youth.

(2) Same as the House.

**JFSCD7 Family and Children Services**

**Section: 307.110**

Makes the following earmarks from GRF appropriation item 600523, Family and Children Services:

(1) Up to \$3,200,000 to match eligible federal Title IV-B ESSA funds and federal Title IV-E Chafee funds allocated to public children services agencies (PCSA).

(2) No provision.

(3) No provision.

**Section: 307.110**

Same as the Executive, but makes the following changes to the earmarks:

(1) Same as the Executive.

(2) \$150,000 in each fiscal year for children's crisis care facilities, to be allocated based on the number of children in each facility.

(3) Not less than \$60,040,010 in each fiscal year for public children services agencies, including \$8,800,000 to provide an initial allocation of \$100,000 to each county.

**Section: 307.110**

Same as the House, but makes the following changes to the earmarks:

(1) Same as the Executive.

(2) No provision. (See RDFCD9)

(3) Same as the House.

**JFSCD9 Child, Family, and Community Protection Services**

**Section: 307.130**

Requires that GRF appropriation item 600533, Child, Family, and Community Protection Services, be distributed to each CDJFS using the formula ODJFS uses when distributing Title XX funds.

Requires that CDJFSs use the funds for specified purposes in accordance with the written plan of cooperation entered into under R.C. section 307.983.

**Section: 307.130**

Same as the Executive, but does not specify the formula ODJFS must use to distribute the appropriation to CDJFSs.

Same as the Executive.

**Section: 307.130**

Same as the House.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**JFSCD28 Early Childhood Education**

**Section: 307.170**

Specifies the following regarding DPF Fund 5KT0 appropriation item 600696, Early Childhood Education:

(1) Earmarks up to \$20,000,000 in each fiscal year to support, consistent with the goals of the Step Up to Quality Program, early learning and development programs that are in smaller communities, rated in the Step Up to Quality program at the third highest tier or higher, or both.

(2) No provision.

(3) No provision.

**Section: 307.170**

Same as the Executive, but makes the following changes:

(1) No provision.

(2) Earmarks not less than \$13,000,000 in each fiscal year to implement the 2016 Ohio Child Care Market Rate Survey for licensed child care programs that are rated in the Step Up to Quality Program. Requires ODJFS, in implementing the Survey to ensure reimbursement rates for each tier are not lower than those in effect on December 31, 2016, and to place all counties in the category in which they are designated on the Survey.

(3) Specifies that the remainder be used to fund the changes made to reimbursement rate categories and increases to enhanced rates that were made in the FY 2016-FY 2017 biennium.

**Section: 307.170**

Replaces the House provision with a provision that does the following:

(1) Same as the Executive.

(2) Replaces the House provision with a provision that requires the ODJFS Director to ensure reimbursement rates for each tier are not lower than those in effect on December 31, 2016, but does not earmark funds.

(3) No provision.

**JFSCD42 Healthier Buckeye Grant Pilot Program**

No provision.

**Section: 307.230**

Requires the ODJFS Director to permit those receiving grant awards under the Healthier Buckeye Grant Pilot Program to expend those grant awards through December 31, 2017.

**Section: 307.230**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**JFSCD51      Transfer from the Unemployment Compensation Contingency Fund to GRF**

No provision.

No provision.

**Section: 307.240**

Requires the OBM Director to transfer not less than \$10,000,000 from the Unemployment Compensation Interest Contingency Fund (Fund 5HC0) to the GRF on July 1, 2018 or as soon as possible thereafter. Requires that the OBM Director transfer the unexpended, unencumbered balance of Fund 5HC0 if it is less than \$10,000,000.

**JFSCD50      Transfer from the Healthier Buckeye Fund to GRF**

No provision.

No provision.

**Section: 307.250**

Requires the OBM Director to transfer the cash balance in the Healthier Buckeye Fund (Fund 5RC0) to the GRF on July 1, 2017 or as soon as possible thereafter.

**JFSCD46      Continuation of three advisory entities that are subject to the Sunset Review Law**

No provision.

**Section: 701.10**

Authorizes the continuation of the Ohio Healthier Buckeye Advisory Council (the Department of Job and Family Services), the Underground Technical Committee (the Public Utilities Commission), and the ABLE Account Program Advisory Board (the Treasurer of State) until December 31, 2020, to bring their expiration dates in line with other boards currently subject to sunset review.

**Section: 701.10**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**JFSCD37 Foster Care Advisory Group**

No provision.

**Section: 751.10**

Creates a Foster Care Advisory Group within ODJFS and requires that the Group issue a report regarding matters affecting foster caregivers.

**Fiscal effect: Increase in administrative costs for ODJFS.**

**Section: 751.10**

Same as the House.

**Fiscal effect: Same as the House.**

**JFSCD40 SNAP Employment and Training Program**

No provision.

**Section: 307.220**

Requires that GRF appropriation item 600503, Job and Family Services Program Support, be used by the ODJFS Director, in collaboration with the Chancellor of the Department of Higher Education, as state match for the Supplemental Nutrition Assistance Program (SNAP) Employment and Training Program. Requires the moneys be used for programs that provide nondegree credit short-term certificates.

No provision.

Requires the Director, in collaboration with the Chancellor, to convene a planning committee, identify providers of services, identify resources that could be reimbursed by the federal government, and include the resulting plan in the state's annual plan that is submitted to the federal government.

**Section: 751.20**

No provision.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

JCRCD5 Agency prohibited from reintroducing invalidated rule

No provision.

No provision.

**R.C. 106.042**

Prohibits an agency whose rule has been invalidated by a concurrent resolution of the General Assembly from reintroducing that rule or any version of the rule during the term of the general assembly in which the concurrent resolution invalidating the rule was adopted.

No provision.

No provision.

Provides that the General Assembly may adopt a concurrent resolution to authorize an agency to institute or continue rule-making procedures for an invalidated rule or a version of the invalidated rule, but the agency may not adopt any version of the rule until the rule has been submitted to JCARR and the time for legislative review of the rule has expired.

Executive

As Passed by the House

As Passed by the Senate

**JEOCD5 Elimination of JEO**

No provision.

No provision.

**R.C. 103.44, - 103.50 (repealed), Sections 125.05 and 515.50**

Abolishes JEO on October 1, 2017.

No provision.

No provision.

Reappropriates up to \$100,000 of the unexpended, unencumbered balance of GRF appropriation item 047321, Operating Expenses, at the end of FY 2017 to the same item for FY 2018. Specifies that up to \$75,000 of that amount be used for JEO's operating expenses in FY 2018 and up to \$25,000 be used to pay obligations associated with the closure of JEO, including any final payroll expenses occurring after JEO's closure.

**JEOCD4 JEO review of manual used by ODE to audit or review public school enrollment**

**R.C. 103.45, 3301.65**

No provision.

Requires the Ohio Department of Education (ODE) to submit to JEO, by May 1 of every year, the manual containing the standards, procedures, timelines, and other requirements ODE intends to use to audit or review public school full-time equivalency student enrollment reporting.

No provision.

No provision.

Requires ODE to submit to JEO and each public school, a detailed summary of the changes between the prior year's manual and the proposed manual and post that summary and the proposed manual in a prominent location on ODE's website.

No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires JEO to hold one or more public hearings at which public schools may present testimony on their ability to comply with any proposed changes in the standards, procedures, timelines, and other requirements contained within the proposed manual, and by June 15 of each year, to vote on whether schools can reasonably comply with the proposed manual's changes.	No provision.
No provision.	Requires JEO, by July 1 of any year in which the committee determines that public schools are reasonably capable of compliance with proposed changes in the manual, to prepare a report comparing the prior year's standards, procedures, timelines, and other requirements with the newest standards, procedures, timelines, and other requirements and a summary of the testimony submitted at the public hearings.	No provision.
No provision.	Specifies that the proposed manual is ineffective, and ODE must conduct its reviews or audits using the prior year's manual if (1) ODE fails to comply with the requirements of the bill's provisions or its specific timelines; or (2) JEO determines that schools are not reasonably capable of compliance with the proposed changes in the manual. <b>Fiscal effect: Increases the administrative responsibilities of both JEO and ODE to comply with these requirements.</b>	No provision.
<b>JEOCD2      Joint Education Oversight Committee employees</b>		
No provision.	<b>R.C.      103.47</b> Authorizes the Speaker of the House of Representatives and the President of the Senate, instead of JEO, to hire JEO's professional, technical, and clerical employees. <b>Fiscal effect: None.</b>	No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Section: 311.10**

Same as the Executive.

Same as the Executive.

No provision.

No provision.

**JEOCD3            Joint transportation district pilot program**

No provision.

No provision.

**Section: 311.20**

Requires JEO to develop legislative recommendations for creating a joint transportation district pilot program, under which (1) at least two school districts may create a joint transportation district to share transportation services, and (2) those districts must adopt staggered starting and ending times for the school day.

Requires JEO to submit its recommendations to the General Assembly not later than six months after the bill's effective date.

**Fiscal effect: Increases JEO's administrative responsibilities.**

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**JMOCD3 Joint Medicaid Oversight Committee Employees**

No provision.

**R.C. 103.41**

Authorizes the Speaker of the House of Representatives and the President of the Senate, instead of the Joint Medicaid Oversight Committee (JMOC), to hire JMOC's professional, technical, and clerical employees.

No provision.

**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.

No provision.

No provision.

**JMOCD5 Health coverage studies**

No provision.

**Section: 313.20**

Requires JMOC to enter into a contract with an entity to conduct a study to determine whether a high-risk pool is an appropriate mechanism for providing health coverage to uninsured residents of this state.

**Section: 313.20**

No provision.

No provision.

Requires JMOC to enter into a contract with an entity to conduct a study to determine the feasibility of simultaneously implementing a plan that is similar to the Healthy Indiana Plan and a high-risk pool in Ohio.

Same as the House, but requires JMOC to conduct the study instead of entering into a contract for it.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: JMOC will incur costs to contract with an entity to complete these two studies.

Fiscal effect: Increase in administrative costs for JMOC to conduct the study.

Executive

As Passed by the House

As Passed by the Senate

JLECD2 Fund renaming

No provision.

**R.C. 101.34, 102.02**

Renames the Joint Legislative Ethics Committee Investigative Fund the Joint Legislative Ethics Committee Investigative and Financial Disclosure Fund, and specifies that all moneys credited to the renamed Fund must be used solely for expenses related to the investigative and financial disclosure functions of JLEC. (Under current law, money in the Fund must be used solely for the operations of JLEC in conducting investigations.)

**Fiscal effect: The bill establishes DPF Fund 5HN0 appropriation item 028602, Investigations and Financial Disclosure, with an appropriation of \$10,000 in each fiscal year, to support JLEC's expenses related to investigative and financial disclosure functions.**

**R.C. 101.34, 102.02**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

**Sections: 323.20, 610.38, 610.39, 701.20**

No provision.

Abolishes the Commission and requires it to cease operations on or before July 1, 2017. (Under current law, the Commission will cease to exist on January 1, 2018.)

**Sections: 323.20, 610.38, 610.39, 701.20**

No provision.

Same as the House.

**LSCCD7 Inventory and assessment of state programs**

No provision.

**Section: 701.30**

Requires LSC to prepare a report regarding state programs that address individually identifiable risk factors for poor physical or behavioral health, or risk factors that may contribute to undesirable social outcomes.

No provision.

No provision.

Requires the report to include an inventory of applicable state programs and to assess whether or not a program on the inventory has the means to identify the specific needs of an individual, to refer the individual to appropriate services to address those needs, and to coordinate service and treatment for individuals, so as to determine whether or not identified risk factors are being addressed, on an individual level, by the program.

No provision.

No provision.

Requires each state agency to support and assist LSC in the preparation of the report. The report must be completed,

No provision.

Executive

As Passed by the House

As Passed by the Senate

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posted on LSC's website, and submitted to the General Assembly, not later than June 30, 2018.

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Executive

As Passed by the House

As Passed by the Senate

**LIBCD7      DataOhio Initiative - Local Government Information Exchange Grant Program**

**R.C.      149.60, 149.61, 117.432, 117.58, 3375.03**

No provision.

Creates the DataOhio Board consisting of the five statewide officeholders, the Speaker of the House of Representatives, the President of the Senate, the Chancellor of the Board of Regents, the State Librarian, and other designees representing specified interests. Specifies that members serve without compensation but shall be reimbursed for their actual and necessary expenses related to their duties. Requires the Board to meet at least ten times per year, and requires the State Library to provide the meeting space.

No provision.

No provision.

Requires the Board to make recommendations to the General Assembly and Auditor of State on the following: (1) online access to public records; (2) standards for open data use; (3) accounting standards for public office financial data; (4) metadata definitional standards for nonfinancial data to help with comparison and usage across public offices; (5) participation and affiliation of data.Ohio.gov with data.gov, the federal online data catalog. Requires the DataOhio Board to deliver a report on its recommendations to the General Assembly and Auditor of State not later than one year after the provision's effective date and by March 31 annually thereafter.

No provision.

No provision.

Establishes the Local Government Information Exchange Grant Program so that a county, township, municipal corporation, or public library, or a regional planning commission, metropolitan planning organization, or regional council of governments on their behalf, may apply for a grant to post on the Internet data that meets the Program's requirements.

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

No provision.

Requires the State Librarian to administer and adopt rules for the Program, including grant eligibility criteria and specifications for consistent formatting of data.

No provision.

No provision.

Requires the State Librarian to disburse a \$10,000 grant to each applicant that meets the grant eligibility criteria, but specifies that the total amount of grants awarded cannot exceed the amount that can be funded with appropriations made by the General Assembly for the Program.

No provision.

No provision.

Requires a public office that posts public records on its website or a state website to make its best efforts to post the records in an open format, to state in its public records policy which public records the public office posts online, and to submit this statement to the DataOhio Board, and specifies that a public office is not required to post public records to a website.

No provision.

No provision.

Requires the Auditor of State, in consultation with the State Librarian, to establish and operate a website, data.Ohio.gov, that is to function as an online catalog of public records of public offices, and requires the Auditor of State to adopt rules specifying policies and procedures for the administration and operation of data.Ohio.gov.

No provision.

No provision.

Requires the Auditor of State, by rule, to establish uniform accounting procedures and charts of accounts for use by all public offices, but specifies that their use is not required, and requires the Auditor of State to designate public offices that use these accounting procedures and charts of accounts as having earned a "DataOhio Transparency Award - Uniformity of Accounting."

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential increase in costs for the State Library to oversee the grant program. Funding for the grants under the program would depend on any amounts the General Assembly appropriates for this purpose. The Auditor of State will incur some costs to create the data.Ohio.gov website and for developing the uniform accounting procedures to be used under the DataOhio Program.**

**LIBCD1 Ohioana Library Association**

**Section: 325.20**

No provision.

No provision.

Requires that GRF appropriation item 350401, Ohioana Rental Payments, be used for the rental expenses of the Ohioana Library Association.

**Section: 325.20**

No provision.

No provision.

Same as the Executive.

**Section: 325.20**

Changes the name of GRF appropriation item 350401 from Ohioana Rental Payments to Ohioana Library Association.

Earmarks \$175,000 in FY 2018 and \$180,000 in FY 2019 from GRF appropriation item 350401, Ohioana Library Association, to support the operating expenses of Ohioana.

Same as the Executive, but earmarks the remainder of the appropriation for this purpose and refers to the new name of the item.

## Executive

## As Passed by the House

## As Passed by the Senate

## LCOCD2 Case of wine discount

No provision.

No provision.

**R.C. 4301.13**

Requires the Liquor Control Commission to allow retail liquor permit holders to offer to a personal consumer a 10% discount off the per-bottle retail sale price on each bottle included in a case of that wine that is offered for sale.

No provision.

No provision.

Defines "case" as between six and twelve bottles of wine that are the same brand and variety and hold the same volume.

## Executive

## As Passed by the House

## As Passed by the Senate

## LOTCD8 Commission of video lottery sales agents

No provision.

**R.C. 3770.03**

Directs the State Lottery Commission to adopt a rule reducing the commission paid to video lottery sales agents to 65.5% of the agent's video lottery terminal income. (The commission is set at 66.5% in current rules).

**Fiscal effect: Increases the share of VLT net income to the Lottery by \$8.9 million in FY 2018 and \$9.1 million in FY 2019. Decreases by about \$125,000 in each fiscal year VLT revenue to the Racing Commission DPF Fund 5NL0. (The Racing Commission receives between 9% and 11% of revenue from the share of net income accruing to VLT sales agents-racino owners)**

No provision.

## LOTCD9 Lottery ticket purchase with a credit card prohibited

No provision.

**R.C. 3770.03**

Prohibits the State Lottery Commission from adopting rules to allow the purchase of a lottery ticket with a credit card, except at a video lottery terminal machine.

**Fiscal effect: Potential increase in net profits of \$5.6 million in each year of the biennium (assumes the State Lottery Commission allows purchase of lottery ticket by debit cards)**

**R.C. 3770.03**

Same as the House.

**Fiscal effect: Same as the House.**

## Executive

## As Passed by the House

## As Passed by the Senate

LOTCD10      Intermediate draw game - the Lucky One

No provision.

**R.C.      3770.03**

Requires the State Lottery to make an intermediate draw monitor game available (lotto type game where a player may place multiple bets on one number from field of numbers.)

**Fiscal effect: Potential increase in net profits of \$5.0 million in each year of the biennium.**

No provision.

LOTCD12      Incentive-based compensation program for sales agents

No provision.

**R.C.      3770.03**

Requires the Commission to adopt rules establishing a supplemental incentive-based compensation program for lottery sales agents. Requires the program to include quarterly sales goals and bonus compensation for a lottery sales agent that meets or exceeds a quarterly sales goal.

**Fiscal effect: Uncertain how this provision would affect revenue to Fund 7044, Fund 7017 given existing LOT efforts to incentivize lottery sales agents.**

No provision.

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.**

**R.C.      3770.06**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

LOTCD13 Lottery prizes valued at less than \$5,000 to be claimed at retail locations

No provision.

**R.C. 3770.07**

Requires a winner of a lottery prize with a value of less than \$5,000 to claim the prize at a retail location of a lottery sales agent and requires a lottery sales agent presented with such winning lottery ticket to pay the prize money to the claimant.

**Fiscal effect: None.**

No provision.

LOTCD11 Video poker at racinos

No provision.

**R.C. 3770.21**

Requires the State Lottery Commission to adopt rules to add video poker to all video lottery terminals capable of operating the game.

**Fiscal effect: Assuming the Lottery Commission (LOT) adds video poker to the VLTs, this provision would result in \$12.5 million of additional revenue to the Lottery Profits Education Fund (LPEF) in each fiscal year. That amount is the share of LOT net income from the total increase in VLT income, according to estimates from the Lottery Commission. This implies a separate increase of about \$2.5 million in VLT revenue to the Racing Commission in each fiscal year, paid into DPF Fund 5NL0 (from the share accruing to VLT sales agents).**

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

**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). Requires the funds to be administered as the statutes direct.

No provision.

**Section: 329.10**

Same as the Executive, except increases the estimated transfers from Fund 7044 to Fund 7017 to \$1,092,060,000 (an increase of \$47,060,000) in fiscal year 2018 and \$1,117,660,000 (an increase of \$62,660,000) in fiscal year 2019.

Requires the Director of Budget and Management to transfer at least 26.5% of total revenue from the sale of traditional lottery tickets from the State Lottery Fund (Fund 7044) to the Lottery Profits Education Fund (Fund 7017) in fiscal year 2018, and to transfer at least 27.0% of such revenue in fiscal year 2019.

**Section: 329.10**

Same as the House, except reduces estimated transfers from Fund 7044 to Fund 7017 to \$1,082,630,000 (a decrease of \$9,430,000) in FY 2018 and \$1,093,630,000 (a decrease of \$24,030,000) in FY 2019.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**MHCCD3**      **Removal of homes or vehicles from manufactures home parks**

**R.C.      1923.12, 1923.13, 1923.14, 4781.56, and 4781.57**

**R.C.      1923.12, 1923.13, 1923.14, 4781.56, and 4781.57**

No provision.

Modifies existing procedures regarding the removal of abandoned or unoccupied manufactured homes, mobile homes, or recreational vehicles, including the following:

Same as the House.

No provision.

(1) Eliminates existing requirements that a manufactured home park operator list on the request for the writ of execution (ordering the sheriff or other officer to take specified actions) the name and last known address of each person with an interest in the manufactured home, mobile home, or recreational vehicle (home or vehicle) being evicted and the items of abandoned personal property and the name and last known address of each person that the park operator knows has an outstanding interest in the personal property.

(1) Same as the House.

No provision.

(2) Requires the park operator to provide the person that has an outstanding interest in the home or vehicle a written notice to remove it from the park or arrange for the sale of the home or vehicle within 21 days from the date of the delivery of the notice.

(2) Same as the House.

No provision.

(3) Permits the park operator to remove the home or vehicle from the manufactured home park, or sell, destroy, or transfer ownership of the home or vehicle, if (a) a person does not come forward with an outstanding interest or (b) a probate court does not grant administration of a deceased resident's estate within 90 days from the date of eviction.

(3) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	(4) Requires the park operator to submit a notarized affidavit to be signed by the county auditor confirming the value and establishes procedures if there is a disagreement over the value.	(4) Same as the House.
No provision.	(5) Permits the Manufactured Homes Commission (MHC) to contract with local boards of health to abate and remove abandoned or unoccupied homes or vehicles that constitute a nuisance and are located in manufactured home parks within the board's jurisdiction. Requires park operators to pay any costs for the removal.	(5) Same as the House (MHC's powers and duties are transferred to the Division of Industrial Compliance within the Department of Commerce (COM) on January 21, 2018 (see COMCD13)).
No provision.	(6) Requires the park operator to ensure that all buildings, lots, streets, walkways, homes, and other facilities located in the park are maintained in satisfactory conditions at all times.  <b>Fiscal effect: Any fiscal effects on the local units of government involved in these cases, namely courts, law enforcement agencies and county auditors, are likely to be minimal. MHC's administrative costs may increase should it elect to contract with local boards of health.</b>	(6) Same as the House.  <b>Fiscal effect: Same as the House, but any fiscal effect of the provision on MHC would begin to apply to COM beginning January 21, 2018.</b>
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<b>MHCCD2</b>	<b>Manufactured housing installation standards</b>	
No provision.	<b>R.C. 4781.04</b>  Removes the authority of MHC to adopt as the uniform standards for the installation of manufactured housing manufacturers' standards that are equal to or not less stringent than the federal model standards, thus requiring the uniform standards to be consistent with, and not less stringent than, the federal model standards only.	<b>R.C. 4781.04</b>  Same as the House, except that on January 21, 2018, the Division of Industrial Compliance within COM assumes MHC's power and duties (see COMCD13).

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: May increase the administrative responsibilities of MHC to review and possibly revise the standards.**

**Fiscal effect: Same as the House.**

**MHCCD4      Manufactured home inspections**

**R.C.      4781.07**

Permits a township, municipal corporation, or county to designate the building department of another political subdivision to perform MHC's authority with respect to approval of manufactured home plans and specifications, installation, inspection, and enforcement (under continuing law, MHC may certify municipal, township, and county building departments and the personnel of those departments, or any private third party, to exercise that authority).

**Fiscal effect: Any fiscal effects associated with a political subdivision designating the building department of another political subdivision to perform inspections are permissive.**

**R.C.      4781.07**

Same as the House, except that on January 21, 2018, the the Division of Industrial Compliance within COM assumes MHC's power and duties (see COMCD13).

**Fiscal effect: Same as the House.**

**MHCCD5      Manufactured home inspector certification fees**

**R.C.      4781.281**

Codifies fees currently established in administrative rules for the initial certification and renewal of manufactured homes inspectors employed by local authorities certified by MHC to exercise MHC's inspection authority.

**R.C.      4781.281**

Same as the House (MHC's powers and duties are transferred to the Division of Industrial Compliance within COM on January 21, 2018 (see COMCD13)).

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: None currently, but reduces MHC's flexibility in establishing greater fees in future years. The maximum fees permitted under the bill are the same as those currently specified in rule.

Fiscal effect: Same as the House, but any fiscal effect of the provision on MHC would begin to apply to COM beginning January 21, 2018.

Executive

As Passed by the House

As Passed by the Senate

**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)

No provision.

No provision.

Requires ODM to establish eligibility requirements for the new program in rules.

No provision.

No provision.

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.

No provision.

No provision.

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)

No provision.

No provision.

**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.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**MCDCD25 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 (1) designate a committee dedicated solely to conducting internal investigations of fraud, waste, and abuse and (2) 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.**

**R.C. 5162.16, 5167.18, 5167.34**

Same as the Executive.

Same as the Executive, but removes the requirement to designate a committee dedicated solely to conducting internal investigations.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 5162.16, 5167.18, 5167.34**

Same as the Executive.

Same as the House.

Same as the Executive.

**Fiscal effect: Same as the 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 disbursed 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.**

**R.C. 5162.66**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 5162.66**

Same as the Executive, but specifies that these funds are to be used to improve the quality of Medicaid services provided by Medicare-certified home health agencies, instead of for the existing purposes of the Residents Protection Fund.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**MCD66 Medicaid coverage of optional eligibility groups**

No provision.

**R.C. 5163.03, 5162.021**

Eliminates the Medicaid program's authority to cover an optional eligibility group if state statutes do not address whether the program may cover the group. Permits the Medicaid program to cover an optional eligibility group currently covered by the program. Prohibits the Medicaid program from covering an optional eligibility group that the program does not currently cover unless state statutes either require the group to be covered or expressly permit the group to be covered.

**Fiscal effect: None. Coverage of optional eligibility groups in the future will require legislative action.**

**R.C. 5163.03, 5162.021**

Same as the House.

**Fiscal effect: Same as the House.**

**MCD48 Recovery of Medicaid overpayments**

No provision.

**R.C. 5164.57**

Reduces the number of years ODM has to notify a nursing facility or intermediate care facility for individuals with intellectual disabilities (ICF/IID) of a Medicaid overpayment from five to three.

**Fiscal effect: This provision could result fewer recoveries of overpayments.**

**R.C. 5164.57**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**MCD68**      **Legislative oversight of rules increasing Medicaid rates**

**R.C.      5164.69, 103.41, 103.417, 5162.021, 5164.02, 5164.021**

No provision.

Prohibits the implementation of a proposal to increase a Medicaid payment rate if any of the following occurs:

No provision.

(1) No provision.

(1) ODM or other responsible state agency fails to submit the proposal to JMOC.

(1) No provision.

(2) No provision.

(2) JMOC votes, not later than 30 days after receiving the proposal, to prohibit the proposal's implementation.

(2) No provision.

(3) No provision.

(3) The General Assembly, not later than ninety days after JMOC's deadline, adopts a concurrent resolution prohibiting the proposal's implementation.

(3) No provision.

**Fiscal effect: Increase in the administrative costs involved in increasing a Medicaid payment rate.**

**MCD40**      **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.

**R.C.      5164.70, Section 333.180**

Same as the Executive.

No provision.

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

Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

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.**

**Fiscal effect: Same as the Executive.**

**MCDCD50 Medicaid rates for neonatal and newborn services**

No provision.

**R.C. 5164.78**

Requires that the Medicaid rates for certain neonatal and newborn services equal 75% of the Medicare rates for the services. Requires that the Medicaid rates for other services selected by the ODM Director be reduced to avoid an increase in Medicaid expenditures.

**Fiscal effect: None.**

**R.C. 5164.78**

Same as the House.

**Fiscal effect: Same as the House.**

**MCDCD60 Patient-centered medical home program**

No provision.

**R.C. 5164.88, 5164.881 (Repealed), Section 333.220**

Eliminates the authority of the ODM Director to implement as part of the Medicaid program a system under which individuals with chronic conditions receive health home services and the Director's authority to implement a similar system for individuals with developmental disabilities.

No provision.

Abolishes ODM's patient-centered medical home program. (The program is often called the Comprehensive Primary Care Program).

**R.C. 5164.88, 5164.881 (Repealed), Section 333.220**

Same as the House.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$51.6 million (\$13.6 million state share) in FY 2018 and \$72 million (\$19.1 million state share) in FY 2019.**

**Fiscal effect: Same as the House.**

**MCD43 Retained Applicant Fingerprint Database**

**R.C. 5164.341, 109.5721, 4749.031, 5101.32, 5160.052, 5164.34, 5164.37**

**R.C. 5164.341, 109.5721, 4749.031, 5101.32, 5160.052, 5164.34, 5164.37**

**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.

Same as the Executive.

Same as the Executive.

Prevents public offices or private parties from using the information contained in the Retained Applicant Fingerprint Database or in notices received from the Bureau of Criminal Identification and Investigation.

No provision.

No provision.

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**MCD33 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.

No provision.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

Removes the pharmacologist member from the Committee, reducing the number of members to nine.

No provision.

No provision.

**Fiscal effect: Potential additional administrative work for committee members.**

**MCD32 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.**

**R.C. 5164.752, 5164.753**

No provision.

Replaces the Executive provision with a provision that establishes a \$10.49 dispensing fee for each prescription that is filled or refilled by a terminal distributor of dangerous drugs who is a provider of drugs under the Medicaid program. Requires the ODM Director to adjust the dispensing fee on a biennial basis to reflect the average cost of dispensing as determined by the results of the survey of terminal distributors conducted under existing law.

**Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$100,000 state share each year in FY 2018 and FY 2019 .**

**R.C. 5164.752, 5164.753**

No provision.

Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**MCD71 Medicaid rates for nursing facility services**

R.C. *5165.01, 5165.106, 5165.15, 5165.151, 5165.153, 5165.154, 5165.16, 5165.17, 5165.19, 5165.192, 5165.21, 5165.23, 5165.25, 5165.34, 5165.36, 5165.361, 5165.37, 5165.41, 5165.42, 5165.52, Section 333.165*

R.C. *5165.01, 5165.106, 5165.15, 5165.151, 5165.153, 5165.154, 5165.16, 5165.17, 5165.19, 5165.192, 5165.21, 5165.23, 5165.25, 5165.34, 5165.36, 5165.361, 5165.37, 5165.41, 5165.42, 5165.52, Section 333.165*

No provision.

Makes revisions to the formula used to determine Medicaid payment rates for nursing facility services, including the following:

Same as the House, but with the following change:

(1) No provision.

(1) Allows, instead of prohibits, the use of the index maximizer element of the grouper methodology used in determining nursing facilities' case-mix scores.

(1) Same as the House.

(2) No provision.

(2) Eliminates, for the purpose of qualifying as a critical access nursing facility, a requirement that a nursing facility have been awarded at least five points for meeting accountability measures.

(2) Same as the House.

(3) No provision.

(3) Eliminates the rate add on from the portions of a nursing facility's total rate that are used in determining a critical access nursing facility's incentive payment.

(3) Same as the House.

(4) No provision.

(4) Makes changes to the quality indicators used for the purpose of the quality portion of nursing facilities' rates, including removing an indicator on avoidable inpatient hospital admissions and adding one on unplanned weight loss.

(4) Same as the House, but for the quality indicators related to receiving antipsychotic medication, excludes residents who receive the medication in conjunction with hospice care.

(5) No provision.

(5) Provides for adjustments beginning in FY 2020 in an amount that equals the difference between the Medicare skilled nursing facility market basket index and a budget reduction adjustment factor.

(5) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(6) No provision.	(6) States the General Assembly's intent to enact laws that specify the budget reduction adjustment factor for each fiscal year.	(6) Same as the House.
(7) No provision.	(7) Sets the budget reduction adjustment factor at zero for a fiscal year if the General Assembly fails to enact such a law for that year.	(7) Same as the House.
(8) No provision.	(8) Requires ODM to rebase nursing facilities' cost centers at least once every five fiscal years instead of not more than once every ten years and requires each cost center to be rebased for the same fiscal years.	(8) Same as the House.
(9) No provision.	(9) Provides for a new nursing facility's initial rate for tax costs to be an amount determined by dividing its projected tax costs for the calendar year in which it begins to participate in Medicaid by a 100% imputed occupancy rate if the nursing facility submits the projected tax costs to ODM.	(9) Same as the House.
No provision.	Provides that the total amount of payments for nursing facility services provided under Medicaid fee-for-service and the Integrated Care Delivery System (i.e., MyCare Ohio) cannot exceed \$2,659,167,368 for fiscal year 2018 and \$2,664,485,703 for fiscal year 2019. Requires that nursing facilities' rates be decreased as necessary to ensure that the total amount of the payments equals those amounts.  <b>Fiscal effect: Increases Medicaid expenditures by \$60.5 million (\$22.6 million state share) in FY 2018 and by \$40.0 million (\$14.9 million state share) in FY 2019.</b>	Same as the House.  <b>Fiscal effect: Same as the House.</b>

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

Repeals a provision excluding low resource utilization residents from a nursing facility's quarterly case-mix score determination.

No provision.

No provision.

**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.

**R.C. 5165.157**

Same as the Executive.

**R.C. 5165.157**

Replaces the Executive provision with a provision that sets the rate at 34%, instead of 60%, of the statewide average of the per Medicaid day payment rate for long-term acute care hospital services.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Gives ODM flexibility in establishing the payment rate.

Fiscal effect: Same as the Executive.

Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$17.3 million (\$6.5 million state share) in FY 2018 and FY 2019.

**MCD30** Helping Ohioans Move, Expanding Choice Program

R.C. 5164.90, 5162.64, Section 333.200, Repealed: R.C. 5166.35

R.C. 5164.90, 5162.64, Section 333.200, Repealed: R.C. 5166.35

R.C. 5166.35 (Repealed), Section 333.200

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.

Same as the Executive.

No provision.

Codifies in the Revised Code the Money Follows the Person Enhanced Reimbursement Fund.

Same as the Executive.

No provision.

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.

Same as the Executive.

Same as the Executive.

**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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive, but also decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$4.5 million (\$2.3 million state share) in FY 2018 and \$5.4 million (\$2.8 million state share) in FY 2019.**

Executive

As Passed by the House

As Passed by the Senate

**MCD59 Medicaid eligibility requirements for expansion group**

R.C. 5166.37

Requires the ODM Director to establish a waiver program under which an individual included in the Medicaid expansion group (Group VIII) must satisfy at least one of the following requirements to be eligible for Medicaid: (1) Be at least 55 years of age; (2) Be employed; (3) Be enrolled in school or an occupational training program; (4) Be participating in an alcohol and drug addiction treatment group; or (5) Have intensive health care needs.

No provision.

**Fiscal effect: This provision will likely reduce the number of Medicaid enrollees in the expansion group, thus reducing costs.**

R.C. 5166.37, 5163.01, 5163.15, 5166.01, 5166.40, 5166.405

Same as the House, but modifies the final requirement in the list to read "Have intensive physical health care needs or serious mental illness."

Prohibits the Medicaid program from newly enrolling individuals as part of the expansion eligibility group beginning July 1, 2018.

**Fiscal effect: Same as the House, but also no growth in the population starting in FY 2019.**

**MCD54 Medicaid waiver to provide services at institutions for mental diseases**

R.C. 5166.38

Requires ODM to create and administer a Medicaid waiver component to provide services to eligible individuals between the ages of 21 and 64 at institutions for mental diseases, which are hospitals and other facilities of more than 16 beds primarily engaged in providing diagnosis, treatment, or care of persons with mental diseases.

R.C. 5166.38

Same as the House, but requires ODM to do the following before seeking the waiver:

Executive

As Passed by the House

As Passed by the Senate

(1) No provision.

(1) No provision.

(1) Participate in the Centers for Medicare and Medicaid Services' Innovation Accelerator Program.

(2) No provision.

(2) No provision.

(2) Conduct an inventory of the treatment capacity of mental health and substance use disorder treatment providers.

(3) No provision.

(3) No provision.

(3) Assess the continuum of care established by each board of alcohol, drug addiction, and mental health services.

**Fiscal effect: Potential increase in Medicaid costs for a new waiver program; the increase will depend on the number of eligible individuals and the services being provided.**

**Fiscal effect: Same as the House.**

MCD67

Medicaid groups participating in managed care

**R.C. 5167.03, 5162.70**

No provision.

Provides that only Medicaid eligibility groups currently required or permitted to participate in the Medicaid managed care system are to participate in the system.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**MCD52 Medicaid managed care long-term care services**

**R.C. 5167.03, 5167.01, Section 333.270**

**R.C. 5167.03, 103.43, 5167.01, Sections 333.270, 333.283, 333.284**

No provision.

Prohibits nursing facility services and home and community-based waiver services from being added to Medicaid managed care before January 1, 2021. Specifies that the prohibition does not affect the current practice of requiring or permitting participants of the Integrated Care Delivery System from obtaining services through Medicaid managed care.

Same as the House, but prohibits these services from being added to managed care indefinitely and, instead, requires the General Assembly to consider and vote not later than December 31, 2018, on legislation that would authorize the inclusion of nursing facility services and home and community-based waiver services in the Medicaid managed care system.

No provision.

Establishes a temporary study committee called the "Medicaid Managed Care Long-Term Services and Supports Study Committee" to examine the merits of adding nursing facility services and home and community-based waiver services to Medicaid managed care. Requires the study committee to complete a report not later than June 30, 2020.

Same as the House, but changes the committee's name to the "Patient-Centered Medicaid Managed Care Long-Term Services and Supports Study Committee."; modifies the committee's membership and duties; and changes the date the committee must produce a report to not later than December 31, 2018.

No provision.

No provision.

Provides for an ongoing committee called the Patient-Centered Medicaid Long-Term Care Delivery System Advisory Committee to be established if the General Assembly enacts legislation authorizing the inclusion of nursing facility services and home and community-based waiver services in the Medicaid managed care system. Provides for the on-going committee to have the same type of membership as the temporary committee. Requires the employees of the Joint Medicaid Oversight Committee to provide the ongoing committee administrative assistance and ODM to provide it updates about the inclusion of nursing facility services and home and community-based waiver services in the Medicaid managed care system. Requires the ongoing committee to complete quarterly reports

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

regarding its work.

Requires ODM, if it expands the inclusion of the aged, blind, and disabled Medicaid eligibility group or dual eligible individuals in the Medicaid managed care system during the 2018-2019 fiscal biennium, to:

(1) No provision.

(1) No provision.

(1) Require area agencies on aging to be the coordinators of the home and community-based waiver services that the eligibility group and those individuals receive;

(2) No provision.

(2) No provision.

(2) Permit Medicaid MCOs to delegate to area agencies on aging full-care coordination functions for those services and other health-care services, and;

(3) No provision.

(3) No provision.

(3) Give preference, when selecting Medicaid MCOs, to organizations that will enter into subcapitation arrangements with area agencies on aging under which the agencies perform, in addition to other functions, network management and payment functions for those services.

**Fiscal effect: Increase in administrative costs for the study committee. Decrease in Medicaid expenditures of approximately \$354.9 million (\$132.5 million state share) in FY 2019.**

**Fiscal effect: Same as the House.**

**MCDCD56**

**Behavioral Health Redesign**

**R.C. 5167.04, 103.41, 103.416, and Section 333.260**

**R.C. 5167.04, 5164.01, 5164.761, 103.41, 103.416, and Section 333.260**

No provision.

Prohibits alcohol, drug addiction, and mental health services from being included in Medicaid managed care before July 1, 2018.

Same as the House, but changes the date to January 1, 2018, and requires the ODM and ODMHAS Directors to complete certain actions regarding this issue not later than October 1, 2017.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Prohibits other elements of the Behavioral Health Redesign from being implemented before January 1, 2018.	Same as the House, but prohibits the other elements from being implemented before the later of that date or when a beta test requirement is satisfied.
No provision.	No provision.	Requires the ODM and ODMHAS Directors, not later than October 1, 2017, to adopt rules and make available to the public, provider manuals, claims instructions, information technology resources, and other educational and training documents as part of the implementation of the other elements of the Behavioral Health Redesign.
	<p><b>Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$122.6 million (\$34.1 million state share) in FY 2018. Increases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services by \$129.6 million (\$36.2 million state share) in FY 2019.</b></p>	<p><b>Fiscal effect: Same as the House.</b></p>
<b>MCD49</b>	<b>Managed care organizations prior authorization restrictions</b>	
No provision.	<p><b>R.C. 5167.12</b></p> <p>Allows an advanced practice registered nurse who is certified in psychiatric mental health by a national certifying organization (in addition to certain physicians under continuing law) to prescribe certain psychiatric drugs without prior authorization from the patient's Medicaid MCO.</p> <p><b>Fiscal effect: Potential increase in the capitated rate paid to Medicaid managed care organizations.</b></p>	No provision.

Executive

As Passed by the House

As Passed by the Senate

**MCDCD37 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:

No provision.

No provision.

(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;

No provision.

No provision.

(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;

No provision.

No provision.

(3) Repeals a provision requiring the ODM Director to adopt rules specifying when an MCO may refer an individual to a non-contracting hospital.

No provision.

No provision.

**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.**

**MCDCD7 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.

**R.C. 5167.30**

Same as the Executive.

**R.C. 5167.30, Section 333.50**

Same as the Executive, but requires that 1% be withheld for FY 2019.

Executive

As Passed by the House

As Passed by the Senate

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.

Fiscal effect: Same as the Executive.

Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$140.0 million (\$42.0 million state share) in FY 2019.

**MCD74 Medicaid managed care organizations – pharmacy claims data**

No provision.

No provision.

**R.C. 5167.121**

Requires Medicaid MCOs that are required to submit pharmacy claims to ODM to include the amount charged to and paid by the organization with each claim submitted on or after January 1, 2018.

No provision.

No provision.

Exempts this information from public record.

No provision.

No provision.

Requires ODM to penalize an MCO that fails to comply and to specify the penalty either in rules or in ODM's contract with the organization.

**Fiscal effect: Minimal.**

**MCD51 Qualified community hubs; public health nurses**

No provision.

**R.C. 5167.173**

Authorizes a local board of health to be a "qualified community hub" for purposes of recently-enacted law governing services that Medicaid MCOs must provide to eligible female Medicaid recipients.

No provision.

No provision.

Authorizes the required services to be provided by a public health nurse and authorizes a public health nurse to recommend that a Medicaid recipient receive the services.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential increase in service costs to ODM if more of the services specified in the bill being provided as a result of including public health nurses as a provider.**

**MCD39 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:

**R.C. 5168.75, 5168.76-5168.86**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

**R.C. 5168.75, 5168.76-5168.86**

Same as the Executive, but levies the fee on health insuring corporation plans instead of health insuring corporations.

Replaces the Executive provision with a provision that requires ODM to determine the amount of the portion of the fee that is based on Ohio Medicaid member months as part of the process of determining the annual capitated payment rates to be paid Medicaid MCOs, using the following rates as part of the determination:

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

(1) \$2 for the first 150,000 other member months;

(1) Same as the Executive.

(1) Same as the Executive.

(2) \$1 for all other member months above 150,000.

(2) Same as the Executive.

(2) Same as the Executive.

Requires each health insuring corporation, beginning in August 2017, to do both of the following not later than the fifth business day of each month: (1) Inform ODM of the cumulative total number of Medicaid member months and other member months the health insuring corporation experienced. (2) Pay to ODM the amount of its fee for the immediately preceding month.

Same as the Executive.

Replaces the Executive provision with a provision that: (1) makes the portion of the fee based on Medicaid member months due not later than the fifth business day of the month immediately following the month for which it is imposed and (2) requires the total portion of the fee based on other member months to be paid in one payment due not later than the last day of each September.

Permits ODM to request that a health insuring corporation provide ODM documentation needed to verify the health insuring corporation's cumulative total number of Medicaid member months and other member months.

Same as the Executive.

Replaces the Executive provision with a provision that permits ODM to request that a health insuring corporation provide ODM documentation needed to verify the amount of the fees imposed on the plans administered by the corporation and to ensure the corporation's compliance with state law governing the fees.

Executive

As Passed by the House

As Passed by the Senate

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.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

**MCD73 Controlling Board authorization regarding Medicaid expenditures**

**Sections: 333.33, 333.34**

**Sections: 333.33, 333.34**

No provision.

Provides for the Health and Human Services Fund to continue to exist during the 2018-2019 fiscal biennium.

Same as the House.

No provision.

Requires the OBM Director to transfer \$57,885,768 in FY 2018 and \$68,661,704 in FY 2019 from the GRF to the Health and Human Services Fund.

Same as the House.

No provision.

Permits the ODM Director, not more than once every six months during the 2018-2019 fiscal biennium, to request that the Controlling Board authorize expenditure from the Health and Human Services Fund in an amount necessary to pay for the costs of the Medicaid program.

Same as the House, but does not limit the request to once every six months.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits the Controlling Board to authorize the expenditure if (1) the U.S. Congress does not amend the law to lower the federal medical assistance percentage; and (2) the Board is satisfied with other changes to federal law and certain actions of the executive branch of the state's government.	Same as the House, but only retains the stipulation that the U.S. Congress does not amend the law to lower the federal medical assistance percentage.
No provision.	Permits the OBM Director, if the Controlling Board authorizes the expenditures, to transfer up to \$26,309,868 in FY 2018 and \$34,667,668 in FY 2019 from Fund 5DL0 and up to \$196,226,296 in FY 2018 and \$226,841,369 in FY 2019 from Fund 5TN0 to the Health and Human Services Fund.	Same as the House.

**MCD58 Medicaid Managed Care Quality Payment Fund**

<b>Section: 333.53</b>		
No provision.	Creates the Medicaid Managed Care Quality Payment Fund to be used only to make performance payments under the Managed Care Performance Payment Program to qualifying Medicaid MCOs, and only when the unencumbered balance of the Managed Care Performance Payment Fund is zero.	No provision.
No provision.	Requires the OBM Director to transfer \$20,000,000 cash from the GRF to the Fund on July 1, 2017 and on July 1, 2018.	No provision.
No provision.	Specifies that if the amount of quality payments earned by Medicaid MCOs under the Managed Care Performance Payment Program exceed \$103,500,000 in fiscal year 2018, and \$103,900,000 in fiscal year 2019, the ODM Director may certify to the OBM Director the amount of quality payments earned. Requires that the OBM Director transfer the amount certified from the Fund to the GRF.	No provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.

Abolishes the fund on July 1, 2019, and permits the OBM Director to transfer the fund's unencumbered balance to the GRF or Budget Stabilization Fund.

No provision.

**Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$103.5 million (\$30.3 million state share) in FY 2018 and \$103.9 million (\$30.4 million state share) in FY 2019.**

MCD65

Payment rates for personal care aide services

No provision.

**Sections: 333.163, 209.70**

Prohibits the Medicaid payment rates for personal care aide services provided under the PASSPORT program or Ohio Home Care program or as part of state plan home and community-based services from being restructured or from exceeding the Medicaid payment rates for those services in effect on June 30, 2017.

No provision.

**Fiscal effect: This provision will reduce appropriations by \$23.1 million in FY 2019 (\$8.6 million state share).**

MCD26

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.

**Section: 333.170**

No provision

No provision.

**Fiscal effect: Savings of \$117 million during FY 2018 and FY 2019.**

Executive

As Passed by the House

As Passed by the Senate

**MCD76 Vision care services**

No provision.

No provision.

**Section: 333.184**

Requires ODM to establish a maximum Medicaid rate for vision care services provided during the period beginning January 1, 2018, and ending July 1, 2019, unless there are no claims data available to ODM needed to establish the rate and prohibits a payment methodology for vision care services provided during that period from relying only on a vision care service provider's charged amount.

**Fiscal effect: Potential changes in costs to ODM depending on the maximum Medicaid rate for vision care that is to be established by ODM.**

**MCD75 Medicaid managed care academic performance incentives**

No provision.

No provision.

**Section: 333.223**

Prohibits ODM from implementing during the 2018-2019 fiscal biennium a program under which Medicaid MCOs receive incentives for helping Medicaid recipients attending low-performing primary schools to improve their academic performance.

**Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$9.4 million (\$2.8 million state share) in FY 2019.**

Executive

As Passed by the House

As Passed by the Senate

**MCD57 Nursing facility bed conversion pilot**

No provision.

**Section: 333.230**

Requires ODM to operate a pilot program during fiscal years 2018 and 2019 under which nursing facility beds located in Cuyahoga County may voluntarily be converted for use for substance use disorder treatment services. Requires ODM to complete a report about the pilot program no later than October 1, 2019.

**Fiscal effect: Producing the report will pose an administrative cost. Potential increase in Medicaid costs for a new pilot program; the increase will depend on the number of eligible individuals and the services being provided.**

**Section: 333.230**

Same as the House.

**Fiscal effect: Same as the House.**

**MCD55 Medicaid payment rates for hospital services**

No provision.

**Section: 333.240**

Sets the Medicaid payment rate for a hospital service provided from July 1, 2017, through June 30, 2019, to an amount that is equal to the amount that was paid for the same service on January 1, 2017, except for any change resulting from the rebasing or recalibration of hospital rates on July 1, 2017.

**Section: 333.240**

Same as the House.

No provision.

Requires ODM to reduce payment rates for hospital services if it projects after January 1, 2018, that the total amount to be paid for hospital services could exceed \$6.9 billion in either fiscal year.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$197 million (\$57.7 million state share) in FY 2018 and by \$100 million (\$29.3 million state share) in FY 2019.**

**Fiscal effect: The fiscal impact will depend on rebasing or recalibration if any.**

**MCD62 Intent statement and waiver regarding Healthy Ohio Program**

**Section: 333.280**

States that it is the General Assembly's intent to use the Healthy Ohio Program as a model if the U.S. Congress transforms the Medicaid program into a federal block grant.

**Sections: 333.280, 333.273**

Same as the House.

No provision.

No provision.

Requires the Medicaid Director to resubmit a request for a federal Medicaid waiver needed to implement the Healthy Ohio Program not later than January 31, 2018.

No provision.

**Fiscal effect: None.**

**Fiscal effect: None.**

**MCD69 Transportation application pilot program**

**Section: 333.290**

Requires ODM to operate a pilot program in fiscal year 2018 under which ODM contracts with an entity to establish a software program that helps Medicaid recipients in Columbus remember appointments and locate available transportation.

No provision.

No provision.

**Fiscal effect: Contracting with an entity to establish the software program will pose a cost to ODM.**

Executive

As Passed by the House

As Passed by the Senate

**MCDCD77 Noninstitutional laboratory, radiology and pathology services**

No provision.

No provision.

**Section: 333.300**

Reduces the Medicaid rates for noninstitutional laboratory, radiology, and pathology services by 5% for the period beginning January 1, 2018, and ending July 1, 2019.

**Fiscal effect: Decreases expenditures in GRF appropriation item 651525, Medicaid/Health Care Services, by \$7.6 million (\$2.3 million state share) in FY 2018 and \$15.3 million (\$4.6 million state share) in FY 2019.**

**MCDCD79 Care Innovation and Community Improvement Program**

No provision.

No provision.

**Section: 333.320**

Requires the ODM Director to establish the Care Innovation and Community Improvement Program for the 2018-2019 fiscal biennium.

No provision.

No provision.

Permits a nonprofit hospital agency affiliated with a state university and a public hospital agency to participate in the program if the agency operates a hospital that has a Medicaid provider agreement.

No provision.

No provision.

Provides that nonprofit and public hospital agencies participating in the program are responsible for the state share of the program's costs.

No provision.

No provision.

Specifies the duties of nonprofit and public hospital agencies participating in the program.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Provides for each nonprofit and public hospital agency participating in the program to receive supplemental payments under the Medicaid program for physician and other professional services.
No provision.	No provision.	Provides that the amount of the supplemental payments is to equal the difference between the Medicaid rates for the services and the average commercial rates for the services.
No provision.	No provision.	Permits the ODM Director to terminate or adjust the amount of the supplemental payments if the funding for the program is inadequate.
No provision.	No provision.	Creates the Care Innovation and Community Improvement Program Fund to be used to make supplemental payments under the program.
No provision.	No provision.	Permits the ODM Director, if the amount appropriated from the fund and the corresponding federal financial participation appropriated from the existing Health Care-Federal Fund are inadequate to make the supplemental payments, to request that the OBM Director authorize additional expenditures from the funds as needed to make the payments.
No provision.	No provision.	Appropriates the additional amounts.
		<p><b>Fiscal effect: Appropriates \$60,000,000 to new dedicated purpose Fund 5ANO appropriation item 651686 Care Innovation and Community Improvement Program in FY 2018 and FY 2019. Increases federal fund 3F00 appropriation item 651623, Medicaid Services – Federal, by \$140,000,000 in FY 2018 and FY 2019.</b></p>

Executive

As Passed by the House

As Passed by the Senate

**MCD70 Nursing facility demonstration project**

**Sections: 610.38, 610.39**

**Sections: 610.38, 610.39**

No provision.

Extends for two years until June 30, 2019, a Medicaid demonstration project under which recipients receive nursing facility services in lieu of hospital inpatient services in a freestanding long-term care hospital.

Same as the House.

No provision.

Provides for one nursing facility located in Brown County, and another nursing facility located in Seneca County, to be added to the nursing facilities participating in the demonstration project.

Same as the House, but provides for one of the additional nursing facilities that is to participate to be located in Sandusky rather than Seneca County.

No provision.

Eliminates a requirement that a nursing facility have been initially constructed, licensed for operation, and certified to participate in Medicaid on or after January 1, 2010, to be eligible to participate in the demonstration project.

Same as the House.

**Fiscal effect: Under the demonstration project, the Medicaid payment rates for nursing facility services must not exceed the rates for comparable hospital inpatient services, so extending the project should not have a fiscal impact.**

**Fiscal effect: Same as the House.**

**MCD35 Health services cost estimates**

**R.C. 5162.80 (Repealed), Section 620.10 (repeal Section 7 of H.B. 52 of the 131st G.A.)**

**Sections: 620.10 (repeal Section 7 of H.B. 52 of the 131st G.A.)**

**Sections: 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:

No provision.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(1) The amount the provider will charge the patient or health plan for the product, service, or procedure;

No provision.

No provision.

(2) The amount the health plan issuer intends to pay for the product, service, or procedure;

No provision.

No provision.

(3) The difference, if any, the consumer or responsible party would be required to pay to the provider.

No provision.

No provision.

Repeals a corresponding provision requiring the ODM Director to adopt rules related to health services cost estimates.

No provision.

No provision.

Repeals the law establishing the Health Services Price Disclosure Study Committee.

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

**MEDCD10**

**Criminal records checks - radiologist assistants and genetic counselors**

**R.C. 109.572, 4776.01, 4776.20**

**R.C. 109.572, 4776.01, 4776.20**

No provision.

Includes radiologist assistants and genetic counselors in the general law governing criminal records checks of applicants for professional licensure.

Same as the House.

**Fiscal effect: None, this is codifying existing practice.**

**Fiscal effect: Same as the House.**

**MEDCD12**

**Medication-assisted treatment - standards for prescribers**

**R.C. 3715.08, 4730.40, 4730.55, 4730.56, 4731.056, 4731.83, 4723.50-4732.52**

**R.C. 3715.08, 4730.40, 4730.55, 4730.56, 4731.056, 4731.83, 4723.50-4732.52**

No provision.

Requires a prescriber to give a patient for whom medication-assisted treatment (MAT) for drug addiction is clinically appropriate information about all drugs approved by the U.S. Food and Drug Administration (FDA) for use in MAT.

Same as the House.

No provision.

Imposes referral requirements on prescribers when a patient chooses to be treated with, and meets clinical criteria for, treatment with methadone or a controlled substance containing buprenorphine and the prescriber does not meet federal requirements to prescribe those drugs.

Same as the House.

No provision.

Requires the Medical and Nursing Boards to adopt rules establishing procedures to be followed by Board-regulated prescribers in the use of all FDA-approved drugs used in MAT. Requires that the rules be consistent for all prescribers.

Same as the House.

No provision.

Limits to 30 the number of patients that a prescriber who fails to comply with these provisions may treat at any one time with MAT, regardless of where the prescriber practices.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Increase in administrative costs for the Medical and Nursing Boards.

Fiscal effect: Same as the House.

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

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

R.C. 4731.14, 102.02, 102.022, 102.03, 109.572, 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, 4731.298, 4731.299, 4731.341, 4731.36, 4731.41, 4731.43, 4731.51-4731.531, 4731.54-4731.57, 4731.573, 4731.60, 4731.61, 4731.65-4731.68, 4731.76, 4731.82, 4731.85, 4762.14, 4765.01, 5120.22, 5123.47, Repeals: 4731.11, 4731.12, 4731.13, 4731.29, 4731.571 and Section 803.40

Eliminates references to certificates to practice issued by the State Medical Board and instead refers to licenses to practice.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive, but includes individuals seeking to practice podiatric medicine and surgery.

Eliminates the \$35 certificate of preliminary education fee and replaces the \$300 issuance fee for physicians (excluding podiatrists) with a \$305 application fee.

Same as the Executive.

Same as the Executive, but includes podiatrists.

Eliminates a separate application procedure for physicians (excluding podiatrists) who are licensed by another state and

Same as the Executive.

Same as the Executive, but includes podiatrists.

Executive	As Passed by the House	As Passed by the Senate
seek to practice in Ohio and instead requires them to comply with the same application procedure as Ohio physicians.		
No provision.	Modifies the schedule governing the renewal of physician licenses by the Board, including the dates by which renewal notices must be provided and renewal applications must be submitted.	Same as the House.
No provision.	Eliminates the requirement that a renewal application include a list of the names and addresses of advanced practice registered nurses with whom the physician collaborates and instead requires the application to indicate whether the applicant currently collaborates with any such nurse.	Same as the House.
No provision.	Requires an applicant seeking to reinstate or restore a license to pay to the Board a single fee (\$405/reinstatement or \$505/restoration), rather than pay the \$305 renewal fee and a penalty (\$100/reinstatement or \$200/restoration) as under current law.	Same as the House.
No provision.	No provision.	Makes a training certificate valid for an initial period of three years, instead of one year.
<b>Fiscal effect: Potential loss of fee revenue due to the elimination of the certificate of preliminary education fee; potential decrease in administrative costs.</b>	<b>Fiscal effect: Same as the Executive.</b>	<b>Fiscal effect: Same as the Executive.</b>

**MEDCD11 Clinical research faculty certificate**

	R.C. 4731.293	R.C. 4731.293
No provision.	Authorizes the Board to issue a clinical research faculty certificate to practice podiatric medicine and surgery under similar terms and conditions as a clinical research faculty certificate to practice medicine and surgery or osteopathic medicine and surgery.	Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Permits a podiatrist who holds the certificate to practice podiatric medicine and surgery incidental to teaching or research duties at a college of podiatric medicine and surgery or a teaching hospital affiliated with such a college.	Same as the House.
No provision.	<p>Requires the Board to provide a renewal notice for any clinical research faculty certificate at least one month (instead of three) before expiration.</p> <p><b>Fiscal effect: Potential increase in administrative costs and a corresponding gain in fee revenues to issue certificates.</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>

MEDCD7	Board of Dietetics transfer	
<p><b>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</b></p>	<p><b>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</b></p>	<p><b>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</b></p>
<p>Places the regulation of dietitians under the State Medical Board and abolishes the Ohio Board of Dietetics 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.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive.</p>
<p>Requires the State Medical Board to appoint a dietetics advisory council to advise the Board on issues relating to the practice of dietetics. Specifies that members serve three year staggered terms of office. Specifies 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.</p>	<p>Same as the Executive.</p>	<p>Same as the Executive, but also requires the following: (1) a majority of the advisory council members to be individuals actively engaged in the practice of dietetics; (2) one member to be an educator with a doctoral degree who holds a regular faculty appointment; (3) one member not affiliated with any health care profession; (4) the advisory council to meet at least four times each year and other times as necessary; and (5) the advisory council to submit to the Board recommendations on specified topics. Permits the Ohio</p>

Executive

As Passed by the House

As Passed by the Senate

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.

Same as the Executive.

Academy of Nutrition and Dietetics to nominate up to three individuals for consideration for each advisory council vacancy. Specifies that terms of office are for three years and requires a member to continue in office until a successor is appointed or until 60 days has passed, whichever occurs first.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

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).

Same as the Executive.

Same as the Executive.

Eliminates the requirement that applications for dietetics licenses be written.

Same as the Executive.

Same as the Executive.

**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 dietetic licensure transfer.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**MHACD29 County Hub Program to Combat Opioid Addiction**

**R.C. 305.40, Section 337.135**

No provision.

Creates the "County Hub Program to Combat Opioid Addiction" and specifies the Program's purposes.

No provision.

No provision.

Requires each board of county commissioners to designate a hub coordinating agency to be responsible for organizing and coordinating, in that county, efforts to address the Program's purposes.

No provision.

No provision.

Restricts how funds appropriated to a hub coordinating agency may be used.

No provision.

No provision.

Requires each hub coordinating agency to submit a report to ODMHAS.

No provision.

No provision.

Requires new GRF line item 336502, Opioid Addiction Hubs, to be used to support the program and specifies that funds are to be distributed equally among all 88 counties.

No provision.

**Fiscal effect: The bill appropriates \$2.2 million in fiscal year 2018 for the program.**

**MHACD33 Psychotropic Drug Reimbursement Program**

**R.C. 5119.19, Section 337.110**

No provision.

No provision.

Establishes the Psychotropic Drug Reimbursement Program, through which county jails are to be reimbursed by ODMHAS for psychotropic drugs dispensed to inmates. Allows ODMHAS to adopt rules to implement the program.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires ODMHAS to allocate an amount to each county that it considers appropriate for psychotropic drug reimbursements.
No provision.	No provision.	Allocates \$4 million in each fiscal year from GRF line item 336504, Community Innovations, for the Psychotropic Drug Reimbursement Program.
No provision.	No provision.	Requires the ODMHAS Director to certify to the Director of Budget and Management the amount of the FY 2018 allocation that is unexpended and unencumbered. Reappropriates the amount certified to FY 2019 for the same purpose.
<hr/> <b>MHACD36 All Roads Lead to Home Program</b>		
No provision.	No provision.	<p data-bbox="1755 824 2018 852"><b>R.C. 5119.48</b></p> <p data-bbox="1755 878 2537 1105">Requires ODMHAS to create the All Roads Lead to Home Program. Requires the Program to include the following: (1) a media campaign that includes public service announcements made available beginning January 1, 2018, and at least twice annually between January and March and in September; and (2) a website, created before January 1, 2018, that offers certain components.</p> <p data-bbox="1755 1122 2521 1187"><b>Fiscal effect: ODMHAS will realize an increase in costs to create the Program.</b></p>

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**MHACD7 Community addiction services waivers**

**R.C. 5119.221, 340.032, 340.033, 340.08, 5119.01, and 5119.22**

**R.C. 5119.221, 340.033, and 5119.22**

**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.

No provision.

Same as the Executive.

Requires that such a waiver be time limited and specify whether it is for ambulatory detoxification, medication-assisted treatment, or both.

No provision.

Same as the Executive.

Gives the ODMHAS Director the discretion to disapprove an ADAMHS board's proposed budget in whole or in part, in place of the existing requirement to disapprove the 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.

No provision.

Same as the Executive.

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.

No provision.

Same as the Executive.

Clarifies the ODMHAS Director's existing authority to issue to an ADAMHS board a waiver regarding the location of ambulatory detoxification and medication-assisted treatment.

Same as the Executive.

Same as the Executive.

**Fiscal effect: None.**

**Fiscal effect: None.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**MHACD27 Medication-assisted treatment - standards for prescribers**

No provision.

**R.C. 5119.363**

Authorizes ODMHAS to determine an advanced practice registered nurse's, physician assistant's, or physician's compliance with medication-assisted treatment provisions if such a practitioner works for a community addiction services provider.

**Fiscal effect: Potential minimal increase in administrative costs.**

No provision.

**MHACD32 Involuntary and voluntary commitment**

No provision.

**R.C. 5122.02, 5122.03, 5122.15, 5122.31**

Makes permissive an existing law provision that generally requires the relevant ADAMHS board to authorize an individual's involuntary commitment for mental health treatment.

No provision.

No provision.

Clarifies that existing provisions that authorize notification to, or the involvement of, an ADAMHS board attorney (in lieu of notification to, or involvement of, an individual's attorney) when the individual is subject to involuntary or voluntary mental health treatment are subject to the discretion of an ADAMHS board.

No provision.

No provision.

Requires that the attorney of record where an individual subject to voluntary mental health treatment is ordered be notified of the order.

No provision.

No provision.

Authorizes the exchange of records regarding an individual's commitment for mental health treatment between an ADAMHS board and a probate court.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

Makes other technical and clarifying changes to existing provisions governing requirements for ADAMHS boards and the process for involuntarily committing an individual to mental health treatment.

**Fiscal effect: If an ADAMHS board chooses not to authorize involuntary commitment procedures, the board may experience a minimal decrease in administrative costs.**

No provision.

**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.

**Section: 337.20**

Same as the Executive, but instead requires up to \$155,172 in each fiscal year be used.

Same as the Executive, but instead requires up to \$155,172 in each fiscal year be used.

Same as the Executive, but instead permits up to \$139,656 in each fiscal year be used.

No provision.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**MHACD34 Drug Addiction Detection**

No provision.

No provision.

**Section: 337.33**

Requires that new GRF line item 336410, Drug Addiction Detection, be used to develop a program to help teachers and educators identify students using or addicted to drugs, including opioids. Requires ODMHAS to collaborate with the Department of Education to develop the program.

**MHACD11 Continuum of Care Services**

**Section: 337.50**

Specifies the following regarding GRF appropriation item 336421, Continuum of Care Services:

(1) Requires a portion 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:

(a) Subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization due to lack of medication; and

(b) Subsidized support for medication-assisted treatment costs.

(2) Permits a portion to be distributed to ADAMHS boards, community addiction and/or mental health services providers, courts, or other governmental entities to provide

**Section: 337.50**

Same as the Executive, but with the following changes:

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(2) Same as the Executive.

**Section: 337.50**

Same as the House, but with the following changes:

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

specific grants in support of initiatives concerning mental health and addiction services.

(3) No provision.	(3) Requires that \$12 million in each fiscal year be allocated to ADAMHS boards by first providing \$75,000 per county in the board's service district and distributing the remainder based on a formula taking into account the population and number of opioid deaths in each board's service district.	(3) No provision.
(4) No provision.	(4) Requires \$9 million in each fiscal year be allocated to ADAMHS boards to be used to establish and administer an acute substance use disorder stabilization center in each of the six state psychiatric hospital regions and in Cuyahoga, Franklin, and Hamilton counties.	(4) No provision. (See RDFCD9)
(5) No provision.	(5) Requires \$6 million in each fiscal year be allocated to ADAMHS boards to be used to establish and administer a mental health crisis stabilization center in each of the six state psychiatric hospital regions.	(5) No provision.
(6) No provision.	(6) Requires \$100,000 in each fiscal year be allocated to the Chardon School District to be used for program-related activities.	(6) Same as the House, but increases the earmark to \$125,000 in each fiscal year.
(7) No provision.	(7) No provision.	(7) Requires \$100,000 in each fiscal year be allocated to the Wingspan Care Group.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**MHACD13 Medication-Assisted Treatment in Specialized Docket Programs for Drugs**

**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.

**Section: 337.70**

Same as the Executive, but clarifies that the program is available to persons "who are" eligible to participate in a MAT drug court program and are selected to be participants in "a MAT drug court" program.

Same as the Executive, but adds the following counties: Butler, Clermont, Columbiana, Coshocton, Highland, Lake, Lorain, Lucas, Mahoning, Medina, Muskingum, Ottawa, Richland, Ross, Stark, Trumbull, Tuscarawas, and Union.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 337.70**

Same as the House.

Same as the House.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive.

Same as the Executive.

Requires a participant, after being enrolled in a MAT drug court program, to comply with all requirements of the MAT drug court program.

Same as the Executive.

Same as the Executive.

Requires the treatment provided in a MAT drug court program be provided by a community addiction services provider and specifies provider duties, including monitoring program compliance, providing access to long-acting antagonist therapies, partial agonist therapies, or both, and providing access to time-limited recovery supports, among others. Specifies the conditions under which a drug may be used.

Same as the Executive, but does the following: (1) specifies that the treatment provided in a program is "addiction" treatment and "recovery supports" and (2) specifies that time-limited recovery supports "help eliminate barriers to treatment and are specific to the participant's needs and include assistance with housing, transportation, child care, job training, obtaining a driver's license or state identification card, and any other matter considered relevant by the provider."

Same as the House, but also allows drugs constituting full agonist therapy to be provided.

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, and specifies that, among other things, the development of a consistent benefit package provide ready access to, and reimbursement for, essential health care services, including medication for long-acting injectable antagonist therapies and partial agonist therapies.

Same as the Executive.

Same as the Executive, but provides that the development of a benefit package also include access to full agonist therapies.

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

Same as the Executive, but specifies that the institution that prepared the report is a "research" institution.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

Director, Director of Rehabilitation and Correction, and any state agency that ODMHAS collaborates with in conducting the program.

No provision.

Requires ODMHAS to select a research institution to evaluate ODMHAS' program and requires the research institution to complete a report on its evaluation by December 31, 2019.

Same as the House.

Requires up to \$5 million in each fiscal year in GRF line item 336422, Criminal Justice Services, be used to support medication-assisted treatment for drug court specialized docket programs.

Same as the Executive, but instead requires up to \$8 million in each fiscal year be used.

Same as the House, but allows the funds to also be used to support the administrative expenses of participating courts.

**MHACD31 Pilot program for support of mental health courts**

**Section: 337.71**

No provision.

Requires ODMHAS, during FY 2018 and FY 2019, to conduct a pilot program to provide mental health services and recovery supports to offenders in the criminal justice system who are participating in certified mental health court programs.

No provision.

No provision.

Limits the pilot program to Cuyahoga, Franklin, and Warren counties.

No provision.

No provision.

Specifies that access to mental health drugs must be provided as part of the services included in the pilot program, including antipsychotic drugs that are administered in a long-acting injectable form.

No provision.

No provision.

Requires ODMHAS to conduct an evaluation of the pilot program and prepare a report of its findings.

No provision.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Earmarks \$700,000 in each fiscal year in GRF line item 336422, Criminal Justice Services, for the pilot program.	No provision.
<b>MHACD38      Community Innovations reappropriation</b>		
No provision.	No provision.	<p><b>Section: 337.103</b>                      Reappropriates \$2 million of the unexpended, unencumbered FY 2017 balance in GRF line item 336504, Community Innovations, to FY 2018.</p>
No provision.	No provision.	<p>Requires these funds to be used for the purposes of workforce recruitment and retention, including support of community behavioral health centers in the provision of clinical oversight and supervision of practitioners working toward their independent licensure, tuition reimbursement and loan repayment, and other activities that support recruitment and retention.</p>
<b>MHACD28      Drug Addiction Prevention</b>		
No provision.	<p><b>Section: 337.133</b>                      Requires new GRF appropriation item 336501, Drug Addiction Prevention, be used to create public service announcements, a 24-hour hotline, a web site, and other materials.</p>	No provision.

Executive

As Passed by the House

As Passed by the Senate

**MHACD39 Data collection and sharing - multi-system youth**

No provision.

No provision.

**Section: 337.163**

Requires the ODMHAS Director to establish a strategy for data collection and sharing by agencies that serve multi-system youth.

No provision.

No provision.

Requires the ODMHAS Director to submit a report to the Governor and General Assembly on the parameters of the strategy and the cost to implement the strategy.

**Fiscal effect: Potential minimal administrative costs to establish the strategy and submit the report.**

**MHACD35 Cures Opioid STR**

No provision.

No provision.

**Section: 337.200**

Requires new federal Fund 3HB0 line item 336503, Cures Opioid STR, to be used pursuant to goals and requirements of the State Targeted Response to the Opioid Crisis Grant provision in the federal 21st Century Cures Act.

**MHACD30 Community Assistance Projects**

No provision.

**Sections: 610.32, 610.33, 610.90, 610.91**

Amends Sections 221.10 and 221.20 of S.B. 310 of the 131st G.A. to provide additional funding to capital appropriation item C58001, Community Assistance Projects, as follows:

**Sections: 610.32, 610.33, 610.90, 610.91**

Same as the House, but makes the following changes:

Executive	As Passed by the House	As Passed by the Senate
(1) No provision.	(1) \$20 million for the expansion of recovery housing.	(1) Same as the House.
(2) No provision.	(2) No provision.	(2) \$300,000 for the Providence House.
(3) No provision.	(3) No provision.	(3) \$300,000 for the Blessing House.
No provision.	Modifies language allowing the Treasurer of State to issue and sell obligations by increasing the amount that can be authorized to the credit of the Mental Health Facilities Improvement Fund (Fund 7033), by \$20 million.	Same as the House, but increases the amount that can be authorized by an additional \$1 million, for a total increase of \$21 million.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

**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.**

**R.C. 1509.071**

No provision.

Requires the Director of Budget and Management, in consultation with the Chief, to establish an accounting code for purposes of tracking expenditures made for purposes of plugging idle and orphaned wells.

**Fiscal effect: None.**

**R.C. 1509.071**

No provision.

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**DNRCD35 Unit operation procedures under Oil and Gas Law**

**R.C. 1509.28, Section 715.10**

No provision.

Requires the Chief of the Division of Oil and Gas Resources Management to hold a hearing required under current law to consider the need for the operation as a unit of an entire pool or part of a pool not later than 45 days after the Chief's motion or receipt of an application by the owners of 65% of the land area overlying the pool.

No provision.

No provision.

Specifies that an order of the Chief providing for unit operation must be made not later than 30 days after the date of the hearing if the Chief makes certain findings.

No provision.

No provision.

Retains a requirement that the plan prescribed in the Chief's order for unit operation contain a provision for carrying or otherwise financing any person who is unable to meet the person's financial obligations in connection with the unit, allowing a reasonable interest charge for that service, and adds that the interest rate is 200% for an unleased mineral rights owner.

No provision.

No provision.

Provides for a specified royalty for unleased mineral rights owners that are included in the unit.

No provision.

No provision.

Requires the Chief to issue an order for unit operation of a pool or part of a pool that encompasses a unit area consisting in whole or in part of oil or natural gas resources owned or controlled by the state or a political subdivision, except state parks in operation before January 1, 2017, and nature preserves.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: The Division of Oil and Gas Resources Management could incur new administrative costs to execute the required duties within the required timeframes. Any increased costs, however, would likely be minimal. Administrative costs of the Division are paid from the Oil and Gas Well Fund (Fund 5180). For any new public lands included in unit operation, the public entity with that acreage would pay costs and receive working interest income and royalties in proportions equal to their percentage of land in the resource pool.**

**DNRCD38 Oil and Gas Leasing Commission appointments**

**R.C. 1509.71**

No provision.	Requires the Speaker of the House of Representatives and the President of the Senate to appoint the four appointed members of the Oil and Gas Leasing Commission instead of the Governor as under current law.	No provision.
No provision.	Specifies that candidates for appointments made by the Speaker of the House of Representatives be from a list of not less than four persons recommended by a statewide organization representing the oil and gas industry.	No provision.
No provision.	Specifies that one member appointed by the President of the Senate be a member of the public with expertise in finance or real estate and one member represent a statewide environmental or conservation organization.	No provision.
No provision.	Permits the Speaker or President, rather than the Governor, to remove and appointed members from the commission for inefficiency, malfeasance, misfeasance, or nonfeasance.	No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

Specifies that vacancies on the Commission be filled in the same manner as the original appointment.

No provision.

**Fiscal effect: None.**

**DNRCD20 Mineral severance tax allocation**

**R.C. 1514.11, 5749.02**

**R.C. 1514.11, 5749.02, 1513.30**

**R.C. 1514.11, 5749.02, 1513.30**

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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the 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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

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.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

Prohibits money credited to the Mining Regulation and Safety Fund that is derived from severance taxes from the mining of limestone, dolomite, sand, or gravel from being used for coal mining and reclamation purposes.

Same as the House.

**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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**DNRCD31 Surface mining safety inspections**

**R.C. 1514.41**

No provision.

Eliminates the requirement that the Chief of the Division of Mineral Resources Management conduct at least two inspections of a surface mining operation during a year following a year in which a safety inspection identifies a lost-time accident rate greater than the national average.

No provision.

No provision.

Replaces the inspection process above with one requiring the Chief to conduct a minimum of two safety inspections of a surface mining operation during a year following a year in which an inspection conducted by the Mine Safety and Health Administration in the U. S. Department of Labor found three or more violations per day.

No provision.

No provision.

Authorizes the Chief, in consultation with a statewide association that represents the surface mining industry, to adopt rules establishing exceptions to the above safety inspection requirement.

No provision.

**Fiscal effect: Uncertain.**

Executive

As Passed by the House

As Passed by the Senate

**DNRCD37** Adds elk to the list of game quadrupeds regulated by DNR

**R.C. 1531.01**

Adds elk to the list of game quadruped animals, which effectively allows DNR to regulate and manage the propagation, preservation, and protection of elk.

**Fiscal effect: Possible increase in regulatory costs paid from the Wildlife Fund (Fund 7015).**

**R.C. 1531.01**

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

**DNRCD33** Aquatic invasive species policy

**R.C. 1533.06**

Requires the Chief of the Division of Wildlife, within one year of the bill's effective date, to establish a risk assessment policy for aquatic species that provides for (1) an evaluation of the overall risk of species based on the best available biological information derived from professionally accepted science practices in fisheries or aquatic invasive species management, (2) a determination of whether a species shall be listed as an injurious aquatic invasive species, and (3) a definition of injurious invasive aquatic species.

Requires the Chief to adopt rules in accordance with Section 1531.10 of the Revised Code necessary to administer the policy.

**Fiscal effect: The Division of Wildlife would incur some cost to implement this aquatic invasive species policy. Costs for the Division are paid from the Wildlife Fund (Fund 7015).**

**R.C. 1531.06**

Same as the House.

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**DNRCD32**      **Increased fees for non-resident deer and wild turkey permits**

**R.C.      1533.11, 1533.12, 1531.01**

**R.C.      1533.11, 1533.12, 1533.10, 1531.01**

No provision.

Increases fees for non-resident deer and wild turkey permits as follows: (1) non-resident deer permit ages 18-65 from \$23 to \$250, (2) non-resident youth deer permit from \$11.50 to \$250, (3) non-resident senior deer permit from \$23 to \$250, (4) non-resident wild turkey permit ages 18-65 from \$23 to \$75, (5) non-resident youth wild turkey permit from \$11.50 to \$75, (6) non-resident senior wild turkey permit from \$23 to \$75.

Replaces the House provision with one that increases only the fees for (a) non-resident deer permits ages 18-65 from \$23 to \$74, and for (b) non-resident wild turkey permit ages 18-65 from \$23 to \$35, otherwise retaining current law fees for the other permits.

No provision.

Specifies that a youth permit is available to an applicant who is under the age of eighteen years at the time of application for a permit and that a senior permit is available to an applicant who is sixty-six years of age or older at the time of application for a permit.

Same as the House.

No provision.

Specifies that a person on active duty in the armed forces of the United States, while on leave or furlough, is eligible to obtain deer or wild turkey permit at the resident rate, regardless of whether the person is a resident of Ohio.

Same as the House.

No provision.

No provision.

Specifies that an individual who owns real property in Ohio, or the individual's spouse or children living with the individual, be considered a resident for purposes of obtaining a hunting license, resident deer permit, or resident wild turkey permit.

No provision.

No provision.

Removes a requirement in current law that for a nonresident who owns real property in Ohio (and the spouse and children living with the property owner) to hunt on the property without a hunting license, the nonresident must be a resident of a state that allows an Ohio resident (and the

Executive

As Passed by the House

As Passed by the Senate

spouse and children living with the Ohio resident) to hunt without a license if the Ohioan owns real property in that state.

**Fiscal effect: Increasing non-resident deer and wild turkey permits may increase revenue deposited to the credit of the Wildlife Fund (Fund 7015).**

**Fiscal effect: Same as the House.**

DNRCD36

Property tax valuation of oil and gas reserves

R.C. 5713.051, 757.50

Specifies that a discounted cash flow formula used to value certain producing oil and gas reserves for property tax purposes be the only method for valuing all oil and gas reserves.

**Fiscal effect: Indeterminate. Although the bill specifies that the discounted cash flow formula is the only permissible method for valuing oil and gas reserves for property tax purposes, it is unclear how the bill changes the property tax valuation methods of oil and gas reserves that exist under current law, if it changes them at all.**

R.C. 5713.051, 757.50

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

**DNRCD34      Massillon Reservoir Dam Project**

No provision.

**Section: 610.34**

Amends S.B. 310 of the 131st General Assembly to increase capital appropriations under Parks and Recreation Improvement Fund (Fund 7035) capital appropriation item C725E2, Local Parks Projects, by \$250,000 and earmarks the increased amount to support the Massillon Reservoir Dam Project in Stark County.

**Section: 610.34**

Same as the House.

**DNRCD40      Capital appropriation for the Union Township Recreational Facility**

No provision.

No provision.

**Sections: 610.34, 610.35, 610.25 and 610.26**

Amends section 253.330 of Am. Sub. S.B. 260 of the 131st G.A. to eliminate Fund 7034 capital appropriation item C26682, Boys and Girls Club, in the amount of \$250,000, under the University of Cincinnati.

No provision.

No provision.

Amends Section 223.10 of S.B. 310 of the 131st G.A. to increase Fund 7035 capital appropriations item C725E2, Local Parks Projects, under the Department of Natural Resources, by \$250,000 and earmarks that amount for the Union Township Recreational Facility.

Executive

As Passed by the House

As Passed by the Senate

**DNRCD39 Grand River Park construction project in Grand River**

No provision.

**Section: 610.34**

Amends S.B. 310 of the 131st G.A. to increase capital appropriations under Parks and Recreation Fund (Fund 7035) line item C725E2, Local Parks Projects, by \$100,000. Earmarks that amount to support the Grand River Park construction project in the Village of Grand River.

**Section: 610.34**

Same as the House.

**DNRCD41 Capital appropriation for the Grener Property Recreational Facility in Hilliard**

No provision.

No provision.

**Section: 610.34**

Amends Section 223.10 of S.B. 310 of the 131st General Assembly, as subsequently amended, to redirect \$250,000 earmarked under Parks and Recreation Improvement Fund (Fund 7035) capital appropriation item C725E2, Local Parks Projects, from the Heritage Rail Trail Extension to the Grener Property Recreational Facility in Hilliard.

**DNRCD43 Capital appropriation for the Chagrin Riverbank Stabilization Project**

No provision.

No provision.

**Section: 610.34**

Amends Section 223.10 of S.B. 310 of the 131st General Assembly, the capital appropriations act for the FY 2017-FY 2018 capital biennium, as subsequently amended, to increase appropriations under Parks and Recreation Improvement Fund (Fund 7035) capital appropriation item C725E2, Local Parks Projects, by \$300,000.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

No provision.

No provision.

Earmarks the increased amount for the Lake Metropolitan Housing Authority Chagrin Riverbank Stabilization Project.

## Executive

## As Passed by the House

## As Passed by the Senate

**NURCD4**      **Nursing education programs for Air Force LPNs**

No provision.

No provision.

**R.C. 4723.09**

Provides that graduation, from either an education program that is approved by the U.S. Air Force as the Community College of the Air Force associate degree or the Allied Health Program for graduates prior to 2016, satisfies the pre-licensure education requirements for licensed practical nurses.

**NURCD3**      **Nurse Practice Act Exemption for out-of-state volunteers**

No provision.

No provision.

**R.C. 4723.32**

Adds nurses who are authorized to practice in other states and who volunteer at free-of-charge therapeutic camps located in Ohio and accredited by the SeriousFun Network to the law exempting the activities of specified individuals from the Nurse Practice Act.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

No provision.

**Section: 353.10**

Same as the Executive.

Same as the Executive.

Earmarks \$43,800 in each fiscal year of GRF appropriation item 415402, Independent Living Council, for the Easter Seals in Lima, Ohio, to create a loan program for durable medical equipment.

**Section: 353.10**

Same as the Executive.

Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**PENCD2 Volunteer peace officers**

No provision.

No provision.

**R.C. 143.01**

Specifies that a retired member of the Public Employees Retirement System is not a volunteer peace officer under the Volunteer Peace Officers' Dependents Fund.

**Fiscal effect: None. Moneys in the Volunteer Peace Officers Dependents Fund are used to pay for death benefits to survivors of volunteer, part-time, and reserve police officers, sheriffs' deputies, constables, and deputy marshals killed in the line of duty and disability benefits to such officers and deputies if they become disabled.**

**PENCD3 School Employees Retirement System cost-of-living adjustments**

No provision.

No provision.

**R.C. 3309.374, 3309.661**

Repeals a requirement in existing law that the School Employees Retirement System (SERS) Board grant a 3% annual cost-of-living adjustment (COLA), to SERS retirement, disability, and survivor benefit recipients effective December 31, 2017.

No provision.

No provision.

Makes the annual COLA permissive beginning on January 1, 2018. Provides that the Board may increase pensions by the percentage increase in the consumer price index (U.S. city average for urban wage earners and clerical workers: "all items 1982-84=100") for the twelve-month period ending on June 30th of the immediately preceding calendar year, but limits the increase to not more than 2.5%. Specifies that no

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

increase be made to pensions for a period in which the consumer price index did not increase.

Authorizes the SERS Board, before granting an increase, to adjust the COLA if the Board's actuary determines, in its annual actuarial valuation or in other evaluations, that an adjustment does not materially impair SERS' fiscal integrity or is necessary to preserve its fiscal integrity. Specifies that the SERS vesting provision does not affect the Board's authority to adjust the COLA percentage before the COLA is granted.

**Fiscal effect: Would reduce future COLAs, thereby decreasing the SERS's expenditures for pensions compared to current law. The fiscal effects on SERS would compound over time, plausibly leading to a decrease (or avoidance of a future increase) in the rate of employer contributions to the system to cover necessary expenditures related to pensions.**

Executive

As Passed by the House

As Passed by the Senate

**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.**

**R.C. 109.572, 4776.01, 4776.02, 4776.04**

(1) Same as the Executive.

(2) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 109.572, 4776.01, 4776.02, 4776.04**

(1) Same as the Executive, but clarifies that the results of the criminal records checks of prospective employees are to be reported to the State Board of Pharmacy or Department of Commerce.

(2) Same as the Executive, but clarifies that the Board and Department are to be considered "licensing agencies" under this provision only with respect to persons seeking employment with the Program's licensed entities.

**Fiscal effect: Same as the Executive.**

**PRXCD14 Physician statement as part of application to register as medical marijuana patient or caregiver**

No provision.

**R.C. 3796.08**

Eliminates the requirement that a physician statement required as part of an application to register as a medical marijuana patient or caregiver include a certification that the physician has informed the patient that, in the physician's opinion, the benefits of medical marijuana outweigh its risks.

**Fiscal effect: None.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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**

**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**

**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).

(1) Same as the Executive.

(1) Same as the Executive.

(2) Establishes and modifies statutory definitions of activities involving drug distribution, as follows:

(2) Same as the Executive.

(2) Same as the Executive.

(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.

(a) Same as the Executive.

(a) Same as the Executive.

(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.

(b) Same as the Executive.

(b) Same as the 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).

(c) Same as the Executive.

(c) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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).

(d) Same as the Executive.

(d) Same as the Executive.

(3) Transfers existing requirements governing registration as a wholesale distributor to the new license categories with the following changes:

(3) Same as the Executive.

(3) Same as the Executive.

(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.

(a) Same as the Executive.

(a) Same as the Executive.

(b) Specifies that after an application is filed, it cannot be withdrawn without approval of the Board.

(b) No provision.

(b) No provision.

(4) Permits the Board to issue a license for a person not residing in Ohio if:

(4) Same as the Executive.

(4) Same as the Executive.

(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

(a) Same as the Executive.

(a) Same as the Executive.

(b) The person was physically located in the state that licensed them.

(b) Same as the Executive.

(b) Same as the Executive.

(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).

(5) Same as the Executive.

(5) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(6) Same as the Executive.

(6) Same as the Executive.

(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.

(7) Same as the Executive.

(7) Same as the Executive.

(8) Adjusts license renewal fees to account for biennial registration and increases the fees as follows:

(8) Same as the Executive.

(8) Same as the Executive.

(a) For issuance and renewal of a category II license, increases the fee to \$1,900 per biennium (from \$750 per year);

(a) Same as the Executive.

(a) Same as the Executive.

(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).

(b) Same as the Executive.

(b) Same as the Executive.

(9) Authorizes the Board to restrict or limit licenses and to reprimand license holders or place them on probation.

(9) Same as the Executive.

(9) Same as the Executive.

(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.

(10) Same as the Executive.

(10) Same as the 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:

(11) Same as the Executive.

(11) Same as the Executive.

Executive	As Passed by the House	As Passed by the Senate
(a) Falsely or fraudulently promoting a dangerous drug to the public;	(a) Same as the Executive.	(a) Same as the Executive, but replaces "a dangerous drug" with "a drug that is a controlled substance included in schedule I, II, III, IV, or V" (these are all of the schedules).
(b) Violating the Federal Food, Drug, and Cosmetic Act or Ohio's Pure Food and Drug Law, and;	(b) Same as the Executive.	(b) Same as the Executive.
(c) Any other causes set forth by the Board in rules.	(c) Same as the Executive.	(c) Same as the Executive.
(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).	(12) Same as the Executive.	(12) Same as the Executive.
(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.	(13) Same as the Executive.	(13) Same as the Executive.
(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.	(14) Same as the Executive.	(14) Same as the Executive.
(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	(15) Same as the Executive, but removes the requirement that documentation of the query results be kept for at least three years, and removes the requirement for wholesale distributors to determine whether a seller is appropriately licensed only once every 12 months.	(15) Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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).

(16) Same as the Executive.

(16) Same as the Executive.

(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.

(17) Same as the Executive.

(17) Same as the Executive.

(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.

(18) Same as the Executive, but adds that the information received is also subject to confidentiality and disclosure provisions that are applicable to all information received by the Board pursuant to an investigation under the Executive version of the bill.

(18) Same as the House.

(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.

(19) Same as the Executive.

(19) Same as the Executive.

(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:

(20) Same as the Executive.

(20) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the 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)**

**R.C. 4729.06, 4729.08, 4729.09, 4729.11, 4729.12, 4729.13, 4719.15, 4729.16, 4729.67, 4729.14 (repealed)**

**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.

(1) Same as the Executive.

(1) Same as the Executive.

(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.

(2) Same as the Executive.

(2) Same as the Executive.

(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.

(3) Same as the Executive.

(3) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

- (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.

- (4) Same as the Executive.
- (a) Same as the Executive.
- (b) Same as the Executive.
- (c) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (a) Same as the Executive.
- (b) Same as the Executive.
- (c) Same as the Executive.
- (6) Same as the Executive.

- (4) Same as the Executive.
- (a) Same as the Executive.
- (b) Same as the Executive, but replaces the provision on late fees for renewing an expired license with a provision that retains the current law penalty, which is effectively \$37.50.
- (c) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (a) Same as the Executive.
- (b) Same as the Executive.
- (c) Same as the Executive.
- (6) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(7) Same as the Executive.

(7) Same as the Executive.

(8) Eliminates a provision authorizing the Board to appoint a director of its existing pharmacy internship program.

(8) Same as the Executive.

(8) Same as the 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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**PRXCD12 Subpoenas**

**R.C. 4729.24**

**R.C. 4729.24**

**R.C. 4729.24**

(1) Permits the State Board of Pharmacy, when investigating alleged violations, to:

(1) Same as the Executive.

(1) Same as the Executive.

(a) Order the taking of depositions;

(a) Same as the Executive.

(a) Same as the Executive.

(b) Examine and copy any books, accounts, papers, records, documents, and other tangible objects;

(b) Same as the Executive.

(b) Same as the Executive.

(c) Issue subpoenas;

(c) Same as the Executive.

(c) Same as the Executive.

(d) Compel the attendance of witnesses and production of books, accounts, papers, records, documents, and other tangible objects; and

(d) Same as the Executive.

(d) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(e) Same as the Executive.

(e) Same as the Executive.

(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.

(2) Same as the Executive.

(2) Same as the Executive.

(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:

(3) Same as the Executive.

(3) Same as the Executive.

(a) The complaint filed alleges, or an investigation has revealed, a violation of the Pharmacists and Dangerous Drug Law;

(a) Same as the Executive, but adds violations of laws concerning dangerous drugs, drug offenses, controlled substances, and the Medical Marijuana Control Program.

(a) Same as the House.

(b) The records sought are relevant to the alleged violation and are material to the investigation; and

(b) Same as the Executive.

(b) Same as the Executive.

(c) The records cover a reasonable period of time surrounding the alleged violation.

(c) Same as the Executive.

(c) Same as the Executive.

(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.

(4) Same as the Executive.

(4) Same as the Executive.

(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.

(5) Same as the Executive.

(5) Same as the Executive.

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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.

**R.C. 4729.54, 4729.51, 4729.57, 4729.571, 4729.60**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**R.C. 4729.54, 4729.51, 4729.57, 4729.571, 4729.60**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(6) Same as the Executive.

(6) Same as the Executive.

(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).

(7) Same as the Executive.

(7) Same as the Executive.

(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.

(8) Same as the Executive.

(8) Same as the Executive.

(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.

(9) Same as the Executive.

(9) Same as the Executive.

(10) Adjusts license renewal fees to account for biennial registration and increases the fees as follows:

(10) Same as the Executive.

(10) Same as the 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);

(a) Same as the Executive.

(a) Same as the Executive.

(b) For issuance of a category III or limited category III license, increases the fee to \$440 per biennium (from \$150 per year);

(b) Same as the Executive.

(b) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(c) For issuance of a license to a person practicing veterinary medicine, \$120 per biennium (from \$40 per year);

(c) Same as the Executive.

(c) Same as the Executive.

(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).

(d) Same as the Executive.

(d) Same as the Executive.

(11) Authorizes the Board restrict or limit licenses and to reprimand license holders or place them on probation.

(11) Same as the Executive.

(11) Same as the Executive.

(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.

(12) Same as the Executive.

(12) Same as the Executive.

(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).

(13) Same as the Executive.

(13) Same as the Executive.

(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.

(14) Same as the Executive.

(14) Same as the Executive.

(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

(15) Same as the Executive, but removes the requirement that documentation of the query results be kept for at least three years, and removes the requirement for terminal distributors to determine whether a seller is appropriately licensed only once every 12 months.

(15) Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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).

(16) Same as the Executive.

(16) Same as the Executive.

(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.

(17) Same as the Executive.

(17) Same as the Executive.

(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.

(18) Same as the Executive.

(18) Same as the 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.

(19) Same as the Executive.

(19) Same as the Executive.

(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.

(20) Same as the Executive.

(20) Same as the Executive.

(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

(21) Same as the Executive.

(21) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**PRXCD2 Drug database access and information retention**

**R.C. 4729.80, 4729.82, 4729.86**

**R.C. 4729.80, 4729.75, 4729.77, 4729.772, 4729.82, 4729.84, 4729.86**

**R.C. 4729.80, 4729.75, 4729.77, 4729.772, 4729.82, 4729.84, 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):

(1) Same as the Executive.

(1) Same as the Executive.

(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;

(a) Same as the Executive.

(a) Same as the Executive.

(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;

(b) Same as the Executive.

(b) Same as the Executive.

(c) Information requested by the examining coroner, deputy coroner, or coroner's delegate about a deceased person.

(c) Same as the Executive.

(c) Same as the Executive.

(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).

(2) Same as the Executive.

(2) Same as the Executive.

(3) Authorizes the Board to provide to a designated representative of the Department of Medicaid records of

(3) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

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.

(4) Same as the Executive.

(4) Same as the Executive.

(5) No provision.

(5) Authorizes a coroner who receives information from OARRS related to a deceased person to share that information with a drug overdose fatality review committee, which may be established under the Executive version of the bill.

(5) Same as the House.

(6) No provision.

(6) Authorizes the Board to provide a pharmacy with a summary of the pharmacy's dispensing record from OARRS.

(6) Same as the House.

(7) No provision.

(7) Authorizes the Board to provide information from OARRS without request to prescribers and pharmacists who are authorized to use OARRS.

(7) Same as the House.

(8) No provision.

(8) Authorizes the Board to require a terminal distributor of dangerous drugs, when submitting information to OARRS as required by current law, to also submit any data fields recognized by the American Society for Automation in Pharmacy.

(8) Same as the House.

(9) No provision.

(9) Authorizes the Board to accept for inclusion in OARRS information from other sources, including other state agencies, to the extent the information is related to monitoring the misuse and diversion of drugs and provides that, to the extent the Board receives personal health information pursuant to that authorization, it may release it

(9) Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(10) No provision.

only as authorized by the submitter of the information and the Board's rules.

(10) Requires the Board, upon request, to provide a peer review committee of any health care entity with information from OARRS relating to a health care professional, if the information is to be used for evaluation, supervision, or disciplinary purposes.

(10) Same as the House.

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**PHSCD1 Board of Orthotics, Prosthetics, and Pedorthics transfer**

**R.C. 4744.06, 125.22, 4744.07-4744.54, conforming changes in Chapters 4755., 4779., and other sections, Section 515.32**

**Sections: 515.32, Repeal Chapter 4779., with conforming changes**

**R.C. 4779.08, 4779.02, 4779.35, conforming changes in Chapter 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 OTPTAT and OPP on January 21, 2018. Specifies that any existing licenses, certificates, permits, registrations, or endorsements issued before January 21, 2018 by either OTPTAT or OPP will continue in effect as if issued by PHS.

Replaces the Executive provision with a provision that abolishes OPP effective January 21, 2018, voids any licenses, certificates, permits, registrations, or endorsements issued by OPP before that date, and requires any of OPP's unfinished business to be completed by the Department or Director of Administrative Services.

Replaces the Executive and House provisions with a provision that places the regulation of orthotics, prosthetics, and pedorthics under OTPTAT and abolishes OPP effective January 21, 2018. Specifies that any licenses, certificates, permits, registrations, or endorsements issued before January 21, 2018, continue in effect as if issued by OTPTAT.

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.

Replaces the Executive provision with a provision that specifies that all OPP employees cease to hold their positions of employment on January 21, 2018, or as soon as possible thereafter.

Same as the Executive, but specifies that employees of OPP are transferred to OTPTAT and allows the OTPTAT Director to modify positions.

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.

No provision.

Same as the Executive, but allows OPP to establish the retirement incentive.

Establishes regulatory procedures for PHS that are similar to current law's provisions that apply to OTPTAT and OPP.

Replaces the Executive provision with a provision that eliminates the requirement that individuals practicing orthotics, prosthetics, or pedorthics be licensed in Ohio.

Replaces the Executive and House provisions with a provision that requires OTPTAT to administer OPP Law in the same manner as the OPP Board under current law.

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

No provision.

No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

violating a code of ethics, which applies under current law to most of the occupations.

Requires license applicants for all occupations regulated by PHS to undergo criminal records checks to receive a license.

No provision.

No provision.

Generally provides for electronic occupational license applications and renewals.

No provision.

Same as the Executive.

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.

No provision.

Replaces the Executive provision with a provision that requires OTPTAT to appoint an orthotics, prosthetics, and pedorthics advisory council to advise the board, specifies advisory council membership, and reimbursements.

**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.**

**Fiscal effect: There will be a decrease in expenditures and a corresponding loss of fee revenue associated with OPP activities. In FY 2016, OPP received revenue of \$142,225 and expended \$163,809. OPP receives a partial appropriation of \$122,574 in FY 2018 to allow it to continue operations through the date of abolishment.**

**Fiscal effect: OTPTAT is appropriated \$383,097 in FY 2018 and \$1.1 million in FY 2019. OPP continues to receive a partial year appropriation.**

## Executive

## As Passed by the House

## As Passed by the Senate

## PUBCD5 Indigent Defense Support Fund

## R.C. 120.08

(1) 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.

(2) No provision.

(3) No provision.

## R.C. 120.08

(1) Same as the Executive.

(2) No provision.

(3) No provision.

## R.C. 120.08, Section 371.10

(1) Same as the Executive.

(2) Requires the Ohio Public Defender to use DPF Fund 5DY0 appropriation item 019619, Indigent Defense Support - State Office, 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 used for the uniform operation of R.C. Chapter 120.

(3) Permits, notwithstanding R.C. 120.08, the Ohio Public Defender, from July 1, 2017 until the effective date of the changes to that section created of the bill, to use up to 17% of the money in the Indigent Defense Support Fund (Fund 5DY0) for the purposes described in provision (2) above.

## Executive

## As Passed by the House

## As Passed by the Senate

**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.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

**PUBCD7      Reimbursement for indigent defense services**

**R.C.      120.18, 120.28, 120.33, 120.34, 120.35,  
2941.51**

**R.C.      120.18, 120.28, 120.33, 120.34, 120.35,  
2941.51**

(1) No provision.

(1) Requires the State Public Defender to reimburse county governments 50% of the expenses they incur in providing indigent defense services in noncapital cases, and 100% (increased from 50% under current law) of the expenses incurred for indigent defense in capital cases.

(1) Same as the House, but removes the requirement from the House provision that the State Public Defender reimburse county governments 50% of the expenses they incur in providing indigent defense services in noncapital cases (removal restores current law requiring 50% reimbursement in noncapital cases subject to proportional reduction if the available appropriation is insufficient to cover 50% of the counties' costs).

(2) No provision.

(2) Eliminates the allowance for proportional reduction of reimbursement to the counties in providing indigent defense services in noncapital and capital cases if the General Assembly's appropriation to the State Public Defender is insufficient to cover the counties' costs for indigent defense.

(2) No provision.

Executive	As Passed by the House	As Passed by the Senate
	<p><b>Fiscal effect:</b> Increases, in millions of dollars annually, the amount that the state will be required to reimburse counties for their cost of providing indigent defense services. The bill increases the amount of GRF appropriated for this purpose by \$7.1 million in FY 2018 and \$7.9 million in FY 2019, with a corresponding increase in the estimated county reimbursement rate from around 40% under the executive budget to around 45%.</p>	<p><b>Fiscal effect:</b> The requirement that the State Public Defender reimburse county governments 100% of the cost of their indigent defense services in capital cases may increase the reimbursement expenditures of the State Public Defender by around \$1 million annually.</p>
<b>PUBCD8</b>	<b>Cash transfer from the General Revenue Fund to the Legal Aid Fund</b>	
No provision.	<p><b>Section: 371.10</b></p> <p>Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$10,000 from the GRF to the Legal Aid Fund (Fund 5740). Requires the transferred cash in each fiscal year to be distributed by the Ohio Legal Assistance Foundation to Ohio's civil legal aid societies for the sole purpose of providing legal services for economically disadvantaged individuals.</p>	<p><b>Section: 371.10</b></p> <p>Same as the House.</p>

Executive

As Passed by the House

As Passed by the Senate

DPSCD52 Security measures and operations in Vern Riffe Center, Rhodes Tower, and Capitol Square

**R.C. 105.41, 123.01, 5502.01, 5503.02**

(1) No provision.

(1) Requires the Department of Public Safety to coordinate security measures and operations at the Vern Riffe Center, Rhodes Tower, and Capitol Square.

**R.C. 105.41, 123.01, 5502.01, 5503.02**

(1) Same as the House, but removes the requirement that the Department of Public Safety coordinate security measures and operations for the Capitol Square.

(2) No provision.

(2) Permits the Department of Public Safety to direct the Department of Administrative Services and the Capitol Square Review and Advisory Board to implement any security measures and operations that the Department of Public Safety requires at the Vern Riffe Center, Rhodes Tower, and Capitol Square.

(2) Same as the House, but removes the authority of the Department of Public Safety to direct the Capitol Square Review and Advisory Board to implement security measures and operations that the Department of Public Safety requires.

(3) No provision.

(3) Requires the Department of Administrative Services and the Capitol Square Review and Advisory Board to implement all security measures and operations as directed by the Department of Public Safety.

(3) Same as the House, but removes the requirement that the Capitol Square Review and Advisory Board implement security measures and operations as directed by the Department of Public Safety.

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

DPSCD55 International Registration Plan commercial motor vehicle registration fees

R.C. 4501.044, 4501.045, 4503.02, 4503.038, 4503.04, 4503.042, 4503.08, 4503.10, 4503.101, 4503.63, 4503.65, 4503.83, 4504.201, Section 620.20

R.C. 4501.044, 4501.045, 4503.02, 4503.038, 4503.04, 4503.042, 4503.08, 4503.10, 4503.101, 4503.63, 4503.65, 4503.83, 4504.201, Section 620.20

(1) No provision.

(1) Increases the base rates charged for the registration of a commercial car or bus and equalizes those rates so that the base rates charged to vehicles registered in Ohio and vehicles that are registered outside of Ohio but are subject to taxation in Ohio under the International Registration Plan (IRP) are the same, as follows:

(1) Same as the House.

(a) No provision.

(a) For an in-state commercial car, from \$45 - \$1,340 to \$100 - \$1,395;

(a) Same as the House.

(b) No provision.

(b) For an out-of-state commercial car, from \$47 - \$1,373.50 to \$100 - \$1,395;

(b) Same as the House.

(c) No provision.

(c) For an in-state commercial bus, from \$10 - \$1,630 to \$46 - \$1,666;

(c) Same as the House.

(d) No provision.

(d) For an out-of-state commercial bus, from \$11 - \$1,644.50 to \$46 - \$1,666.

(d) Same as the House.

(2) No provision.

(2) Eliminates a \$30 registration fee that is charged for the in-state registration of commercial cars that are subject to the IRP and an \$11 registration fee that is charged for the in-state registration of commercial buses that are subject to the IRP.

(2) Same as the House.

(3) No provision.

(3) Exempts commercial cars and buses that are subject to the IRP from the local motor vehicle registration taxes (which

(3) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(4) No provision.

are up to \$25).

(4) Amends Section 745.20 of H.B. 26 of the 132nd General Assembly to eliminate a provision enacted by that act that:  
 (a) establishes a commercial motor vehicle pilot program within Clinton, Franklin, Lucas, Mahoning, Montgomery, and Stark counties and (b) requires the Registrar of Motor Vehicles or a deputy registrar to reduce from \$30 to \$15 one of the fees charged for the registration of a commercial car with a gross weight of up to 78,000 pounds under the IRP.

(4) Same as the House.

**Fiscal effect: Potential decrease in IRP registration fee revenue of up to \$600,000 annually.**

**Fiscal effect: Same as the House.**

DPSCD49

Driver's education courses

No provision.

**R.C. 4508.02**

Requires driver's education courses to include instruction on substance abuse and prescription drug abuse, the science related to addiction, and the effect of psychoactive substances on the brain and on a person while operating a motor vehicle.

**R.C. 4508.02**

Replaces the House provision with a provision that requires driver's education courses to include instruction on the dangers of driving a motor vehicle while under the influence of a controlled substance, prescription medication, or alcohol.

**Fiscal effect: Negligible one-time costs to update the curriculum requirements.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

DPSCD57      Technical correction

No provision.

No provision.

**R.C.      4510.022**

Corrects the name of a fund referenced in the section of the Revised Code governing unlimited driving privileges for first-time OVI offenders from the "State Highway Safety Fund" to the "Public Safety – Highway Purposes Fund" to reflect the consolidation and renaming of funds that occurred in H.B. 26 of the 132nd General Assembly.

**Fiscal effect: None.**

DPSCD50      Reimbursement for OVI-related chemical tests

No provision.

**R.C.      4511.19**

Authorizes a court to order an offender to reimburse a law enforcement agency for any costs incurred by the agency with respect to administering blood or urine chemical tests if the offender is convicted of or pleads guilty to an OVI violation and the test or tests indicated that the offender had a prohibited concentration of a controlled substance or a metabolite of a controlled substance in the offender's whole blood, blood serum or plasma, or urine at the time of the offense.

**Fiscal effect: Potential revenue gain for state and local law enforcement agencies.**

**R.C.      4511.19**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

DPSCD58 Personal delivery devices

(1) No provision.

(1) No provision.

**R.C. 4511.201, 4511.01**

(1) Defines "personal delivery device" (PDD) as an electrically powered device that is intended primarily to transport property on sidewalks and crosswalks, weighs less than 90 pounds excluding any property being carried in the device, has a maximum speed of 10 miles per hour, and is equipped with technology that enables the operation of the device with active control or monitoring by a person, without active control or monitoring by a person, or both with or without active control or monitoring by a person.

(2) No provision.

(2) No provision.

(2) Defines "personal delivery device operator" as an agent of an eligible entity who exercises direct physical control over, or monitoring of, the navigation and operation of a PDD and specifies that a personal delivery device operator does not include, with respect to a delivery or other service rendered by a PDD, the person who requests the delivery or service or a person who only arranges for and dispatches a PDD for a delivery or other service.

(3) No provision.

(3) No provision.

(3) Authorizes the use of a PDD on sidewalks and crosswalks by an eligible entity (a corporation, partnership, association, firm, sole proprietorship, or other entity engaged in business), as long as all of the following requirements are met:

(a) No provision.

(a) No provision.

(a) The PDD is operated in accordance with all regulations, if any, established by each local authority within which the PDD is operated;

(b) No provision.

(b) No provision.

(b) A PDD operator is actively controlling or monitoring the navigation and operation of the PDD;

Executive

As Passed by the House

As Passed by the Senate

(c) No provision.

(c) No provision.

(c) The eligible entity maintains an insurance policy that includes general liability coverage of not less than \$100,000 for damages arising from the operation of the PDD by the eligible entity and any agent of the eligible entity; and

(d) No provision.

(d) No provision.

(d) The PDD is equipped with a marker that clearly identifies the name and contact information of the eligible entity operating the PDD and a unique identification number, a braking system that enables the PDD to come to a controlled stop, and, if the PDD is being operated between sunrise and sunset, a light on both the front and rear of the PDD that is visible in clear weather from a distance of at least 500 feet to the front and rear of the PDD when directly in front of low beams of headlights on a motor vehicle.

(4) No provision.

(4) No provision.

(4) Prohibits a PDD operator from failing to comply with traffic or pedestrian control devices and signals, unreasonably interfering with pedestrians or traffic, transporting any hazardous material that would require a permit issued by the Public Utilities Commission of Ohio, and operating on a street or highway, except when crossing the street or highway within a crosswalk.

(5) No provision.

(5) No provision.

(5) Requires a PDD to yield the right-of-way to human pedestrians on sidewalks and crosswalks, but grants a PDD all other rights and obligations applicable to a pedestrian under the same circumstances.

(6) No provision.

(6) No provision.

(6) Prohibits a person from operating a PDD unless the person is authorized to do so under the bill's provisions and complies with the requirements of the bill, and specifies that an eligible entity is responsible for any violation under the bill that is committed by a PDD operator and any other circumstance, including a technological malfunction, in which a PDD operates in a manner prohibited by the bill's safety provisions.

Executive

As Passed by the House

As Passed by the Senate

(7) No provision.

(7) No provision.

(7) Excludes a PDD from the definition of "vehicle" under the Motor Vehicle Law, thus exempting a PDD from general requirements and prohibitions that apply to vehicles.

**Fiscal effect: Uncertain.**

**DPSCD51 State Board of Emergency Medical, Fire, and Transportation Services**

No provision.

**R.C. 4765.02**

Increases the membership of the State Board of Emergency Medical, Fire, and Transportation Services from 20 to 21 by adding a member of a third-service emergency medical service agency or organization and requires the Governor to appoint that member from among three persons nominated by the Ohio EMS Chiefs Association.

**Fiscal effect: Potential minimal annual expenditure increase, as members are reimbursed for their actual and necessary expenses.**

**R.C. 4765.02**

Same as the House.

**Fiscal effect: Same as the House.**

**DPSCD53 Drug Law Enforcement Fund grants**

(1) No provision.

**R.C. 5502.68**

(1) Requires any drug task force for which a grant is awarded from the Drug Law Enforcement Fund (Fund 5ET0) by the Department's Division of Criminal Justice Services (CJS) to comply with all grant requirements established by CJS, including a requirement that the drug task force report its activities through the El Paso Intelligence Center (EPIC) information technology systems.

**R.C. 5502.68, Section 373.20**

(1) Same as the House.

(2) No provision.

(2) No provision.

(2) Increases by \$250,000, from \$250,000 to \$500,000, the cumulative amount of funding in each of FYs 2018 and 2019

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: None, as the provision essentially codifies current practice.**

that may be provided to any single drug task force out of the Drug Law Enforcement Fund (Fund 5ET0) in any calendar year.

**Fiscal effect: Provision (1) above essentially codifies current practice. Provision (2) above permits a larger amount of grant funding to be awarded to a drug task force than allowed under current law.**

**DPSCD48 Lake County Regional Response Facility**

**Sections: 373.10, 373.20**

No provision.

Creates GRF appropriation item 763510, Lake County Regional Response Facility, with an appropriation of \$250,000 in each fiscal year, and requires the money be distributed directly to the city of Mentor for the purpose of constructing the Lake County Regional Response Facility.

No provision.

**DPSCD56 Highland County MARCS Tower Project**

**Sections: 610.70, 610.71**

No provision.

Amends Section 227.10 of S.B. 310 of the 131st General Assembly to create new capital appropriation item C76055, Highland County MARCS Tower Project, with an appropriation of \$300,000, and requires the money to be used to provide end user radios for the Highland County MARCS Tower Project.

**Sections: 610.70, 610.71**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**DPSCD54 Criminal laboratory funding**

**Sections: 610.110, 610.111**

**Sections: 610.110, 610.111**

No provision.

Amends Sections 205.10 and 205.20 of H.B. 26 of the 132nd General Assembly to:

Same as the House.

(1) No provision.

(1) Increase HSF Fund 5TM0 appropriation item 764321, Operating Expense – Highway Patrol, by \$500,000 in FY 2018, from \$303,297,721 to \$303,797,721;

(1) Same as the House.

(2) No provision.

(2) Require the Director of Budget and Management, on July 1, 2017, or as soon as possible thereafter, to transfer \$500,000 from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Public Safety – Highway Purposes Fund (Fund 5TM0); and

(2) Same as the House.

(3) No provision.

(3) Require \$500,000 of the amount appropriated to HSF Fund 5TM0 appropriation item 764321, Operating Expense – Highway Patrol, to be used by DPS to fund criminal laboratory case work primarily related to opioid or other criminal cases submitted to DPS.

(3) Same as the House.

## Executive

## As Passed by the House

## As Passed by the Senate

**PUCCD9**      **Public Utilities Commission Chairperson**

No provision.

No provision.

**R.C. 4901.041**

Prohibits the Chairperson of the Public Utilities Commission from being a member of the Governor's cabinet.

**Fiscal effect: None.**

**PUCCD10**      **Wind farm setbacks**

No provision.

No provision.

**R.C. 4906.20, 4906.201**

Alters the minimum setback for wind turbines of wind farms with generating capacity of five megawatts or more by changing the two applicable horizontal distances used to calculate the setback requirement as follows:

No provision.

No provision.

(1) Replaces the distance requirement from the turbine's base to the wind farm's property line with a required distance equal to 1.2 times the total turbine height, as measured from its base to the tip of its highest blade (current law is 1.1 times),

No provision.

No provision.

(2) Modifies the distance requirement, as measured from the tip of the turbine's nearest blade at 90°, so it equals 1,225 feet from the exterior of the nearest, habitable residential structure, if any, located on adjacent property (current law measures a 1,125 foot distance to the property line of the nearest adjacent property).

No provision.

No provision.

Makes a windfarm to which the bill's new setback applies subject to the current law setback described above (established in H.B. 483 of the 130th General Assembly) if

## Executive

## As Passed by the House

## As Passed by the Senate

No provision.

No provision.

the existing certificate is later amended.

Specifies that any owner or owners of a property may waive application of the setback only for the owner's or owners' property.

**Fiscal effect: Potential increase in application fees for certificates of environmental compatibility and public need issued by the Ohio Power Siting Board. Any amounts received would be credited to the Power Siting Board Fund (Fund 5610), and corresponding agency expenditures would be incurred by DPF item 870606.**

## 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.

No provision.

## R.C. 4927.13

Same as the Executive.

No provision.

## R.C. 4927.13

Same as the Executive.

Specifies that the incumbent local exchange carriers required to provide lifeline service must do so "consistent with the requirements of federal law" rather than "throughout the carrier's traditional service area for its eligible residential customers."

## Executive

## As Passed by the House

## As Passed by the Senate

**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."**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

## PUCCD8

## Small hydroelectric facilities

**R.C. 4928.64, 4928.01**

Classifies the power from small hydroelectric facilities, which are hydroelectric facilities rated to operate at an aggregate capacity of less than six megawatts, as a renewable energy resource under the competitive retail electric service law. Specifies that the small hydroelectric facilities are qualified energy resources for the purposes of the renewable energy resource mandates and thus are eligible for renewable energy credits.

**Fiscal effect: Municipalities with qualifying facilities may receive additional revenues from the sale of renewable energy credits.**

**R.C. 4928.64, 4928.01**

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

## PUCCD11

## Electric distribution utility rate adjustments

**R.C. 4928.143**

(1) Permits PUCO to consider an electric distribution utility's (EDU's) credit rating when testing an EDU's electric security plan (ESP) for whether the plan is more favorable in the aggregate than a market rate offer (MRO).

(1) No provision.

(1) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(2) No provision.

(2) No provision.

(2) Permits PUCO to establish or upwardly adjust the rates that an electric distribution utility may charge under an ESP so that the EDU may achieve and maintain a minimum credit rating that is at least an investment grade credit rating.

(3) No provision.

(3) No provision.

(3) Authorizes PUCO to set a target credit rating and determine its form and duration.

(4) No provision.

(4) No provision.

(4) Specifies that such rate adjustments are not transition charges, which were charges that were permitted only during the now expired market development period of the competitive retail electric service law.

**Fiscal effect: Ratepayers in all six EDU service areas could pay higher electricity charges under this provision.**

**PUCOD6**

**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.

**Section: 506.10**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 506.10**

Same as the Executive, but makes the following changes:

(1) Increases the amounts to \$140,176 in each fiscal year.

(2) Increases the FY 2018 amount to \$1,210,000 and the FY 2019 amount to \$1,300,000.

(3) Increases the FY 2018 amount to \$332,403 and the FY 2019 amount to \$352,430.

## Executive

## As Passed by the House

## As Passed by the Senate

(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.**

(4) Same as the Executive.

**Fiscal effect: Same as the Executive.**

(4) Increases the amounts to \$1,258,624 in each fiscal year.

**Fiscal effect: Up to \$2.9 in FY 2018 and up to \$3.1 million in FY 2019 may be assessed against nuclear electric utilities and made available to the four state agencies for their statutory purposes.**

## 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).**

**Sections: 749.10, R.C. 4928.02**

Same as the Executive.

Same as the Executive, but changes the revision to state competitive retail electric services policy to include researching technological, regulatory, "and marketplace" innovations instead of researching "and implementing" technological and regulatory innovations.

**Fiscal effect: Same as the Executive.**

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**DRCCD13 Use of the Ohio River Valley Facility as a jail**

**R.C. 307.93, 341.12, 341.121, Sections 610.80, 610.81**

**R.C. 307.93, 341.12, 341.121, Sections 610.80, 610.81**

(1) No provision.

(1) Authorizes the boards of county commissioners and legislative authorities, as applicable, that contract or have contracted for the joint establishment of a multicounty, municipal-county, or multicounty-municipal correctional center to enter into an agreement with the Director of Administrative Services for the use of the Ohio River Valley Facility (ORVF) or a portion of the ORVF as the multicounty, municipal-county, or multicounty-municipal correctional center, provided that at least one of the counties is adjacent to Scioto County.

(1) Same as the House.

(2) No provision.

(2) Provides that if, under existing law, the Lawrence County Board of County Commissioners and the Director of Administrative Services have contracted for the Lawrence County sheriff's use of a portion of the ORVF as a county jail and if either party has failed to comply with the contractual terms, on the bill's effective date, control of that portion of the ORVF immediately reverts to the state and the sheriff has no authority to use that portion as a jail.

(2) Same as the House.

(3) No provision.

(3) Amends Sections 229.10 and 229.30 of S.B. 310 of the 131st General Assembly to create new capital appropriation item C501HE, Ohio River Valley Jail Facility, with an appropriation of \$1,250,000 and earmarks that amount for the development of the Ohio River Valley Jail Facility to be located in Scioto County.

(3) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**DRCCD17 Community control violation sanctions**

No provision.

No provision.

**R.C. 2929.15**

Specifies that a prison sanction imposed for a violation of a community control sanction that is all or part of the sentence imposed on an offender for a 5th degree felony may not exceed 90 days, if the violation is a technical violation or a new misdemeanor offense

**Fiscal effect: Potential net annual savings effect on the Department of Rehabilitation and Correction's operating budget.**

**DRCCD4 Location of imprisonment for commission of a felony**

**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 instead requires that the person 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

**R.C. 2929.34, 5120.116, 5149.36, 5149.38**

(1) No provision.

(2) Same as the Executive, but creates a local confinement exemption under which counties, based on a specified formula, may send a limited number of offenders sentenced to a prison term of 12 months or less for a fifth degree felony for service of the term in prison instead of local confinement and specifies that the number of offenders so confined from a county at any one point in time may not exceed the

**R.C. 2929.34, 5120.116, 5149.36, 5149.38**

(1) No provision.

(2) Same as the Executive, but generally requires local confinement under a prison term of 12 months or less imposed for a fifth degree felony applies only to the 10 most populous counties (Franklin, Cuyahoga, Hamilton, Summit, Montgomery, Lucas, Butler, Stark, Lorain, and Mahoning), and any other counties that agree to participate in the local confinement procedures.

Executive

As Passed by the House

As Passed by the Senate

sentencing center or district community alternative sentencing center, or a community-based correctional facility.

county's exemption, and corrects a provision in the formula regarding "rounding up" of certain numbers. Under the formula, requires the Department of Rehabilitation and Correction (DRC), not later than October 1, 2017, to do all of the following: (a) determine the total statewide number of short-term fifth degree felony inmates (inmates who served a prison term of 12 months or less for a fifth degree felony in FY 2017 to whom the Executive provision would apply), and the number sentenced by the court of common pleas in each county, (b) calculate the total statewide confinement exemption, which equals 15% of the total number of short-term fifth degree felony inmates statewide, (c) calculate for each county the county apportioned percentage, which is equal to the number of short-term fifth degree felony inmates sentenced by the court of common pleas of that county divided by the total number of short-term fifth degree felony inmates statewide, (d) calculate, for each county in the state, the county's local confinement exemption, which is equal to the total statewide local confinement exemption (see (b) above) multiplied by the county's county apportioned percentage (see (c) above), except that if the number so calculated is 5 or fewer, the county's exemption is 5, and (e) notify each county in the state of the county's local confinement exemption, which applies for each fiscal year commencing with FY 2018.

(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.

(3) Same as the Executive, but further prohibits provision (2) above from applying if the fifth degree felony sentence is to be served concurrently with another sentence that must be served in prison and specifies that offenders sentenced for multiple offenses having a total term that exceeds 12 months are not eligible for the local confinement provision.

(3) Same as the House, but removes specification that offenders sentenced for multiple offenses having a total term that exceeds 12 months are not eligible for the local confinement provision.

Executive

As Passed by the House

As Passed by the Senate

(4) No provision.

(4) Requires counties, either separately or by affiliation with one or more other counties, and through specified county and municipal officials or their designees, to submit to DRC for its approval a memorandum of understanding that sets forth plans by which the county or counties will use grant money provided under the Targeted Community Alternatives to Prison (T-CAP) program, specifies the manner in which the county or counties will address a per diem reimbursement of local correctional facilities (determined as described in (11), below) for offenders sentenced to a prison term that is 12 months or less for a fifth degree felony who serve a prison term in the facility, and specifies the desired inmate capacity of each local correctional facility to which the courts of the county or of the affiliating counties sentence offenders to serve prison or jail terms, with a facility's desired inmate capacity being the inmate population that would enable the facility to operate in the most efficient and effective manner as determined by the person responsible for its operation, or, in specified circumstances, the facility's capacity previously determined by DRC.

(4) Same as the House, but removes the requirement that the memorandum of understanding specifies the desired inmate capacity of each local correctional facility to which the courts of the county or of the affiliating counties sentence offenders to serve prison or jail terms.

(5) No provision.

(5) Requires DRC to adopt rules establishing standards for the review and approval of memorandums of understanding submitted to it by counties.

(5) Same as the House.

(6) No provision.

(6) Permits the persons signing the memorandum of understanding, or their successors in office, to revise the memorandum of understanding and requires them to revise it when a facility's desired inmate capacity changes. Requires any revision to be signed by the specified parties and submitted to DRC for its approval.

(6) Same as the House, but removes the requirement that the person signing the memorandum of understanding revise it when the facility's desired inmate capacity changes.

(7) No provision.

(7) Revises the priorities of use of R.C. 5149.31 subsidies provided by DRC to eligible political subsidies to require priority be given to the funding of community corrections

(7) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

programs that reduce the number of persons committed to state correctional institutions or the number of persons committed to county, multicounty, municipal, municipal-county, or multicounty-municipal jails or workhouses (under current law, first priority is given to the continued funding of existing community corrections programs that are designed to reduce the number of persons committed to state correctional institutions, and second priority to new community corrections programs that reduce the number of persons committed to state correctional institutions or the number of persons committed to county, multicounty, municipal, municipal-county, or multicounty-municipal jails or workhouses).

(8) No provision.

(8) Provides a local confinement waiver under which a common pleas court may send an offender sentenced to a prison term of 12 months or less for a fifth degree felony to DRC for service of the term in state prison instead of in local confinement as described above in (2) if the county served by the court has used its local confinement exemption (see (2) above) and the facility to which the offender would be sent for local confinement is at 110% of its desired inmate capacity, provides that the waiver continues while both of those conditions remain true, and allows DRC to reduce its T-CAP grant to the county by an amount to cover its cost of confining the offender.

(8) No provision.

(9) No provision.

(9) Permits the person operating a local correctional facility to notify a judge who sentences an offender to a prison term or jail term in the facility for any offense that the facility's inmate population would exceed its desired capacity as a result of the sentence.

(9) No provision.

(10) No provision.

(10) Provides that a judge who receives a notice described in (9) must, within 24 hours, either modify the sentence by

(10) No provision.

Executive

As Passed by the House

As Passed by the Senate

sentencing the offender to another local facility or imposing a community control sanction if a mandatory prison or jail term is not required or order the release of another inmate from the facility whom the judge previously sentenced (the inmate cannot be serving a mandatory sentence). Permits the person operating the facility, if the judge fails to timely act, to release an inmate serving a sentence at the facility who has served at least 90% of the inmate's sentence, has not been convicted of any offense of violence or sex offense, and is not serving a mandatory prison or jail term.

(11) No provision.

(11) Requires county sheriffs to determine the per diem cost (which must be the actual cost) of housing offenders sentenced to a prison term of 12 months or less for a fifth degree felony in local correctional facilities in the county and provides for the use of the cost so determined in making reimbursements to the county under the T-CAP program.

(11) Same as the House.

(12) No provision.

(12) Removes the requirement that an offender confined under a prison term of less than two years serve at least 30 days to be eligible to apply for judicial release.

(12) Same as the House.

**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.**

**Fiscal effect: Uncertain.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**DRCCD6**                      **Certificates of qualification for employment**

**R.C.            2953.25**

**R.C.            2953.25**

**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.

(1) Same as the Executive.

(1) Same as the 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.

(2) Same as the Executive.

(2) Same as the Executive.

(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.

(3) Same as the Executive.

(3) Same as the Executive.

(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.

(4) Same as the Executive.

(4) Same as the Executive.

(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.

(5) Same as the Executive.

(5) Same as the Executive.

(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

(6) Same as the Executive.

(6) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

(7) Same as the Executive.

(7) Same as the Executive.

(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.

(8) Same as the Executive.

(8) Same as the Executive.

(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.

(9) Same as the Executive.

(9) Same as the Executive.

(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.

(10) Same as the Executive.

(10) Same as the Executive.

(11) No provision.

(11) No provision.

(11) Defines "discretionary civil impact," "licensing agency," and "mandatory civil impact," as used in the Certificate of Qualification for Employment section of the Revised Code, by reference to existing definitions in the law regarding

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential minimal annual expenditure increase for DRC and the counties to comply with these provisions.**

**Fiscal effect: Same as the Executive.**

certificates of achievement and employability.  
**Fiscal effect: Same as the Executive.**

**DRCCD11 Notice to sheriff of felony offender release from prison**

**R.C. 2967.122**

**R.C. 2967.122**

(1) No provision.

(1) Requires the Department of Rehabilitation and Correction's Adult Parole Authority (APA) to notify the sheriff of the county in which an offender was convicted and the sheriff of the county in which an offender will reside of the offender's imminent release from a state correctional institution at least two weeks before the offender's release.

(1) Same as the House.

(2) No provision.

(2) Requires that the notice contain the name of the offender, the date of release, the offense for which the offender was convicted and incarcerated, the date of conviction, the sentence imposed for that conviction, the length of any supervision that the offender will be under, contact information for the supervising officer if the offender is to be supervised upon release, and the address at which the offender will reside.

(2) Same as the House.

(3) No provision.

(3) Requires the APA to provide notice to the county sheriff of a recommendation of pardon or commutation of an offender's sentence or a hearing regarding a grant of parole to an offender at least 60 days prior to the grant of parole, commutation, or the date of the parole hearing.

(3) Same as the House.

(4) No provision.

(4) Requires the APA to provide notice to the county sheriff of the pendency of a transfer to transitional control at least 60 days prior to the transfer.

(4) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Indeterminate annual cost increase for the APA to provide the required notifications to the county sheriff.**

**Fiscal effect: Same as the House.**

**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.**

**R.C. 2967.193**

(1) Same as the Executive, but modifies the earned credit to either 90 days, or a 10% reduction of the offender's prison term, whichever is less.

(2) Same as the Executive.

(3) Same as the Executive, but does not apply to offenders serving a mandatory prison term or a prison term for an offense of violence or a sexually oriented offense.

**Fiscal effect: Same as the Executive.**

**R.C. 2967.193**

(1) Same as the Executive, but expands the programs for which a prisoner's completion would grant credit to also include: (a) a therapeutic drug community program, (b) all three phases of the Department of Rehabilitation and Correction's intensive outpatient drug treatment program, (c) a career technical vocational school program, (d) a college certification program, and (e) the criteria for a certificate of achievement and employability as specified in R.C. 2961.22.

(2) Same as the Executive.

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

DRCCD18 Community-based substance use disorder treatment

No provision.

No provision.

**R.C. 5120.035**

Changes the "prior convictions" that currently disqualify a prisoner from eligibility for the existing community-based substance abuse disorder treatment program from "any offense of violence" to "any felony offense of violence or any misdemeanor offense of violence within the preceding 5 years."

**Fiscal effect: Potential net annual savings effect on the Department of Rehabilitation and Correction's operating budget.**

DRCCD15 Warden's report to the Parole Board

No provision.

**R.C. 5120.68, 5149.10**

Requires the warden of an institution in which a person eligible for parole is incarcerated to submit to the Parole Board a report containing information concerning: (1) the prisoner's participation in programs at the institution, (2) the prisoner's compliance or noncompliance with rules at the institution, and (3) the ability of the prisoner to seek and obtain employment upon release from incarceration. Requires the warden to submit the report prior to any hearing to determine whether or not the prisoner should be paroled.

**Fiscal effect: Uncertain.**

**R.C. 5120.68, 5149.10**

Same as the House.

**Fiscal effect: Same as the House.**

**Executive**

**As Passed by the House**

**As Passed by the Senate**

**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".

(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.**

**R.C. 5149.311**

(1) Same as the Executive, but adds community-based correctional facilities to the list of probation departments eligible for probation improvement grants and probation incentive grants, and imposes the same requirements to receive the grants that currently apply to common pleas, municipal, and county court probation departments.

(2) Same as the Executive.

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

**R.C. 5149.311**

(1) Same as the House.

(2) Same as the Executive

(3) Same as the Executive.

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**DRCCD16      Institution Addiction Treatment Services Fund**

(1) No provision.

(1) No provision.

**Section: 383.10**

(1) Creates DPF Fund 5UB0 appropriation item 501612, Institution Addiction Treatment Services, with an appropriation of \$1,000,000 in each of FYs 2018 and 2019.

(2) No provision.

(2) No provision.

(2) Requires, notwithstanding any provision of law to the contrary, the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$1,000,000 from the Indigent Drivers Alcohol Treatment Fund (Fund 7049) to the Institution Addiction Treatment Services Fund (Fund 5999).

(3) No provision.

(3) No provision.

(3) Requires DPF Fund 5UB0 appropriation item 501612, Institution Addiction Treatment Services, to be used to pay for the costs of providing substance abuse treatment services to offenders incarcerated in institutions operated by the Department of Rehabilitation and Correction.

**DRCCD7      Land conveyances**

**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

**Section: 753.10**

(1) Same as the Executive, but authorizes the conveyance of various additional parcels of state-owned land in Allen, Fairfield, Lorain, Madison, Marion, Pickaway, Richland, Ross, and Scioto counties, and removes the direct real estate purchase agreement sale option.

(2) Same as the Executive.

**Sections: 753.10, 753.31 and 753.40**

(1) Same as the Executive, but includes only a portion of the Warren County real estate, and also adds the conveyance of state-owned land in Lorain County from the As Passed by the House version of the bill.

(2) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

(3) No provision.

(3) Same as the Executive.

(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.

(4) Same as the Executive.

(4) Same as the Executive.

(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.

(5) Same as the Executive.

(5) Same as the Executive.

(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.

(6) Same as the Executive.

(6) Same as the Executive.

(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.

(7) Same as the Executive, but removes the option for proposals by direct sale.

(7) Same as the Executive.

(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.

(8) Same as the Executive.

(8) Same as the Executive.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(9) Same as the Executive.

(9) Same as the Executive.

(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.

(10) Same as the Executive.

(10) Same as the 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.

(11) Same as the Executive, but removes language authorizing an alternative sale process.

(11) Same as the Executive, but the conveyance of the Warren County land cannot 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.

(12) Same as the Executive.

(12) Same as the Executive.

(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).

(13) Same as the Executive.

(13) Same as the Executive.

**Fiscal effect: Potential onetime revenue gain in money credited to Fund 7097, which is used for the purpose of debt retirement.**

**Fiscal effect: Same as the Executive.**

**Fiscal effect: Same as the Executive.**

Executive

As Passed by the House

As Passed by the Senate

**RDFCD1 Distribution of Local Government Fund money to townships and small villages**

**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**

**R.C. 131.44, 131.51, 5747.50, 5747.502, 5747.503, and Section 757.20**

**R.C. 131.44, 131.51, 5747.50, 5747.502, 5747.503, and Section 757.20**

Modifies monthly payments from the Local Government Fund (LGF) beginning in January 2018 as follows: (1) Codifies the current set-aside that 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.

Replaces the Executive provision with a provision that codifies the \$1 million set aside from the LGF for townships and small villages.

Same as the House.

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.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

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.

No provision.

No provision.

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.

No provision.

No provision.

**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.**

**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. Also codifies the \$1 million set aside for townships and small villages established in uncodified law by Am. Sub. H.B. 64 of the 131st G.A. The set aside effectively reduces amounts distributed to municipalities that levy an income tax and correspondingly increases amounts distributed to small villages and townships.**

**Fiscal effect: Same as the House.**

RDFCD9 Distribution of LGF money to support opioid addiction treatment and law enforcement

No provision.

No provision.

**R.C. 313.132, 5747.503, and Sections 291.20, 307.110, 307.193, 333.63, 337.220, 383.10, and 757.20**

Redirects amounts, after any other reductions required by law, that would otherwise be paid directly to municipal governments by the Department of Taxation from the LGF to a newly created fund, the Targeting Addiction Assistance Fund (Fund 5TZ0), in FY 2018 and FY 2019.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Requires that moneys in Fund 5TZ0 be used for the following purposes in each fiscal year by the indicated agencies through the indicated appropriation items:
(1) No provision.	(1) No provision.	(1) \$1,000,000 by the Department of Health through Fund 5TZ0 item 440621, Toxicology Screenings, to reimburse county coroners in counties in which the coroner has performed toxicology screenings on victims of a drug overdose. Specifies that a coroner must screen for the following drugs: buprenorphine, methadone, and naltrexone, if the autopsy includes a toxicological analysis. Requires the Director of Health to transfer the funds to the counties in proportion to the numbers of toxicology screenings performed per county.
(2) No provision.	(2) No provision.	(2) \$10,000,000 by the Department of Rehabilitation and Correction through Fund 5TZ0 item 501610, Probation Improvement and Incentive Grants, to be allocated as Probation Improvement and Incentive Grants to municipalities with an emphasis on: (a) providing services to those addicted to opiates and other illegal substances, and (b) supplementing the programs and services funded by grants distributed from GRF appropriation item 501407, Community Nonresidential Programs.
(3) No provision.	(3) No provision. (See MHACD11)	(3) \$6,000,000 by the Department of Mental Health and Addiction Services through Fund 5TZ0 item 336600, Substance Abuse Stabilization Centers, to be allocated to boards of alcohol, drug addiction, and mental health services. Requires the boards to use their allocations to establish and administer, in collaboration with the other boards that serve the same state psychiatric hospital region, acute substance use disorder stabilization centers. Specifies that one center must be located in each state psychiatric hospital region. Requires ODMHAS to conduct an analysis

Executive

As Passed by the House

As Passed by the Senate

(4) No provision.

(4) No provision. (See JFSCD7)

of each center and to submit findings to the Governor and the General Assembly.

(4) \$150,000 by the Department of Job and Family Services through Fund 5TZ0 item 600674, Children's Crisis Care, to be allocated to children's crisis care facilities. Requires the Director of Job and Family Services to allocate funding based on the number of children at each facility. Specifies that a children's crisis care facility may decline to receive such funding. Requires a children's crisis care facility that accepts such funding to use the funds in accordance with section 5103.13 of the Revised Code and the rules as defined in rule 5101:2-9-36 of the Administrative Code.

(5) No provision.

(5) No provision.

(5) \$500,000 by the Department of Medicaid through Fund 5TZ0 item 651600, Brigid's Path Pilot, and in consultation with the Department of Job and Family Services and the Department of Health, to develop a pilot program under which newborns who have neonatal abstinence syndrome are, after being medically stabilized at a hospital, transferred to a nonhospital, community facility that is located in Montgomery County and provides the newborns medical, pharmacological, and therapeutic services specified by the departments. Requires the departments to begin operation of the pilot program not later than 90 days after the effective date of this bill and must cease operation of the pilot program on July 1, 2018. Specifies that not later than 90 days after the date the pilot program ends, the departments must jointly complete a report about the pilot program and submit the report to the General Assembly. Specifies that the report must include recommendations for making the pilot program statewide and part of the Medicaid program.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Decreases the amount of available moneys that would be paid directly from the LGF to certain municipalities that levied an income tax by up to \$17.65 million in each of FY 2018 and FY 2019 and correspondingly increases funding to the new fund, the Targeting Addiction Assistance Fund (Fund 5TZ0) by the same amounts.**

RDFCD8

Public Library Fund

No provision.

No provision.

**Sections: 387.10, 387.20**

Requires the Director of Budget and Management to credit 1.68% of the total tax revenue credited to the General Revenue Fund during the preceding month to the Public Library Fund (Fund 7065) in each month during fiscal year 2018 and fiscal year 2019, instead of 1.66% as specified under division (B) of section 131.51 of the Revised Code.

**Fiscal effect: Increases total GRF tax revenue that will be deposited into the PLF by \$4.5 million in FY 2018 and \$4.6 million in FY 2019. The increased funding to the PLF has the effect of decreasing GRF revenue by corresponding amounts.**

Executive

As Passed by the House

As Passed by the Senate

**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.

**Sections: 387.20, 512.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Sections: 387.20, 512.50**

Same as the Executive.

Same as the Executive.

Same as the Executive, but specifies that the total amounts of the payments to counties and transit authorities will be made in two equal payments, the first one-half to be paid by November 1, 2017 and the second one-half to be paid in January 2018.

## Executive

## As Passed by the House

## As Passed by the Senate

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.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive, though with a difference in the timing of payments.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

**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.**

**R.C. 4736.12**

Replaces the Executive provision with a provision that decreases the application fees from \$80 to \$60.

Replaces the Executive provision with a provision that decreases the renewal fees from \$90 to \$67.50.

Decreases the late registration renewal fee for a registered sanitarian from \$75 to \$56.25

Decreases the fee for persons other than sanitarians-in-training to apply for registration from \$160 to \$120.

**Fiscal effect: The provision will decrease fee revenue by approximately \$31,200 annually beginning in FY 2018.**

**R.C. 4736.12**

Same as the House.

Same as the House.

Same as the House.

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**SOSCD10      Uncontested primary elections**

**R.C.      102.02, 3513.02, 3513.30, 3513.301, 3513.312**

**R.C.      102.02, 3513.02, 3513.30, 3513.301, 3513.312**

No provision.

Provides generally that in an uncontested primary election race, the race must not appear on the ballot and the sole candidate be automatically nominated.

Same as the House.

No provision.

Specifies the procedures to follow if an unopposed primary candidate dies, withdraws, or is disqualified before the primary election.

Same as the House.

No provision.

Eliminates the requirement that the state hold a special primary election to replace a party's candidate for Congress if the special primary is uncontested.

Same as the House.

**Fiscal effect: Potentially reduces election costs for both county boards of elections and for the Secretary of State associated with conducting uncontested primary elections. In cases in which a Congressional special election is held, the Secretary of State reimburses county boards of elections for those costs.**

**Fiscal effect: Same as the House.**

**SOSCD13      Address confidentiality program changes**

**R.C.      111.42, 111.43, 111.44, 111.45, 3503.16**

No provision.

No provision.

Requires an applicant for the address confidentiality program, which serves victims of certain crimes, to reside, work, or attend a school or an institution of higher education in Ohio.

No provision.

No provision.

Requires the Secretary of State to issue each program participant a program authorization card as proof of the person's status.

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

Narrows the type of mail that the Secretary must forward to a program participant to specify that the Secretary of State is only required to forward: (1) first class letters, flats, packages, or parcels delivered via the U.S. Postal Service, including priority, express, and certified mail; (2) packages or parcels that are clearly identifiable as containing pharmaceutical agents or medical supplies; (3) packages, parcels, periodicals, or catalogs that are clearly identifiable as being sent by a governmental entity; (4) packages, parcels, periodicals, or catalogs that have received prior authorization from the Ohio Secretary of State for forwarding under the bill.

No provision.

No provision.

Clarifies the voter registration deadlines that apply to program participants.

**Fiscal effect: Uncertain.**

SOSCD11

Notary fees

No provision.

**R.C. 147.08**

Authorizes notaries to set their own fees with regard to certifying acknowledgements of written instruments, administering oaths, and performing other official services.

**Fiscal effect: No impact to the Notary Commission Fund (Fund 4120).**

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

## SOSCD12      Electronic notary

**R.C.      147.541, 147.542, 147.543**

No provision.

Specifies that the requirement that a person acknowledging appear before a notary public taking the acknowledgement may be done through visually appearing through an electronic communications device approved by the Secretary of State.

No provision.

No provision.

Specifies that an electronic signature, using an electronic communications device approved by the Secretary of State, may be used to acknowledge the execution of an instrument.

No provision.

No provision.

Allows for a commissioned notary public to become, at the discretion of the Secretary of State, an electronic notary public by submitting a registration form to the Secretary of State. Allows the Secretary of State to charge a fee of up to \$5 for such registrations.

No provision.

No provision.

Authorizes the Secretary, with assistance from the Office of Information Technology in DAS, to establish standards for approving an electronic communications device to be used by an electronic notary public.

No provision.

**Fiscal effect: None apparent.**

Executive	As Passed by the House	As Passed by the Senate
<b>SOSCD14</b> <b>Voting equipment</b>		
No provision.	No provision.	<b>R.C.      3506.01, 3506.06, 3506.07</b> Amends the law governing the certification of voting equipment to include equipment that allows a person to vote using an electronic display and then transfers those votes onto an optical scan ballot or other paper record for tabulation. Specifies that such equipment is not considered a direct recording electronic voting machine (DRE) under that law, and removes references to punch card ballots from the law.
<b>SOSCD7</b> <b>Absent voter's ballot application mailing</b>		
<b>Section: 395.20</b> 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.	<b>Section: 395.20</b> Same as the Executive but requires, rather than allows, the Controlling Board to approve the cash transfers, and specifies that the money is to be used to cover such costs for the November 2018 general election.	<b>Section: 395.20</b> Same as the House.

Executive

As Passed by the House

As Passed by the Senate

SOSCD9

Citizen Education Fund

**Section: 395.20**

Reappropriates the unexpended, unencumbered portion of the Citizen Education Fund (Fund 4140) appropriation item 050602, Citizen Education, at the end of FY 2017 for the same purpose in FY 2018.

**Section: 395.20**

Same as the House.

No provision.

Executive

As Passed by the House

As Passed by the Senate

SENCD3 General Assembly review of cabinet departments

(1) No provision.

(1) No provision.

**R.C. 101.88, 101.881, 101.882, 101.89, 117.46**

(1) Establishes a procedure for the General Assembly to periodically review cabinet departments.

(2) No provision.

(2) No provision.

2) Requires the following departments to be reviewed during each even numbered General Assembly:  
(a) Office of Budget and Management;  
(b) Department of Administrative Services;  
(c) Department of Agriculture;  
(d) Department of Health;  
(e) Department of Public Safety;  
(f) Department of Developmental Disabilities;  
(g) Development Services Agency;  
(h) Department of Rehabilitation and Correction;  
(i) Department of Aging;  
(j) Department of Medicaid;  
(k) Office of the Adjutant General; and  
(l) Department of Higher Education.

(3) No provision.

(3) No provision.

(3) Requires the following departments to be reviewed during each odd numbered General Assembly:  
(a) Department of Commerce;  
(b) Department of Transportation;  
(c) Department of Natural Resources;  
(d) Department of Job and Family Services;  
(e) Department of Mental Health and Addiction Services;  
(f) Department of Insurance;  
(g) Department of Youth Services;  
(h) Environmental Protection Agency;  
(i) Department of Veterans Services;

Executive

As Passed by the House

As Passed by the Senate

(4) No provision.

(4) No provision.

(j) Office of Health Transformation;  
(k) Public Utilities Commission; and  
(l) Department of Taxation

(4) Permits the General Assembly to review a department that is not required to be reviewed.

(5) No provision.

(5) No provision.

(5) Permits the General Assembly to abolish, terminate, or transfer a department by no other means except by enactment of a law, and to provide by law for the orderly, efficient, and expeditious conclusion of a department's business. Requires the rules, orders, licenses, contracts, and other actions made, granted, or performed by the department continue in effect according to their terms, unless the General Assembly provides otherwise by law. Permits the General Assembly to provide by law for the temporary or permanent transfer of some or all of a terminated or transferred department's functions and personnel to a successor department, board, or officer.

(6) No provision.

(6) No provision.

(6) Specifies that the abolition, termination, or transfer of a department does not cause the termination or dismissal of any claim pending against the department by any person, or any claim pending against any person by the department. Requires generally the Attorney General succeed the department with reference to any pending claim.

(7) No provision.

(7) No provision.

(7) Requires, not later than three months after a General Assembly starts during which a department is scheduled to be reviewed, the President of the Senate and the Speaker of the House of Representatives each direct a standing committee to hold hearings to receive testimony from the department's chief executive officer and from the public.

## Executive

## As Passed by the House

## As Passed by the Senate

(8) No provision.

(8) No provision.

(8) Requires the committees to also review, consider, and evaluate the usefulness, performance, and effectiveness of the department.

(9) No provision.

(9) No provision.

(9) Permits the Senate President and the Speaker of the House to defer a department's review until the next General Assembly during which the department is subject to review. Requires a deferred department be reviewed, without the option for deferment, the next time it is subject to review.

(10) No provision.

(10) No provision.

(10) Requires each department that is scheduled or identified for review to submit to the standing committee a report that contains specified information.

(11) No provision.

(11) No provision.

(11) Places on each department the burden of demonstrating to the standing committee a public need for its continued existence. Requires, in determining whether a department has demonstrated that need, the standing committee to consider specified factors.

(12) No provision.

(12) No provision.

(12) Requires, in the review of a department that issues a license to practice a trade or profession, the standing committee to consider specified factors.

(13) No provision.

(13) No provision.

(13) Requires the Senate President and the Speaker of the House to notify the Chief of the Common Sense Initiative Office when a department is to be reviewed by a standing committee. Requires the Chief or the chief's designee to appear and testify before the committee, with respect to the department, and to testify on certain matters.

(14) No provision.

(14) No provision.

(14) Permits, after completion of a department's evaluation review, the standing committee to publish a report of its findings and recommendations, and to furnish a copy of the report to the Clerk of the House or the Clerk of the Senate, as the case may be. Requires the Clerk furnish a copy to the Senate President, the Speaker of the House, the

Executive

As Passed by the House

As Passed by the Senate

(15) No provision.

(15) No provision.

Governor, and each affected department, and to make it available to the public on the General Assembly's website.

(15) Aligns the Auditor of State's schedule for conducting performance audits to the schedule for review of cabinet departments. Requires the performance audits to be completed before the end of the General Assembly during which they are conducted, and made available to the standing committee directed to review the audited department during the following General Assembly.

**Fiscal effect: There will be some increase in administrative costs for certain state departments to prepare the required report. Certain standing committees of the General Assembly will incur some administrative burden to prepare and publish a report on their findings and recommendations. There will be little to no additional cost to the Auditor of State to conform to the timing of performance audits.**

SENCD2

Ohio Lead Legislative Study Group

(1) No provision.

(1) No provision.

**Section: 737.21**

(1) Creates the Ohio Lead Legislative Study Group to study lead poisoning treatment and control issues and propose a plan to address those issues.

(2) No provision.

(2) No provision.

(2) Requires that the Study Group include: (a) the chairs and ranking minority members of the committees of the House of Representatives and the Senate (or their designees) with a primary responsibility over health and education issues, and (b) a representative from each of the following organizations, appointed by the Governor: the Coalition on Homelessness and Housing in Ohio, the Cleveland Lead Safe Network,

Executive

As Passed by the House

As Passed by the Senate

(3) No provision.

(3) No provision.

Marion County Public Health, the Ohio Association of Realtors, the Ohio Children's Hospital Association, the Ohio Conference on Community Development, the Ohio Healthy Homes Network, the Ohio Poverty Law Center, the People Working Cooperatively, the Toledo Lead Poisoning Prevention Coalition, and a representative of the Ohio Department of Health.

(3) Requires: (a) the Governor to make appointments to the Study Group within 30 days after the provision's effective date, (b) the chair of the Senate Education Committee, or the chair's designee, to serve as the initial chair of the Study Group, and (c) the Study Group, not later than 90 days after its first meeting, to elect a chair to serve for the remainder of the Group's mandate and appoint ten additional members representing interested agencies and advocacy groups.

(4) No provision.

(4) No provision.

(4) Requires the Study Group to submit a report of its findings and recommendations, within 18 months after the provision's effective date, to the Speaker and Minority Leader of the House and the President and Minority Leader of the Senate. Specifies that the Study Group ceases to exist after submitting the report.

**Fiscal effect: Potential minimal cost to produce the required report, presumably to be incurred in large part by the General Assembly as it is a legislative study group.**

Executive

As Passed by the House

As Passed by the Senate

CSVCD1 Ohio Commission on Service and Volunteerism membership

No provision.

No provision.

**R.C. 121.40**

Reduces the size of the Ohio Commission on Service and Volunteerism from 21 members to 19 members by eliminating the specification that the Chairperson of the House of Representatives committee and of the Senate committee that deal with education are members of the Commission.

**Fiscal effect: Potential minimal decrease in expenditures for reimbursements for actual and necessary expenses due to the reduction of members.**

Executive

As Passed by the House

As Passed by the Senate

**Personal Income Tax**

**TAXCD71 Motion picture tax credit**

**R.C. 122.85**

(1) No provision.

(1) Requires that, to be eligible for the motion picture tax credit, a motion picture company must show that it has already secured funding equal to at least 50% of the motion picture's total production budget.

(1) No provision.

(2) No provision.

(2) Requires the Director of the Development Services Agency (DSA) to give priority to tax-credit eligible productions that are television series or miniseries.

(2) No provision.

(3) No provision.

(3) Provides that, if the amount of credits allowed in any fiscal year is less than the annual \$40 million credit cap, the difference may be carried forward and added to the cap in the following fiscal year.

(3) No provision.

(4) No provision.

(4) Requires the Director of Development Services to charge a tax credit application fee equal to 1% of the estimated value of the credit or \$10,000, whichever is less.

(4) No provision.

**Fiscal effect: May reduce tax receipts beginning in FY 2018 depending on the amount of underutilized motion picture credits for FY 2017 and years thereafter. The current application fee is subject to DSA discretion and is lower than the amount specified in the provision. Under current law, any additional application revenues are credited to DSA's business assistance fund.**

Executive

As Passed by the House

As Passed by the Senate

**TAXCD111 Business income tax deduction**

No provision.

No provision.

**R.C. 5733.40**

Specifies that wages and 'guaranteed payments' paid by a professional employer organization (PEO) to an investor in a pass-through entity (PTE) that is a client employer of the PEO may be considered business income, and therefore eligible for the business income tax deduction and 3% tax rate. Makes this provision effective for taxable years beginning on or after January 1, 2017. (Currently, wages and guaranteed payments paid to PTE investors are considered business income if the investor owns at least 20% interest in the PTE, but the payments must be made by the PTE.)

**Fiscal effect: Revenue loss, possibly minimal, to GRF, Local Government Fund, and Public Library Fund.**

**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.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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%.)

**R.C. 5747.02**

Replaces the Executive proposed reduction in nonbusiness income tax rates and reduction in the number of brackets with elimination of the bottom two income tax brackets (\$0-\$5,000 and \$5,000-\$10,000). Specifies that taxpayers with Ohio adjusted gross income less exemptions and less taxable business income of \$10,000 or less will owe no tax.

**R.C. 5747.02**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Fiscal effect:** Revenue gain or loss, likely minimal. Effectively retains the current tax rates and structure for taxpayers with Ohio taxable income over \$10,000, by specifying in statute the amount of tax before credits that these taxpayers owe on the first \$10,000 in income. Taxpayers with incomes below \$10,000 currently pay no tax due to the low income credit.

**Fiscal effect:** Same as the House.

**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.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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**

**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.**

**R.C. 5747.056 (Repealed)**

Replaces the Executive provision with a provision that repeals the credit.

**Fiscal effect: Would lead to a revenue gain of about \$3 million, but the elimination of the bottom two tax brackets described in TAXCD49 effectively eliminate any such gain.**

**R.C. 5747.056 (Repealed)**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

**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.**

**TAXCD105 College or disability savings tax deduction increase**

No provision.

No provision.

**R.C. 5747.70, Sections 757.130, 803.360**

Increases the maximum income tax deduction for contributions to a federally tax-advantaged college savings plan or disability expense savings account to \$4,000 (from \$2,000) annually for each beneficiary. Creates the Joint Committee on Ohio College Affordability to study and develop strategies to reduce the cost of attending colleges and universities in Ohio.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Decreases personal income tax revenue by \$6.9 million per year beginning in FY 2018, of which the GRF share of this loss is \$6.7 million per year. The remaining share of this annual revenue loss, \$0.2 million, would decrease receipts credited to the Local Government Fund (Fund 7069) and the Public Library Fund (Fund 7065) beginning in FY 2018.**

**Sales and Use Taxes**

TAXCD106

Sales tax: remittance by motor vehicle dealers

No provision.

No provision.

**R.C. 4505.06, 5739.029, 5739.122, 5739.13, and 5741.12**

Beginning January 1, 2018, allows new and used motor vehicle dealers licensed in Ohio to remit the sales and use tax collected on vehicle sales directly to the state on the dealer's monthly sales or use tax return. Requires dealers that do not remit the tax with their returns to remit the tax due to the Clerk of the Court of Common Pleas (under current law, such dealers are required to remit the tax to the Clerk along with the application for a certificate of title for the vehicle).

No provision.

No provision.

Requires the Director of Budget and Management to remit the Clerk's poundage fee to the appropriate county Certificate of Title Administration Fund upon collecting the tax. (Under continuing law, the poundage fee equals 1.01% of the tax collected and is to be used to defray the expenses of processing titles for automobiles and other titled vehicles and, in the case of a surplus, to support the county general fund.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: None, but potentially changes the timing of remittance of auto sales and use taxes.

**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.)

No provision.

No provision.

**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

As Passed by the House

As Passed by the Senate

**TAXCD65 Sales tax on electronic services**

No provision.	<p><b>R.C. 5739.01, Section 803.260</b></p> <p>Specifies that sales of automatic data processing (ADP), computer services (CS), electronic information services (EIS), and electronic publishing services are not taxable under the sales tax, when such services are provided primarily for the delivery, receipt, or use of another, nontaxable service. (Current law states that ADP, CS, and EIS are not taxable when they are "incidental or supplemental" to another, nontaxable service).</p>	<p><b>R.C. 5739.01, Section 803.260</b></p> <p>Same as the House.</p>
No provision.	<p>States that this provision applies retrospectively to all cases pending or transactions made on or after December 21, 2007 (Sub. H.B. 157 of the 127th G.A.).</p> <p><b>Fiscal effect: Decreases state and local sales and use tax revenue by an uncertain amount each fiscal year. Additional revenue losses from potential sales tax refunds due to the retroactive application of this provision to all cases pending or transactions made on or after December 21, 2007. The revenue loss from these refunds is unknown, but could be significant.</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>

**TAXCD66 Sales tax exemption for prescription optical aids**

No provision.	<p><b>R.C. 5739.01, 5739.02; Section 803.140</b></p> <p>Exempts prescription optical aids (e.g., eyeglasses and contact lenses) and their components from sales and use tax beginning July 1, 2019 (fiscal year 2020).</p>	<p><b>R.C. 5739.01, 5739.02; Section 803.140</b></p> <p>Same as the House.</p>
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Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: No fiscal effect in fiscal years 2018 and 2019. Potential yearly GRF revenue loss of \$22.4 million starting in FY 2020; reduced annual distributions to the LGF and PLF of about \$0.8 million. Annual decrease of \$6.0 million in permissive county and transit authorities sales taxes.

Fiscal effect: Same as the House.

**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.

No provision.

No provision.

**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.

Executive

As Passed by the House

As Passed by the Senate

**TAXCD67 Sales tax exemption for amusement device transactions**

No provision.

**R.C. 5739.02, 812.20**

Exempts from sales and use tax purchases of digital multimedia, e.g., music and audio-visual works, from an amusement or entertainment device that accepts direct payments, e.g., a digital jukebox or arcade game. Applies to such transactions beginning October 1, 2017.

**Fiscal effect: Uncertain decrease in revenue from the sales and use tax. Sales tax revenue is deposited in the GRF.**

**R.C. 5739.02, 812.20**

Same as the House, except limits the exemption to digital music purchased from and played by a single-play commercial music machine (jukebox).

**Fiscal effect: Narrows the revenue loss when compared to the House-passed provision.**

**TAXCD89 Local sales and use taxes: tax rate increments**

No provision.

**R.C. 5739.021, 5739.023, 5739.026**

Allows counties and transit authorities to increase their local sales and use tax levies in increments of 0.05%, rather than 0.25%.

**Fiscal effect: None.**

**R.C. 5739.021, 5739.023, 5739.026 and Section 757.100**

Same as the House, but allows incremental adjustment by multiples of 0.1%, rather than 0.05%, and allows such incremental adjustments beginning July 2018.

**Fiscal effect: Same as the House.**

**TAXCD60 Combined sales and use tax returns**

No provision.

**R.C. 5739.12**

Requires the Tax Commissioner to prescribe a single return on which both sales tax and use tax may be reported by retailers that must remit both. (The Commissioner currently requires that retailers submit separate sales tax and use tax returns through the Ohio Business Gateway) .

No provision.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: None

**TAXCD61 Use tax collections by certain out-of-state retailers**

No provision.

**R.C. 5741.01, 5741.17; Section 803.150**

Requires, beginning January 1, 2018, an out-of-state seller with annual Ohio sales in excess of \$100,000 or 200 or more Ohio transactions to collect and remit use tax, regardless of whether or not those sellers have a physical presence or a substantial nexus with Ohio.

No provision.

**Fiscal effect: Uncertain increase in use tax revenues. Sales and use tax revenue is deposited in the GRF.**

**TAXCD102 Sales tax holiday**

No provision.

No provision.

**Section: 757.120**

Provides a three-day sales tax "holiday" in August 2018 during which sales of clothing, school supplies, and instructional materials within certain price ranges are exempt from sales and use taxes.

**Fiscal effect: Decreases state sales and use tax revenues by \$15.2 million in FY 2019, which would be shared by the GRF (14.7 million) and the LGF and PLF (\$0.5 million). The revenue loss to counties and transit authorities would be \$3.7 million.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

**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

As Passed by the House

As Passed by the Senate

**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).

No provision.

No provision.

**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.**

Executive

As Passed by the House

As Passed by the Senate

TAXCD62 CAT administrative expense earmark

No provision.

**R.C. 5751.02, Sections 409.10 and 812.20**

Reduces the percentage of commercial activity tax revenue credited to the Revenue Enhancement Fund (Fund 2280) from 0.85% to 0.75% beginning July 1, 2017.

**Fiscal effect: Reduces the Department of Taxation's administrative share and increases the GRF share of CAT revenue by about \$1.7 million in each of FY 2018 and FY 2019.**

**R.C. 5751.02, Sections 409.10 and 812.20**

Same as the House.

**Fiscal effect: Same as the House.**

TAXCD91 Historic rehabilitation credit against the CAT

No provision.

**Section: 757.70**

Extends, to July 1, 2019, a temporary provision authorizing owners of an historic rehabilitation tax credit certificate to claim the credit against the CAT if the owner cannot claim the credit against another tax. (The current provision, enacted in Am. Sub. H.B. 64 of the 131st General Assembly, authorizes such certificate owners to claim the credit against the CAT only for tax periods ending between July 1, 2015, and June 30, 2017. A similar provision was in effect between July 2013 and June 2015. Otherwise, the credit may be applied only against the income tax, financial institutions tax, and the insurance company franchise taxes.)

**Fiscal effect: GRF revenue loss, potentially in the millions.**

**Section: 757.70**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

**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.**

**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.

No provision.

No provision.

**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

As Passed by the House

As Passed by the Senate

**TAXCD43 Excise tax changes 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.**

(1) No provision.

(2) No provision.

(3) No provision.

**R.C. 5743.51, 5743.01, 5743.62, 5743.63, Section 803.370**

(1) No provision.

(2) Replaces the Executive provision with a maximum tax that may be imposed on the newly defined "premium cigar" equal to \$0.50 per cigar. Defines a premium 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. Requires the Tax Commissioner to annually increase the \$0.50 rate at the same rate as an increase in the Consumer Price Index.

(3) Replaces the Executive provision with one specifying that the cigar definition revision used in calculating the tax is effective beginning July 1, 2017.

**Fiscal effect: Reduces revenues from tax on other tobacco products by \$1.4 million in FY 2018 and \$1.5 million in FY 2018. Under current law, the tax rate on such cigars is 17% of the wholesale price of the cigar, and tax receipts are deposited in the GRF.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

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.

No provision.

No provision.

**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).**

**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.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

**Kilowatt-hour and Natural Gas Consumption Taxes**

**TAXCD76      Kilowatt-Hour tax: exempt electricity used in chlor-alkali manufacturing processes**

No provision.

**R.C.      5727.80, 5727.81**

Exempts from kilowatt-hour taxation any use of electricity by a qualified end user in a chlor-alkali manufacturing process unless the electricity is distributed by a municipal or rural cooperative electric company. Defines a "chlor-alkali manufacturing process" as "a process that uses electricity to produce chlorine and other chemicals through the electrolysis of a salt solution." (Current law exempts electricity used in a "qualifying manufacturing process," but only if the qualified end user uses at least three million kilowatt-hours of electricity in the process per day, though there is no restriction on who distributes the electricity. A "qualifying manufacturing process" is "an electrochemical reaction in which electrons from direct current electricity remain a part of the product being manufactured.")

**Fiscal effect:** Reduces revenue from the kilowatt-hour tax by approximately \$0.5 million per year, according to the Department of Taxation. Revenue from the kilowatt-hour tax is distributed to the GRF.

**R.C.      5727.80, 5727.81**

Same as the House, but extends the exemption to end users that receive electricity from a municipal or rural cooperative electric company. Specifies that if the electricity is received from a municipal electric company, the end user must first obtain the consent of the legislative authority of the municipal corporation that owns or operates the utility.

**Fiscal effect:** Same as the House, but may reduce kilowatt hour tax revenue further.

Executive

As Passed by the House

As Passed by the Senate

**Property Taxes and Transfer Fees**

**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.**

**R.C. 3709.29, 5705.01**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

No provision.

**TAXCD93 Homestead exemption filing deadline for mobile home owners**

No provision.

No provision.

**R.C. 4503.066, Section 803.330**

Extends the filing deadline by which manufactured and mobile home owners must apply for the homestead exemption by 18 months, from the first Monday in June of the year preceding the year for which the exemption is sought, to December 31 of the year for which the exemption is sought.

Extends the deadline by which such homeowners must report changes in circumstances that would affect the owner's exemption, from the first Monday in June to December 31.

**R.C. 4503.066, Section 803.330**

Same as the House.

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires that county auditors provide manufactured and mobile homeowners with the form for reporting changes in circumstances that would affect an existing homestead exemption in February, rather than January, of each year.	Same as the House.
No provision.	Applies the changes beginning in the 2017 tax year.	Same as the House.
<b>Fiscal effect: None.</b>		<b>Fiscal effect: Same as the House.</b>
<b>TAXCD92</b>	<b>Contents of property tax resolutions</b>	
No provision.	<p><b>R.C. 5705.03</b></p> <p>Requires property tax resolutions to include the following additional information:</p> <ul style="list-style-type: none"> <li>(1) Whether the tax is a renewal or a replacement of an existing tax with an increase or decrease (currently, the resolution must state whether the tax is a new levy or the renewal or replacement of an existing levy);</li> <li>(2) The term of the tax;</li> <li>(3) The subdivision's territory in which the tax will be voted upon and levied;</li> <li>(4) The date of the election;</li> <li>(5) The first tax year to which the tax will apply;</li> <li>(6) Each county in which the subdivision has territory.</li> </ul> <p><b>Fiscal effect: Generally none, though the inclusion of more complete information may help to prevent errors including those that could result in loss of tax revenue.</b></p>	<p><b>R.C. 5705.03</b></p> <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>

Executive

As Passed by the House

As Passed by the Senate

**TAXCD108 Combined property tax levy for county criminal justice facility**

No provision.

No provision.

**R.C. 5705.223, 757.80**

Allows a county to levy a property tax, subject to voter approval, for both of the following purposes as a single ballot question: (1) pay debt charges for the acquisition, construction, enlargement, renovation, or maintenance of a criminal justice facility; and (2) the operating expenses associated with the facility and other criminal justice services. Permits the submission of such a tax levy question to the voters of a county at the November 2017 general election if the resolution is submitted to the county board of elections within 7 days after the act's 90-day effective date. Permits a resolution by the board of county commissioners proposing such a tax to be adopted before the act's 90-day effective date as long as the resolution otherwise conforms to the act's requirements.

**Fiscal effect: Permissive revenue increase.**

**TAXCD103 Property tax exemption for nonprofit retail store**

No provision.

No provision.

**R.C. 5709.12, Section 757.90**

Exempts from property taxation a retail store operated by a charitable nonprofit housing organization that sells primarily donated household items. Specifies that the exemption applies to tax year 2017 and thereafter, and to exemption applications pending or on appeal when the provision takes effect.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Habitat for Humanity ReStores and possibly other similar establishments would be exempt from property tax, estimated at approximately \$164,000 per year.

**TAXCD84**      **Enterprise zone agreement extension**

**R.C.      5709.62, 5709.63, 5709.632**

**R.C.      5709.62, 5709.63, 5709.632**

No provision.

Extends indefinitely the authority of a county or municipal corporation to enter into an enterprise zone agreement with a business (that authority is currently set to expire on October 15, 2017).

Same as the House.

**Fiscal effect: Same as the House.**

**TAXCD99**      **Pre-1995 township TIF extension**

**R.C.      5709.73, Section 803.320**

No provision.

Requires a township to obtain the approval of affected school districts before extending the term of a tax increment financing (TIF) property tax exemption originally granted before 1995, unless the district has waived that requirement. Permits a school district to condition its approval on receiving compensation for forgone property tax revenue as a result of the extension. (Continuing law authorizes a township with a population of at least 15,000 to extend a TIF exemption originally granted before 1995 for up to 15 additional years, but current law only requires that an affected school district receive a 14-day notice before the township takes formal action to approve the extension.)

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Would provide negotiating leverage to affected school districts regarding a share of revenue from payments in lieu of taxes (PILOTs) that under current law would go for purposes approved by a township. The most likely result would be to increase PILOT revenue to certain school districts and decrease revenue to the township's purposes by a corresponding amount. This provision does allow a possibility that a PILOT would not be extended at all.**

TAXCD79 Property tax exemption for certain municipal property

No provision.

**R.C. 5709.101, Section 803.250**

Exempts from property taxation beginning in tax year 2016 and every year thereafter a property that meets all four of the following conditions: (1) less than 75% of the rentable square footage is rented to tenants, (2) it is owned by a municipality, after being conveyed by a community improvement corporation (CIC), (3) it was conveyed to that CIC by a federal agency, and (4) the property is subject to an agreement that requires the municipal corporation to convey the property back to the CIC before the property may be developed.

No provision.

**Fiscal effect: If owners of eligible properties are currently paying property taxes, the exemption would reduce receipts to local authorities, shift the tax burden to other taxpayers, or some combination thereof.**

Executive

As Passed by the House

As Passed by the Senate

**TAXCD98**      **Publication of values for land enrolled in current agricultural use valuation program**

No provision.	<p><b>R.C.      5713.33</b></p> <p>Requires the Tax Commissioner to publish an annual report combining the information included in each county's agricultural land tax list. Specifies that the report must be compiled in such a manner that allows the information to be sorted by county and by school district.</p> <p><b>Fiscal effect: May increase Department of Taxation expenses.</b></p>	<p><b>R.C.      5713.33</b></p> <p>Same as the House, but limits the information to be reported by the Tax Commissioner to the current agricultural use value and market value by taxing district of land on the agricultural land tax list. Specified that this information is to be made available electronically for the preceding tax year.</p> <p><b>Fiscal effect: Same as the House.</b></p>
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**TAXCD78**      **Changes in current agricultural use valuation calculations**

No provision.	<p><b>R.C.      5715.01, 5713.31, 5713.34</b></p> <p>Prescribes in statute factors that must be considered in computing the current agricultural use value (CAUV) of agricultural land for property tax purposes.</p>	<p><b>R.C.      5715.01, 5713.31, 5713.34</b></p> <p>Same as the House.</p>
No provision.	<p>Requires the formula used to compute CAUV values to employ a capitalization rate and requires (1) the equity yield rate in the capitalization rate formula to equal the greater of the 25-year average of the total rate of return on farm equity published by the United States Department of Agriculture or another published source, or the loan interest rate; and (2) a holding period of 25 years for calculating equity build-up and land value appreciation in the formula. (The capitalization rate is used to calculate a valuation from an annual profit for an average Ohio farm, considering only agricultural factors.)</p>	<p>Same as the House except (1) removes the reference to another published source, and (2) removes the specification of a 25-year holding period.</p>
No provision.	<p>Places a ceiling on the taxable value of CAUV land used for conservation purposes by requiring the land to be valued as though it included the least productive type of soil.</p>	<p>Same as the House, but specifies that the ceiling does not apply to land planted in cover crops.</p>

Executive

As Passed by the House

As Passed by the Senate

No provision.

Phases in the amendment's changes over two reassessment or update cycles. Specifies that during the first three-year cycle in each county (beginning with tax year 2017), the tax value of CAUV land will include one-half of the difference between its value under the new versus the old formula.

Same as the House but replaces the six-year phase-in period with a three-year phase-in period, over one reassessment or update cycle starting in tax year 2017.

No provision.

No provision.

Prohibits the Tax Commissioner from using a method that takes into account equity build-up or appreciation when determining the capitalization rate used in the CAUV formula.

**Fiscal effect: Comparable factors are already in the current CAUV formula prescribed by administrative rules adopted by the Tax Commissioner. The required changes to the formula would reduce tax revenues to schools by an estimated \$4 million in tax year 2017, payable in 2018, and would reduce tax revenues to other units of local government by a similar amount. Revenue losses would increase each year until tax year 2022 when they would total an estimated \$14 million to each of schools and other local governments. GRF reimbursements of property tax rollbacks and the homestead exemption would increase to an estimated \$1 million, as effective tax rates on residential real property subject to tax reduction factors would increase because of lower tax values on CAUV land.**

**Fiscal effect: Depending how the requirements of the bill are implemented, would reduce tax revenues to school districts by up to an estimated \$13 million in FY 2018, rising to \$21 million by FY 2020. Revenue losses to other units of local government are also estimated up to \$13 million in 2018, rising to \$21 million by 2020. GRF reimbursements for real property tax rollbacks and the homestead exemption would rise by up to about \$2 million per year.**

Executive

As Passed by the House

As Passed by the Senate

TAXCD82 Property tax: complaint procedure

No provision.

**R.C. 5715.19, Section 803.240**

Increases the time within which boards of revision must decide property tax complaints. Extends the time for the ten most populous counties from the current 90 days to 180 business days. Extends the time for all other counties from the current 90 days to 90 business days. (Under continuing law, a property owner and certain other interested parties may file a complaint with the county board of revision to challenge specific determinations regarding real property, usually the tax value assessed by the county auditor. The number of days a board of revision has to render a decision begin tolling on the date the complaint or, if applicable, a response, is filed.)

**Fiscal effect: None.**

No provision.

TAXCD68 Property tax appeals

No provision.

**R.C. 5717.07**

Requires that, if a political subdivision or other public body appeals a decision in a property tax assessment case and the property owner prevails in the appeal, the public body must pay the property owner's attorney's fees and court costs with respect to the appeal.

**Fiscal effect: Increases costs for those political subdivisions that lose appeals. The magnitude of the cost increase will vary depending on the incidence of unsuccessful appeals and the amount of court costs incurred by the prevailing property owner.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Other Taxation Provisions**

**TAXCD75      Counting "work-from-home" employees to comply with a job creation tax credit agreement**

**R.C.      122.17, Section 803.270**

**R.C.      122.17, Section 803.270**

No provision.

Allows employers that apply for a job creation tax credit (JCTC) to count compensation paid to certain "work-from-home" employees for the purposes of qualifying and complying with the terms of the JCTC agreement. (Current law allows employers to receive a JCTC based on "home-based employees," but special conditions and reporting requirements apply. Home-based employees must be paid at least 131% of the federal minimum wage, and the JCTC agreement must not include any employees who work at the project location and must expire before 2019.)

Same as the House.

No provision.

Specifies that "work-from-home" employees are treated the same as employees who work at the project location as long as the work-from-home employees reside in Ohio and are supervised from the project location.

Same as the House.

No provision.

Specifies that the movement of a work-from-home employee to another residence or the migration of their work duties to the project location does not trigger a provision under continuing law that requires employers subject to a JCTC agreement to notify the impacted political subdivisions before relocating a substantial number of employment positions.

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Revenue loss to the GRF of less than \$1 million per year. The refundable JCTC applies against the insurance taxes, the petroleum activity tax, the financial activity tax, and the individual income tax. Though JCTC for work-at-home employees has been available for several years, no firm has applied for this credit according to the Development Services Agency.

Fiscal effect: Same as the House.

TAXCD109

Rural and high-growth industry jobs program

R.C. 122.152, R.C. 122.15, 122.151, 122.153 through 122.156, 5725.98, 5726.98, 5729.98

(1) No provision.

(1) No provision.

(1) Authorizes a nonrefundable tax credit for insurance companies and financial institutions that invest in special purpose "rural and high-growth industry funds" that are certified by the Development Services Agency (DSA) and contribute capital to certain types of businesses with substantial operations in Ohio. Specifies that the credit equals the amount of the investor's "credit-eligible capital contribution," and is spread evenly over a four-year period beginning three years after the date of the contribution.

(2) No provision.

(2) No provision.

(2) Limits the total amount of credits that may be awarded under the program to \$60 million.

(3) No provision.

(3) No provision.

(3) Stipulates various procedures and requirements related to the process of certifying a rural and high-growth industry fund, investment benchmarks, progress reports, credit recapture, and decertification.

(4) No provision.

(4) No provision.

(4) Requires that 50% of a fund's investment be made in rural businesses and 50% in businesses engaged in "high-growth industries" or certified by DSA as beneficial to the economic growth of the state.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: May decrease financial institution and insurance tax revenue by up to \$60 million beginning after the FY18-19 biennium and spread over at least four years. The revenue loss would mostly affect the GRF, and the monthly distributions of GRF tax revenue which go to the Local Government Fund (Fund 7069) and the Public Library Fund (Fund 7065), though could also affect the state Fire Marshal Fund if the credits are claimed against certain tax liabilities. If the investments do not meet certain benchmarks of job creation and retention, a fund must make remittances to DSA which would be credited to the GRF. There is a \$5,000 fee to apply for authorization as a rural and high-growth industry fund, payable to the newly created Ohio Rural and High-growth Industry Jobs Fund. There is also an annual fee payable to DSA by certified funds which totals \$50,000 per year across all such funds.**

**TAXCD72      Change to computer data center equipment sales tax exemption**

No provision.

**R.C.      122.175**

Increases from five to six, the number of years that the operator of a 2013 computer data center project has to meet the capital investment requirement associated with an existing sales and use tax exemption. (Continuing law authorizes the Tax Credit Authority to fully or partially exempt from taxation the purchase of certain computer data center equipment if the operator of the data center agrees to make a \$100 million capital investment at a site in this state within a specified number of years).

**R.C.      122.175**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: Potential sales tax revenue loss, probably less than \$1 million per year.

Fiscal effect: Same as the House.

**TAXCD77** County treasurer tax collection fees

**R.C. 321.26**

**R.C. 321.26**

No provision.

Revises the schedule for the fees that are exacted from taxes collected by county treasurers by increasing the fee amounts, by establishing a minimum fee when collections are less than \$5 million per semiannual settlement, by reducing the number of fee brackets, and by causing the fees to be adjusted upward if and as statewide taxes charged on real property and public utility property increase.

Same as the House.

No provision.

Specifies that under the revised schedule there would be two fee brackets beginning in 2018: (1) 0.9495% on collections up to \$5 million and (2) 0.1996% on collections in excess of \$5 million. (The first \$5 million would generate \$47,475 in fees, and this amount would be set as the minimum initial fee when collections are less than \$5 million. Currently there are four brackets: (1) 0.29947% on collections up to \$100,000, (2) 0.9982% on \$100,000 to \$2.1 million, (3) 0.7986% on \$2.1 million to \$4.1 million, and (4) 0.1996% on collections in excess of \$4.1 million; the first \$5 million would generate \$38,032 in fees.)

Same as the House.

No provision.

Increases the \$5 million threshold annually after 2018 by the same percentage (to the nearest 0.1%) by which total statewide real and public utility property taxes charged increase. (Currently, there is no adjustment for increases in taxes charged.)

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Increases county treasurers' revenues related to property tax collections. County treasurers' fees are subtracted from the tax distributions to local taxing units and credited to the county general fund. Thus, revenue to local taxing units would be reduced; total losses to all local taxing units would equal gains to county treasurers.**

**Fiscal effect: Same as the House.**

**TAXCD88 Changes to Tourism Development District Law**

**R.C. 503.56, 307.678, 715.014, 5739.09, Section 803.290**

**R.C. 503.56, 307.678, 715.014, 5739.09, Section 803.290**

No provision.

Extends the maximum permissible size of a tourism development district (TDD) from 200 to 600 acres, and authorizes municipal corporations and townships in Stark County to designate new TDDs until 2021. (Under current law, new TDDs could only be designated until 2019.)

Same as the House.

No provision.

Requires lodging tax proceeds collected from hotels located in a TDD to be used to foster or develop tourism in the TDD, but only if that use is approved by the county's convention and visitors' bureau. Authorizes a county, township, or municipal corporation to pay such proceeds to the bureau to be used for that purpose. (Under the pending bill, such proceeds had to be paid to, in the case of a county lodging tax, and used by the municipal corporation or township that created the TDD to foster or develop tourism in the TDD.)

Same as the House.

No provision.

Expands the class of permanent improvements located in a tourism development district (TDD) towards which local governments may spend and pledge certain revenues to include such improvements that do not enhance or promote the development of tourism in the TDD. Clarifies that counties and transit authorities may only pledge or use

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

No provision.	<p>revenue to fund permanent improvements located in a TDD if the revenue was collected as a result of activities occurring or property located in the TDD.</p> <p>Authorizes a sign incorporating LED lights to be located within a TDD next to an interstate highway, provided the sign complies with state and federal interstate highway signage requirements and limitations.</p> <p><b>Fiscal effect: May result in larger TDDs established over a longer period of time. Places restrictions on use of revenues from activities or properties located in TDDs.</b></p>	<p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>
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TAXCD38

State-level municipal taxation of business profits

<p>R.C. <i>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</i></p> <p>(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.</p> <p>(2) Creates Revised Code Chapter 5718 to include provisions for the calculation of a business' taxable income,</p>	<p>R.C. <i>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; Section 803.100, Repealed 718.06</i></p> <p>(1) Replaces the Executive proposal with provisions that would allow, but not require, businesses to file a single annual or estimated tax return through the Ohio Business Gateway (OBG) on which the business can report and pay the total tax due to all of the municipalities in which the business earned net profits.</p> <p>(2) No provision.</p>	<p>R.C. <i>718.01, 113.061, 709.023, 715.691, 715.70, 715.71, 715.72, 718.02, 718.04, 718.05, 718.91, 718.27, 718.41, 5701.11, 5703.052, 5703.053, 5703.19, 5703.21, 5703.50, 5703.57, 5703.70, 5703.90; Section 803.100, Repealed 718.06</i></p> <p>(1) Same as the House, except (1) the election to file through OBG renews automatically every year until terminated by the taxpayer; (2) the Department of Taxation would administer those business taxes; and (3) clarifies that the Tax Commissioner need not refund tax overpayments amounting to less than \$10 for each return or assessment regardless of how many municipalities are covered by the return or assessment, i.e., the \$10 minimum is not per municipality. (Under current law, municipalities need not refund tax overpayments less than \$10.)</p> <p>(2) Same as the Executive, except that language allowing the Department of Taxation to administer municipal income</p>
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**Executive**

**As Passed by the House**

**As Passed by the Senate**

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, whereby sales of goods shipped from a municipality to elsewhere are apportioned to that municipality if the taxpayer's employees are not soliciting sales where the goods are destined. 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.

(6) No provision.

(3) Replaces the Executive proposal with provisions that would (a) eliminate the current "throw-back" provision for all taxpayers but retain the other two current law rules for apportioning the sale of goods whereby sales are apportioned to a municipality if the goods are either: (1) Both shipped from and delivered within the municipal corporation; (2) Delivered within the municipal corporation, but shipped from elsewhere, if employees of the business regularly solicit sales within the municipal corporation; and (b) specify that the change applies to taxable years beginning in 2019 rather than in 2018.

(4) Replaces the Executive provision with a requirement that the Commissioner distribute revenue twice per month from taxes collected from businesses that file a single return through OBG, without the imposition of a fee.

(5) No provision.

(6) No provision.

taxes is included in Chapter 718. of the Revised Code (the existing municipal income tax chapter), rather than in a new chapter 5718 in Title 57.

(3) Same as the House, except the change would apply in 2018.

(4) Same as the House, but distribution of revenue would be made monthly.

(5) Same as the Executive.

(6) Adds provisions requiring the Tax Commissioner to provide semiannual rather than annual reports regarding taxpayers electing to file returns with the Commissioner; specifying some of the information to be reported; clarifying language regarding certain tax credits and the \$10 minimum refund threshold; and specifying that municipalities may file for a writ of mandamus on the ground that the Commissioner has "violated the Commissioner's fiduciary duty" in administering the municipality's income tax.

## Executive

## As Passed by the House

## As Passed by the Senate

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. Appropriation item 110605, Municipal Income Tax Administration, in the Department of Taxation budget, has \$3.15 million in FY 2018 and \$6.75 million in FY 2019 appropriated to cover departmental costs in administering this provision as well as its current use, covering the Department's costs to administer municipal taxation of income of electric light companies. 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.

Fiscal effect: Same as the Executive, except amounts that would be filed through the Ohio Business Gateway, rather than with municipalities or third-party tax administrators, appear uncertain, because of the discretionary nature of the business choice where to file. Accordingly, amounts appropriated for distribution to municipalities of municipal taxes on business profits collected through OBG and for the Department's costs are reduced.

Fiscal effect: Same as the House, though revenue losses from the throwback provision would start a year earlier.

Executive

As Passed by the House

As Passed by the Senate

**TAXCD104**      **Municipal income tax: estimated payments**

No provision.

No provision.

**R.C.      718.08, Section 803.100**

Allows individual municipal income taxpayers to pay fourth-quarter estimated payments until the 15th day of the first month of the ensuing taxable year (January 15 for calendar year taxpayers), for taxable years beginning in 2018. Retains the current fourth-quarter estimated tax payment deadline (December 15 for calendar year taxpayers) for taxpayers that are businesses. (Current law requires every taxpayer that pays quarterly estimated municipal income taxes to pay by the end of each quarter.)

**Fiscal effect: None, except for timing.**

**TAXCD63**      **Municipal income withholding tax penalty**

No provision.

**R.C.      718.27**

Authorizes municipal corporations to impose a penalty not exceeding 50% of the unpaid amount for employers that do not timely remit municipal income tax withholdings. (Currently, state law mandates that the penalty equals 50% of the unpaid amount).

**Fiscal effect: Minimal.**

**R.C.      718.27**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**TAXCD83**      **Pre-1994 community reinvestment area term extension**

**R.C.      3735.661**

**R.C.      3735.661**

No provision.

Authorizes a county or municipal corporation, under certain circumstances, to extend the term of a community reinvestment area (CRA) property tax exemption without triggering an existing law requiring that the CRA conform to various requirements and limitations enacted in 1994.

Same as the House.

No provision.

(Under continuing law, a CRA is a geographic area designated by a municipal corporation or county in which real property improvements are exempted from taxation. CRAs created after mid-1994 are subject to various limitations and requirements such as school board approval in some circumstances, standardized agreements, and clawbacks, among others, which would apply even to pre-existing CRAs if they are altered later. However, certain pre-1994 CRAs were given limited ability to be altered by up to two amendments before the post-1994 provisions would be triggered. Current law specifies the substance of amendments that would or would not trigger application of the 1994 limitations and requirements. One such action is any increase in the term of any CRA tax exemption or category of exemptions.)

Same as the House.

No provision.

(H.B. 463 of the 131st General Assembly increased the maximum exemption term for improvements to 15 years from what had been 10 or 12 years depending on the type of property and the cost of renovations. The amendment allows a municipal corporation or county to amend its CRA resolution to increase the term of a CRA exemption for improvements without the change counting as an amendment that would trigger the 1994 law, provided the

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

increase is no more than the 15-year term authorized in H.B. 463, and that the prior maximum term was the 10 or 12 maximum year term authorized before H.B. 463.)

**Fiscal effect: May result in loss of tax revenue to units of local government.**

**Fiscal effect: Same as the House.**

**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.

- (1) No provision.
- (2) No provision.
- (3) No provision.
- (4) No provision.
- (5) No provision.
- (6) No provision.

- (1) No provision.
- (2) No provision.
- (3) No provision.
- (4) No provision.
- (5) No provision.
- (6) No provision.

Executive

As Passed by the House

As Passed by the Senate

(7) Decreases tax on sparkling wine and champagne from \$1.48 per gallon to \$0.51 per gallon.

(7) No provision.

(7) No provision.

Provides that all tax changes are to take effect July 1, 2017.

No provision.

No provision.

**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. Decreases revenue to the Ohio Grape Industries Fund (Fund 4960) by under \$15,000 in each fiscal year.**

**TAXCD41 Alcoholic beverage tax discounts and deadlines**

**R.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.

No provision.

No provision.

Eliminates the 3% alcoholic beverage tax discount for taxpayers that timely file the required monthly report and changes the deadline for such report.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.**

**TAXCD42 Cider exemption from alcoholic beverage tax**

**R.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.**

**R.C. 4303.333, Section 803.70**

Same as the Executive.

**Fiscal effect: Same as the Executive.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

TAXCD96 Tax enforcement limitations

No provision.

**R.C. 5703.94**

Prohibits the Tax Commissioner or any employee or agent thereof from issuing an assessment or taking other enforcement action to subject to any tax a category of persons, income, goods, services, receipts, or property that the Department of Taxation had not explicitly considered to be subject to that tax within three years after the effective date of the law forming the basis of the assessment or other action. Permits the Commissioner to continue to issue rules, opinions, or information releases subjecting such a category to tax for future tax periods or dates.

**Fiscal effect: Could result in lower tax revenues, potentially in the millions of dollars.**

No provision.

TAXCD81 Regional transportation improvement projects

(1) No provision.

**R.C. 5709.48, 5595.03, 5595.06, 5595.13, 5709.45, 5709.49, 5709.50, 5739.021, 5739.023, 5739.026, 5741.021, 5741.022, and Section 803.300**

(1) Authorizes counties participating in a regional transportation improvement project (RTIP) to create a transportation financing district that, similar to a tax increment financing (TIF) incentive district, generates funding for transportation projects by exempting improvements to nonresidential parcels from property taxation and collecting service payments equivalent to the exempted amount from the owners of those parcels.

**R.C. 5709.48, 5595.03, 5595.06, 5595.13, 5709.45, 5709.49, 5709.50, 5739.021, 5739.023, 5739.026, 5741.021, 5741.022, and Section 803.300**

(1) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(2) No provision.

(2) Requires the counties to obtain the approval of each property owner and each subdivision and taxing unit within a proposed transportation financing district before approving the district.

(2) Same as the House.

(3) No provision.

(3) Allows municipal corporations to pledge contributions of income tax revenue and counties and transit authorities to pledge contributions of sales tax revenue for RTIP projects if the revenue may lawfully be spent for that purpose.

(3) Same as the House.

(4) No provision.

(4) Specifies that contributions of revenue to an RTIP by the state, a political subdivision, or a taxing unit may take any form and may be made subject to any terms that are mutually agreeable to the revenue contributor and the governing board of the RTIP.

(4) Same as the House.

(5) No provision.

(5) Limits the duration of an RTIP to 15 years or, if the governing board is authorized to issue securities, 20 years after the first such issuance.

(5) Same as the House.

(6) No provision.

(6) Requires unencumbered funds that are held by the governing board on the date the RTIP is dissolved to be distributed proportionally to the state and to each political subdivision and taxing unit that contributed revenue to the RTIP (unless the cooperative agreement provides otherwise).

(6) Same as the House.

**Fiscal effect: Revenue impacts to affected counties and each political subdivision are permissive in nature.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**TAXCD110 Appeals of Board of Tax Appeals decisions**

No provision.

No provision.

**R.C. 5717.04**

Removes authority to appeal Board of Tax Appeals decisions directly to the Ohio Supreme Court. (Under continuing law, decisions of the Board may be appealed to the appropriate Court of Appeals. Does not affect decisions rendered for cases on the Board's small claims docket, which cannot be appealed.)

**Fiscal effect: May increase costs of state Courts of Appeal, and decrease costs of the Ohio Supreme Court.**

**TAXCD107 Motor fuel excise tax: Technical correction**

No provision.

No provision.

**R.C. 5735.07, Sections 120.30 to 120.32**

Makes a technical correction to a motor fuel tax statute that was recently amended by H.B. 26, the transportation appropriations act, thereby allowing the Tax Commissioner to continue to publish on the department's web site information related to the quantity of motor fuel reported.

**Fiscal effect: None.**

Executive

As Passed by the House

As Passed by the Senate

TAXCD80 Hamilton County hotel tax revenue

No provision.

**R.C. 5739.09, Section 803.290**

Requires a county that increased its hotel tax rate by 3.5% in 2002 to distribute annual revenue in excess of \$6 million that is derived from the increased rate to townships and municipal corporations in proportion to the tax generated in each subdivision. Specifies that the first distribution of hotel tax revenue would occur March 31, 2019, based on collections from the 2018 calendar year. Requires that municipal corporations and townships use the revenue to promote travel and tourism and fund related projects. Prohibits the county from spending or encumbering the revenue for any other purpose.

**Fiscal effect: Only Hamilton County levies and is authorized to levy such an increased lodging tax rate. The provision increases revenue to municipal corporations and townships in Hamilton County for the purpose of promoting travel and tourism.**

No provision.

TAXCD86 County lodging tax extension

No provision.

**R.C. 5739.09**

Authorizes Summit County to extend the term of an existing 1% lodging tax for an additional 10 years by vote of the county legislative authority. The original authority for the tax is set to expire in calendar year 2017.

**R.C. 5739.09**

Same as the House.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Increases lodging tax revenue to Summit County by approximately \$950,000 in each fiscal year. By law, revenue from the tax must be used to finance and operate a convention center by a convention and visitors bureau.**

**Fiscal effect: Same as the House.**

TAXCD87

Stark County lodging tax increase

**R.C. 5739.09**

Authorizes a county having a population of between 375,000 and 400,000 and that currently levies a 3% lodging tax to increase the rate of the tax by up to an additional 3%. (As with the original tax, the revenue derived from the increase in rate would primarily be allocated to the county's convention and visitor's bureau. The county would be permitted, but not required, to designate a portion of the revenue to each township or municipal corporation in which lodging transactions occurred.)

**Fiscal effect: Allows an eligible county to double its lodging tax rate. Currently, the provision applies only to Stark County.**

**R.C. 5739.09**

Same as the House.

**Fiscal effect: Same as the House.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

**TAXCD94 City lodging tax increase**

No provision.

**R.C. 5739.09**

Authorizes a municipal corporation that currently levies a 3% municipal lodging tax and that is located in a county (1) having a population of between 300,000 and 350,000 and (2) that currently levies a 3% county lodging tax to increase the rate of the municipal lodging tax by up to an additional 3%. Requires the revenue derived from the increase to be used for economic development and tourism-related purposes.

**Fiscal effect: Increases revenue to eligible municipal corporations in Lorain County for the purposes of promoting economic development and tourism.**

**R.C. 5739.09**

Same as the House.

**Fiscal effect: Same as the House.**

**TAXCD95 Clermont County lodging tax**

No provision.

**R.C. 5739.09**

Authorizes a county with a population of between 190,000 and 200,000 and that currently levies a 3% lodging tax to increase the rate of the tax up to an additional 1% to fund the construction and maintenance of sports and recreation facilities and to promote tourism through the county's convention and visitors' bureau.

**Fiscal effect: Allows an eligible county to increase its lodging tax rate. Currently, the provision applies only to Clermont County.**

**R.C. 5739.09**

Same as the House, but specifies that the facility must be intended to house a professional sports team. Requires that the eligible county may begin levying the tax only after the county's convention and visitors' bureau enters into a contract for the construction, improvement, or maintenance of the sports facility. Specifies that if the convention and visitors' bureau has not entered into such a contract before January 1, 2019, the authority to levy the tax expires on January 1, 2019.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

TAXCD97 Warren County lodging tax proceeds

R.C. 5739.09

R.C. 5739.09

No provision.

Specifies that the proceeds of a 1% lodging tax that may be levied only by a county with a population between 175,000 and 225,000, that levied a lodging tax rate of 3% in 2014, and has an amusement park with annual attendance of more than 2 million may be used to pay the construction and maintenance costs of a sports facility owned by a port authority. (Currently, the revenue may only cover the costs of a county-owned sports facility.)

Same as the House.

No provision.

Authorizes that county to use or pledge any or all of the proceeds from its special 1% or its general 3% lodging tax to service securities issued to construct, operate, or maintain such sports facilities, including any portion of the general lodging tax currently required to be returned to townships and municipal corporations in the county that do not levy a lodging tax.

Same as the House.

**Fiscal effect: Allows an eligible county to use a portion of its proceeds from its special or general lodging tax for specified purposes. Currently, the provision applies only to Warren County.**

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

TAXCD85      Income tax: separately report revenue from business income

**R.C.      5747.031**

Requires the Department of Taxation to separately compute and report to the Office of Budget and Management (OBM), and requires OBM to separately state in its reports of actual and estimated revenues, the amount of income tax revenue arising from the taxation of business income taxable at 3% and the amount of such revenue arising from nonbusiness income taxable under the graduated rate schedule.

**Fiscal effect: Possible minimal increase in Department of Taxation administrative costs to compute and report separately revenue from these two sources.**

**R.C.      5747.031**

Same as the House, but requires the Department of Taxation to report (1) the tax liability, before credits, arising from the taxation of business income taxable at 3%, (2) the liability arising from nonbusiness income taxable under the graduated rate schedule, and (3) the total amount of claimed income tax credits. (Under current law, business income is deductible up to \$250,000, and business income in excess of that is taxed at a rate of 3%; all other (nonbusiness) income, such as wages, investment income, and retirement income, is taxable under the graduated rate schedules.)

**Fiscal effect: None. The Department began reporting these amounts starting with release of data for taxable year 2015.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

(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.

(1) No provision.

(1) No provision.

(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.

(2) No provision.

(2) No provision.

(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.

(3) No provision.

(3) No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

**TAXCD90      Payments to nuclear joint fire district and Nuclear Safety Protection Fund**

**R.C.      5751.02, 5751.021, and Sections 387.10, 387.20, and 812.20,**

No provision.

Requires biannual payments from commercial activity tax (CAT) proceeds to the Nuclear Safety and Protection Fund (Fund 5TC0), created by the bill to support joint fire districts within which a nuclear power plant is located as of 2017 to fund the general operations of such districts. Specifies that the payments cease after 30 years.

No provision.

No provision.

Specifies that payments to Fund 5TC0 equal the difference between (1) what the district received in tangible personal property tax reimbursements for fiscal year 2017, decreased by 3% of that amount in each subsequent fiscal year, and (2) the amount of such reimbursements the district receives for the current fiscal year. Specifies that payments to eligible

No provision.

Executive

As Passed by the House

As Passed by the Senate

No provision.

joint fire districts equal the revenue to the fund.

Provides for payments to joint fire districts with nuclear power plants in their territory of \$36,000 in FY 2018 and \$72,000 in FY 2019. Specifies that these payments are to be made from Fund 5TC0, to which amounts needed for these payments will be transferred from revenue from CAT.

**Fiscal effect: The additional payments of \$36,000 in FY 2018 and \$72,000 in FY 2019 from line item 110647, Nuclear Safety and Protection Fund (Fund 5TC0) in the State Revenue Distribution's budget will supplement payments in current law from Fund 7081 to Perry Joint Fire District in Lake County. The additional payments will effectively decrease GRF revenue by corresponding amounts.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

TAXCD100 Tax Amnesty Program

No provision.

No provision.

**Sections: 409.10, 512.140, and 757.110**

Requires the Tax Commissioner to administer a temporary tax amnesty program from January 1, 2018, to February 15, 2018, with respect to delinquent taxes including the financial institutions tax, commercial activity tax, state income tax, alcohol, tobacco, and cigarette excise taxes, and state and local sales and use taxes. (Does not apply to school district income taxes, county alcohol and cigarette taxes, or resort area excise taxes.) Specifies that the program applies only to taxes that were due and payable as of May 1, 2017, which were unreported or underreported, and which remain unpaid on the date on which the program commences. Specifies that the program does not apply to any tax for which a notice of assessment or audit has been issued, for which a bill has been issued, that relates to a still-open tax period, or for which an audit has been conducted or is pending. Requires the Commissioner to waive or abate all applicable penalties and half of any interest that accrued on the taxes, if during the program a person pays the full amount of delinquent taxes owed by the person and half of any interest accrued on the taxes.

No provision.

No provision.

Requires the Director of Budget and Management to transfer \$2.5 million from the General Revenue Fund to the Tax Amnesty Promotion and Administration Fund, created by the bill, within 30 days of the effective date of Section 512.140 of the bill. Distributes delinquent tax payments received under the program in the same way the underlying tax is required to be distributed under current law, except that any revenue currently credited to the GRF from the

Executive

As Passed by the House

As Passed by the Senate

No provision.

No provision.

underlying taxes would instead be credited up to \$18 million to the GRF, with any additional receipts credited to the BSF.

Specifies the Fund 5BW0 item 110630, Tax Amnesty Promotion and Administration, be used for expenses of promoting and administering the tax amnesty program. Requires the Department of Taxation and Attorney General's office to work in close collaboration on promotion activities.

**Fiscal effect: The bill provides an appropriation of \$2,500,000 in FY 2018 to fund the administration and promotion of the tax amnesty program. The amnesty may increase revenue to the GRF and to the BSF.**

**TAXCD74**      **Municipal income tax electronic filing through MeF program**

No provision.

**Section: 757.60**

Requires the Department of Taxation to study the feasibility of accepting municipal income tax returns through the existing joint federal/state Modernized e-File (MeF) program and to issue a report on its findings before January 1, 2018. (The MeF is a web-based electronic tax filing system developed and maintained by the I.R.S. and made available to taxpayers through approved private sector tax filing software providers.)

**Fiscal effect: The Department would incur costs to conduct the study and prepare the report.**

**Section: 757.60**

Same as the House.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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**

**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:

Same as the Executive.

No provision.

(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;

(1) Same as the Executive.

No provision.

(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;

(2) Same as the Executive.

No provision.

(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;

(3) Same as the Executive.

No provision.

(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;

(4) Same as the Executive.

No provision.

(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

(5) Same as the Executive.

No provision.

Executive

As Passed by the House

As Passed by the Senate

(6) Modifies other provisions of law to conform with federal aviation law, and makes other various changes.

(6) Same as the Executive.

No provision.

**Fiscal effect: Presumably minimal, as the intent of this language is to clarify existing law and to conform with current federal guidelines.**

**Fiscal effect: Same as the Executive.**

**DOTCD58 Ohio Maritime Assistance Program**

No provision.

No provision.

**R.C. 5501.91, Section 411.30**

Establishes the Ohio Maritime Assistance Program, under which certain municipal corporations and port authorities may apply to ODOT for grants to construct new marine cargo terminals or to improve existing marine cargo terminals located on the shores of Lake Erie or the Ohio River or on a Lake Erie tributary. Specifies the eligibility criteria and what factors ODOT must use in evaluating grant applications. Specifies the eligible uses of grant awards. Requires the grant recipient to provide a match not to exceed \$1 for each \$1 in state grant funding received.

No provision.

No provision.

Creates the Ohio Maritime Assistance Fund (Fund 5QT0) and authorizes ODOT to request that the Director of Budget and Management transfer \$2.0 million each fiscal year from the Facilities Establishment Fund (Fund 7037) to Fund 5QT0 to support the program.

**Fiscal effect: The Facilities Establishment Fund (Fund 7037) is used by the Development Services Agency to support economic development projects via loans to businesses for capital expenses, such as property acquisition and development. Fund 7037 has a current balance of approximately \$227.5 million.**

Executive

As Passed by the House

As Passed by the Senate

**DOTCD56 Interstate highway signs for Urbana University**

No provision.

No provision.

**R.C. 5511.11**

Requires ODOT to design and erect appropriate signs on I-70 to indicate the existence and location of Urbana University at the following locations: (1) at the exit ramps for State Route 68 in Clark County; and (2) at the exit ramps for State Route 29 in Madison County.

**DOTCD54 Rest areas along scenic byways**

No provision.

**R.C. 5515.07**

Prohibits ODOT from closing any rest area that is located along a scenic byway.

**Fiscal effect: Uncertain.**

**R.C. 5515.07**

Same as the House.

**Fiscal effect: Same as the House.**

**DOTCD55 Local Transportation Projects**

No provision.

**Section: 411.13**

Requires GRF appropriation item 772502, Local Transportation Projects, to be used to support the regional transportation improvement project (RTIP) in Carroll, Columbiana, and Stark counties.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

(1) No provision.

(2) No provision.

**Section: 411.20**

Same as the Executive.

Earmarks the following from GRF appropriation item 777471, Airport Improvements - State:

(1) \$455,000 in FY 2018 to support expenses related to renaming the former Port Columbus International Airport as the John Glenn International Airport under S.B. 159 of the 131st General Assembly, money that may be allocated for costs already incurred in replacing signage or other related expenses, or for future costs associated with the name change.

(2) \$100,000 in FY 2018 to support the installation of four new airline gates at the Akron-Canton Airport.

**Section: 411.20**

Same as the Executive.

Same as the House.

(1) Same as the House.

(2) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

DOTCD57      Technical correction for towing vehicle exemption

No provision.

No provision.

**Section: 610.110**

Fixes a technical error in Sub. H.B. 26, the transportation budget act for the FY 2018-FY2019 biennium, where an uncodified section pertaining to size and weight exceptions for towing vehicles was erroneously scheduled for repeal one year after the effective date of the act, when the repeal should actually take effect two years from the effective date of the act.

Executive

As Passed by the House

As Passed by the Senate

**TOSCD7 Separately managed and pooled accounts**

**R.C. 135.45**

**R.C. 135.45**

(1) No provision.

(1) Permits the Treasurer of State to invest money held in the Ohio Subdivision's Fund also in separately managed accounts, and pooled accounts of that Fund, rather than just in the Treasurer's investment pool (as under current law).

(1) Same as the House.

(2) No provision.

(2) Requires a treasurer, governing board, or investing authority of a subdivision to have an agreement with the Treasurer of State in order to invest subdivision public money in the separately managed account or pooled account of the Ohio Subdivision's Fund. Prohibits subdivision public money investment in a pooled account of the Ohio Subdivision's Fund that does not maintain the highest rating if no agreement has been entered into with the State Treasurer.

(2) Same as the House.

(3) No provision.

(3) Provides that the current law 25% investment limit on debt interests other than commercial paper does not apply to investments of subdivision excess reserves under the agreement (described above). Defines "excess reserves" as public money amounts that exceed the subdivision's annual average operating expenses in the immediately preceding three fiscal years.

(3) Same as the House.

(4) No provision.

(4) Expands the current law liability and exemptions for the Treasurer and the Treasurer's bonders or surety for the loss of any state interim moneys invested in the Ohio Subdivision's Fund to also include losses of any subdivision interim moneys.

(4) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(5) No provision.

(5) Requires the Treasurer of State to adopt rules to implement the separately managed and pooled account requirements.

(5) Same as the House.

**Fiscal effect: May increase or decrease local governments' interest income related to investments in the Ohio Subdivision's Fund.**

**Fiscal effect: Same as the House.**

TOSCD6

Credit unions as public depositories; Ohio Pooled Collateral Program

R.C. 135.143, 135.182, 135.63, 135.71, 135.77 to 135.774, 135.78, 1733.04, and 1733.24

R.C. 135.143, 135.182, 135.63, 135.71, 135.77 to 135.774, 135.78, 1733.04, and 1733.24

(1) No provision.

(1) Requires the Treasurer of State to create a new linked deposit program, the Business Linked Deposit Program, under which the Treasurer may purchase share certificates issued exclusively by a credit union to facilitate lending to eligible small businesses.

(1) Same as the House.

(2) No provision.

(2) Expands the types of eligible lending institutions that may participate in the existing Agricultural Linked Deposit Program to include credit unions. (The bill does not change the current aggregate percentage of state funds that the State Treasurer may invest in all linked deposit programs, including the new program. Under continuing law, the State Treasurer may invest up to 12% of the state's total average investment portfolio in all of the state's linked deposit programs.)

(2) Same as the House.

(3) No provision.

(3) Modifies the Treasurer's investment authority related to state interim funds, allowing the Treasurer to invest state interim funds in certificates of deposits in credit unions that are participating in the new Business Linked Deposit or the Agricultural Linked Deposit programs.

(3) Same as the House.

Executive

As Passed by the House

As Passed by the Senate

(4) No provision.

(4) Permits the Treasurer to require credit unions that are participating in the new Business Linked Deposit or the Agricultural Linked Deposit program to pay interest at a rate not lower than the product of the prevailing interest rate multiplied by the sum of one plus the "Treasurer's assessment rate."

(4) No provision.

(5) No provision.

(5) Defines "Treasurer's assessment rate" as a number not exceeding 10% that is calculated in a manner determined by the Treasurer of State and that seeks to account for the effect that varying tax treatment among different types of financial institution has on the ability of financial institutions to pay competitive rates to hold deposits.

(5) No provision.

(6) No provision.

(6) Requires the Treasurer to adopt rules addressing the participation of credit unions in the new Business Linked Deposit or the Agricultural Linked Deposit programs, including rules that set forth the manner in which the linked deposits are placed, held, and collateralized. Provides that no linked deposits may be placed with a credit union until those rules are adopted.

(6) Same as the House.

(7) No provision.

(7) Authorizes the Treasurer to impose reasonable fees upon public depositories participating in the Ohio Pooled Collateral Program to defray the costs of the Program. Allows the Treasurer to adopt rules necessary for the implementation of the Pooled Collateral Program in connection with the other methods by which public depositories provide security for the repayment of public deposits. Specifies that certain information about a bank serving as a public depository that is used for purposes of the Ohio Pooled Collateral Program is confidential and not a public record.

(7) Same as the House.

## Executive

## As Passed by the House

## As Passed by the Senate

**Fiscal effect:** The establishment of the new linked deposit program and the requirements under the bill may increase the Treasurer of State's administrative costs. The provision that requires credit unions participating in either linked deposit program to pay interest at a rate as determined by the Treasurer of State (not to exceed 10%) may increase or decrease interest income received by the state. All fees collected by the Treasurer related to the Ohio Pooled Collateral Program are deposited into the state treasury to the credit of the Treasurer of State Administrative Fund (Fund 6050).

**Fiscal effect:** The establishment of the new linked deposit program and the requirements under the bill may increase the Treasurer of State's administrative costs. All fees collected by the Treasurer related to the Ohio Pooled Collateral Program are deposited into the state treasury to the credit of the Treasurer of State Administrative Fund (Fund 6050).

## Executive

## As Passed by the House

## As Passed by the Senate

## VTOCD1 Veterans' Organizations budget and release of funds

## Section: 413.50

Re-establishes the Veterans' Organizations budget and related GRF appropriation items for 13 designated veterans' organizations. Permits the Director of Budget and Management to release the money in each appropriation item to the designated veterans' organization.

## Section: 413.50

Same as the House.

No provision.

Executive

As Passed by the House

As Passed by the Senate

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).

(1) No provision.

(1) No provision.

(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.

(2) No provision.

(2) No provision.

(3) Adds that a veteran may also file a DD215, NGB22, or official summary to the Department of Veterans Services to prove veteran status.

(3) No provision.

(3) No provision.

(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.

(4) No provision.

(4) No provision.

(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.

(5) No provision.

(5) No provision.

(6) Adds that a spouse, surviving spouse, child, or parent of a veteran may also be hired as an employee.

(6) No provision.

(6) No provision.

(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.

(7) No provision.

(7) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(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.

(8) No provision.

(8) No provision.

(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

(9) No provision.

(9) No provision.

**Fiscal effect: None.**

**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.

(1) No provision.

(1) No provision.

(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.

(2) No provision.

(2) No provision.

(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.

(3) No provision.

(3) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

(4) Removes the specific requirement that the Director review reports within 30 days of receiving it and to inform the organization of any deficiencies.

(4) No provision.

(4) No provision.

(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.

(5) No provision.

(5) No provision.

(6) Removes the requirement that the Director of Veterans Services advocate for adequate state subsidization of veterans organizations.

(6) No provision.

(6) No provision.

**Fiscal effect: Potential minimal annual expenditure increase to establish and maintain the required veterans organizations grant program.**

**DVSCD7 Veterans job placement web site**

**R.C. 5902.09, 6301.03**

(1) No provision.

(1) Requires the Department of Veterans Services to create, publish, and maintain a web site for labor exchange and job placement activity for veterans.

(1) No provision.

(2) No provision.

(2) Requires the OhioMeansJobs web site to include a link to the web site established by the Department of Veterans Services.

(2) No provision.

(3) No provision.

(3) Prohibits the OhioMeansJobs web site from including a veterans' labor exchange and job placement function independent of the web site established by the Department of Veterans Services.

(3) No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Indeterminate cost for the Department of Veterans Services to establish and maintain the required web site.**

**DVSCD8 Veteran peer counseling network**

**R.C. 5902.20**

(1) No provision.

(1) Creates a veteran peer counseling network to provide veterans the opportunity to work with other veterans to overcome issues unique to veterans in Ohio.

(1) No provision.

(2) No provision.

(2) Authorizes the Director of Veterans Services to adopt rules to administer the network.

(2) No provision.

**Fiscal effect: Indeterminate cost for the Department of Veterans Services to establish and administer a veteran peer counseling network.**

**DVSCD9 Ohio Veterans' Homes to conduct bingo under certain conditions**

**R.C. 5907.18**

(1) No provision.

(1) No provision.

(1) Allows an Ohio Veterans' Home to conduct bingo games at the facility for residents of the home provided that the players are over 18, the bingo operators are not compensated for operating bingo, players do not pay an entry fee, prizes awarded do not exceed \$100 per prize, or \$500 total for all prizes during a game, the game is not conducted within ten hours of a charitable bingo game, scheme of chance or game of chance, or instant bingo, and the games are conducted on different days and not more than twice a week.

Executive

As Passed by the House

As Passed by the Senate

(2) No provision.

(2) No provision.

(2) Defines the terms "bingo," "bingo game operator," and "participant" as having the same meanings as in R.C. 2915.01.

**Fiscal effect: An Ohio Veterans' Home may incur minimal at most annual costs if it opts to conduct bingo games. No fiscal effect on the Office of the Attorney General, which regulates bingo and charitable gaming.**

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.

No provision.

**Section: 415.10**

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

DVSCD3 Veterans organizations' subsidies

Section: 415.10

(1) 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.

(1) No provision.

(1) No provision.

(2) 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.

(2) No provision.

(2) No provision.

(3) 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

(3) No provision.

(3) No provision.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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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.

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Executive

As Passed by the House

As Passed by the Senate

**VPBCD1 Consolidation of boards regulating to hearing and vision professionals**

**R.C. 4744.02, conforming changes in Chapters 4725., 4747., 4753., and other R.C. sections, and Section 515.33**

**R.C. 4725.03, 4725.031, 4744.02, conforming changes in Chapters 4725., 4747., 4753. and other R.C. sections, and Sections 515.30 and 515.33**

**R.C. 4725.031, 4744.02, 4725.032, Repealed: 4725.03, conforming changes in Chapters 4725., 4747., 4753. and other R.C. sections, and Sections 515.30 and 515.33**

Creates the State Vision and Hearing Professionals (VHP) Board by consolidating the State Board of Optometry (OPT), the Ohio Optical Dispensers Board (ODB), the Board of Speech-Language Pathology and Audiology (SPE), and the Hearing Aid Dealers and Fitters Licensing Board (HAD).

Replaces the Executive provision with a provision that creates two boards: (1) the State Vision Professionals Board (VPB) by consolidating OPT and ODB; and (2) the State Speech and Hearing Professionals Board (SHP) by consolidating SPE and HAD.

Same as the House.

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.

Same as the Executive, but applies to VPB and SHP instead of VHP.

Same as the House.

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. Allows VHP to appoint advisory committees and boards.

Same as the Executive, but specifies that VPB will have seven members and SHP will have nine members, requires both to hire executive directors, and allows both to appoint advisory committees or groups.

Same as the House, but requires VPB, if VPB appoints a committee or group to address issues concerning optical dispensing or the practice of licensed dispensing opticians and licensed ocularists, to include as a member of that committee or group a licensed ophthalmologist who is recommended by a professional association representing the interests of ophthalmology.

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

Same as the Executive, but applies to VPB and SHP instead of VHP.

Same as the House.

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.

Same as the Executive, but applies to VPB and SHP instead of VHP.

Same as the House.

**Executive**

**As Passed by the House**

**As Passed by the Senate**

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.

Same as the Executive, but applies to VPB and SHP instead of VHP.

Same as the House.

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.

Same as the Executive.

Same as the Executive.

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).

Same as the Executive, but applies to SHP instead of VHP.

Same as the House.

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.

Same as the Executive.

Same as the 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.

Same as the Executive, but authorizes VPB instead of VHP.

Same as the House.

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).

Same as the Executive.

Same as the Executive.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: The bill appropriates \$627,824 in FY 2018 and \$1.1 million in FY 2019 for the new VHP Board.

Fiscal effect: The bill appropriates \$400,809 in FY 2018 and \$650,607 in FY 2019 for VPB and \$279,708 in FY 2018 and \$615,704 in FY 2019 for SHP.

Fiscal effect: Same as the House.

Executive

As Passed by the House

As Passed by the Senate

LOCCD16 Financing of capital improvements by government entities from other states

**R.C. 9.58, 9.581, 9.582, 9.583, and 9.584**

No provision.

Prohibits another state or a governmental entity of another state from providing financing for certain capital improvement projects located in Ohio unless the entity does the following:

No provision.

No provision.

(1) Within two business days after the entity has initial contact with the person or governmental agency proposing the project, notifies the port authority (if the project will be located within the territory of a port authority) or the county (if the project will not be within a port authority's territory) of the entity's interest in the project; and

No provision.

No provision.

(2) Upon entering into a financing agreement, provides written confirmation to the port authority or county that an agreement has been reached and certain conditions are met, including that (A) the interest payable on the financing is intended to be exempt from federal taxation and (B) the laws of the other state permit an Ohio governmental entity to provide similar financing on similar terms for a capital improvement project located in that other state.

No provision.

No provision.

Provides penalties for noncompliance, including (A) a requirement that the entity pay an amount in fees to the port authority or county; and (B) the ability of the port authority, county, or the Development Services Agency to file an injunction against the entity.

No provision.

**Fiscal effect: Potential new revenue to counties or port authorities, in the rare cases when the circumstances occur.**

Executive	As Passed by the House	As Passed by the Senate
LOCCD41	Investment of inactive moneys by counties	
No provision.	No provision.	<p data-bbox="1741 407 1999 440"><b>R.C. 135.35</b></p> <p data-bbox="1741 456 2542 586">Increases the percentage of a county's inactive moneys and money in the public library fund that may be invested in certain commercial paper notes and bankers acceptances, from 25% to 40% of a county's total average portfolio.</p> <p data-bbox="1741 602 2542 699"><b>Fiscal effect: Potential increase in investment revenues for counties exercising this additional investment authority.</b></p>
LOCCD29	Regional council of governments health care administration	
No provision.	<p data-bbox="935 813 1177 846"><b>R.C. 167.03</b></p> <p data-bbox="935 873 1696 1003">Authorizes a regional council of government to contract to administer and coordinate the self-funded health benefits program of a nonprofit corporation if the council has an education service center as its fiscal agent.</p> <p data-bbox="935 1019 1696 1154"><b>Fiscal effect: Potential gain in revenue to regional councils of government and education service centers resulting from contracts to administer health benefits programs.</b></p>	<p data-bbox="1741 813 1999 846"><b>R.C. 167.03</b></p> <p data-bbox="1741 873 2026 906">Same as the House.</p> <p data-bbox="1741 1019 2220 1049"><b>Fiscal effect: Same as the House.</b></p>
LOCCD26	Board of county commissioners deadline	
No provision.	<p data-bbox="935 1268 1177 1300"><b>R.C. 305.05</b></p> <p data-bbox="935 1328 1723 1422">Modifies the date by which a board of county commissioners must annually organize from the second Monday in January to no later than the second Monday in January.</p>	<p data-bbox="1741 1268 1999 1300"><b>R.C. 305.05</b></p> <p data-bbox="1741 1328 2026 1357">Same as the House.</p>

## Executive

## As Passed by the House

## As Passed by the Senate

LOCCD22

Multi-jurisdictional local correctional centers

No provision.

R.C. 307.93

Specifies that a multi-jurisdictional local correctional center's operational standards and procedures may be amended by agreement of a majority of the voting members of the center's corrections commission or by other means specified in the contract between the contracting counties and municipal corporations and clarifies that items required for the standards and procedures also are required for the amendments.

**Fiscal effect: None apparent.**

R.C. 307.93

Same as the House.

**Fiscal effect: Same as the House.**

LOCCD15

Local sales tax for permanent improvements

No provision.

R.C. 307.283, 5739.026, Section 803.280

Allows community improvements board grants to a school district, which are funded by a county sales tax, to be spent for permanent improvements outside the county where the tax is levied so long as the improvements are within the school district and a part of the school district is within the county. Applies this authority to provide such grants funded by money under existing sales tax levies as long as that use is consistent with the authorizing sales tax resolution in addition to future levies.

**Fiscal effect: Although the bill may result in redirecting the final use of sales tax revenue from projects within a particular county, there will be no change to the amount collected or total expenditures on permanent improvements.**

R.C. 307.283, 5739.026, Section 803.280

Same as the House, but limits the authorization to use grants outside the county to grants funded by sales taxes first levied prior to the effective date of the provision.

**Fiscal effect: Same as the House.**

Executive

As Passed by the House

As Passed by the Senate

**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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

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.

No provision.

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

LOCCD18

## County recorder fees and technology funding

**R.C. 317.32, 317.321**

No provision.

Revises the fees for recording and indexing various types of instruments (currently \$14 base fee and \$14 Housing Trust Fund (HTF) fee for first two pages, and \$4 base fee and \$4 HTF fee for pages thereafter) as follows:

- (1) \$35 base fee and \$35 HTF fee for a deed or other instrument of writing for the sale or conveyance of lands, tenements, and hereditaments;
- (2) \$100 base fee and \$100 HTF fee for a mortgage or assignment of rents;
- (3) \$35 base fee and \$35 HTF fee for all other instruments unless a different fee is prescribed elsewhere in the Revised Code.

No provision.

No provision.

Revises the fee for recording and indexing an instrument dealing with transfers, conveyances, or assignments of tangible or intangible property in the following manner:

- (1) Eliminates the current fee of \$28 for the first two pages and \$8 for each subsequent page and instead charges a flat fee of \$50 regardless of the number of pages;
- (2) If a county recorder's technology fund has been established, of the \$50 fee requires that \$25 be deposited into the county general fund, and \$25 be deposited into the county recorder's technology fund;
- (3) If no technology fund has been established, requires the \$50 fee to be deposited into the county general fund.

No provision.

No provision.

Increases from \$4 to \$10 the total fee for entering each reference regarding a recorded instrument, except for references cited in instruments conveying interests in utilities, minerals, crude oil, or natural gas.

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

No provision.

Extends to January 1, 2029, the term of a proposal for funding the county recorder's imaging and technology needs that was approved by the board of county commissioners before, and is effect on, September 29, 2013, regardless of the number of years of funding specified in the previously-approved proposal.

No provision.

**Fiscal effect: Potential gain in fee revenue for county general funds and recorder technology funds associated with fee increases for certain recorded instruments. Potential increase or decrease in revenues to county recorders, depending on the number of pages in other recorded instruments. The cost of recording them could be more or less because fees are eliminated for recording subsequent pages of those instruments. Instead, one fee is charged for the entire instrument. The fiscal effects of the changes would be similar for the state Housing Trust Fund.**

LOCCD27

Using commissary profits for contraband screening

R.C. 341.25

No provision.

Allows the sheriff of a county jail to use profits from the jail's commissary to purchase technology designed to prevent contraband from entering the jail.

R.C. 341.25

Same as the House.

LOCCD34

New community district acreage requirement

R.C. 349.03

No provision.

Eliminates the requirement that the total acreage in a new community district be not less than 1,000 acres.

No provision.

Executive

As Passed by the House

As Passed by the Senate

Fiscal effect: None apparent.

**LOCCD24 Commercial advertising on township web sites**

**R.C. 503.70**

**R.C. 503.70**

No provision.

Authorizes townships to sell commercial advertising space on their web sites if the web sites are not on the dot-gov domain where such advertising is prohibited by federal guidelines.

Same as the House.

No provision.

Requires an authorizing resolution to specify the manner of making request for proposals that identify eligible advertisers, specific criteria for proposals, and any requirements and limitations.

Same as the House.

**Fiscal effect: Potential gain in advertising revenue.**

**Fiscal effect: Same as the House.**

**LOCCD23 Regulation of transient vendors in townships**

**R.C. 505.94**

**R.C. 505.94**

No provision.

Allows a board of township trustees to prohibit transient vendors from soliciting at any residence at which the owner or tenant has either posted a sign prohibiting solicitation or for which the owner or tenant has filed a no solicitation registration form with the township.

Same as the House.

No provision.

Eliminates the board's authority to outright prohibit transient vendors from soliciting within the township's unincorporated territory.

Same as the House.

No provision.

Expands the definition of "transient vendor" and eliminates the requirement that a nonprofit entity, so that it is not considered to be a transient vendor, notify a board of township trustees of its presence in the township for the

Same as the House.

## Executive

## As Passed by the House

## As Passed by the Senate

purpose of selling goods.

**LOCCD17 Village dissolution procedure**
**R.C. 703.20, 703.21**
**R.C. 703.20, 703.21**

No provision.

Allows electors of a village to petition the board of elections, as an alternative to the legislative authority if the legislative authority does not act within 30 days after receiving a dissolution petition, for the dissolution of the village.

Same as the House.

No provision.

Decreases from 40% to 30%, the portion of electors in a village that is sufficient to petition the legislative authority or board of elections for the dissolution of the village.

Same as the House.

No provision.

Provides for the timely transfer of village property and services upon the dissolution of the village. The Auditor of State must assist in facilitating the transfer in a systematic and timely manner.

Same as the House.

No provision.

Allows the village and affected townships to enter into agreements concerning the transfer of real and personal property other than electric, water and sewer utility property.

Same as the House.

No provision.

Specifies that if such agreements are not entered into within 60 days after dissolution, title to a dissolved village's real and personal property vests by operation of law in the affected townships.

Same as the House.

No provision.

Requires county recorders to make appropriate notations and recordings in the county records to reflect the transfer of the village's interest in real property.

Same as the House.

No provision.

Requires the Auditor of State to perform and complete an audit, or agreed-upon procedure audit before transferring any cash balances to a township or utility service provider following the village dissolution.

Same as the House.

Executive	As Passed by the House	As Passed by the Senate
No provision.	Requires electric, water and sewer utility property to be transferred by agreement entered into by the village and the entity that will be taking over the provision of utility services. Outlines a process for the entity taking on the utility services to petition the court of common pleas to revise the current utility user fees, rates, or charges, or assessments levied.	Same as the House, but specifies the following: (1) The surrender of corporate powers by a village does not affect the village's power to operate utilities; (2) specifies that a dissolving village may incur liability to the extent it is necessary in connection with the operations of the village's utilities; (3) requires a dissolving village to take all necessary steps to transfer the ownership and operation of electric utilities to a successor entity and to complete a systems audit of the electric utility; (4) requires a dissolving village's electric utility to continue normal operations and activities, to continue fulfilling the village's contractual obligations, including with its customers, users, and licensees of its poles, conduits, and rights-of-way, and to collect charges at rates in effect on the date the certificate of dissolution was filed.
No provision.	Requires that utility services remain uninterrupted during the transition period following the dissolution of a village.  <b>Fiscal effect: Uncertain, but could make it easier to initiate the village dissolution process. Subsequent fiscal effects would depend on the extent of village assets and liabilities to be transferred and terms of transfer arrangements with townships.</b>	Same as the House.  <b>Fiscal effect: Same as the House.</b>

Executive

As Passed by the House

As Passed by the Senate

**LOCCD36 Nonresident members of municipal planning commissions**

No provision.

No provision.

**R.C. 713.01**

Authorizes the appointment of some public members, who may be nonresidents of the municipal corporation, to serve on a municipal planning commission, instead of the current requirement for all citizen members to be residents of the municipal corporation. For each city having a board of park commissioners that establishes a seven member planning commission, two of the four citizen members may be public members and the remaining two must be citizens of the municipal corporation. For five member boards under current law, instead of three citizen members, one may be a public member and the remaining two must be citizen members.

No provision.

No provision.

Specifies that the public members need not be residents of the municipal corporation and that all members are subject to the prohibition against public officials having an unlawful interest in a public contract. Requires nonresident public members, however, to be residents of the county in which the municipal corporation is located or a township that is adjacent to that county.

**Fiscal effect: No apparent fiscal effect.**

**LOCCD37 Urban Renewal Project Law**

No provision.

No provision.

**R.C. 725.01, 725.04**

Adds environmental remediation as a purpose for which a municipal corporation can undertake an urban renewal project to prevent the spread of blight.

Executive	As Passed by the House	As Passed by the Senate
No provision.	No provision.	Adds to the definition of blight, for purposes of Ohio's Urban Renewal Project Law, contamination by hazardous substances or petroleum.
No provision.	No provision.	Permits parties to a development agreement to agree to a level of service payments, in lieu of property taxes, that is higher than the amount that would be generated by the assessed value of the improvements.
No provision.	No provision.	Adds to the definition of revenue, for purposes of Ohio's Urban Renewal Project Law, revenue available to the municipal corporation pursuant to a development agreement.
<b>LOCCD35 Signatures for non-charter village disbursements</b>		
No provision.	No provision.	<p><b>R.C. 733.44, 733.46</b></p> <p>Requires two signatures for noncharter village fund disbursements as follows: (1) If the noncharter village has a treasurer, by order signed by the treasurer and at least one member of the village's legislative authority or the village clerk; or (2) If the noncharter village has a clerk-treasurer or fiscal officer, by order signed by the clerk-treasurer or fiscal officer and at least one member of the village's legislative authority.</p>
No provision.	No provision.	<p>Requires that when the county auditor disburses funds comprised of taxes and assessments certified to the county auditor by a municipal corporation, those funds must be disbursed by the county auditor on the order of any person authorized by law or ordinance to issue such orders.</p> <p><b>Fiscal effect: No apparent fiscal effect.</b></p>

Executive

As Passed by the House

As Passed by the Senate

LOCCD19 State matching funds for conservation districts - Federal Storm Water Program Phase II

R.C. 940.15

Extends, through calendar year 2019, the stipulation that state matching funds awarded to a soil and water conservation district for money received from entering into a contract with a board of county commissioners to carry out Phase II of the Federal Storm Water Program must be capped at the amount that the district received during 2013 for entering into that type of contract.

R.C. 940.15

No provision.

No provision.

No provision.

No provision.

Eliminates the requirement in current law that the Department of Agriculture match soil and water conservation district funds received pursuant to a contract to carry out Phase II of the Federal Storm and Water Program on behalf of a county sewer district.

**Fiscal effect: Potential savings of state matching funds that are awarded under DPF 5BV0 appropriation item 700661, Soil and Water Districts. Potential loss of state matching funds awarded to soil and water districts that have been contracted to do these types of polluted stormwater runoff control projects.**

LOCCD40 County liability insurance coverage for oil and gas wells

R.C. 1509.07

Authorizes a board of county commissioners of a county that is an owner of an oil and gas well to comply with the oil and gas well liability requirements by participating in a joint self-insurance pool in accordance with the law governing such pools.

No provision.

No provision.

Executive

As Passed by the House

As Passed by the Senate

**Fiscal effect: Potential cost savings in liability insurance costs if such joint self-insurance pools would lower premiums to counties.**

**LOCCD13 Expungement of ex parte protection orders**

**R.C. 2151.34, 2903.213, 2903.214, 2919.26, 3113.31**

(1) No provision.

(1) Requires the court to order the expungement of an ex parte order issued and records pertaining to the ex parte order if a court does not grant any of the following types of protection orders after a full hearing: (a) a juvenile court protection order, (b) a civil stalking protection order involving any person, (c) a civil domestic violence protection order (or consent agreement) involving a family or household member, (d) a temporary criminal stalking protection order involving a person other than a family or household member, or (e) a criminal domestic violence temporary protection order involving a family or household member.

(1) No provision.

(2) No provision.

(2) Requires the expungement order to be issued in (1)(a), (b), or (c) above after the period of the notice of appeal from the denial of the protection order has expired or after an appellate court affirms such denial.

(2) No provision.

(3) No provision.

(3) Requires the expungement order to be issued in (1)(d) or (e) above after the court revokes the temporary ex parte protection order.

(3) No provision.

**Fiscal effect: Uncertain.**

## Executive

## As Passed by the House

## As Passed by the Senate

## LOCCD10

## Placement for abused, neglected, or dependent children

## R.C. 2151.353, 2151.417

## R.C. 2151.353, 2151.417

(1) No provision.

(1) Permits an abused, neglected, or dependent child to be placed in the temporary custody of any person approved by the juvenile court, rather than any home approved by the juvenile court.

(1) Same as the House.

(2) No provision.

(2) Removes the requirement for a juvenile court to continue holding case review hearings for a child subject to a legal-custody order if all of the following apply:

(2) Same as the House.

(a) No provision.

(a) The child is not subject to an order of protective supervision;

(a) Same as the House.

(b) No provision.

(b) No public children services agency or private child placing agency is serving the child;

(b) Same as the House.

(c) No provision.

(c) The court finds that further reviews are not necessary to serve the child's best interests.

(c) Same as the House.

**Fiscal effect: Potential minimal annual savings effect for juvenile courts if fewer case review hearings are held.**

**Fiscal effect: Same as the House.**

## LOCCD11

## Disposition of balance after sale on execution

## R.C. 2329.44

## R.C. 2329.44

(1) No provision.

(1) Raises from \$25 to \$100 the amount of the balance following a sale on execution over which the clerk of a court of common pleas must notify the judgment debtor by certified mail and publish an advertisement of the balance if notifications by certified and ordinary mail fail.

(1) Same as the House.

Executive	As Passed by the House	As Passed by the Senate
(2) No provision.	(2) Requires that an advertisement of a notification in a newspaper published and circulated in the county run at least once rather than three times.	(2) Same as the House.
(3) No provision.	(3) Requires that balances unclaimed after 90 days be treated the same as other unclaimed money in the clerk's possession, including deposit into the county general fund.	(3) Same as the House.
(4) No provision.	(4) Requires that the clerk be paid the actual costs of notifying the judgment debtor before paying the balance to the judgment debtor.	(4) Same as the House.
	<b>Fiscal effect: Potential annual: (1) operational savings effects for clerks of courts of common pleas, and (2) revenue gain for the county in the form of unclaimed money and judgment debtor notification costs.</b>	<b>Fiscal effect: Same as the House.</b>
<b>LOCCD33</b>	<b>Foreclosure sales</b>	
	<b>R.C. 2329.211, 2329.271, 2329.31, 2329.311</b>	<b>R.C. 2329.211, 2329.271, 2329.31, 2329.311</b>
No provision.	Gives express authority for deposits on foreclosure sales to be made by a financial transaction device if the foreclosure sale is held online.	Same as the House.
No provision.	Requires the purchaser at a foreclosure sale to submit a statement indicating intent to use the property as residential rental property, instead of a statement indicating whether the purchaser will occupy the property.	Same as the House.
No provision.	Exempts the purchaser at a foreclosure sale from the requirement of submitting contact information if the purchaser is the plaintiff or a lienholder who is a party to the foreclosure action.	Same as the House.
	<b>Fiscal effect: None apparent.</b>	<b>Fiscal effect: Same as the House.</b>

## Executive

## As Passed by the House

## As Passed by the Senate

Executive	As Passed by the House	As Passed by the Senate
<b>LOCCD42</b>	<b>Storage of firearm in privately owned motor vehicle</b>	
(1) No provision.	(1) No provision.	<b>R.C. 2923.1210</b> (1) Creates a civil cause of action against a business entity, property owner, or employer who establishes, maintains, or enforces a policy that prohibits a valid concealed handgun licensee from transporting or storing a firearm or ammunition in the person's privately owned motor vehicle in accordance with existing law conditions.
(2) No provision.	(2) No provision.	(2) Permits the court to award: (a) compensatory damages and any equitable relief, including injunctive relief, it finds appropriate, and (b) costs and reasonable attorney's fees to the plaintiff after a hearing to determine the amount of the fees. <b>Fiscal effect: Uncertain.</b>
<b>LOCCD31</b>	<b>Metropolitan Housing Authorities - Shared services agreements</b>	
No provision.	<b>R.C. 3735.31, 3735.33, 3735.40</b> Permits two or more Metropolitan Housing Authorities (MHAs) to enter into a shared services agreement.	<b>R.C. 3735.31, 3735.33, 3735.40</b> Same as the House.
No provision.	Clarifies that MHA plans to improve blighted areas can include housing as well as other projects, including projects for commercial and residential purposes. <b>Fiscal effect: Potential to share costs for activities under the shared service agreement.</b>	Same as the House. <b>Fiscal effect: Same as the House.</b>

## Executive

## As Passed by the House

## As Passed by the Senate

LOCCD32

Metropolitan Housing Authorities - Rent subsidies

R.C. 3735.41

R.C. 3735.41

No provision.

Prohibits a MHA from providing a federal rent subsidy to a tenant who does not meet income restrictions set by the U.S. Department of Housing and Urban Development, instead of requiring the MHA to deny housing to the tenant as required under current law.

Same as the House.

**Fiscal effect: Expands the population MHAs can provide housing to which may increase revenue for MHAs that have housing availability.**

Fiscal effect: Same as the House.

LOCCD21

Port authority competitive bid threshold

R.C. 4582.12, 4582.31

No provision.

Changes the threshold amount above which a port authority must utilize competitive bidding when contracting for the construction of a building, structure, or other improvement undertaken by the port authority to \$250,000, instead of the higher of the following amounts under existing law: (1) \$100,000; or (2) \$100,000 plus an annual adjusted amount determined by the Director of Commerce based on the average increase for the prior two years in the Producer Price Index for Material and Supply Inputs for New Nonresidential Construction.

No provision.

## Executive

## As Passed by the House

## As Passed by the Senate

## LOCCD25      Transfer of taxing authority funds

No provision.

R.C.      5705.16

Removes the requirement that a taxing authority petition and receive approval from a court of common pleas before transferring revenue between certain subdivision funds, but maintains the requirement that the taxing authority receive approval of the Tax Commissioner to approve a transfer upon finding the transfer is justified or necessary and that no injury will result.

**Fiscal effect: Potential decrease in costs associated with having a hearing with a court of common pleas for authority to transfer funds.**

R.C.      5705.16

Same as the House.

Fiscal effect: Same as the House.

## LOCCD30      Fuel pump stickers showing fuel excise tax rates

No provision.

R.C.      5735.50

Requires the county auditor or the designated municipal official responsible for weights and measures to affix stickers on retail fuel pumps showing the total state and federal excise taxes that apply to gasoline and diesel fuel. Requires the stickers to be designed and produced by the Department of Agriculture and updated whenever tax rates change.

**Fiscal effect: Additional cost for Department of Agriculture to make and distribute the stickers. Little new cost for local weights and measures inspectors since these stickers would be applied during inspections.**

No provision.

Executive

As Passed by the House

As Passed by the Senate

LOCCD20 Local workforce development board meetings by teleconference

No provision.

**R.C. 6301.06**

Allows local workforce development boards to hold meetings by interactive video conference (the preferred means) or by teleconference, and requires a board that wishes to hold meetings in such a manner to adopt rules that, at a minimum, require meetings to be conducted in a certain manner and establish a minimum number of members who must be physically present at the primary meeting location.

**Fiscal effect: Potential small reduction in meeting costs.**

No provision.

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