

211	440-613	Central Support Indirect Costs	\$	28,884,707	\$	28,884,707
473	440-622	Lab Operating Expenses	\$	4,954,045	\$	4,954,045
683	440-633	Employee Assistance Program	\$	1,208,214	\$	1,208,214
698	440-634	Nurse Aide Training	\$	170,000	\$	170,000
TOTAL GSF General Services						
Fund Group			\$	38,678,881	\$	38,678,881
Federal Special Revenue Fund Group						
320	440-601	Maternal Child Health Block Grant	\$	30,666,635	\$	30,666,635
387	440-602	Preventive Health Block Grant	\$	7,826,659	\$	7,826,659
389	440-604	Women, Infants, and Children	\$	230,077,451	\$	230,077,451
391	440-606	Medicaid/Medicare	\$	24,850,959	\$	24,850,959
392	440-618	Federal Public Health Programs	\$	136,778,215	\$	136,778,215
TOTAL FED Federal Special Revenue						
Fund Group			\$	430,199,919	\$	430,199,919
State Special Revenue Fund Group						
4D6	440-608	Genetics Services	\$	3,317,000	\$	3,317,000
4F9	440-610	Sickle Cell Disease Control	\$	1,035,344	\$	1,035,344
4G0	440-636	Heirloom Birth Certificate	\$	5,000	\$	5,000
4G0	440-637	Birth Certificate Surcharge	\$	5,000	\$	5,000
4L3	440-609	Miscellaneous Expenses	\$	446,468	\$	446,468
<u>4P4</u>	<u>440-628</u>	<u>Ohio Physician Loan Repayment</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>476,870</u>
4T4	440-603	Child Highway Safety	\$	233,894	\$	233,894
4V6	440-641	Save Our Sight	\$	1,767,994	\$	1,767,994
470	440-647	Fee Supported Programs	\$	27,996,243	\$	25,905,140
471	440-619	Certificate of Need	\$	869,000	\$	898,000
477	440-627	Medically Handicapped Children Audit	\$	3,693,016	\$	3,693,016
5B5	440-616	Quality, Monitoring, and Inspection	\$	838,479	\$	838,479
5CB	440-640	Poison Control Centers	\$	150,000	\$	150,000
5CN	440-645	Choose Life	\$	75,000	\$	75,000
5C0	440-615	Alcohol Testing and Permit	\$	1,455,405	\$	1,455,405
5D6	440-620	Second Chance Trust	\$	1,054,951	\$	1,054,951
5EC	440-650	Health Emergency	\$	15,312,500	\$	0
5ED	440-651	Smoke Free Indoor Air	\$	800,000	\$	800,000
5G4	440-639	Adoption Services	\$	20,000	\$	20,000
5L1	440-623	Nursing Facility Technical Assistance Program	\$	664,282	\$	698,595
<u>5Z7</u>	<u>440-624</u>	<u>Ohio Dentist Loan Repayment</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>140,000</u>
610	440-626	Radiation Emergency Response	\$	850,000	\$	850,000
666	440-607	Medically Handicapped Children - County Assessments	\$	14,320,687	\$	14,320,687
TOTAL SSR State Special Revenue						
Fund Group			\$	74,910,263	\$	57,569,973 <u>58,186,843</u>
Holding Account Redistribution Fund Group						
R14	440-631	Vital Statistics	\$	70,000	\$	70,000

R48 440-625	Refunds, Grants Reconciliation, and Audit Settlements	\$	20,000	\$	20,000
TOTAL 090 Holding Account					
	Redistribution Fund Group	\$	90,000	\$	90,000
TOTAL ALL BUDGET FUND GROUPS		\$	623,678,762	\$	614,409,857 <u>615,026,727</u>

Sec. 299.10. OHS OHIO HISTORICAL SOCIETY

General Revenue Fund

GRF 360-501	Operating Subsidy	\$	3,649,244	\$	3,649,252
GRF 360-502	Site and Museum Operations	\$	8,501,781	\$	8,501,788 <u>8,357,176</u>
GRF 360-504	Ohio Preservation Office	\$	417,516	\$	415,381
GRF 360-505	National Afro-American Museum	\$	754,884	\$	754,884
GRF 360-506	Hayes Presidential Center	\$	514,323	\$	514,323
GRF 360-508	State Historical Grants	\$	853,000	\$	775,000
TOTAL GRF General Revenue Fund		\$	14,690,748	\$	14,610,628
TOTAL ALL BUDGET FUND GROUPS		\$	14,690,748	\$	14,610,628 <u>14,466,016</u>

SUBSIDY APPROPRIATION

Upon approval by the Director of Budget and Management, the foregoing appropriation items shall be released to the Ohio Historical Society in quarterly amounts that in total do not exceed the annual appropriations. The funds and fiscal records of the society for fiscal years 2008 and 2009 shall be examined by independent certified public accountants approved by the Auditor of State, and a copy of the audited financial statements shall be filed with the Office of Budget and Management. The society shall prepare and submit to the Office of Budget and Management the following:

(A) An estimated operating budget for each fiscal year of the biennium. The operating budget shall be submitted at or near the beginning of each calendar year.

(B) Financial reports, indicating actual receipts and expenditures for the fiscal year to date. These reports shall be filed at least semiannually during the fiscal biennium.

The foregoing appropriations shall be considered to be the contractual consideration provided by the state to support the state's offer to contract with the Ohio Historical Society under section 149.30 of the Revised Code.

STATE ARCHIVES

Of the foregoing appropriation item 360-501, Operating Subsidy, \$300,000 in each fiscal year shall be used for the State Archives, Library, and Artifact Collections program.

HAYES PRESIDENTIAL CENTER

If a United States government agency, including, but not limited to, the

National Park Service, chooses to take over the operations or maintenance of the Hayes Presidential Center, in whole or in part, the Ohio Historical Society shall make arrangements with the National Park Service or other United States government agency for the efficient transfer of operations or maintenance.

HISTORICAL GRANTS

Of the foregoing appropriation item 360-508, State Historical Grants, \$60,000 in fiscal year 2008 shall be distributed to the Paul Laurence Dunbar Home, \$75,000 in each fiscal year shall be distributed to the Center for Holocaust and Humanity Education located at the Hebrew Union College-Jewish Institute of Religion in Cincinnati, \$350,000 in each fiscal year shall be distributed to the Western Reserve Historical Society, \$350,000 in each fiscal year shall be distributed to the Cincinnati Museum Center, and up to \$18,000 in fiscal year 2008 shall be distributed to the Muskingum River Underground Railroad Historic Marker Project.

PROCESSING FEES

The Ohio Historical Society shall not charge or retain an administrative, service, or processing fee for distributing money that the General Assembly appropriates to the Society for grants or subsidies that the Society provides to other entities for their site-related programs.

TRANSFER FOR STATEHOUSE TOURS AND EDUCATION

On June 1, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$12,297 cash from GRF appropriation item 360-502, Site and Museum Operations, to the Statehouse Gift Shop/Events Fund (Fund 4S70) in the Capitol Square Review and Advisory Board to support Statehouse tours and education staff.

Sec. 307.10. INS DEPARTMENT OF INSURANCE

Federal Special Revenue Fund Group

3U5 820-602	OSHIIP Operating Grant	\$	1,100,000	\$	1,100,000
TOTAL FED Federal Special Revenue Fund Group		\$	1,100,000	\$	1,100,000

State Special Revenue Fund Group

554 820-601	Operating Expenses - OSHIIP	\$	553,750	\$	569,269
554 820-606	Operating Expenses	\$	23,350,236	\$	23,802,797
555 820-605	Examination	\$	7,639,581	\$	7,868,768
<u>5AG 820-603</u>	<u>Ohio Family Health Survey</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>1,500,000</u>

TOTAL SSR State Special Revenue

Fund Group	\$	31,543,567	\$	32,240,834
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33,740,834

TOTAL ALL BUDGET FUND GROUPS	\$	32,643,567	\$	33,340,834
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34,840,834

MARKET CONDUCT EXAMINATION

When conducting a market conduct examination of any insurer doing

business in this state, the Superintendent of Insurance may assess the costs of the examination against the insurer. The superintendent may enter into consent agreements to impose administrative assessments or fines for conduct discovered that may be violations of statutes or rules administered by the superintendent. All costs, assessments, or fines collected shall be deposited to the credit of the Department of Insurance Operating Fund (Fund 554).

EXAMINATIONS OF DOMESTIC FRATERNAL BENEFIT SOCIETIES

The Director of Budget and Management, at the request of the Superintendent of Insurance, may transfer funds from the Department of Insurance Operating Fund (Fund 554), established by section 3901.021 of the Revised Code, to the Superintendent's Examination Fund (Fund 555), established by section 3901.071 of the Revised Code, only for expenses incurred in examining domestic fraternal benefit societies as required by section 3921.28 of the Revised Code.

TRANSFER FROM FUND 554 TO GENERAL REVENUE FUND

Not later than the thirty-first day of July each fiscal year, the Director of Budget and Management shall transfer \$5,000,000 from the Department of Insurance Operating Fund to the General Revenue Fund.

OHIO FAMILY HEALTH SURVEY

Notwithstanding section 3929.682 of the Revised Code, the foregoing appropriation item 820-603, Ohio Family Health Survey, shall be used for the Ohio Family Health Survey.

Sec. 309.10. JFS DEPARTMENT OF JOB AND FAMILY SERVICES

General Revenue Fund

GRF600-321	Support Services				
	State	\$	50,785,978	\$	52,571,413
	Federal	\$	10,460,286	\$	11,290,237
	Support Services Total	\$	61,246,264	\$	63,861,650
GRF600-410	TANF State	\$	267,619,061	\$	267,619,061
GRF600-413	Child Care Match/Maintenance of Effort	\$	84,120,596	\$	84,120,596
GRF600-416	Computer Projects				
	State	\$	115,383,181	\$	116,419,033
	Federal	\$	21,488,920	\$	21,192,117
	Computer Projects Total	\$	136,872,101	\$	137,611,150
GRF600-417	Medicaid Provider Audits	\$	2,000,000	\$	2,000,000
GRF600-420	Child Support Administration	\$	8,541,446	\$	10,641,446
GRF600-421	Office of Family Stability	\$	4,614,932	\$	4,614,932
GRF600-423	Office of Children and Families	\$	5,650,000	\$	5,900,000
GRF600-425	Office of Ohio Health Plans				
	State	\$	22,500,000	\$	22,500,000
	Federal	\$	23,324,848	\$	23,418,368

	Office of Ohio Health Plans	\$	45,824,848	\$	45,918,368
	Total				
GRF600-502	Administration - Local	\$	34,014,103	\$	34,014,103
GRF600-511	Disability Financial Assistance	\$	22,128,480	\$	25,335,908
GRF600-512	Non-TANF Disaster Assistance	\$	1,000,000	\$	1,000,000
GRF600-521	Entitlement Administration - Local	\$	130,000,000	\$	130,000,000
GRF600-523	Children and Families Services	\$	78,115,135	\$	78,115,135
GRF600-525	Health Care/Medicaid State	\$	3,371,917,993	\$	3,603,598,928 <u>3,673,819,292</u>
	Federal	\$	5,173,236,576	\$	5,736,989,273 <u>5,865,064,895</u>
	Health Care Total	\$	8,545,154,569	\$	9,340,588,201 <u>9,538,884,187</u>
GRF600-526	Medicare Part D	\$	254,397,401	\$	271,854,640
GRF600-528	Adoption Services State	\$	37,520,466	\$	43,978,301
	Federal	\$	41,304,043	\$	49,196,065
	Adoption Services Total	\$	78,824,509	\$	93,174,366
GRF600-529	Capital Compensation Program	\$	7,000,000	\$	0
GRF600-534	Adult Protective Services	\$	500,000	\$	500,000
TOTAL GRF	General Revenue Fund State	\$	4,497,808,772	\$	4,754,783,496 <u>4,825,003,860</u>
	Federal	\$	5,269,814,673	\$	5,842,086,060 <u>5,970,161,682</u>
	GRF Total	\$	9,767,623,445	\$	10,596,869,556 <u>10,795,165,542</u>

General Services Fund Group

4A8	600-658	Child Support Collections	\$	26,680,794	\$	26,680,794 <u>31,929,211</u>
4R4	600-665	BCII Services/Fees	\$	36,974	\$	36,974
5BG	600-653	Managed Care Assessment	\$	210,655,034	\$	222,667,304
5C9	600-671	Medicaid Program Support	\$	80,120,048	\$	80,120,048
5DL	600-639	Medicaid Revenue and Collections	\$	51,966,785	\$	56,296,844 <u>76,296,844</u>
5N1	600-677	County Technologies	\$	1,000,000	\$	1,000,000
5P5	600-692	Health Care Services	\$	93,000,000	\$	62,000,000 <u>82,000,000</u>
613	600-645	Training Activities	\$	135,000	\$	135,000
TOTAL GSF	General Services Fund Group		\$	463,594,635	\$	448,936,964 <u>494,185,381</u>

Federal Special Revenue Fund Group

3AW	600-675	Faith Based Initiatives	\$	1,000,000	\$	1,000,000
3A2	600-641	Emergency Food Distribution	\$	2,900,000	\$	3,500,000
3D3	600-648	Children's Trust Fund Federal	\$	2,040,524	\$	2,040,524
3F0	600-623	Health Care Federal	\$	1,209,188,383	\$	1,211,196,561 <u>1,280,775,536</u>
3F0	600-650	Hospital Care Assurance Match	\$	343,239,047	\$	343,239,047
3G5	600-655	Interagency Reimbursement	\$	1,469,763,073	\$	1,513,855,965

3H7	600-617	Child Care Federal	\$	207,269,463	\$	200,167,593
3N0	600-628	IV-E Foster Care Maintenance	\$	153,963,142	\$	153,963,142
3S5	600-622	Child Support Projects	\$	534,050	\$	534,050
3V0	600-688	Workforce Investment Act	\$	232,568,453	\$	233,082,144
3V4	600-678	Federal Unemployment Programs	\$	147,411,858	\$	152,843,414
3V4	600-679	Unemployment Compensation Review Commission - Federal	\$	3,092,890	\$	3,191,862
3V6	600-689	TANF Block Grant	\$	1,037,739,200	\$	1,085,861,099
3W3	600-659	TANF/Title XX Transfer	\$	10,081,377	\$	6,672,366
327	600-606	Child Welfare	\$	48,514,502	\$	47,947,309
331	600-686	Federal Operating	\$	53,963,318	\$	56,263,225
384	600-610	Food Stamps and State Administration	\$	160,237,060	\$	153,147,118
385	600-614	Refugee Services	\$	10,196,547	\$	11,057,826
395	600-616	Special Activities/Child and Family Services	\$	5,723,131	\$	5,717,151
396	600-620	Social Services Block Grant	\$	114,479,464	\$	114,474,085
396	600-651	Second Harvest Food Banks	\$	5,500,000	\$	5,500,000
397	600-626	Child Support	\$	303,661,307	\$	303,538,962
398	600-627	Adoption Maintenance/ Administration	\$	318,172,168	\$	317,483,676
TOTAL FED Federal Special Revenue Fund Group			\$	5,841,238,957	\$	5,926,277,119 <u>5,995,856,094</u>

State Special Revenue Fund Group

198	600-647	Children's Trust Fund	\$	6,788,522	\$	6,788,522
4A9	600-607	Unemployment Compensation Administration Fund	\$	12,273,062	\$	12,188,996
4A9	600-694	Unemployment Compensation Review Commission	\$	1,726,938	\$	1,811,004
4E3	600-605	Nursing Home Assessments	\$	4,759,914	\$	4,759,914
4E7	600-604	Child and Family Services Collections	\$	300,000	\$	300,000
4J5	600-613	Nursing Facility Bed Assessments	\$	34,613,984	\$	34,613,984
4J5	600-618	Residential State Supplement Payments	\$	15,700,000	\$	15,700,000
4K1	600-621	ICF/MR Bed Assessments	\$	19,332,437	\$	19,332,437 <u>23,292,437</u>
4R3	600-687	Banking Fees	\$	800,000	\$	800,000
4Z1	600-625	HealthCare Compliance	\$	10,000,000	\$	10,000,000
<u>5AJ0</u>	<u>600-631</u>	<u>Money Follows the Person</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>4,400,000</u>
5DB	600-637	Military Injury Grants	\$	2,000,000	\$	2,000,000
5ES	600-630	Food Assistance	\$	500,000	\$	500,000
5F2	600-667	Building Consolidation	\$	250,000	\$	250,000
5F3	600-668	Building Consolidation	\$	1,000,000	\$	1,000,000
5Q9	600-619	Supplemental Inpatient Hospital Payments	\$	56,125,998	\$	56,125,998
5R2	600-608	Medicaid-Nursing Facilities	\$	175,000,000	\$	175,000,000

5S3	600-629	MR/DD Medicaid Administration and Oversight	\$	1,620,960	\$	1,620,960
5U3	600-654	Health Care Services Administration	\$	9,867,284	\$	12,000,349
5U6	600-663	Children and Family Support	\$	4,928,718	\$	4,928,718
5Z9	600-672	TANF Quality Control Reinvestments	\$	520,971	\$	546,254
651	600-649	Hospital Care Assurance Program Fund	\$	231,893,404	\$	231,893,404
TOTAL SSR State Special Revenue Fund Group			\$	590,002,192	\$	592,160,540 600,520,540
Agency Fund Group						
192	600-646	Support Intercept - Federal	\$	110,000,000	\$	110,000,000
5B6	600-601	Food Stamp Intercept	\$	2,000,000	\$	2,000,000
583	600-642	Support Intercept - State	\$	16,000,000	\$	16,000,000
TOTAL AGY Agency Fund Group			\$	128,000,000	\$	128,000,000
Holding Account Redistribution Fund Group						
R12	600-643	Refunds and Audit Settlements	\$	3,600,000	\$	3,600,000
R13	600-644	Forgery Collections	\$	10,000	\$	10,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	3,610,000	\$	3,610,000
TOTAL ALL BUDGET FUND GROUPS			\$	16,794,069,229	\$	17,695,854,179 18,017,337,557

BUDGET STABILIZATION FUND TRANSFER FOR MEDICAID

Notwithstanding section 127.14 of the Revised Code, if the Director of Budget and Management determines that additional appropriations are needed to fund the Medicaid program, the Director may, with Controlling Board approval, transfer up to \$63,333,420 cash in fiscal year 2009 from the Budget Stabilization Fund to the General Revenue Fund. Upon approval from the Controlling Board, the Director of Budget and Management shall transfer the approved amounts of cash, increase the state share of appropriations to line item 600-525, Health Care/Medicaid, and adjust the federal share accordingly. Any such transfers and adjustments are hereby appropriated.

Sec. 309.30.13. CHILDREN'S HOSPITALS

(A) As used in this section:

"Children's hospital" means a hospital that primarily serves patients eighteen years of age and younger and is excluded from Medicare prospective payment in accordance with 42 C.F.R. 412.23(d).

"Medicaid inpatient cost-to-charge ratio" means the historic Medicaid inpatient cost-to-charge ratio applicable to a hospital as described in rules adopted by the Director of Job and Family Services in paragraph (B)(2) of rule 5101:3-2-22 of the Administrative Code.

(B) Notwithstanding paragraph (C)(5) of rule 5101:3-2-07.9 of the

Administrative Code and except as provided in division (C) of this section, the Director of Job and Family Services shall pay a children's hospital that meets the criteria in paragraphs (E)(1) and (2) of rule 5101:3-2-07.9 of the Administrative Code, for each cost outlier claim made in fiscal years 2008 and 2009, an amount that is the product of the hospital's allowable charges and the hospital's Medicaid inpatient cost-to-charge ratio.

(C) The Director of Job and Family Services shall cease paying a children's hospital for a cost outlier claim under the methodology in division (B) of this section and revert to paying the hospital for such a claim according to methodology in paragraph (A)(6) or (C)(5) of rule 5101:3-2-07.9 of the Administrative Code, as applicable, when the difference between the total amount the Director has paid according to the methodology in division (B) of this section for such claims and the total amount the Director would have paid according to the methodology in paragraph (A)(6) or (C)(5) of rule 5101:3-2-07.9 of the Administrative Code, as the applicable paragraph existed on June 30, 2007, for such claims, exceeds the sum of the state funds and corresponding federal match earmarked in division (F) of this section and reappropriated in division (G) of this section for the applicable fiscal year.

(D) The Director of Job and Family Services shall make supplemental Medicaid payments to hospitals for inpatient services under a program modeled after the program the Department of Job and Family Services was required to create for fiscal years 2006 and 2007 in Section 206.66.79 of Am. Sub. H.B. 66 of the 126th General Assembly if the difference between the total amount the Director has paid according to the methodology in division (B) of this section for cost outlier claims and the total amount the Director would have paid according to the methodology in paragraph (A)(6) or (C)(5) of rule 5101:3-2-07.9 of the Administrative Code for such claims, as the applicable paragraph existed on June 30, 2007, does not require the expenditure of all state and federal funds earmarked in division (F) of this section for the applicable fiscal year.

(E) The Director of Job and Family Services shall not adopt, amend, or rescind any rules that would result in decreasing the amount paid to children's hospitals under division (B) of this section for cost outlier claims.

(F) Of the foregoing appropriation item, 600-525, Health Care/Medicaid, up to \$6 million (state share) in each fiscal year plus the corresponding federal match, if available, shall be used by the Department to pay the amounts described in division (B) of this section.

(G) The unencumbered balance of the \$6 million in division (F) of this section at the end of fiscal year 2008 is hereby reappropriated to

appropriation item 600-525, Health Care/Medicaid, for fiscal year 2009 to be used by the Department to pay the amounts described in division (B) of this section. The Director of Budget and Management shall increase the state share of appropriations in appropriation item 600-525, Health Care/Medicaid, by the amount of the unencumbered balance of the \$6 million, with a corresponding increase in the federal share. The Department shall expend, not later than June 30, 2009, the entire amount of the unencumbered balance of the \$6 million reappropriated to appropriation item 600-525, Health Care/Medicaid, for fiscal year 2009 by this division, by the corresponding increase in the federal share, and the \$6 million plus the corresponding federal match earmarked for fiscal year 2009 by division (F) of this section to pay the amounts described in division (B) of this section.

Sec. 309.30.30. FISCAL YEAR 2009 MEDICAID
REIMBURSEMENT SYSTEM FOR NURSING FACILITIES

(A) As used in this section:

(1) "Capital costs," "cost of ownership," and "renovation" have the same meanings as in section 5111.20 of the Revised Code as that section existed on June 30, 2005.

(2) "Fiscal year 2005 rate" means the rate a provider of a nursing facility is paid for nursing facility services the nursing facility provides on June 30, 2005.

(3) "Fiscal year 2008 rate" means the rate a provider of a nursing facility is paid for nursing facility services the nursing facility provides on June 30, 2008.

(4) "Franchise permit fee," "inpatient days," "Medicaid days," "nursing facility," and "provider" have the same meanings as in section 5111.20 of the Revised Code.

(5) "Nursing facility services" means nursing facility services covered by the Medicaid program that a nursing facility provides to a resident of the nursing facility who is a Medicaid recipient eligible for Medicaid-covered nursing facility services.

(6) "Reviewable activity" has the same meaning as in section 3702.51 of the Revised Code.

(7) "Type A nursing facility" means a nursing facility that qualifies for a per diem under Section 309.30.42 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by this act and is not a type G nursing facility.

(8) "Type B nursing facility" means a nursing facility to which both of the following apply:

(a) Both of the following occurred during the last quarter of fiscal year 2008:

(i) The facility obtained certification as a nursing facility from the Director of Health.

(ii) The facility began participating in the Medicaid program.

(b) An application for a certificate of need for the nursing facility was filed with the Director of Health before June 15, 2005.

(9) "Type C nursing facility" means a nursing facility to which all of the following apply:

(a) The nursing facility is not a type B nursing facility.

(b) The nursing facility, during the last quarter of fiscal year 2008, completed a capital project for which a certificate of need was filed with the Director of Health before June 15, 2005, and for which at least one of the following occurred before July 1, 2005, or, if the capital project is undertaken to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the capital project were delivered;

(ii) Preparations for the physical site of the capital project, including, if applicable, excavation, began;

(iii) Actual work on the capital project began.

(c) The provider of the nursing facility files a three-month projected capital cost report for the nursing facility with the Director of Job and Family Services not later than ninety days after the date the capital project is completed.

(10) "Type D nursing facility" means a nursing facility that, during the last quarter of fiscal year 2008, completed an activity to which all of the following apply:

(a) A request was filed with the Director of Health before July 1, 2005, for a determination of whether the activity is a reviewable activity and the Director determined that the activity is not a reviewable activity.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the activity to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the activity were delivered.

(ii) Preparations for the physical site of the activity, including, if applicable, excavation, began.

(iii) Actual work on the activity began.

(c) The provider of the nursing facility files a three-month projected capital cost report for the nursing facility with the Director of Job and

Family Services not later than ninety days after the date the activity is completed.

(11) "Type E nursing facility" means a nursing facility that, during the last quarter of fiscal year 2008, completed a renovation to which all of the following apply:

(a) The Director of Job and Family Services approved the renovation before July 1, 2005.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the renovation to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the renovation were delivered.

(ii) Preparations for the physical site of the renovation, including, if applicable, excavation, began.

(iii) Actual work on the renovation began.

(c) The provider of the nursing facility files a three-month projected capital cost report for the nursing facility with the Director of Job and Family Services not later than ninety days after the date the renovation is completed.

(12) "Type F nursing facility" means a nursing facility to which all of the following apply:

(a) The nursing facility, during either the first or second quarter of fiscal year 2009, completed a capital project for which the Director of Health approved a certificate of need on December 22, 2003.

(b) The nursing facility has one hundred ninety-two beds.

(c) The provider of the nursing facility files a three-month projected capital cost report for the nursing facility with the Director of Job and Family Services not later than ninety days after the date the capital project is completed.

(13) "Type G nursing facility" means a new nursing facility to which all of the following apply:

(a) The provider of the new nursing facility is a nonprofit corporation exempt from federal income taxation.

(b) The provider of the new nursing facility received a certificate of need from the Director of Health before June 15, 2005, to construct the new nursing facility.

(c) The new nursing facility began participation in the Medicaid program during fiscal year 2006.

(d) The new nursing facility replaced an older nursing facility that provided nursing facility services on the date immediately before the date

the new nursing facility began participation in the Medicaid program.

(e) The new nursing facility is located on the same campus as the older nursing facility that the new nursing facility replaced.

(B) Except as otherwise provided by this section, the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2008, and a valid Medicaid provider agreement during fiscal year 2009 shall be paid, for nursing facility services the nursing facility provides during fiscal year 2009, the rate calculated for the nursing facility under sections 5111.20 to 5111.33 of the Revised Code with the following adjustments:

(1) The cost per case mix-unit calculated under section 5111.231 of the Revised Code, the rate for ancillary and support costs calculated under section 5111.24 of the Revised Code, the rate for capital costs calculated under section 5111.25 of the Revised Code, and the rate for tax costs calculated under section 5111.242 of the Revised Code shall each be adjusted as follows:

(a) Increase the cost and rates so calculated by two per cent;

(b) Increase the cost and rates determined under division (B)(1)(a) of this section by two per cent;

(c) Increase the cost and rates determined under division (B)(1)(b) of this section by one per cent.

(2) The mean payment used in the calculation of the quality incentive payment made under section 5111.244 of the Revised Code shall be, weighted by Medicaid days, three dollars and three cents per Medicaid day.

(C) ~~If Except as provided in division (F) of this section, if the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2009 is more than one hundred two and seventy-five hundredths per cent of the sum of the nursing facility's fiscal year 2008 rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2008 and the amount specified in division (D) of this section, the Department of Job and Family Services shall reduce the nursing facility's fiscal year 2009 rate so that the rate is not more than one hundred two and seventy-five hundredths per cent of the nursing facility's rate for June 30, 2008 that sum. If Except as provided in division (F) of this section, if the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2009 is less than the sum of the nursing facility's fiscal year 2008 rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2008 and the amount specified in division (D) of this section, the Department shall increase the nursing facility's fiscal year 2009 rate so that the rate is not less than the nursing~~

facility's rate for June 30, 2008 that sum.

(D) Subject to division (E) of this section, the following amount shall be added to a nursing facility's fiscal year 2008 rate for the purpose of determining the ceiling and floor under division (C) of this section:

(1) If the nursing facility is a type A nursing facility, the amount of the per diem for which the nursing facility qualifies under Section 309.30.42 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by this act:

(2) If the nursing facility is a type B nursing facility, the amount that is the difference between the capital costs portion of the nursing facility's initial rate established under section 5111.254 of the Revised Code and the lesser of the following:

(a) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on its three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent:

(b) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(3) If the nursing facility is a type C nursing facility, type D nursing facility, or type F nursing facility, the amount that is the difference between the capital costs portion of the nursing facility's fiscal year 2005 rate and the lesser of the following:

(a) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on its three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent:

(b) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

(4) If the nursing facility is a type E nursing facility, the amount that is equal to eighty-five per cent of the nursing facility's capital costs for the renovation as reported on its three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent:

(5) If the nursing facility is not a type A nursing facility, type B nursing facility, type C nursing facility, type D nursing facility, type E nursing facility, type F nursing facility, or type G nursing facility, zero.

(E) The amount to be added to the fiscal year 2008 rate of a type A nursing facility, type B nursing facility, type C nursing facility, type D nursing facility, type E nursing facility, or type F nursing facility for the purpose of determining the ceiling and floor under division (C) of this section shall be zero until the later of the following:

(1) July 1, 2008;

(2) The first day of the month following the month in which the provider files the three-month projected capital cost report for the nursing facility with the Director of Job and Family Services.

(F) Subject to division (G) of this section, if the rate determined for a type G nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2009 is more than one hundred two and seventy-five hundredths per cent of the sum of the rate the provider was paid for nursing facility services that the older nursing facility the type G nursing facility replaced provided on July 1, 2005, and the amount of the per diem for which the type G nursing facility qualifies under Section 309.30.42 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by this act, the Department of Job and Family Services shall reduce the type G nursing facility's fiscal year 2009 rate so that the rate is not more than one hundred two and seventy-five hundredths per cent of that sum. Subject to division (G) of this section, if the rate determined for a type G nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2009 is less than ninety-eight per cent of the sum of the rate the provider was paid for nursing facility services that the older nursing facility the type G nursing facility replaced provided on July 1, 2005, and the amount of the per diem for which the type G nursing facility qualifies under Section 309.30.42 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by this act, the Department shall increase the qualified replacement nursing facility's fiscal year 2009 rate so that the rate is not less than ninety-eight per cent of that sum.

(G) The amount to be added to the rate the provider of a type G nursing facility was paid for nursing facility services that the older nursing facility the type G nursing facility replaced provided on July 1, 2005, for the purpose of determining the ceiling and floor under division (F) of this section shall be zero rather than the amount of the per diem for which the type G nursing facility qualifies under Section 309.30.42 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by this act, until the later of

the following:

(1) July 1, 2008:

(2) The first day of the month following the month in which the provider files the three-month projected capital cost report for the nursing facility with the Director of Job and Family Services.

(H) If the United States Centers for Medicare and Medicaid Services requires that the franchise permit fee be reduced or eliminated, the Department of Job and Family Services shall reduce the amount it pays providers of nursing facility services under this section as necessary to reflect the loss to the state of the revenue and federal financial participation generated from the franchise permit fee.

~~(E)~~(I) The Department of Job and Family Services shall follow this section in determining the rate to be paid to the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2008, and a valid Medicaid provider agreement during fiscal year 2009 notwithstanding anything to the contrary in sections 5111.20 to 5111.33 of the Revised Code.

(J) Not later than sixty days after the effective date of the amendments to this section, the Director of Job and Family Services shall submit an amendment to the state Medicaid plan to the United States Secretary of Health and Human Services as necessary to implement the amendments to this section. On receipt of the United States Secretary's approval of the amendment to the state Medicaid plan, the Director shall implement the amendments to this section retroactive to the effective date of the state Medicaid plan amendment.

Sec. 309.30.40. FISCAL YEARS 2008 AND 2009 MEDICAID REIMBURSEMENT SYSTEM FOR ICFs/MR

(A) As used in this section:

"Intermediate care facility for the mentally retarded" has the same meaning as in section 5111.20 of the Revised Code.

"Medicaid days" means all days during which a resident who is a Medicaid recipient occupies a bed in an intermediate care facility for the mentally retarded that is included in the facility's Medicaid-certified capacity. Therapeutic or hospital leave days for which payment is made under section 5111.33 of the Revised Code are considered Medicaid days proportionate to the percentage of the intermediate care facility for the mentally retarded's per resident per day rate paid for those days.

"Per diem rate" means the per diem rate calculated pursuant to sections 5111.20 to 5111.33 of the Revised Code.

(B) Notwithstanding sections 5111.20 to 5111.33 of the Revised Code, rates paid to intermediate care facilities for the mentally retarded under the

Medicaid program shall be subject to the following limitations:

(1) For fiscal year 2008, the mean total per diem rate for all intermediate care facilities for the mentally retarded in the state, weighted by May 2007 Medicaid days and calculated as of July 1, 2007, shall not exceed \$266.14.

(2) For fiscal year 2009, the mean total per diem rate for all intermediate care facilities for the mentally retarded in the state, weighted by May 2008 Medicaid days and calculated as of July 1, 2008, shall not exceed ~~\$271.46~~ \$274.98.

(3) If the mean total per diem rate for all intermediate care facilities for the mentally retarded in the state for fiscal year 2008 or 2009, weighted by Medicaid days as specified in division (B)(1) or (2) of this section, as appropriate, and calculated as of the first day of July of the calendar year in which the fiscal year begins, exceeds the amount specified in division (B)(1) or (2) of this section, as applicable, the Department of Job and Family Services shall reduce the total per diem rate for each intermediate care facility for the mentally retarded in the state by a percentage that is equal to the percentage by which the mean total per diem rate exceeds the amount specified in division (B)(1) or (2) of this section for that fiscal year.

(4) Subsequent to any reduction required by division (B)(3) of this section, the rate of an intermediate care facility for the mentally retarded shall not be subject to any adjustments authorized by sections 5111.20 to 5111.33 of the Revised Code during the remainder of the year.

(C) Not later than September 30, 2008, the Director of Job and Family Services shall submit an amendment to the state Medicaid plan to the United States Secretary of Health and Human Services as necessary to implement the amendments to this section. On receipt of the United States Secretary's approval of the amendment to the state Medicaid plan, the Director shall implement the amendments to this section retroactive to the effective date of the state Medicaid plan amendment.

Sec. 309.30.41. ADDITIONAL COMPENSATION FOR NURSING FACILITY CAPITAL COSTS

The foregoing appropriation item 600-529, Capital Compensation Program, shall be used to make payments to nursing facilities under ~~the section of this act entitled "FISCAL YEARS 2008 AND 2009 PAYMENTS TO CERTAIN NURSING FACILITIES"~~ Section 309.30.42 of Am. Sub. H.B. 119 of the 127th General Assembly."

The unencumbered balance of appropriation item 600-529, Capital Compensation Program, ~~at the end of fiscal year on September 30, 2008,~~ is hereby appropriated to appropriation item 600-525, Health Care/Medicaid, ~~for fiscal year 2009 for use under the same appropriation item. The Director~~

of Budget and Management shall increase the state share of appropriations in appropriation item 600-525, Health Care/Medicaid, by the amount of the unencumbered balance of appropriation item 600-529, Capital Compensation Program, with a corresponding increase in the federal share.

Sec. 309.30.42. FISCAL ~~YEARS YEAR~~ 2008 ~~AND 2009~~ PAYMENTS TO CERTAIN NURSING FACILITIES

(A) As used in this section:

"Capital costs," "cost of ownership," and "renovation" have the same meanings as in section 5111.20 of the Revised Code as that section existed on June 30, 2005.

"Change of operator" has the same meaning as in section 5111.65 of the Revised Code.

"Inpatient days," "Medicaid days," and "nursing facility" have the same meanings as in section 5111.20 of the Revised Code.

"Reviewable activity" has the same meaning as in section 3702.51 of the Revised Code.

(B) The following qualify for per diem payments under this section:

(1) A nursing facility to which both of the following apply:

(a) Both of the following occurred during fiscal year 2006; or 2007; or the first three quarters of fiscal year 2008:

(i) The facility obtained certification as a nursing facility from the Director of Health.

(ii) The facility began participating in the Medicaid program.

(b) An application for a certificate of need for the nursing facility was filed with the Director of Health before June 15, 2005.

(2) A nursing facility to which all of the following apply:

(a) The nursing facility does not qualify for a payment pursuant to division (B)(1) of this section.

(b) The nursing facility, before ~~June 30~~ March 31, 2008, completed a capital project for which a certificate of need was filed with the Director of Health before June 15, 2005, and for which at least one of the following occurred before July 1, 2005, or, if the capital project is undertaken to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the capital project were delivered;

(ii) Preparations for the physical site of the capital project, including, if applicable, excavation, began;

(iii) Actual work on the capital project began.

(c) The costs of the capital project are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate

on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than ninety days after the later of March 30, 2006, or the date the capital project is completed.

(3) A nursing facility that, before ~~June 30~~ March 31, 2008, completed an activity to which all of the following apply:

(a) A request was filed with the Director of Health before July 1, 2005, for a determination of whether the activity is a reviewable activity and the Director determined that the activity is not a reviewable activity.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the activity to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the activity were delivered.

(ii) Preparations for the physical site of the activity, including, if applicable, excavation, began.

(iii) Actual work on the activity began.

(c) The costs of the activity are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than ninety days after the later of March 30, 2006, or the date the activity is completed.

(4) A nursing facility that, before ~~June 30~~ March 31, 2008, completed a renovation to which all of the following apply:

(a) The Director of Job and Family Services approved the renovation before July 1, 2005.

(b) At least one of the following occurred before July 1, 2005, or, if the nursing facility undertakes the renovation to comply with rules adopted by the Public Health Council regarding resident room size or occupancy, before June 30, 2007:

(i) Any materials or equipment for the renovation were delivered.

(ii) Preparations for the physical site of the renovation, including, if applicable, excavation, began.

(iii) Actual work on the renovation began.

(c) The costs of the renovation are not fully reflected in the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate on June 30, 2005.

(d) The nursing facility files a three-month projected capital cost report with the Director of Job and Family Services not later than ninety days after

the later of March 30, 2006, or the date the renovation is completed.

(C) If a nursing facility qualifies for per diem payments pursuant to division (B)(1) of this section ~~for fiscal year 2008~~, the nursing facility's per diem payments under this section ~~for fiscal year 2008~~ shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate ~~determined under Section 309.30.20 of this act on June 30, 2006~~, or, if the nursing facility did not have a Medicaid reimbursement per diem rate on June 30, 2006, the capital costs portion of the nursing facility's initial rate established under section 5111.254 of the Revised Code and the lesser of the following:

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

~~(D) If a nursing facility qualifies for per diem payments pursuant to division (B)(1) of this section for fiscal year 2009, the nursing facility's per diem payments under this section for fiscal year 2009 shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.30 of this act and the lesser of the following:~~

~~(1) Eighty eight and sixty five hundredths per cent of the nursing facility's cost of ownership as reported on a three month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was eighty per cent.~~

~~(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.~~

~~(E) The per diem payments paid for fiscal year 2008 to a nursing facility that qualifies for the payments pursuant to division (B)(2) or (3) of this section shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.20 of this act on June 30, 2005, and the lesser of the following:~~

(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.

~~(F) The per diem payments paid for fiscal year 2009 to a nursing facility that qualifies for the payments pursuant to division (B)(2) or (3) of this section shall equal the difference between the capital costs portion of the nursing facility's Medicaid reimbursement per diem rate determined under Section 309.30.30 of this act and the lesser of the following:~~

~~(1) Eighty-eight and sixty-five hundredths per cent of the nursing facility's cost of ownership as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.~~

~~(2) The maximum capital per diem rate in effect for fiscal year 2005 for nursing facilities.~~

~~(G)~~(E) The per diem payments paid to a nursing facility that qualifies for the payments pursuant to division (B)(4) of this section shall equal eighty-five per cent of the nursing facility's capital costs for the renovation as reported on a three-month projected capital cost report divided by the greater of the number of inpatient days the nursing facility is expected to have during the period covered by the projected capital cost report or the number of inpatient days the nursing facility would have during that period if the nursing facility's occupancy rate was ninety-five per cent.

~~(H)~~(F) All of the following apply to the per diem payments made under this section:

(1) ~~All nursing facilities' eligibility for the payments shall cease at the earlier of the following:~~

~~(a) July 1, 2009;~~

~~(b) The date that the total amount of the payments equals seven million dollars.~~

(2) ~~The payments made for the last quarter that the payments are made may be reduced proportionately as necessary to avoid spending more than~~

~~seven million dollars under this section.~~

~~(3) The~~ Subject to the following, the per diem payments shall be made for quarterly periods only the first three quarters of fiscal year 2008 by multiplying the per diem determined for a nursing facility by the number of Medicaid days the nursing facility has for the ~~quarter~~ quarters for which the payment is made;

(a) Not more than a total of four million two hundred thousand dollars may be spent on the payments.

(b) The payments may be reduced proportionately as necessary to avoid spending more than four million two hundred thousand dollars under this section.

~~(4)(2)~~ Any per diem payments to be made to a nursing facility ~~for a quarter ending before July 2008~~ under this section shall be made not later than ~~September 30~~ August 31, 2008.

~~(5) Any per diem payments to be made to a nursing facility for a quarter beginning after June 2008 shall be made not later than three months after the last day of the quarter for which the payments are made.~~

~~(6)(3)~~ A change of operator shall not cause the payments to a nursing facility to ~~cease~~ not be made.

~~(7)(4)~~ The payments shall only be made to a nursing facility for the first three quarters during of fiscal years year 2008 and 2009 for which the nursing facility has a valid Medicaid provider agreement.

~~(8)(5)~~ The payments shall be in addition to a nursing facility's Medicaid reimbursement per diem rate calculated under Section 309.30.20 ~~or 309.30.30 of this act~~ Am. Sub. H.B. 119 of the 127th General Assembly.

~~(I)(G)~~ The Director of Job and Family Services shall monitor, ~~on a quarterly basis,~~ the per diem payments made to nursing facilities under this section to ensure that not more than a total of ~~seven~~ four million two hundred thousand dollars is spent under this section.

~~(J)(H)~~ The determinations that the Director of Job and Family Services makes under this section are not subject to appeal under Chapter 119. of the Revised Code.

~~(K)(I)~~ The Director of Job and Family Services may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section. The Director's failure to adopt the rules does not affect the requirement that the per diem payments be made under this section.

Sec. 309.40.33. CHILD SUPPORT COLLECTIONS/TANF MOE

The foregoing appropriation item 600-658, Child Support Collections, shall be used by the Department of Job and Family Services to meet the

TANF maintenance of effort requirements of 42 U.S.C. 609(a)(7). When the state is assured that it will meet the maintenance of effort requirement, the Department of Job and Family Services may use funds from appropriation item 600-658, Child Support Collections, to support ~~child support~~ public assistance activities.

Sec. 337.30. COMMUNITY SERVICES

General Revenue Fund

GRF 322-413	Residential and Support Services	\$	6,753,881	\$	6,753,881
GRF 322-416	Medicaid Waiver - State Match	\$	109,551,380	\$	109,551,380
GRF 322-451	Family Support Services	\$	6,938,898	\$	6,938,898
GRF 322-501	County Boards Subsidies	\$	87,270,048	\$	87,270,048
GRF 322-503	Tax Equity	\$	14,000,000	\$	14,000,000
GRF 322-504	Martin Settlement	\$	6,159,766	\$	29,036,451
TOTAL GRF General Revenue Fund		\$	230,673,973	\$	253,550,658

General Services Fund Group

488 322-603	Provider Audit Refunds	\$	10,000	\$	10,000
5MO 322-628	Martin Settlement	\$	150,000	\$	0
TOTAL GSF General Services Fund Group		\$	160,000	\$	10,000

Federal Special Revenue Fund Group

3G6 322-639	Medicaid Waiver - Federal	\$	456,311,171	\$	506,618,829
3M7 322-650	CAFS Medicaid	\$	4,278,713	\$	0
325 322-612	Community Social Service Programs	\$	11,186,114	\$	11,164,639

TOTAL FED Federal Special Revenue

Fund Group	\$	471,775,998	\$	517,783,468
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State Special Revenue Fund Group

4K8 322-604	Medicaid Waiver - State Match	\$	12,000,000	\$	12,000,000
5DJ 322-625	Targeted Case Management Match	\$	11,082,857	\$	11,470,757
5DJ 322-626	Targeted Case Management Services	\$	27,548,737	\$	28,512,943
5EV 322-627	Program Fees	\$	20,000	\$	20,000
5H0 322-619	Medicaid Repayment	\$	10,000	\$	10,000
5Z1 322-624	County Board Waiver Match	\$	116,000,000	\$	126,000,000
<u>5CT 322-632</u>	<u>Intensive Behavioral Needs</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>1,000,000</u>

TOTAL SSR State Special Revenue

Fund Group	\$	166,661,594	\$	178,013,700
				<u>179,013,700</u>

TOTAL ALL COMMUNITY SERVICES

BUDGET FUND GROUPS	\$	869,271,565	\$	949,357,826
				<u>950,357,826</u>

Sec. 337.30.43. TAX EQUITY

Notwithstanding section 5126.18 of the Revised Code, ~~if a county board of mental retardation and developmental disabilities received a tax equity payment in fiscal year 2007, but would not receive such a payment in fiscal~~

~~years 2008 and 2009, the Department of Mental Retardation and Developmental Disabilities shall use the foregoing appropriation item 322-503, Tax Equity, to pay each such board in each fiscal year of the biennium an amount that is equal to the tax equity payment the board received in fiscal year 2007 or \$25,000, whichever is less. The Department shall use the remainder of the appropriation item to make tax equity payments in accordance with section 5126.18 of the Revised Code for fiscal year 2009, if the Department of Mental Retardation and Developmental Disabilities determines that sufficient funds are available, the Department shall use the foregoing appropriation item 322-503, Tax Equity, to pay each county board of mental retardation and developmental disabilities an amount that is equal to the amount the board received for fiscal year 2008. If the Department determines that there are not sufficient funds available in the appropriation item for this purpose, the Department shall pay to each county board an amount that is proportionate to the amount the board received for fiscal year 2008. Proportionality shall be determined by dividing the total tax equity payments distributed to county boards for fiscal year 2008 by the tax equity payment a county board received for fiscal year 2008.~~

Sec. 337.40. RESIDENTIAL FACILITIES

General Revenue Fund

GRF	323-321	Developmental Center and Residential Facilities Operation Expenses	\$	102,796,851	\$	102,796,851
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TOTAL GRF	General Revenue Fund		\$	102,796,851	\$	102,796,851
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General Services Fund Group

152	323-609	Developmental Center and Residential Operating Services	\$	912,177	\$	912,177
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TOTAL GSF	General Services Fund Group		\$	912,177	\$	912,177
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Federal Special Revenue Fund Group

3A4	323-605	Developmental Center and Residential Facility Services and Support	\$	136,299,536	\$	137,555,308
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TOTAL FED	Federal Special Revenue Fund Group		\$	136,299,536	\$	137,555,308
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State Special Revenue Fund Group

221	322-620	Supplement Service Trust	\$	150,000	\$	150,000
489	323-632	Developmental Center Direct Care Support	\$	14,543,764	\$	14,671,616

TOTAL SSR	State Special Revenue Fund Group		\$	14,693,764	\$	14,821,616
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TOTAL ALL RESIDENTIAL FACILITIES

BUDGET FUND GROUPS		\$	254,702,328	\$	256,085,952
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DEPARTMENT TOTAL

GENERAL REVENUE FUND		\$	369,669,156	\$	389,282,941
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DEPARTMENT TOTAL			
GENERAL SERVICES FUND GROUP	\$	1,172,177	\$ 1,022,177
DEPARTMENT TOTAL			
FEDERAL SPECIAL REVENUE FUND GROUP	\$	610,780,538	\$ 658,082,406
DEPARTMENT TOTAL			
STATE SPECIAL REVENUE FUND GROUP	\$	192,359,213	\$ 204,307,651 <u>205,307,651</u>
TOTAL DEPARTMENT OF MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES	\$	1,173,981,084	\$ 1,252,695,175 <u>1,253,695,175</u>

Sec. 337.40.15. GALLIPOLIS DEVELOPMENTAL CENTER PILOT PROGRAM

The Director of Mental Retardation and Developmental Disabilities shall establish, ~~as part of the Individual Options Medicaid Waiver program,~~ a pilot program ~~to be operated~~ during calendar year 2009 under which the Gallipolis Developmental Center ~~provides home and community based services under the Individual Options Medicaid waiver program to not more than ten individuals at one time~~ operates an intermediate care facility for the mentally retarded with eight beds at a site separate from the grounds of the developmental center. The Gallipolis Developmental Center may operate the intermediate care facility for the mentally retarded notwithstanding section 5123.196 of the Revised Code. Money shall be expended on the pilot program beginning in the first half of calendar year 2009.

~~The pilot program shall be operated in a manner consistent with the terms of the consent order filed March 5, 2007, in *Martin v. Strickland*, Case No. 89-CV-00362, in the United States District Court for the Southern District of Ohio, Eastern Division. The pilot program also shall be operated in accordance with the federal Medicaid waiver authorizing the Individual Options Medicaid waiver program. Only individuals eligible for the Individual Options Medicaid waiver program who volunteer to receive home and community based services under the Individual Options Medicaid waiver program from the Gallipolis Developmental Center may participate in the pilot program.~~ The Director of Mental Retardation and Developmental Disabilities and the Director of Job and Family Services shall provide the Gallipolis Developmental Center technical assistance ~~the Center needs~~ regarding the pilot program.

~~All expenses the Gallipolis Developmental Center incurs in participating in the pilot program shall be paid from the Medicaid payments the Center receives for providing home and community based services under the program.~~

The Director of Mental Retardation and Developmental Disabilities

shall conduct an evaluation of the pilot program, including an evaluation of the quality and effectiveness of the ~~home and community based~~ services the Gallipolis Developmental Center provides under the pilot program. The Director shall submit a report of the evaluation to the Governor and the General Assembly not later than April 1, 2010. The Director shall include in the report recommendations ~~for or against permitting the Gallipolis Developmental Center to continue to provide home and community based services under the Individual Options Medicaid waiver program and permitting other developmental centers to begin to provide these services~~ regarding the continuation of the pilot program and whether other developmental centers should be permitted to establish and operate intermediate care facilities for the mentally retarded at sites separate from the grounds of the developmental centers.

Sec. 369.10. PUC PUBLIC UTILITIES COMMISSION OF OHIO

General Services Fund Group

5F6	870-622	Utility and Railroad Regulation	\$	32,820,027	\$	33,804,627
5F6	870-624	NARUC/NRRI Subsidy	\$	158,000	\$	158,000
5F6	870-625	Motor Transportation Regulation	\$	4,635,413	\$	4,772,765
TOTAL GSF General Services Fund Group			\$	37,613,440	\$	38,735,392

Federal Special Revenue Fund Group

3V3	870-604	Commercial Vehicle Information Systems/Networks	\$	300,000	\$	300,000
333	870-601	Gas Pipeline Safety	\$	597,957	\$	597,959
350	870-608	Motor Carrier Safety	\$	7,137,534	\$	7,351,660
TOTAL FED Federal Special Revenue Fund Group			\$	8,035,491	\$	8,249,619

State Special Revenue Fund Group

4A3	870-614	Grade Crossing Protection Devices-State	\$	1,349,757	\$	1,349,757
4L8	870-617	Pipeline Safety-State	\$	187,621	\$	187,621
4S6	870-618	Hazardous Material Registration	\$	464,325	\$	464,325
4S6	870-621	Hazardous Materials Base State Registration	\$	373,346	\$	373,346
4U8	870-620	Civil Forfeitures	\$	284,986	\$	284,986
5BP	870-623	Wireless 9-1-1 Administration	\$	26,875,000	\$	13,375,000
<u>5O5</u>	<u>870-626</u>	<u>Telecommunication Relay Service</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>5,000,000</u>
559	870-605	Public Utilities Territorial Administration	\$	4,000	\$	4,000
560	870-607	Public Utilities Investigations	\$	100,000	\$	100,000
561	870-606	Power Siting Board	\$	404,651	\$	404,652
638	870-611	Biomass Energy Program	\$	40,000	\$	40,000
661	870-612	Hazardous Materials	\$	900,000	\$	900,000

Transportation				
TOTAL SSR State Special Revenue				
Fund Group		\$	30,983,686	\$ 17,483,687 <u>22,483,687</u>
Agency Fund Group				
4G4 870-616	Base State Registration Program	\$	2,000,000	\$ 0
TOTAL AGY Agency Fund Group		\$	2,000,000	\$ 0
TOTAL ALL BUDGET FUND GROUPS		\$	78,632,617	\$ 64,468,698 <u>69,468,698</u>

COMMERCIAL VEHICLE INFORMATION SYSTEMS AND NETWORKS PROJECT

The fund created by section 4923.26 of the Revised Code is the same fund, with a new name, as the Commercial Vehicle Information Systems and Networks Fund (Fund 3V3).

ENHANCED AND WIRELESS ENHANCED 9-1-1

The foregoing appropriation item 870-623, Wireless 9-1-1 Administration, shall be used pursuant to section 4931.63 of the Revised Code.

TELECOMMUNICATIONS RELAY SERVICE FUNDING

The Telecommunications Relay Service Fund is hereby created in the state treasury. The vendor selected to provide telecommunications relay service in Ohio, as required by 47 C.F.R. 64.601, shall submit an invoice to the Public Utilities Commission by January 31, 2009, for costs it has incurred in providing the service during calendar year 2008. The Public Utilities Commission shall notify the Director of Budget and Management of the amount invoiced, and the Director of Budget and Management shall transfer that amount from the Public Utilities Fund (Fund 5F6) to the Telecommunications Relay Service Fund on or before February 28, 2009. The amount transferred shall be used to pay the telecommunications relay service vendor the amount invoiced. This amount is hereby appropriated.

Sec. 379.10. RSC REHABILITATION SERVICES COMMISSION

General Revenue Fund

GRF 415-100	Personal Services	\$	8,851,468	\$	8,851,468
GRF 415-402	Independent Living Council	\$	450,000	\$	450,000
GRF 415-406	Assistive Technology	\$	47,531	\$	47,531
GRF 415-431	Office for People with Brain Injury	\$	226,012	\$	226,012
GRF 415-506	Services for People with Disabilities	\$	16,959,541	\$	17,259,541
GRF 415-508	Services for the Deaf	\$	50,000	\$	50,000
TOTAL GRF General Revenue Fund		\$	26,584,552	\$	26,884,552

General Services Fund Group

4W5 415-606	Program Management Expenses	\$	18,123,188	\$	18,557,040
467 415-609	Business Enterprise	\$	1,632,082	\$	1,632,082

Operating Expenses					
TOTAL GSF General Services					
Fund Group			\$	19,755,270	\$ 20,189,122
Federal Special Revenue Fund Group					
3L1	415-601	Social Security Personal Care Assistance	\$	3,743,740	\$ 3,743,740
3L1	415-605	Social Security Community Centers for the Deaf	\$	750,000	\$ 750,000
3L1	415-608	Social Security Vocational Rehabilitation	\$	1,506,260	\$ 1,506,260
3L4	415-612	Federal Independent Living Centers or Services	\$	648,908	\$ 648,908
3L4	415-615	Federal - Supported Employment	\$	884,451	\$ 796,006
3L4	415-617	Independent Living/Vocational Rehabilitation Programs	\$	1,490,944	\$ 1,490,944
317	415-620	Disability Determination	\$	82,808,006	\$ 87,546,215
379	415-616	Federal - Vocational Rehabilitation	\$	122,484,545	\$ 123,638,578
TOTAL FED Federal Special Revenue Fund Group			\$	214,316,854	\$ 220,120,651
State Special Revenue Fund Group					
4L1	415-619	Services for Rehabilitation	\$	3,765,337	\$ 4,500,000
468	415-618	Third Party Funding	\$	906,910	\$ 906,910
TOTAL SSR State Special Revenue Fund Group			\$	4,672,247	\$ 5,406,910
TOTAL ALL BUDGET FUND GROUPS			\$	265,328,923	\$ 272,601,235

INDEPENDENT LIVING COUNCIL

The foregoing appropriation item 415-402, Independent Living Council, shall be used to fund the operations of the State Independent Living Council and shall be used to support state independent living centers and independent living services under Title VII of the Independent Living Services and Centers for Independent Living of the Rehabilitation Act Amendments of 1992, 106 Stat. 4344, 29 U.S.C. 796d.

OFFICE FOR PEOPLE WITH BRAIN INJURY

Of the foregoing appropriation item 415-431, Office for People with Brain Injury, up to \$50,000 in each fiscal year shall be used for the state match for a federal grant awarded through the Traumatic Brain Injury Act, Pub. L. No. 104-166, and up to \$50,000 in each fiscal year shall be provided to the Brain Injury Trust Fund. The remaining appropriation shall be used to plan and coordinate head-injury-related services provided by state agencies and other government or private entities, to assess the needs for such services, and to set priorities in this area.

VOCATIONAL REHABILITATION SERVICES

The foregoing appropriation item 415-506, Services for People with Disabilities, shall be used as state matching funds to provide vocational

rehabilitation services to eligible consumers.

SERVICES FOR THE DEAF

The foregoing appropriation item 415-508, Services for the Deaf, shall be used to provide grants to community centers for the deaf. These funds shall not be provided in lieu of Social Security reimbursement funds.

PROGRAM MANAGEMENT EXPENSES

The foregoing appropriation item 415-606, Program Management Expenses, shall be used to support the administrative functions of the commission related to the provision of vocational rehabilitation, disability determination services, and ancillary programs.

NATIONAL ACCREDITATION COMPLIANCE

Of the foregoing appropriation item 415-616, Federal – Vocational Rehabilitation, ~~\$125,000 in each fiscal year~~ \$250,000 over the biennium shall be used to establish and implement a Community Rehabilitation Program national accreditation compliance and monitoring program administered by the Ohio Association of Rehabilitation Facilities.

Not later than 30 days after the effective date of this amendment, the Rehabilitation Services Commission shall enter into a contract or other agreement that complies with 34 CRF 361.3(b) and 34 CRF 361.5(b)(2) with the Ohio Association of Rehabilitation Facilities and convey the funds to establish and implement the Community Rehabilitation Program national accreditation compliance and monitoring program.

CLEVELAND SIGHT CENTER

Of the foregoing appropriation item 415-616, Federal – Vocational Rehabilitation, \$100,000 in each fiscal year shall be provided to the Cleveland Sight Center for Technology Initiative to purchase adaptive technology and software for the employment of Ohioans who are blind or visually impaired.

INDEPENDENT LIVING/VOCATIONAL REHABILITATION PROGRAMS

The foregoing appropriation item 415-617, Independent Living/Vocational Rehabilitation Programs, shall be used to support vocational rehabilitation programs.

SOCIAL SECURITY REIMBURSEMENT FUNDS

Reimbursement funds received from the Social Security Administration, United States Department of Health and Human Services, for the costs of providing services and training to return disability recipients to gainful employment shall be used in the Social Security Reimbursement Fund (Fund 3L1), to the extent funds are available, as follows:

(A) Appropriation item 415-601, Social Security Personal Care

Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code;

(B) Appropriation item 415-608, Social Security Vocational Rehabilitation, to provide vocational rehabilitation services to individuals with severe disabilities who are Social Security beneficiaries, to enable them to achieve competitive employment. This appropriation item also includes funds to assist the Personal Care Assistance Program to pay its share of indirect costs as mandated by federal OMB Circular A-87.

PERFORMANCE AUDIT

The Auditor of State shall complete a performance audit of the Rehabilitation Services Commission. Upon completing the performance audit, the Auditor of State shall submit a report of the findings of the audit to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the Board of Rehabilitation Services Commission. Expenses incurred by the Auditor of State to conduct the performance audit shall be reimbursed by the Rehabilitation Services Commission.

INTERNAL REVIEW

The Administrator of the Rehabilitation Services Commission shall consult with the Director of Budget and Management and representatives of local rehabilitation services agencies to conduct an internal review of policies and procedures to increase efficiency and identify and eliminate duplicative practices. Any savings identified as a result of the internal review or the performance audit conducted by the Auditor of State shall be used for community-based care.

The Administrator of the Rehabilitation Services Commission shall seek Controlling Board approval before expending any funds identified as a result of the internal review or the performance audit.

Sec. 393.10. SOS SECRETARY OF STATE

General Revenue Fund

GRF 050-321	Operating Expenses	\$	2,585,000	\$	2,585,000
GRF 050-403	Election Statistics	\$	103,936	\$	103,936
GRF 050-407	Pollworkers Training	\$	277,997	\$	277,997
GRF 050-409	Litigation Expenditures	\$	4,652	\$	4,652
GRF 050-505	County Postage	\$	0	\$	3,000,000
	Reimbursement				
TOTAL GRF General Revenue Fund		\$	2,971,585	\$	2,971,585 5,971,585

General Services Fund Group

4S8 050-610	Board of Voting Machine Examiners	\$	7,200	\$	7,200
412 050-609	Notary Commission	\$	685,249	\$	685,249
413 050-601	Information Systems	\$	119,955	\$	119,955
414 050-602	Citizen Education Fund	\$	55,712	\$	55,712
TOTAL General Services Fund Group		\$	868,116	\$	868,116

Federal Special Revenue Fund Group

3AH 050-614	Election Reform/Health and Human Services	\$	1,000,000	\$	1,000,000
3AS 050-616	2005 HAVA Voting Machines	\$	4,750,000	\$	2,750,000
3X4 050-612	Ohio Center/Law Related Educational Grant	\$	41,000	\$	41,000
TOTAL FED Federal Special Revenue Fund Group		\$	5,791,000	\$	3,791,000

State Special Revenue Fund Group

5N9 050-607	Technology Improvements	\$	129,565	\$	129,565
599 050-603	Business Services Operating Expenses	\$	13,761,734	\$	13,761,734
TOTAL SSR State Special Revenue Fund Group		\$	13,891,299	\$	13,891,299

Holding Account Redistribution Fund Group

R01 050-605	Uniform Commercial Code Refunds	\$	30,000	\$	30,000
R02 050-606	Corporate/Business Filing Refunds	\$	85,000	\$	85,000

TOTAL 090 Holding Account

Redistribution Fund Group	\$	115,000	\$	115,000
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TOTAL ALL BUDGET FUND GROUPS	\$	23,637,000	\$	21,637,000 24,637,000
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COUNTY POSTAGE REIMBURSEMENT

The foregoing appropriation item 050-505, County Postage Reimbursement, shall be used to pay costs incurred by boards of elections to mail an absent voter's ballot application to each elector who is required to receive a notice under section 3501.19 of the Revised Code for the November 4, 2008, general election. The foregoing appropriation also shall be used to pay return postage for absent voter's ballot applications returned by electors who wish to vote by absent voter's ballot at that election. Absent voter's ballot applications required to be mailed by a board of elections shall be mailed in conjunction with the notice of election required under section 3501.19 of the Revised Code. The Secretary of State shall establish a method by which funds for mailing absent voter's ballot applications are made available to boards of elections in advance of the required mailing.

BOARD OF VOTING MACHINE EXAMINERS

The foregoing appropriation item 050-610, Board of Voting Machine Examiners, shall be used to pay for the services and expenses of the members of the Board of Voting Machine Examiners, and for other expenses that are authorized to be paid from the Board of Voting Machine Examiners Fund, which is created in section 3506.05 of the Revised Code. Moneys not used shall be returned to the person or entity submitting the equipment for examination. If it is determined that additional appropriations are necessary, such amounts are appropriated.

2005 HAVA VOTING MACHINES

Of the foregoing appropriation item 050-616, 2005 HAVA Voting Machines, in fiscal year 2008 \$15,000 shall be distributed to the Vinton County Board of Elections and \$15,000 shall be distributed to the Morgan County Board of Elections to be used for emergency assistance for elections.

On July 1, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer any remaining unexpended, unencumbered appropriations in Fund 3AS, appropriation item 050-616, 2005 HAVA Voting Machines, for use in fiscal year 2009. The transferred amount is hereby appropriated.

On July 1, 2008, or as soon as possible thereafter, the Director of Budget and Management shall transfer any remaining unexpended, unencumbered appropriations in Fund 3AH, appropriation item 050-614, Election Reform/Health and Human Services Fund, for use in fiscal year 2009. The transferred amount is hereby appropriated.

Ongoing interest earnings from the federal Election Reform/Health and Human Services Fund (Fund 3AH) and the 2005 HAVA Voting Machines Fund (Fund 3AS) shall be credited to the respective funds and distributed in accordance with the terms of the grant under which the money is received.

HOLDING ACCOUNT REDISTRIBUTION GROUP

The foregoing appropriation items 050-605 and 050-606, Holding Account Redistribution Fund Group, shall be used to hold revenues until they are directed to the appropriate accounts or until they are refunded. If it is determined that additional appropriations are necessary, such amounts are appropriated.

Sec. 405.10. TAX DEPARTMENT OF TAXATION**General Revenue Fund**

GRF 110-321	Operating Expenses	\$	92,040,062	\$	92,440,062
GRF 110-404	Tobacco Settlement Enforcement	\$	0	\$	328,034
GRF 110-412	Child Support Administration	\$	71,680	\$	71,680
GRF 110-901	Property Tax Allocation - Taxation	\$	446,953,165	\$	478,613,618
GRF 110-906	Tangible Tax Exemption - Taxation	\$	9,177,962	\$	4,588,981
TOTAL GRF General Revenue Fund		\$	548,242,869	\$	576,042,375

General Services Fund Group

433 110-602	Tape File Account	\$	125,000	\$	140,000
5BQ 110-629	Commercial Activity Tax Administration	\$	6,000,000	\$	6,000,000
5W4 110-625	Centralized Tax Filing and Payment	\$	400,000	\$	200,000
5W7 110-627	Exempt Facility	\$	100,000	\$	150,000

		Administration			
5CZ	110-631	Vendor's License Application	\$	1,000,000	\$ 1,000,000
TOTAL GSF General Services					
Fund Group			\$	7,625,000	\$ 7,490,000
State Special Revenue Fund Group					
4C6	110-616	International Registration Plan	\$	706,855	\$ 706,855
4R6	110-610	Tire Tax Administration	\$	125,000	\$ 150,000
435	110-607	Local Tax Administration	\$	17,250,000	\$ 17,250,000
436	110-608	Motor Vehicle Audit	\$	1,200,000	\$ 1,200,000
437	110-606	Litter Tax and Natural	\$	675,000	\$ 800,000
		Resource Tax Administration			
438	110-609	School District Income Tax	\$	3,600,000	\$ 3,600,000
<u>5AP0</u>	<u>110632</u>	<u>Discovery Project</u>	<u>\$</u>	<u>0</u>	<u>\$ 2,000,000</u>
5N5	110-605	Municipal Income Tax	\$	500,000	\$ 500,000
		Administration			
5N6	110-618	Kilowatt Hour Tax	\$	125,000	\$ 175,000
		Administration			
5V7	110-622	Motor Fuel Tax	\$	4,700,000	\$ 5,000,000
		Administration			
5V8	110-623	Property Tax Administration	\$	13,500,000	\$ 13,500,000
639	110-614	Cigarette Tax Enforcement	\$	100,000	\$ 100,000
642	110-613	Ohio Political Party	\$	600,000	\$ 600,000
		Distributions			
688	110-615	Local Excise Tax	\$	210,000	\$ 180,000
		Administration			
TOTAL SSR State Special Revenue					
Fund Group			\$	43,291,855	\$ <u>43,761,855</u>
					\$ <u>45,761,855</u>
Agency Fund Group					
095	110-995	Municipal Income Tax	\$	21,000,000	\$ 21,000,000
425	110-635	Tax Refunds	\$	1,565,900,000	\$ 1,546,800,000
TOTAL AGY Agency Fund Group			\$	1,586,900,000	\$ 1,567,800,000
Holding Account Redistribution Fund Group					
R10	110-611	Tax Distributions	\$	50,000	\$ 50,000
R11	110-612	Miscellaneous Income Tax	\$	50,000	\$ 50,000
		Receipts			
TOTAL 090 Holding Account					
Redistribution Fund Group			\$	100,000	\$ 100,000
TOTAL ALL BUDGET FUND GROUPS			\$	2,186,159,724	\$ <u>2,195,194,230</u>
					\$ <u>2,197,194,230</u>

HOMESTEAD EXEMPTION, PROPERTY TAX ROLLBACK, AND TANGIBLE TAX EXEMPTION

The foregoing appropriation item 110-901, Property Tax Allocation - Taxation, is hereby appropriated to pay for the state's costs incurred because of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. The Tax Commissioner shall distribute these funds directly to the appropriate local taxing districts, except for school districts, notwithstanding the provisions in sections 321.24 and 323.156 of the Revised Code, which provide for payment of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and Property

Tax Rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

The foregoing appropriation item 110-906, Tangible Tax Exemption - Taxation, is hereby appropriated to pay for the state's costs incurred because of the tangible personal property tax exemption required by division (C)(3) of section 5709.01 of the Revised Code. The Tax Commissioner shall distribute to each county treasurer the total amount appearing in the notification from the county treasurer under division (G) of section 321.24 of the Revised Code for all local taxing districts located in the county except for school districts, notwithstanding the provision in section 321.24 of the Revised Code which provides for payment of the \$10,000 tangible personal property tax exemption by the Tax Commissioner to the appropriate county treasurer for all local taxing districts located in the county including school districts. The county auditor shall distribute the amount paid by the Tax Commissioner among the appropriate local taxing districts except for school districts under division (G) of section 321.24 of the Revised Code.

Upon receipt of these amounts, each local taxing district shall distribute the amount among the proper funds as if it had been paid as real or tangible personal property taxes. Payments for the costs of administration shall continue to be paid to the county treasurer and county auditor as provided for in sections 319.54, 321.26, and 323.156 of the Revised Code.

Any sums, in addition to the amounts specifically appropriated in appropriation items 110-901, Property Tax Allocation - Taxation, for the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback payments, and 110-906, Tangible Tax Exemption - Taxation, for the \$10,000 tangible personal property tax exemption payments, which are determined to be necessary for these purposes, are hereby appropriated.

TAX DEPARTMENT DISCOVERY PROJECT

On July 1, 2008, or as soon thereafter as possible, the Director of Budget and Management shall transfer \$2,000,000 in cash from the General Revenue Fund to appropriation item 110632, Discovery Project (Fund 5APO), to acquire the necessary hardware, software, and services to establish and implement a tax discovery data system and for expenses incurred by the Department of Taxation to administer the system. The amount transferred is hereby appropriated in appropriation item 110632, Discovery Project, for fiscal year 2009.

If, at any time during fiscal year 2009, the Tax Commissioner determines that additional cash transfers are necessary in appropriation item

110632, Discovery Project, to pay the actual costs of the tax discovery data system and other expenses the Department incurs attributable to the system in fiscal year 2009, the Tax Commissioner may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated, with the approval of the Director of Budget and Management.

MUNICIPAL INCOME TAX

The foregoing appropriation item 110-995, Municipal Income Tax, shall be used to make payments to municipal corporations under section 5745.05 of the Revised Code. If it is determined that additional appropriations are necessary to make these payments, such amounts are hereby appropriated.

TAX REFUNDS

The foregoing appropriation item 110-635, Tax Refunds, shall be used to pay refunds under section 5703.052 of the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

INTERNATIONAL REGISTRATION PLAN AUDIT

The foregoing appropriation item 110-616, International Registration Plan, shall be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.

TRAVEL EXPENSES FOR THE STREAMLINED SALES TAX PROJECT

Of the foregoing appropriation item 110-607, Local Tax Administration, the Tax Commissioner may disburse funds, if available, for the purposes of paying travel expenses incurred by members of Ohio's delegation to the Streamlined Sales Tax Project, as appointed under section 5740.02 of the Revised Code. Any travel expense reimbursement paid for by the Department of Taxation shall be done in accordance with applicable state laws and guidelines.

LITTER CONTROL TAX ADMINISTRATION FUND

Notwithstanding section 5733.12 of the Revised Code, during the period from July 1, 2007, to June 30, 2008, the amount of \$675,000, and during the period from July 1, 2008, to June 30, 2009, the amount of \$800,000, received by the Tax Commissioner under Chapter 5733. of the Revised Code, shall be credited to the Litter Control Tax Administration Fund (Fund 437).

CENTRALIZED TAX FILING AND PAYMENT FUND

The Director of Budget and Management, under a plan submitted by the Tax Commissioner, or as otherwise determined by the Director of Budget and Management, shall set a schedule to transfer cash from the General Revenue Fund to the credit of the Centralized Tax Filing and Payment Fund

(Fund 5W4). The transfers of cash shall not exceed \$600,000 in the biennium.

COMMERCIAL ACTIVITY TAX ADMINISTRATION FUND

The foregoing appropriation item 110-629, Commercial Activity Tax Administration Fund (Fund 5BQ), shall be used to pay expenses incurred by the Department of Taxation to implement and administer the Commercial Activity Tax under Chapter 5751. of the Revised Code.

Notwithstanding section 3734.9010, division (B)(2)(c) of section 4505.09, division (B) of section 5703.12, section 5703.80, division (C)(6) of section 5727.81, sections 5733.122 and 5735.053, division (C) of section 5739.21, section 5745.03, section 5743.024, section 5743.15, division (C) of section 5747.03, and section 5747.113 of the Revised Code or any other provisions to the contrary, any residual cash balances determined and certified by the Tax Commissioner to the Director of Budget and Management shall be transferred on July 1, 2007, or as soon as possible thereafter, to the Commercial Activities Tax Administration Fund (Fund 5BQ).

TOBACCO SETTLEMENT ENFORCEMENT

The foregoing appropriation item 110-404, Tobacco Settlement Enforcement, shall be used by the Tax Commissioner to pay costs incurred in the enforcement of divisions (F) and (G) of section 5743.03 of the Revised Code.

Sec. 407.10. DOT DEPARTMENT OF TRANSPORTATION

Transportation Modes

General Revenue Fund

GRF 775-451	Public Transportation - State	\$	16,700,000	\$	17,000,000
GRF 776-465	Ohio Rail Development Commission	\$	3,700,000	\$	3,700,000
GRF 776-466	Railroad Crossing/Grade Separation	\$	789,600	\$	789,600
GRF 777-471	Airport Improvements - State	\$	3,293,985	\$	1,794,003
TOTAL GRF General Revenue Fund		\$	24,483,585	\$	23,283,603
TOTAL ALL BUDGET FUND GROUPS		\$	24,483,585	\$	23,283,603

~~PUBLIC TRANSPORTATION STATE~~

~~Of the foregoing GRF appropriation item 775-451, Public Transportation State, \$200,000 in fiscal year 2008 shall be used for the Cleveland Metropolitan Park District West Creek Project.~~

TRANSPORTATION STUDY

Of the foregoing appropriation item 775-451, Public Transportation-State, \$50,000 in fiscal year 2008 shall be used for a Franklin County school transportation study to determine the feasibility of a countywide pupil transportation system.

AIRPORT IMPROVEMENTS

~~Of the foregoing appropriation item 777 471, Airport Improvements State, \$1,500,000 in fiscal year 2008 shall be used for air travel and support and economic development of statewide airports. The Directors of Development and Transportation may enter into one or more interagency agreements between their two departments as necessary to implement a statewide strategy to enhance Ohio's airports as centers of regional economic development.~~

Sec. 512.03. TRANSFERS TO THE GENERAL REVENUE FUND FROM NON-GRF FUNDS

Notwithstanding any other provision of law to the contrary, during fiscal years 2008 and 2009, the Director of Budget and Management is hereby authorized to transfer cash from non-General Revenue Fund funds that are not constitutionally restricted to the General Revenue Fund. The total amount of cash transfers made pursuant to this section to the General Revenue Fund during fiscal years 2008 and 2009 shall not exceed ~~\$70,000,000~~ \$120,000,000.

Sec. 512.35. DIESEL EMISSIONS REDUCTION AND TRANSIT CAPITAL GRANT PROGRAMS

~~On the first day of July of each fiscal year or as soon as possible thereafter, the Director of Budget and Management shall (1) transfer \$9,817,105 in cash in fiscal year 2008 and \$10,057,814 in cash in fiscal year 2009 from the Highway Operating Fund (Fund 002) to the Diesel Emissions Grant Fund established in section 122.861 of the Revised Code and (2) transfer \$5,000,000 in each fiscal year from the Highway Operating Fund to the Transit Capital Fund (Fund 5E7). The amounts transferred are hereby appropriated.~~

~~The transfer to the Diesel Emissions Grant Fund shall be used for the administration and oversight of the Diesel Emissions Reduction Grant Program within the Department of Development. In~~ There is hereby established in the Highway Operating Fund (Fund 7002) in the Department of Transportation a Diesel Emissions Reduction Grant Program. The Department of Development shall administer the program and shall solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for the federal Congestion Mitigation and Air Quality (CMAQ) Program. The Department of Transportation shall process Federal Highway Administration-approved projects as recommended by the Department of Development.

In addition to the allowable expenditures set forth in section 122.861 of the Revised Code, Diesel Emissions Reduction Grant Program funds also

may be used to fund projects involving the purchase or use of hybrid and alternative fuel vehicles that are allowed under guidance developed by the Federal Highway Administration for the ~~Congestion Mitigation and Air Quality (CMAQ)~~ CMAQ Program. The Director of Development, in consultation with the Director of Environmental Protection, shall develop guidance for distribution of the funds from the Diesel Emissions Grant Fund. The guidance shall include a method for prioritization of projects, acceptable technologies, and procedures for awarding grants and loans.

~~The transfer to the Transit Capital Fund (Fund 5E7) shall be used to supplement the capital portion of the Ohio Public Transportation Grant Program within the Department of Transportation.~~

These Public entities eligible to receive funds under section 122.861 of the Revised Code and CMAQ shall be reimbursed from the Department of Transportation's Diesel Emissions Reduction Grant Program.

Private entities eligible to receive funds under section 122.861 of the Revised Code and CMAQ shall be reimbursed through transfers of cash from the Department of Transportation's Diesel Emissions Reduction Grant Program to the Department of Development's Diesel Emissions Reduction Grant Fund (Fund 3BD0) established in section 122.861 of the Revised Code.

Appropriation item 195-697, Diesel Emissions Reduction Grants, is hereby established with an appropriation of \$9,817,105 in fiscal year 2008 and \$10,057,814 in fiscal year 2009. Total expenditures between both the Departments of Development and Transportation shall not exceed the appropriated amounts stated in this section.

On or before June 30, 2008, any unencumbered balance of the foregoing appropriation item 195-697, Diesel Emissions Reduction Grants, for fiscal year 2008, less amounts encumbered by the Department of Transportation for reimbursement of public entities for fiscal year 2008, is hereby appropriated for the same purposes for fiscal year 2009.

Up to \$5,000,000 in the Highway Operating Fund (Fund 7002) shall be used each fiscal year for the Transit Capital Program in conjunction with funding provided in the Department of Transportation's budget under the Ohio Public Transportation Grant Program.

On or before June 30, 2008, any unencumbered balance of the Transit Capital Program in fiscal year 2008 is hereby appropriated for the same purposes in fiscal year 2009.

Any cash transfers or allocations under this section represent CMAQ program moneys within the Department of Transportation for use by the Diesel Emissions Reduction Grant Program by the Department of

Development and for use by the Ohio Public Transportation Grant Program by the Ohio Department of Transportation. These allocations shall not reduce the amount of such moneys designated for metropolitan planning organizations.

The Director of Development, in consultation with the Directors of Environmental Protection and Transportation, shall develop guidance for the administration of the Diesel Emissions Reduction Grant Program. The guidance shall include a method for prioritization of projects, acceptable technologies, and procedures for awarding grants.

Sec. 518.03. BUDGET ADJUSTMENTS TO REFLECT TOBACCO SECURITIZATION

(A) Notwithstanding any other provision of law to the contrary, the Director of Budget and Management, periodically on any date following the issuance of the tobacco obligations authorized in section 183.51 of the Revised Code and through June 30, 2009, shall:

(1) Determine the amount of appropriation items 235-909, Higher Education General Obligation Debt Service, and 230-908, Common Schools General Obligation Debt Service, that are in excess of the amounts needed to pay all debt service and financing costs on those obligations payable from each of those items and transfer all or any portion of that excess appropriation to appropriation item 200-901, Property Tax Allocation-Education, or 110-901, Property Tax Allocation-Taxation, or both together as needed for the purposes of making the state's property tax relief payments to school districts and counties.

(2) Determine the amount by which interest earnings credited to Fund 034, Higher Education Improvement Fund, and Fund 032, School Building Program Assistance Fund, from the investment of the net proceeds of those tobacco obligations exceed the amount needed to satisfy appropriations from those funds, transfer all or part of that excess cash balance to the General Revenue Fund, and increase appropriation item 200-901, Property Tax Allocation-Education, or 110-901, Property Tax Allocation-Taxation, or both together, by up to the amount of cash so transferred to the General Revenue Fund.

(3) Determine the amount of capital appropriations in CAP-770, School Building Assistance Program, and transfers of cash to Fund 5E3, School Facilities Commission, that are necessary to fully expend the amount of net proceeds deposited into Fund 032, School Building Program Assistance Fund, from the issuance of those tobacco obligations, and increase the appropriations for CAP-770 and appropriation item 230-644, Operating Expenses-School Facilities Commission, by the necessary amounts.

(4) Determine the amount of additional capital appropriations, if any necessary to fully expend the amount of net proceeds deposited from the issuance of those tobacco obligations into Fund 034, Higher Education Improvement Fund.

(5) Reduce by up to \$800,000,000 the amount of authorization to issue and sell general obligations to pay the costs of capital facilities for a system of common schools throughout the state granted to the Ohio Public Facilities Commission by prior acts of the General Assembly. This reduction reflects the utilization of the net proceeds of those tobacco obligations in place of general obligation bond proceeds to support capital appropriations payable from Fund 032, School Building Assistance Fund.

(6) Reduce by up to \$950,000,000 the amount of authorization to issue and sell general obligations to pay the costs of capital facilities for state-supported and state-assisted institutions of higher education granted to the Ohio Public Facilities Commission by prior acts of the General Assembly. This reduction reflects the utilization of the net proceeds of those tobacco obligations in place of general obligation bond proceeds to support capital appropriations payable from Fund 034, Higher Education Improvement Fund.

(B) Before Except for transfers to the General Revenue Fund in accordance with division (A)(2) of this section, before the Office of Budget and Management transfers or increases or decreases any appropriations or authorizations described in division (A) of this section, the Office of Budget and Management shall seek Controlling Board approval.

SECTION 610.41. That existing Sections 207.20.50, 207.20.70, 207.30.10, 207.30.20, 207.30.30, 219.10, 235.10, 261.10, 263.10, 263.20.10, 263.20.80, 263.30.10, 269.30.30, 269.30.70, 269.40.50, 269.50.30, 275.10, 293.10, 299.10, 307.10, 309.10, 309.30.13, 309.30.30, 309.30.40, 309.30.41, 309.30.42, 309.40.33, 337.30, 337.30.43, 337.40, 337.40.15, 369.10, 375.10, 379.10, 393.10, 405.10, 407.10, 512.03, 512.35, and 518.03 of Am. Sub. H.B. 119 of the 127th General Assembly are hereby repealed.

SECTION 610.44. That Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by Am. Sub. S.B. 155 of the 127th General Assembly, be amended to read as follows:

Sec. 249.10. CEB CONTROLLING BOARD

General Revenue Fund

GRF 911-404	Mandate Assistance	\$	650,000	\$	650,000
GRF 911-441	Ballot Advertising Costs	\$	1,400,000	\$	300,000

The above boxed and initialed text was
disapproved.

Date: June 24 2008

Ted Strickland

Ted Strickland, Governor

TOTAL GRF General Revenue Fund	\$	2,050,000	\$	950,000
TOTAL ALL BUDGET FUND GROUPS	\$	2,050,000	\$	950,000

DISASTER SERVICES FUND TRANSFERS TO THE EMERGENCY PURPOSES/CONTINGENCIES APPROPRIATION LINE ITEM

Notwithstanding any other provision of law to the contrary, the Director of Budget and Management may, with Controlling Board approval, ~~transfer appropriate~~ up to \$4,000,000 ~~in cash~~, in each of fiscal years 2008 and 2009, ~~from the Disaster Services Fund (Fund 5E2) to the General Revenue Fund. Upon completion of the transfer, the Director of Budget and Management shall appropriate the transferred amount~~ to appropriation item 911-401, Emergency Purposes/Contingencies. The Controlling Board may, at the request of any state agency or the Director of Budget and Management, transfer all or part of the appropriation in appropriation item 911-401, Emergency Purposes/Contingencies, for the purpose of providing disaster and emergency situation aid to state agencies and political subdivisions in the event of disasters and emergency situations or for the other purposes noted in this section, including, but not limited to, costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility in Lucasville, Ohio. Following each increase in appropriation in appropriation item 911-401, Emergency Purposes/Contingencies, approved by the Controlling Board, the Director of Budget and Management shall transfer an amount equal to the appropriation increase, in an amount not to exceed \$4,000,000 in each of fiscal years 2008 and 2009, from the Disaster Services Fund (Fund 5E2) to the General Revenue Fund.

FEDERAL SHARE

In transferring appropriations to or from appropriation items that have federal shares identified in Am. Sub. H.B. 119 of the 127th General Assembly, the Controlling Board shall add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in Am. Sub. H.B. 119 of the 127th General Assembly. Such changes are hereby appropriated.

DISASTER ASSISTANCE

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from appropriation item 911-401, Emergency Purposes/Contingencies, to Department of Public Safety appropriation items to provide funding for assistance to political subdivisions and individuals made necessary by natural disasters or emergencies. Such transfers may be requested and approved prior to or following the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

DISASTER SERVICES

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from the Disaster Services Fund (5E2) to a Department of Public Safety fund and appropriation item to provide for assistance to political subdivisions made necessary by natural disasters or emergencies. These transfers may be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance. The Emergency Management Agency of the Department of Public Safety shall use the funding to fund the State Disaster Relief Program for disasters that have been declared by the Governor, and the State Individual Assistance Program for disasters that have been declared by the Governor and the federal Small Business Administration. The Ohio Emergency Management Agency shall publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.

The Disaster Services Fund (5E2) shall be used by the Controlling Board, pursuant to requests submitted by state agencies, to transfer cash and appropriation authority to any fund and appropriation item for the payment of state agency disaster relief program expenses for disasters declared by the Governor, if the Director of Budget and Management determines that sufficient funds exist.

The unencumbered balance of the Disaster Services Fund (5E2) at the end of fiscal year 2008 is transferred to fiscal year 2009 for use for the same purposes as in fiscal year 2009.

SOUTHERN OHIO CORRECTIONAL FACILITY COST

The Division of Criminal Justice Services in the Department of Public Safety and the Public Defender Commission may each request, upon approval of the Director of Budget and Management, additional funds from appropriation item 911-401, Emergency Purposes/Contingencies, for costs related to the disturbance that occurred on April 11, 1993, at the Southern Ohio Correctional Facility in Lucasville, Ohio.

MANDATE ASSISTANCE

(A) The foregoing appropriation item 911-404, Mandate Assistance, shall be used to provide financial assistance to local units of government and school districts for the cost of the following two state mandates:

(1) The cost to county prosecutors for prosecuting certain felonies that occur on the grounds of state institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services;

(2) The cost to school districts of in-service training for child abuse detection.

(B) The Division of Criminal Justice Services in the Department of Public Safety and the Department of Education may prepare and submit to the Controlling Board one or more requests to transfer appropriations from appropriation item 911-404, Mandate Assistance. The state agencies charged with this administrative responsibility are listed below, as well as the estimated annual amounts that may be used for each program of state financial assistance.

PROGRAM	ADMINISTERING AGENCY	ESTIMATED ANNUAL AMOUNT
Prosecution Costs	Division of Criminal Justice Services	\$150,000
Child Abuse Detection Training Costs	Department of Education	\$500,000

(C) Subject to the total amount appropriated in each fiscal year for appropriation item 911-404, Mandate Assistance, the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education may request from the Controlling Board that amounts smaller or larger than these estimated annual amounts be transferred to each program.

(D) In addition to making the initial transfers requested by the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education, the Controlling Board may transfer appropriations received by a state agency under this section back to appropriation item 911-404, Mandate Assistance, or to the other program of state financial assistance identified under this section.

(E) It is expected that not all costs incurred by local units of government and school districts under each of the two programs of state financial assistance identified in this section will be fully reimbursed by the state. Reimbursement levels may vary by program and shall be based on: the relationship between the appropriation transfers requested by the Division of Criminal Justice Services in the Department of Public Safety and the Department of Education and provided by the Controlling Board for each of the programs; the rules and procedures established for each program by the administering state agency; and the actual costs incurred by local units of government and school districts.

(F) Each of these programs of state financial assistance shall be carried out as follows:

(1) PROSECUTION COSTS

(a) Appropriations may be transferred to the Division of Criminal Justice Services in the Department of Public Safety to cover local

prosecution costs for aggravated murder, murder, felonies of the first degree, and felonies of the second degree that occur on the grounds of institutions operated by the Department of Rehabilitation and Correction and the Department of Youth Services.

(b) Upon a delinquency filing in juvenile court or the return of an indictment for aggravated murder, murder, or any felony of the first or second degree that was committed at a Department of Youth Services or a Department of Rehabilitation and Correction institution, the affected county may, in accordance with rules that the Division of Criminal Justice Services in the Department of Public Safety shall adopt, apply to the Division of Criminal Justice Services for a grant to cover all documented costs that are incurred by the county prosecutor's office.

(c) Twice each year, the Division of Criminal Justice Services in the Department of Public Safety shall designate counties to receive grants from those counties that have submitted one or more applications in compliance with the rules that have been adopted by the Division of Criminal Justice Services for the receipt of such grants. In each year's first round of grant awards, if sufficient appropriations have been made, up to a total of \$100,000 may be awarded. In each year's second round of grant awards, the remaining appropriations available for this purpose may be awarded.

(d) If for a given round of grants there are insufficient appropriations to make grant awards to all the eligible counties, the first priority shall be given to counties with cases involving aggravated murder and murder; second priority shall be given to counties with cases involving a felony of the first degree; and third priority shall be given to counties with cases involving a felony of the second degree. Within these priorities, the grant awards shall be based on the order in which the applications were received, except that applications for cases involving a felony of the first or second degree shall not be considered in more than two consecutive rounds of grant awards.

(2) CHILD ABUSE DETECTION TRAINING COSTS

Appropriations may be transferred to the Department of Education for disbursement to local school districts as full or partial reimbursement for the cost of providing in-service training for child abuse detection. In accordance with rules that the department shall adopt, a local school district may apply to the department for a grant to cover all documented costs that are incurred to provide in-service training for child abuse detection. The department shall make grants within the limits of the funding provided.

(G) Any moneys allocated within appropriation item 911-404, Mandate Assistance, not fully utilized may, upon application of the Ohio Public

Defender Commission, and with the approval of the Controlling Board, be disbursed to boards of county commissioners to provide additional reimbursement for the costs incurred by counties in providing defense to indigent defendants pursuant to Chapter 120. of the Revised Code. Application for the unutilized funds shall be made by the Ohio Public Defender Commission at the first June meeting of the Controlling Board.

The amount to be disbursed to each county shall be allocated proportionately on the basis of the total amount of reimbursement paid to each county as a percentage of the amount of reimbursement paid to all of the counties during the most recent state fiscal year for which data is available and as calculated by the Ohio Public Defender Commission.

BALLOT ADVERTISING COSTS

Pursuant to requests submitted by the ~~Ohio Ballot Board~~ Secretary of State, the Controlling Board shall approve transfers from the foregoing appropriation item 911-441, Ballot Advertising Costs, to ~~the~~ a Secretary of State appropriation item in order to pay for the cost of public notices associated with statewide ballot initiatives.

Of the foregoing appropriation item 911-441, Ballot Advertising Costs, up to \$1,100,000 in fiscal year 2008 shall be used to reimburse county boards of elections for all costs of conducting any special election during fiscal year 2008.

The unencumbered balance of appropriation item 991-441, Ballot Advertising Costs, at the end of fiscal year 2008 shall be transferred to fiscal year 2009 for use under the same appropriation item. The amounts transferred are hereby appropriated.

SECTION 610.45. That existing Section 249.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by Am. Sub. S.B. 155 of the 127th General Assembly, is hereby repealed.

SECTION 610.47. That Section 375.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by Am. H.B. 381 of the 127th General Assembly, be amended to read as follows:

Sec. 375.10. BOR BOARD OF REGENTS

General Revenue Fund

GRF 235-321	Operating Expenses	\$	3,141,351	\$	3,141,351
GRF 235-401	Lease Rental Payments	\$	203,177,900	\$	136,017,500
GRF 235-402	Sea Grants	\$	300,000	\$	300,000
GRF 235-406	Articulation and Transfer	\$	2,900,000	\$	2,900,000
GRF 235-408	Midwest Higher Education Compact	\$	95,000	\$	95,000

GRF 235-409	Information System	\$	1,175,172	\$	1,175,172
GRF 235-414	State Grants and Scholarship Administration	\$	1,707,881	\$	1,707,881
GRF 235-415	Jobs Challenge	\$	9,348,300	\$	9,348,300
GRF 235-417	Ohio Learning Network	\$	3,119,496	\$	3,119,496
GRF 235-418	Access Challenge	\$	66,585,769	\$	66,585,769
GRF 235-420	Success Challenge	\$	53,653,973	\$	53,653,973
GRF 235-428	Appalachian New Economy Partnership	\$	1,176,068	\$	1,176,068
GRF 235-433	Economic Growth Challenge	\$	17,186,194	\$	17,186,194
GRF 235-434	College Readiness and Access	\$	12,655,425	\$	12,655,425
GRF 235-435	Teacher Improvement Initiatives	\$	4,797,506	\$	11,297,506
GRF 235-436	AccelerateOhio	\$	1,250,000	\$	2,500,000
GRF 235-438	Choose Ohio First Scholarship	\$	50,000,000	\$	50,000,000
GRF 235-439	Ohio Research Scholars	\$	30,000,000	\$	1,000,000
GRF 235-455	EnterpriseOhio Network	\$	1,373,941	\$	1,373,941
GRF 235-474	Area Health Education Centers Program Support	\$	1,571,756	\$	1,571,756
GRF 235-501	State Share of Instruction	\$	1,678,877,952	\$	1,842,965,747
GRF 235-502	Student Support Services	\$	795,790	\$	795,790
GRF 235-503	Ohio Instructional Grants	\$	42,533,966	\$	18,315,568
GRF 235-504	War Orphans Scholarships	\$	4,812,321	\$	4,812,321
GRF 235-507	OhioLINK	\$	7,387,824	\$	7,387,824
GRF 235-508	Air Force Institute of Technology	\$	2,050,345	\$	2,050,345
GRF 235-510	Ohio Supercomputer Center	\$	4,271,195	\$	4,271,195
GRF 235-511	Cooperative Extension Service	\$	26,273,260	\$	26,273,260
GRF 235-513	Ohio University Voinovich Center	\$	669,082	\$	669,082
GRF 235-514	Central State Supplement	\$	11,756,414	\$	12,109,106
GRF 235-515	Case Western Reserve University School of Medicine	\$	3,011,271	\$	3,011,271
GRF 235-518	Capitol Scholarship Program	\$	125,000	\$	125,000
GRF 235-519	Family Practice	\$	4,548,470	\$	4,548,470
GRF 235-520	Shawnee State Supplement	\$	2,502,323	\$	2,577,393
GRF 235-521	The Ohio State University John Glenn School of Public Affairs	\$	619,082	\$	619,082
GRF 235-524	Police and Fire Protection	\$	171,959	\$	171,959
GRF 235-525	Geriatric Medicine	\$	750,110	\$	750,110
GRF 235-526	Primary Care Residencies	\$	2,245,688	\$	2,245,688
GRF 235-527	Ohio Aerospace Institute	\$	1,764,957	\$	1,764,957
GRF 235-530	Academic Scholarships	\$	7,800,000	\$	7,800,000
GRF 235-531	Student Choice Grants	\$	38,485,376	\$	38,485,376
GRF 235-535	Ohio Agricultural Research and Development Center	\$	37,174,292	\$	37,174,292
GRF 235-536	The Ohio State University Clinical Teaching	\$	13,565,885	\$	13,565,885
GRF 235-537	University of Cincinnati Clinical Teaching	\$	11,157,756	\$	11,157,756
GRF 235-538	University of Toledo Clinical Teaching	\$	8,696,866	\$	8,696,866
GRF 235-539	Wright State University	\$	4,225,107	\$	4,225,107

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GRF 235-540	Clinical Teaching Ohio University Clinical Teaching	\$	4,084,540	\$	4,084,540
GRF 235-541	Northeastern Ohio Universities College of Medicine Clinical Teaching	\$	4,200,945	\$	4,200,945
GRF 235-543	Ohio College of Podiatric Medicine Clinic Subsidy	\$	100,000	\$	100,000
GRF 235-547	School of International Business	\$	450,000	\$	650,000
GRF 235-552	Capital Component	\$	19,306,442 <u>19,789,868</u>	\$	19,306,442 <u>19,789,868</u>
GRF 235-553	Dayton Area Graduate Studies Institute	\$	2,931,599	\$	2,931,599
GRF 235-554	Priorities in Collaborative Graduate Education	\$	2,355,548	\$	2,355,548
GRF 235-555	Library Depositories	\$	1,696,458	\$	1,696,458
GRF 235-556	Ohio Academic Resources Network	\$	3,727,223	\$	3,727,223
GRF 235-558	Long-term Care Research	\$	461,047	\$	461,047
GRF 235-561	Bowling Green State University Canadian Studies Center	\$	100,015	\$	100,015
GRF 235-563	Ohio College Opportunity Grant	\$	139,974,954	\$	151,113,781
GRF 235-567	Central State University Speed to Scale	\$	4,400,000	\$	3,800,000
GRF 235-571	James A. Rhodes Scholarship	\$	10,000,000	\$	0
GRF 235-572	The Ohio State University Clinic Support	\$	1,277,019	\$	1,277,019
GRF 235-573	Ohio Humanities Council	\$	25,000	\$	25,000
GRF 235-583	Urban University Program	\$	5,825,937	\$	5,825,937
GRF 235-587	Rural University Projects	\$	1,159,889	\$	1,159,889
GRF 235-596	Hazardous Materials Program	\$	360,435	\$	360,435
GRF 235-599	National Guard Scholarship Program	\$	16,611,063	\$	16,611,063
GRF 235-909	Higher Education General Obligation Debt Service	\$	172,722,400	\$	208,747,200
TOTAL GRF General Revenue Fund		\$	2,773,258,537 <u>2,773,741,963</u>	\$	2,861,908,922 <u>2,862,392,349</u>
General Services Fund Group					
220 235-614	Program Approval and Reauthorization	\$	800,000	\$	800,000
456 235-603	Sales and Services	\$	700,000	\$	700,000
TOTAL GSF General Services Fund Group		\$	1,500,000	\$	1,500,000
Federal Special Revenue Fund Group					
3BG 235-626	Star Schools	\$	2,980,865	\$	2,990,746
3H2 235-608	Human Services Project	\$	3,000,000	\$	3,000,000
3H2 235-622	Medical Collaboration Network	\$	3,346,144	\$	3,346,144
3N6 235-605	State Student Incentive Grants	\$	2,196,680	\$	2,196,680
3T0 235-610	National Health Service Corps	\$	250,000	\$	250,000

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		- Ohio Loan Repayment			
312	235-609	Tech Prep	\$	183,850	\$ 183,850
312	235-611	Gear-up Grant	\$	3,300,000	\$ 3,300,000
312	235-612	Carl D. Perkins Grant/Plan Administration	\$	112,960	\$ 112,960
312	235-617	Improving Teacher Quality Grant	\$	3,200,000	\$ 3,200,000
312	235-621	Science Education Network	\$	1,686,970	\$ 1,686,970
TOTAL FED Federal Special Revenue Fund Group			\$	20,257,469	\$ 20,267,350
State Special Revenue Fund Group					
4E8	235-602	Higher Educational Facility Commission Administration	\$	50,000	\$ 45,000
4P4	235-604	Physician Loan Repayment	\$	476,870	\$ 476,870 0
649	235-607	The Ohio State University Highway/Transportation Research	\$	760,000	\$ 760,000
682	235-606	Nursing Loan Program	\$	893,000	\$ 893,000
5DT	235-627	American Diploma Project	\$	250,000	\$ 0
TOTAL SSR State Special Revenue Fund Group			\$	2,429,870	\$ 2,174,870 <u>1,698,000</u>
Third Frontier Research & Development Fund Group					
011	235-634	Research Incentive Third Frontier Fund	\$	6,000,000	\$ 6,000,000
TOTAL 011 Third Frontier Research & Development Fund Group			\$	6,000,000	\$ 6,000,000
TOTAL ALL BUDGET FUND GROUPS			\$	<u>2,803,445,876</u>	\$ <u>2,891,851,143</u>
				<u>2,803,929,302</u>	<u>2,891,857,699</u>

SECTION 610.48. That existing Section 375.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as amended by Am. H.B. 381 of the 127th General Assembly, is hereby repealed.

SECTION 610.50. That Sections 101.10, 103.80.50, 201.30, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly be amended to read as follows:

Sec. 101.10. All items set forth in this section are hereby appropriated out of any moneys in the General Revenue Fund (GRF) that are not otherwise appropriated:

Reappropriations

DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

C10002	Rural Areas Community Improvements	\$	20,000
C10008	Urban Areas Community Improvements	\$	868,900
Total Department of Administrative Services		\$	888,900
TOTAL GRF General Revenue Fund		\$	888,900

RURAL AREAS COMMUNITY IMPROVEMENTS

The foregoing appropriation item C10002, Rural Areas Community Improvements, shall be granted for the Red Mill Creek Water Retention Basin.

URBAN AREAS COMMUNITY IMPROVEMENTS

From the foregoing appropriation item C10008, Urban Areas Community Improvements, grants shall be made for the following projects: \$50,000 for the Brown Senior Center Renovations; \$100,000 for Project AHEAD Facility Improvements; \$75,000 for the J. Frank-Troy Senior Citizens Center; \$23,900 for the Canton Jewish Women's Center; ~~\$450,000 for the Gateway Social Services Building; \$200,000 for Pro Football Hall of Fame festival facility improvements; \$100,000 for the Children's Network of Stark County; \$75,000 for the Community Treatment and Correction Center, Inc.; \$75,000 for Trillium Family Solutions; \$50,000 for the Loew Field Improvements; \$20,000 for the Harvard Community Services Center Renovation & Expansion; \$20,000 for the Collinwood Community Service Center Repair & Renovation; and \$80,000 for Bowman Park - City of Toledo.~~

Reappropriations

Sec. 103.80.50. EXP EXPOSITIONS COMMISSION

C72300	Electric and Lighting Upgrade	\$	112.020
C72301	Land Acquisition	\$	5,240
C72303	Building Renovations - 5	\$	4,576.484
C72305	Facility Improvements and Modernization Plan	\$	131,771
C72309	Masonry Renovations	\$	59,824
C72310	Restroom Renovations	\$	9,559
C72312	Emergency Renovations and Equipment Replacement	\$	891,533
C72314	Multi-purpose Building	\$	14,000.000
Total Expositions Commission		\$	19,786.431 5,786.431

Sec. 201.30. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Cultural and Sports Facilities Building Fund (Fund 7030) that are not otherwise appropriated:

Reappropriations

AFC CULTURAL FACILITIES COMMISSION

C37102	Center of Science and Industry - Toledo	\$	12,268
C37114	Woodward Opera House Renovation	\$	1,150,000
C37118	Statewide Site Repairs	\$	100,100
C37124	Waco Museum & Aviation Learning Center	\$	500,000
C37131	Bramley Historic House	\$	75,000
C37132	Beck Center for the Cultural Arts	\$	100,000
C37133	Delaware County Cultural Arts Center	\$	40,000
C37137	West Side Arts Consortium	\$	138,000
C37138	Ice Arena Development	\$	5,500,000
C37139	Stan Hywet Hall & Gardens	\$	1,000,000
C37141	Spring Hill Historic Home	\$	125,000

C37143	Lorain Palace Civic Theatre	\$	200,000
C37144	Great Lakes Historical Society	\$	150,000
C37153	Historic Sites and Museums	\$	980,319
C37155	Buffington Island State Memorial	\$	33,475
C37182	Lorain County Historical Society	\$	300,000
C37184	Marion Palace Theatre	\$	1,575,000
C37185	McConnellsville Opera House	\$	75,000
C37186	Secrest Auditorium	\$	75,000
C37187	Renaissance Theatre	\$	700,000
C37188	Trumpet in the Land	\$	100,000
C37189	Mid-Ohio Valley Players	\$	80,000
C37190	The Anchorage	\$	50,000
C37193	Galion Historic Big Four Depot Restoration	\$	170,000
C37195	Lake County Historical Society	\$	250,000
C37196	Hancock Historical Society	\$	75,000
C37197	Riversouth Development	\$	1,000,000
C37198	Ft. Piqua Hotel	\$	200,000
C37199	Marina District Amphitheatre and Related Development	\$	2,000,000
C371A1	Lima Historic Athletic Field	\$	100,000
C371A3	Voice Of America Museum	\$	275,000
C371A5	Clark County Community Arts Expansion Project	\$	500,000
C371A6	Westcott House Historic Site	\$	75,000
C371A8	Miami Township Community Amphitheatre	\$	50,000
C371A9	Western Reserve Historical Society	\$	2,500,000
C371B0	Cleveland Steamship Mather Museum	\$	100,000
C371B5	Arts Castle	\$	100,000
C371B6	Cincinnati Art and Technical Academy	\$	325,000
C371B7	Ohio Glass Museum	\$	250,000
C371B9	Ariel Theatre	\$	100,000
C371C2	Ensemble Theatre	\$	450,000
C371C4	Art Academy of Cincinnati	\$	100,000
C371C5	Riverbend Pavilion Improvements	\$	250,000
C371C7	Music Hall: Over-The-Rhine	\$	750,000
C371C8	John Bloomfield Home Restoration	\$	720
C371C9	Malinta Historical Society Caboose Exhibit	\$	6,000
C371D1	Art Deco Markay Theatre	\$	200,000
C371D4	Broad Street Historical Renovation	\$	300,000
C371D5	Amherst Historical Society	\$	35,000
C371D6	COSI - Toledo	\$	980,000
C371D7	Ohio Theatre - Toledo	\$	100,000
C371E2	Aurora Outdoor Sports Complex	\$	50,000
C371E3	Preble County Historical Society	\$	100,000
C371E4	Tecumseh Sugarloaf Mountain Amphitheatre	\$	120,000
C371F0	Richard Howe House	\$	100,000
C371F2	Packard Music Hall Renovation Project	\$	575,000
C371F3	Holland Theatre	\$	100,000
C371F6	Marietta Colony Theatre	\$	335,000
C371G7	Huntington Park	\$	7,000,000
C371G9	Riverbend - Cincinnati Symphony	\$	3,000,000
C371H0	Marina District Amphitheatre	\$	2,900,000
C371H1	Cincinnati Museum Center	\$	2,000,000
C371H2	National Underground Railroad Freedom Center	\$	2,000,000
C371H4	Pro Football Hall of Fame	\$	1,650,000
C371H5	Heritage Center - Dayton	\$	1,300,000

C371H6	Western Reserve Historical Society	\$	1,000,000
C371H7	COSI Columbus	\$	1,000,000
C371H8	Columbus Museum of Art	\$	1,000,000
C371I0	Stan Hywet Hall and Gardens	\$	1,175,000
C371I1	Akron Art Museum	\$	1,000,000
C371I2	Sauder Village	\$	830,000
C371I3	Horvitz Center for the Arts	\$	750,000
C371I4	Ensemble Theatre	\$	750,000
C371I5	Voice of America Museum	\$	750,000
C371I6	Cleveland Steamship Mather	\$	600,000
C371I7	Cuyahoga County Soldier and Sailor Monument	\$	500,000
C371I8	King-Lincoln Arts and Entertainment District	\$	500,000
C371I9	Art Academy of Cincinnati	\$	500,000
C371J0	Great Lakes Historical Society	\$	500,000
C371J3	Davis Shai Historical Facility	\$	300,000
C371J4	Massillon Museum	\$	275,000
C371J5	The Mandel Center	\$	250,000
C371J6	Peggy R McConnell Arts Center	\$	250,000
C371J7	Columbus College of Art and Design	\$	250,000
C371J9	Stambaugh Hall Improvements	\$	250,000
C371K0	Youngstown Symphony Orchestra	\$	250,000
C371K1	Wood County Historical Center/Museum	\$	220,000
C371K3	Cincinnati Ballet	\$	200,000
C371K4	City of Avon Stadium Complex	\$	200,000
C371K5	Renaissance Performing Arts Center	\$	200,000
C371K6	Oxford Arts Center	\$	174,000
C371K7	Wayne County Historical Society	\$	170,000
C371K8	Maumee Valley Historical Society	\$	150,000
C371K9	Trumbull County Historical Society	\$	150,000
C371L0	First Lunar Flight Project	\$	25,000
C371L1	Holmes County Historical Society Improvements	\$	140,000
C371L2	Canal Winchester Historical Society <u>Westerville Parks & Recreation Firefighters Memorial/First Responder Park</u>	\$	125,000
C371L3	Ukrainian Museum	\$	100,000
C371L4	Gordon Square Arts District	\$	100,000
C371L5	Moreland Theatre Renovation	\$	100,000
C371L6	Karamu House	\$	100,000
C371L7	Symmes Township Historical Society	\$	100,000
C371L8	Springfield Veterans Park Amphitheatre	\$	100,000
C371L9	Gallia County Historical Genealogical Society	\$	100,000
C371M1	The Octagon House	\$	100,000
C371M2	Vinton County Stage-Pavilion Project	\$	100,000
C371M3	County Line Historical Society-Wayne/Holmes	\$	100,000
C371M4	Paul Brown Museum	\$	75,000
C371M5	The Works Ohio Center for History, Art and Technology	\$	75,000
C371M8	Hale Farm and Village	\$	50,000
C371M9	Howe House Historic Site	\$	50,000
C371N0	Beavercreek Community Theatre	\$	50,000
C371N1	Jamestown Opera House	\$	50,000
C371N2	Johnny Appleseed Museum	\$	50,000
C371N3	Vinton County Historical Society Alice House Project	\$	50,000
C371N4	Woodward Opera House Renovations	\$	50,000
C371N5	Little Brown Jug Facility Improvements	\$	50,000
C371N6	Applecreek Historical Society	\$	50,000

C371N7	Wyandot Historic Courthouse	\$	50,000
C371N8	Galion Historical Big 4 Depot	\$	30,000
C371N9	Bucyrus Historic Depot Renovations	\$	30,000
C371O1	Arts West Performing Arts Center	\$	25,000
C371O2	Chester Academy Historical Site	\$	25,000
C371O3	Portland Civil War Museum and Historical Displays	\$	25,000
C371O4	Morgan County Opera House	\$	25,000
C371O5	Crawford Antique Museum	\$	9,000
C371O6	Monroe City Historical Society Building Repair	\$	5,000
C371O7	Wright Dunbar Historical Facility	\$	250,000
C371O8	Nationwide Children's Hospital Livingston Park Cultural Improvements	\$	1,000,000
C371P1	WACO Aircraft Museum	\$	30,000
C371P2	Bradford Railroad Museum	\$	30,000
C371P3	Cincinnati Ballet Facility	\$	415,000
C371P5	Fort Recovery Renovations	\$	100,000
C371P6	Music Hall Garage	\$	1,000,000
C371P7	Hip Klotz Memorial	\$	150,000
C371P8	AB Graham Center	\$	40,000
	Total Cultural Facilities Commission	\$	64,803,882
	TOTAL Cultural and Sports Facilities Building Fund	\$	64,803,882

Sec. 201.50. All items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the School Building Program Assistance Fund (Fund 7032) that are not otherwise appropriated:

Reappropriations

SFC SCHOOL FACILITIES COMMISSION

C23002	School Building Program Assistance	\$	3,572,253,121
C23005	Exceptional Needs	\$	28,504,951
C23010	Vocation Facilities Assistance Program	\$	11,115,616
	Total School Facilities Commission	\$	3,611,873,688
	TOTAL School Building Program Assistance Fund	\$	3,611,873,688

CONSTRUCTION OF NEW BLIND AND DEAF SCHOOLS

Of the foregoing appropriation item C23002, School Building Program Assistance, \$37,080,000 shall be used for constructing new facilities, or renovating existing facilities, or both, on the current campuses of the Ohio State School for the Blind and the Ohio School for the Deaf. Notwithstanding sections 123.01 and 123.15 of the Revised Code and in addition to its powers under Chapter 3318, of the Revised Code, the Ohio School Facilities Commission shall administer the project pursuant to the memorandum of understanding that the Ohio State School for the Blind, the Ohio School for the Deaf, and the Ohio School Facilities Commission signed on October 31, 2007. The project shall comply to the fullest extent possible with the specifications and policies set forth in the Ohio School Facilities Design Manual and shall not be considered a part of any program created under Chapter 3318, of the Revised Code. As agreed to by the parties in the memorandum of understanding, \$37,080,000 is sufficient to complete the construction or renovation of the facilities needed for the

education of both the deaf and blind student communities and additional appropriations will not be required. Upon issuance by the Commission of a certificate of completion of the project, the Commission's participation in the project shall end.

The Executive Director of the Ohio School Facilities Commission shall comply with the procedures and guidelines established in Chapter 153. of the Revised Code. Upon the release of funds for the project by the Controlling Board or the Director of Budget and Management, the Commission may administer the project without the supervision, control, or approval of the Director of Administrative Services. Any references to the Director of Administrative Services in the Revised Code, with respect to the administration of the project, shall be read as if they referred to the Director of the Ohio School Facilities Commission.

Reappropriations

Sec. 301.20.20. BGU BOWLING GREEN STATE UNIVERSITY

C24000	Basic Renovations	\$	10,751,883
C24001	Basic Renovations - Firelands	\$	811,360
C24002	Instructional and Data Processing Equipment	\$	1,200,186
C24004	ADA Modifications	\$	19,544
C24005	Child Care Facility	\$	49,406
C24007	Materials Network	\$	90,981
C24008	Video Link	\$	10,644
C24013	Hannah Hall Rehabilitation	\$	2,005,522
C24014	Biology Lab Renovation	\$	12,533,708
C24015	Campus-Wide Paving/Sidewalk Upgrade	\$	4,899
C24016	Student Learning	\$	13,149
C24017	Video Teaching Network	\$	5,436
C24019	Kinetic Spectrometry Consortium	\$	77,671
C24020	Admissions Visitor Center	\$	3,000,000
C24021	Theatre/Performing Arts Complex	\$	8,750,000
C24022	University Hall Rehabilitation	\$	1,174,981
C24025	Administration Building Fire Alarm System	\$	83,986
C24026	Campus-Wide Carpet Upgrade	\$	329,700
C24027	Reroof East, West, and North Buildings	\$	173,999
C24028	Instructional Laboratory - Phase I	\$	960,000
C24031	Health Center Addition	\$	9,750,000
C24032	Student Services Building Replacement	\$	8,100,000
C24033	BGU Aviation Improvements	\$	500,000
C24034	Tunnel Upgrade-Phase II	\$	98,820
C24035	Library Depository Northwest	\$	56,000
C24036	<u>Wood County Environmental Health Project</u>	\$	<u>700,000</u>
Total Bowling Green State University		\$	<u>60,551,875</u>
			<u>61,251,875</u>

Reappropriations

Sec. 301.20.80. OSU OHIO STATE UNIVERSITY

C31500	Basic Renovations	\$	34,349,496
C31501	Basic Renovations - Regional Campuses	\$	6,506,516
C31502	Brown Hall Annex Replacement	\$	6,213

C31505	Basic Renovations - ATI	\$	129,714
C31506	Supplemental Renovations - OARDC	\$	3,319,202
C31507	Supplemental Renovations - Regional	\$	191,955
C31508	Dreese Lab Addition	\$	5,953
C31510	Bioscience/Parks Hall Addition	\$	12,584
C31512	Greenhouse Modernization	\$	40,982
C31515	Life Sciences Research Building	\$	218,170
C31520	Food Science & Technology Building	\$	92,786
C31522	Heart & Lung Institute	\$	32,437
C31523	Superconducting Radiation	\$	65,094
C31524	Brain Tumor Research Center	\$	6,001
C31525	Engineering Center Net Shape Manufacturing	\$	20,730
C31526	Membrane Protein Typology	\$	8,835
C31527	Instructional and Data Processing Equipment	\$	6,014,848
C31528	Fine Particle Technologies	\$	116,770
C31529	Advanced Plasma Engineering	\$	22,690
C31530	Plasma Ramparts	\$	1,150
C31531	IN-SITU AL-BE Composites	\$	1,733
C31532	Jay Cooke Residence - Roof and Windows	\$	86,668
C31535	Asbestos Abatement	\$	5,325
C31536	Materials Network	\$	91,983
C31537	Bio-Technology Consortium	\$	42,378
C31538	Analytical Electron Microscope	\$	375,000
C31539	High Temp Alloys & Alluminoids	\$	220,000
C31541	Supplemental Renovations - ATI	\$	33,969
C31542	Maintenance, Receiving, and Storage Facility - Marion	\$	58,646
C31543	McPherson Lab Rehabilitation	\$	37,243
C31544	Heart and Lung Institute	\$	101,808
C31546	ADA Modifications - ATI	\$	41,936
C31547	ADA Modifications - Lima	\$	358
C31548	ADA Modifications - Mansfield	\$	15,253
C31550	Titanium Alloys	\$	54,912
C31552	Advanced Manufacturing	\$	38,579
C31553	Manufacturing Processes/Materials	\$	62,574
C31554	Terhertz Studies	\$	35,294
C31556	Marion Park/Road/Sidewalk/Lights	\$	2,750
C31557	Pomerene Lighting/Wiring	\$	249,584
C31558	NMR Consortium	\$	75,116
C31559	Versatile Film Facility	\$	62,872
C31560	OCARNET	\$	5,916
C31561	Bioprocessing Research	\$	1,905
C31562	Localized Corrosion Research	\$	6,128
C31563	ATM Testbed	\$	3,633
C31564	Physical Sciences Building	\$	79,383
C31565	Morrill Hall Remodeling - Vacated Library Space - Marion	\$	923
C31568	Sisson Hall Replacement	\$	5,537
C31570	Machinery Acoustics	\$	3,804
C31571	Sensors and Measurements	\$	15,115
C31572	Polymer Magnets	\$	1,099
C31574	A1 Alloy Corrosion	\$	14,292
C31578	Page Hall Planning	\$	7,210
C31579	Botany & Zoology Building Planning	\$	209,467
C31581	Robinson Laboratory Planning	\$	36,765

C31582	Don Scott Field Replacement Barns	\$	1,495,619
C31583	Galvin Hall 3rd Floor Renovation - Lima	\$	22,135
C31584	Horticultural Operations Center - ATI	\$	1,475,400
C31585	OARDC Feed Mill	\$	5,050,968
C31587	Biological Sciences Cooling Tower	\$	6,930
C31589	Mount Hall HVAC Modifications	\$	40,982
C31591	Ohio Biomedical Consortium on Medical Therapeutic Micro Devices	\$	49,275
C31592	Plant and Microbe Functional Genomics Facilities	\$	16,259
C31593	Consortium for Novem Microfabrications Methods of Medical Devices in Non-Silicon Materials	\$	149,066
C31594	Bone & Mineral Metabolism Research Lab	\$	5,845
C31597	Animal & Plant Biology Level 3	\$	8,133,780
C31598	Main Library Rehabilitation	\$	56,456,214
C31599	Psychology Building	\$	57,722
C315A0	Thorne Hall and Gowley Hall Renovations - Phase 3	\$	598,043
C315A2	Nanosecond Infrared Measurement	\$	2,588
C315A4	Millimeter/Submillimeter Instrument	\$	5,919
C315A5	X-Ray Powder Diffractometer	\$	558
C315A6	Deconvolution Microscope	\$	1,101
C315B2	Denney Hall Renovation - Phase I	\$	18,495
C315B3	Ion Mass Spectrometry	\$	6,594
C315B5	Role of Molecular Interfaces	\$	17,773
C315B8	New Millimeter Spectrometer	\$	24,996
C315C2	1224 Kinnear Road - Bale	\$	11,105
C315C3	Non-Silicon Micromachining	\$	73,991
C315C4	High Performance Computing	\$	2,910
C315C5	Veterinary Hospital Auditorium Renovation	\$	7,736
C315D0	OARDC Boiler Replacement	\$	656,442
C315D2	Supercomputer Center Expansion	\$	1,600,414
C315D5	Information Literacy	\$	24,824
C315D6	Online Business Major	\$	6,618
C315D8	Renovation of Graves Hall	\$	68,196
C315E0	OARDC Wooster Phone System Replacement	\$	467,398
C315E1	Utility - North Tunnel Steamline Upgrade	\$	114,298
C315E2	Dual Beam Characterization	\$	150,000
C315E6	Environmental Technology Consortium	\$	11,297
C315E7	Campbell, University, and Evans Hall	\$	45,877
C315E8	Laboratory Animal Facility	\$	83,481
C315F1	Western Branch Headquarters & Machinery Building	\$	662,850
C315F2	Muck Crops Branch/Shop Building Replacement	\$	782,173
C315F3	Hazardous Waste Handling/Storage Building	\$	1,103,062
C315F4	Agriculture/Engineering Building Renovation & Addition	\$	200,000
C315F5	Wood County Center for Agriculture <u>OSU Extension</u> <u>Office/Agriculture Business Enhancement Center</u>	\$	1,000,000 300,000
C315F6	Community Heritage Art Gallery - Lima	\$	100,000
C315F8	Nanotechnology Molecular Assembly	\$	437,296
C315F9	Networking and Communication	\$	478,761
C315G0	Planetary Gear	\$	125,000
C315G1	X-Ray Fluorescence Spectrometer	\$	2,283
C315G2	Precision Navigation	\$	85,000
C315G3	Welding & Metal Working	\$	200,000
C315G5	Inductively Coupled Plasma Etching	\$	126,492

C315G6	Accelerated Metals	\$	1,020,331
C315G7	Mathematical Biosciences Institute	\$	9,819
C315G9	Mershon Auditorium HVAC System Improvements	\$	3,379
C315H0	Molecular Microdevices	\$	2,066
C315H1	Research Center HVAC System Improvements	\$	38,052
C315H2	Infrared Absorption Measurements	\$	3,423
C315H3	Dark Fiber	\$	2,532,628
C315H4	Shared Data Backup System	\$	96,876
C315H6	Third Frontier Network Testbed	\$	202,763
C315H7	Distributed Learning Workshop	\$	2,500
C315H8	Accelerated Maturation of Materials	\$	42,279
C315H9	Nanoscale Polymers Manufacturing	\$	358,802
C315J0	Hydrogen Production and Storage	\$	217
C315J1	Ohio Organic Semiconductor	\$	226,422
C315J4	Comprehensive Cancer - Chiller Replacement	\$	19,187
C315J5	Kottman Hall - 103 Central Classroom	\$	20,893
C315J7	Low Cost Nanocomposite Foams	\$	101,705
C315J8	West Campus Chilled Water & Scott Hall	\$	20,093
C315J9	McCracken Power Plant Spill Control	\$	120,251
C315K0	Glacial Assessment	\$	22,764
C315K2	Center for Advanced Propulsion and Power	\$	1,313,076
C315K3	Parks Hall Chiller Replacement	\$	134,678
C315K4	Hybrid Electric Vehicle Modeling	\$	363,452
C315K5	Computational Nanotechnology	\$	500,000
C315K6	Townshend Hall - Roof Replacement	\$	328,772
C315K8	Veterinary Hospital Roof Replacement Phase II	\$	174,815
C315K9	Hopkins Hall Phase II Priorities I, II	\$	41,756
C315L0	Bioscience 6th Floor Renovation - Priority	\$	140,937
C315L1	Ohio Commons For Digital Education	\$	14,594
C315L2	Postle Hall Fire Alarm Replacement	\$	116,441
C315L3	NonCredit Job Education & Training	\$	14,201
C315L4	Campus South Dorms Renovation/Improvements	\$	3,767
C315L5	Bricker Hall Roof Replacement	\$	23,608
C315L8	Cooperative Control Testbed	\$	3,000
C315M0	Neuroscience Center Core	\$	576
C315M2	Campus Grounds-Exterior Lighting - Phase VIII	\$	31,523
C315M3	930 Kinnear Road Renovations	\$	181,402
C315M4	Waterman Lab & Don Scott Field	\$	23,528
C315M5	Lincoln Tower Renovations - Phase I	\$	254,767
C315M6	Coe Corrosion Coop	\$	56,781
C315M7	OSU Cancer Program Expansion	\$	2,000,000
C315M8	Smith Laboratory Rehabilitation	\$	2,799,448
C315M9	Warner Library and Student Center	\$	1,618,275
C315N0	Hopewell Hall Science Suite	\$	508,408
C315N1	Atomic Force Microscopy	\$	180,000
C315N2	Interactive Applications	\$	344,865
C315N3	Platform Lab	\$	76,685
C315N4	Integrated Biomass to Electricity	\$	392,680
C315N8	Center for Polymer Nanomaterials	\$	9,801,899
C315N9	Ohio Bioproducts Innovation Center	\$	7,765,250
C315P1	Specialized Planetary Gears	\$	40,920
C315P2	OSU Agricultural Building	\$	295,409
C315P3	Automated AFM System	\$	618
C315P4	Integrated Wireless Communication	\$	3,454

C315P5	Newton Hall-Roof Replacement	\$	140,646
C315P6	Chirped-Pulse Amplifier	\$	258,732
C315P7	Central Classroom Building Renovation	\$	55,686
C315P9	Airport Hangers 1 2 & 3 Roof Replacement	\$	485,250
C315Q0	Veterinary Hospital Holding Replacement	\$	1,902,970
C315Q1	Aeronautical and Astronautical Research Lab-Roof Replacement	\$	676,482
C315Q2	Superconductivity Technology Center	\$	324,136
C315Q3	Periodic Materials Assemblies	\$	60,239
C315Q4	Biological Sciences Building Supply Fan Replacement	\$	628,573
C315Q5	Biological Sciences Building-Fume Hood Repairs	\$	968,531
C315Q6	Kottman Hall Fume Hood Repairs	\$	1,476,940
C315Q7	Photonic Force Microscope	\$	4,887
C315Q9	Brown Hall Renovation/Replacement	\$	3,500,000
C315R0	Hughes Hall Renovation	\$	1,500,000
C315R1	COMPH Academic Center	\$	5,000,000
C315R2	Murray Hall Renovation	\$	1,000,000
C315R3	New Student Life Building	\$	1,000,000
C315R4	Founders/Hopewell Hall Renovation	\$	1,960,080
C315R5	Agricultural and Biological Engineering Building Renovation	\$	4,000,000
C315R6	Selby Hall Phytotron Facility Renovation	\$	2,000,000
C315R7	Stone Laboratory Resource Facility Improvements	\$	500,000
C315R8	OSU Extension Safety Improvements in Madison County	\$	94,000
C315R9	Camp Clifton Improvements	\$	90,000
C315S0	Delaware Speech & Hearing with OSU Medical College	\$	75,000
C315S1	Kottman Hall-Windows/Masonry Renovation	\$	1,065,280
C315S2	Postle Hall Partial Window Replacement	\$	630,000
C315S3	Celeste Lab Fume Hood Repairs	\$	1,000,300
C315S4	Utility Upgrade/East Campus Area	\$	45,969
Total Ohio State University		\$	200,348,786
			199,648,786

~~WOOD COUNTY CENTER FOR AGRICULTURE OSU~~
EXTENSION OFFICE/AGRICULTURE BUSINESS ENHANCEMENT
CENTER

~~Of the~~ The foregoing appropriation item C315F5, ~~Wood County Center for Agriculture OSU Extension Office/Agriculture Business Enhancement Center, up to \$300,000~~ shall be used for building renovations to the ~~OSU Extension Office/Ag Business Enhancement Center~~.

Sec. 401.11. RIVERFRONT IMPROVEMENTS

Of the foregoing reappropriation item C725D0, Riverfront Improvements, \$1,000,000 shall be used for the Riverfront West Park Development - Cincinnati Park Board, Hamilton County.

LOCAL PARKS PROJECTS

Of the foregoing appropriation item C725E2, Local Parks Projects, \$2,000,000 shall be used for the Center City Park in Springfield; \$1,200,000 shall be used for the Cincinnati Zoo; \$1,000,000 shall be used for the East Bank/Flats Project; \$1,000,000 shall be used by the Warren County Park

District for Land Acquisition or Improvements; \$540,000 shall be used for Tar Hollow State Park Improvements; \$300,000 shall be used by the City of Mason for Handicap Accessible Park Improvements; \$250,000 shall be used for Van Buren State Park ~~Land Acquisitions~~ Camp Ground Electrification and Restroom Facilities Improvements; ~~\$200,000 shall be used for Harrison Village Historical Society Phoenix Park Museum~~; \$200,000 shall be used for Indian Lake State Park Dredging Improvements; \$191,000 shall be used for Deerfield Township Simpson Creek Erosion Mitigation and Bank Control; \$185,000 shall be used for the City of Wilmington Park Upgrades/Tennis Courts; \$175,700 shall be used for the Georgetown Community Tennis Park; \$150,000 shall be used for Kelleys Island Park Improvements; \$150,000 shall be used for Perry Township Camp Improvements; \$100,000 shall be used for Mountain Bike Park/Midtown Cleveland; \$100,000 shall be used for the Chester Township Park; \$100,000 shall be used for the Wyoming City Regional Park; \$100,000 shall be used for the Hamilton County Stadium Facilities; \$69,000 shall be used for Miami Erie Canal Repairs in Spencerville; \$60,000 shall be used for Marseilles Reservoir Bulk Head Project; \$50,000 shall be used for Beaver creek/John Aekeney Soccer Field and Park; \$50,000 shall be used for the Beaver creek Community Athletic Association Facility and Park Upgrade; \$50,000 shall be used for the Columbus Zoo Education Center; \$50,000 shall be used for Dillon State Park Upgrades; \$50,000 shall be used for Indian Lake State Park Shoreline Improvements; \$25,000 shall be used for the Cleveland Police and Firefighters Memorial Park; \$25,000 shall be used for Grand Lake St. Mary's Improvements; \$25,000 shall be used for Geauga Veterans Monument Park Improvements; \$19,000 shall be used for East Fork State Park-Harsha Lake Dock Improvements; \$10,000 shall be used for the Marine Corps League Park/Monument; \$10,000 shall be used for Huntington Township Park Improvements; and \$5,000 shall be used for Morrow County Bicentennial Park.

STATEWIDE TRAILS PROGRAM

Of the foregoing reappropriation item C725L8, Statewide Trails Program, \$2,000,000 shall be used for the Ohio to Erie Trail by Franklin County Metro Parks; \$1,900,000 shall be used for the Cuyahoga Towpath Trail; and \$210,000 shall be used for the Trumbull Bike Trail.

FEDERAL REIMBURSEMENT

All reimbursements received from the federal government for any expenditures made pursuant to Sections 401.10 and 401.11 of this act shall be deposited in the state treasury to the credit of the Parks and Recreation Improvement Fund.

Sec. 401.71. The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section ~~2m~~ 2p of Article VIII, Ohio Constitution, and pursuant to sections 151.01 and 151.08 of the Revised Code, original obligations of the state, in an aggregate principal amount not to exceed \$120,000,000, in addition to the original obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued and sold from time to time, subject to applicable constitutional and statutory limitations, as needed to ensure sufficient moneys to the credit of the State Capital Improvements Fund (Fund 7038) to pay costs of the state in financing or assisting in the financing of local subdivision capital improvement projects.

SECTION 610.51. That existing Sections 101.10, 103.80.50, 201.30, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly are hereby repealed.

SECTION 620.10. That Section 375.80.10 of Am. Sub. H.B. 119 of the 127th General Assembly is hereby repealed.

SECTION 620.20. That Section 5 of Am. Sub. H.B. 24 of the 127th General Assembly is hereby repealed.

SECTION 701.10. (A) As used in this section, "employer" has the same meaning as in division (D) of section 145.01 of the Revised Code.

(B) Notwithstanding the penalty provided for in section 145.47 of the Revised Code as it existed immediately prior to its amendment by this act, the Public Employees Retirement System shall recalculate, as described in this section, any penalty incurred under that section by an employer during the period beginning April 1, 2006, and ending the day before the effective date of this section, if the retirement system receives the recalculated amount not later than thirty days after the effective date of this section. The penalty shall be recalculated in accordance with section 145.47 of the Revised Code, as amended by this act.

(C) If an employer fails to pay the recalculated amount in accordance with division (B) of this section, the retirement system shall reinstate to the original amount any penalty that was recalculated under division (B) of this section. If an employer fails to pay the reinstated penalty, that amount shall be withheld from the employer on certification by the Public Employees

Retirement Board to the Director of Budget and Management or the county auditor, as appropriate.

(D) If, prior to the effective date of this section, an employer described in division (B) of this section paid the penalty in accordance with section 145.47 of the Revised Code, as it existed immediately prior to its amendment by this act, the retirement system shall credit to the employer's account the difference between the amount of the penalty that was paid and the recalculated penalty to reduce any amounts due from the employer under Chapter 145. of the Revised Code. The credit shall be completed not later than six months after the effective date of this section.

SECTION 701.20. (A) The Ohio Commission on Local Government Reform and Collaboration shall develop recommendations on ways to increase the efficiency and effectiveness of local government operations, to achieve cost savings for taxpayers, and to facilitate economic development in this state. In developing the recommendations, the commission shall consider, but is not limited to, the following:

(1) Restructuring and streamlining local government offices to achieve efficiencies and cost savings for taxpayers and to facilitate local economic development;

(2) Restructuring and streamlining special taxing districts and local government authorities authorized by the constitution or the laws of this state to levy a tax of any kind or to have a tax of any kind levied on its behalf, and of local government units, including schools and libraries, to reduce overhead and administrative expenses;

(3) Restructuring, streamlining, and finding ways to collaborate on the delivery of services, functions, or authorities of local government to achieve cost savings for taxpayers;

(4) Examining the relationship of services provided by the state to services provided by local government and the possible realignment of state and local services to increase efficiency and improve accountability; and

(5) Ways of reforming or restructuring constitutional, statutory, and administrative laws to facilitate collaboration for local economic development, to increase the efficiency and effectiveness of local government operations, to identify duplication of services, and to achieve costs savings for taxpayers.

(B)(1) There is hereby created the Ohio Commission on Local Government Reform and Collaboration, consisting of fifteen voting members. The President of the Senate shall appoint three members, one of whom may be a person who is recommended by the Minority Leader of the

Senate. The Speaker of the House of Representatives shall appoint three members, one of whom may be a person who is recommended by the Minority Leader of the House of Representatives. The Governor shall appoint three members. One member shall be appointed by, and shall represent, each of the following organizations: the Ohio Municipal League, the Ohio Township Association, the Ohio School Boards Association, the County Commissioners' Association of Ohio, the Ohio Library Council, and the Ohio Association of Regional Councils. The initial appointments shall be made not later than ninety days after the effective date of this section. Vacancies shall be filled in the manner provided for original appointments. Members are not entitled to compensation for their services.

(2) The initial meeting of the commission shall be called by the Governor within forty-five days after the initial appointments to the commission are complete. The commission shall elect two of its members to serve as co-chairpersons of the commission.

(C) The commission may create an advisory council consisting of interested parties representing taxing authorities and political subdivisions that are not taxing authorities. The appointment of members to the advisory council is a matter of the commission's discretion. The commission may direct the advisory council to provide relevant information to the commission. Advisory council members are not members of the commission, and may not vote on commission business.

(D) The commission may consult with and obtain assistance from state institutions of higher education (as defined in section 3345.011 of the Revised Code) and from business organizations for research and data gathering related to its mission. State institutions of higher education and business organizations shall cooperate with the commission.

(E) The commission shall issue a report of its findings and recommendations to the President of the Senate, the Speaker of the House of Representatives, and the Governor not later than July 1, 2010. The commission ceases to exist upon submitting its report.

SECTION 703.30. (A) The Commission on Cuyahoga County Government Reform shall develop recommendations by which Cuyahoga County may, with a vote of the people, restructure, reform, or otherwise reorganize the county government to implement a more effective, efficient, and financially and economically viable county government structure to better serve the people of Cuyahoga County.

(B)(1) There is hereby created the Commission on Cuyahoga County Government Reform, consisting of nine members. The President of the

Senate shall appoint three members, one of whom may be a person who is recommended by the Minority Leader of the Senate. The Speaker of the House of Representatives shall appoint three members, one of whom may be a person who is recommended by the Minority Leader of the House of Representatives. The Governor shall appoint three members. All the members shall be residents of Cuyahoga County. The initial appointments shall be made not later than fifteen days after the effective date of this section. Vacancies shall be filled in the manner provided for original appointments.

(2) The initial meeting of the commission shall be within thirty days after the effective date of this section. At the initial meeting, by a majority vote of the commission members, the commission shall elect one of its members to serve as chairperson of the commission.

(C) The commission may consult with and obtain assistance from a business organization within Cuyahoga County for research and data gathering related to its mission. The commission may use moneys available to it for this purpose.

(D) All meetings of the commission are subject to section 121.22 of the Revised Code. All records of the commission are public records for purposes of section 149.43 of the Revised Code.

(E) Not later than November 7, 2008, the commission shall issue a report of its findings and recommendations to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, the Minority Leader of the Senate, and the chairpersons and ranking members of the standing committees of the General Assembly that deal with local government issues. The recommendations of the commission shall be in legislative form. The Legislative Service Commission shall provide staff and resources necessary so that the recommendations are in proper legislative form.

(F) The commission ceases to exist upon submitting its report.

SECTION 705.10. Notwithstanding section 5709.73 of the Revised Code, a board of township trustees of a township with a population exceeding fifty-five thousand according to the most recent federal decennial census may adopt a resolution under division (B) of that section on or before December 31, 2008, by majority vote. Such a board may adopt a resolution under division (C) of that section on or before December 31, 2008, by majority vote, if the other requirements of that division are satisfied.

SECTION 707.20. (A) As used in this section:

(1) "Active business operations" means all business operations that are not inactive business operations.

(2) "Business operations" means engaging in commerce in any form in Sudan or Iran, including by maintaining, selling, acquiring, developing, owning, possessing, operating, or leasing equipment, facilities, personnel, products, services, personal or real property, or any other apparatus of business or commerce.

(3) "Company" means a sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company, business association, or other entity, including any wholly-owned subsidiary, majority-owned subsidiary, parent company, or affiliate of any of those types of entities, that exists for the purpose of making a profit.

(4) "Complicit" means taking actions during any preceding twenty-month period that directly support or promote the genocidal campaign in the Darfur region of Sudan, including, but not limited to, preventing members of the population of the Darfur region of Sudan negatively affected by genocide from communicating with each other; encouraging Sudanese citizens to speak against the internationally approved security force that provides aide to the Darfur region; actively working to deny, cover up, or alter the record on human rights abuses in Darfur; or other similar actions.

(5) "Direct holdings" means all stocks or bonds of a company held directly by the Ohio Police and Fire Pension Fund or held in an account or fund of which the Fund owns all of the shares or interests.

(6) "Government of Iran" means the Islamic Republic of Iran, its instrumentalities, and companies owned or controlled by the government of Iran.

(7) "Government of Sudan" means the government in Khartoum, Sudan, that is led by the National Congress Party, formerly known as the National Islamic Front, or any successor government formed on or after October 13, 2006, including the coalition national unity government agreed upon in the "2005 Comprehensive Peace Agreement," and does not include the regional government of southern Sudan.

(8) "Inactive business operations" means those business operations conducted by a company that involve only the continued holding or renewal of rights to property that, at one time, was used for the purpose of generating revenue for the company but is not presently used for such purpose.

(9) "Indirect holdings" means all stocks and bonds of a company that are not direct holdings and are held in an account or fund in which the Ohio Police and Fire Pension Fund owns shares or interests together with other investors not subject to the provisions of this section, as well as any private equity fund, private equity fund-of-funds, venture capital fund, hedge fund, hedge fund-of-funds, real estate fund or other investment vehicle that is not publicly traded, mutual funds, and pooled or securitized investment vehicles.

(10) "Iran" means the Islamic Republic of Iran.

(11) "Marginalized populations of Sudan" includes, but is not limited to, all of the following:

(a) The portion of the population in the Darfur region that has been negatively affected by genocide;

(b) The portion of the population of southern Sudan negatively affected by the civil war that occurred between the north and south regions of Sudan;

(c) The Beja, Rashidiya, and other similarly underserved groups of eastern Sudan;

(d) The Nubian and other similarly underserved groups in the Abyei, southern blue Nile, and Nuba mountain regions of Sudan;

(e) The Amri, Hamadab, Manasir, and other similarly underserved groups of northern Sudan.

(12) "Military equipment" means weapons, arms, military supplies, and equipment including, but not limited to, radar systems, or military-grade transport vehicles, that readily may be used for military purposes; or supplies or services sold or directly or indirectly provided to any force actively participating in armed conflict in Sudan.

(13) "Mineral extraction activities" include exploring, extracting, processing, transporting, or wholesale selling or trading of elemental minerals or associated metal alloys or oxides, also known as ore, including gold, copper, chromium, chromite, diamonds, iron, iron ore, silver, tungsten, uranium, and zinc; and includes facilitating such activities, including by providing supplies or services in support of such activities.

(14) "Oil-related activities" includes, but is not limited to, owning rights to oil blocks; exporting, extracting, producing, refining, processing, exploring for, transporting, selling, or trading of oil; constructing, maintaining, or operating a pipeline, refinery, or other oil-field infrastructure; or facilitating such activities, including by providing supplies or services in support of such activities. "Oil-related activities" does not mean engaging in only the retail sale of gasoline and related consumer products.

(15) "Petroleum resource" means petroleum, petroleum byproducts, or natural gas.

(16) "Power production activities" means any business operation that involves a project commissioned by the national electricity corporation of Sudan or other similar entity of the government of Sudan whose purpose is to facilitate power generation and delivery, including, but not limited to, establishing power-generating plants or hydroelectric dams, selling or installing components for a project, providing service contracts related to the installation or maintenance of a project, or facilitating any of these activities, including by providing supplies or services in support of such activities.

(17) "Public fund" means the assets included in any fund portfolio that is under the control of, or controlled on behalf of, the Ohio Police and Fire Pension Fund.

(18) "Scrutinized active business operation" means active business operations that have resulted in a company becoming a scrutinized company.

(19) "Scrutinized business operations" means business operations that have resulted in a company that meets any of the following criteria:

(a) The company has business operations that involve contracts with or provision of supplies or services to the government of Sudan, companies in which the government of Sudan has any direct or indirect equity share, consortiums or projects commissioned by the government of Sudan, or companies involved in consortiums or projects commissioned by the government of Sudan, and more than ten per cent of the company's revenues or assets linked to Sudan involve oil-related activities or mineral-extraction activities; less than seventy-five per cent of the company's revenues or assets linked to Sudan involve contracts with or provision of oil-related or mineral-extracting products or services to the regional government of southern Sudan or a project or consortium created exclusively by that regional government; and the company has failed to take substantial action specific to Sudan; or more than ten per cent of the company's revenues or assets linked to Sudan involve power-production activities; less than seventy-five per cent of the company's power-production activities include projects whose intent is to provide power or electricity to the marginalized populations of Sudan; and the company has failed to take substantial action specific to Sudan.

(b) The company is complicit in the Darfur genocide.

(c) The company supplies military equipment within Sudan, unless it clearly shows that the military equipment cannot be used to facilitate offensive military actions in Sudan or the company implements rigorous and

verifiable safeguards to prevent use of that equipment by forces actively participating in armed conflict. Examples of safeguards include post-sale tracking of such equipment by the company, certification from a reputable and objective third party that such equipment is not being used by a party participating in armed conflict in Sudan, or sale of such equipment solely to the regional government of southern Sudan or any internationally recognized peacekeeping force or humanitarian organization.

(d)(i) The company has business operations that involve contracts with or provision of supplies or services to the government of Iran, companies in which the government of Iran has any direct or indirect equity share, consortiums, or projects commissioned by the government of Iran, or companies involved in consortiums or projects commissioned by the government of Iran, and one of the following apply: more than ten per cent of the company's total revenues or assets are linked to Iran and involve oil-related activities, mineral-extraction activities, or petroleum resources; the company has, with actual knowledge, on or after August 5, 1996, made an investment of twenty million dollars or more, or any combination of investments of at least ten million dollars each, which in the aggregate equals or exceeds twenty million dollars in any twelve-month period, and which directly or significantly contributes to the enhancement of Iran's ability to develop the petroleum resources of Iran; the company is engaged in business with an Iranian organization labeled as a terrorist organization by the United States government.

(ii) Any company that takes substantial action specific to Iran shall not meet the criteria to be deemed a company involved in scrutinized business operations.

(20) "Social development company" means a company whose primary purpose in Sudan is to provide only the following humanitarian goods or services to the people of Sudan:

- (a) Medicine or medical equipment;
- (b) Agricultural supplies or infrastructure;
- (c) Educational opportunities;
- (d) Journalistic activities;
- (e) Information or information materials;
- (f) Spiritual-related activities;
- (g) Services of a purely clerical or reporting nature;
- (h) Food, clothing, or general consumer goods that are unrelated to oil-related activities, mineral extraction activities, or power production activities.

(21) "Substantial action specific to Iran" means adopting, publicizing,

and implementing a formal plan to cease scrutinized business operations within one year and to refrain from any such new business operations.

(22) "Substantial action specific to Sudan" means adopting, publicizing, and implementing a formal plan to cease scrutinized business operations within one year and to refrain from any such new business operations; undertaking humanitarian efforts in conjunction with an international organization, the government of Sudan, the regional government of southern Sudan, or a nonprofit entity evaluated and certified by an independent third party to be substantially in a relationship to the company's Sudan business operations and of benefit to one or more marginalized populations of Sudan; or, through engagement with the government of Sudan, materially improving conditions for the genocidally victimized population in Darfur.

(23) "Sudan" means the Republic of the Sudan.

(B)(1) Within ninety days after the effective date of this section, the Ohio Police and Fire Pension Fund shall make its best efforts to identify all publicly traded companies involved in scrutinized business operations in which the Fund has direct or indirect holdings or could possibly have such holdings in the future. The efforts shall include:

(a) Reviewing and relying, as appropriate in the Fund's judgment, on publicly available information regarding companies having business operations in Iran or Sudan, including information provided by nonprofit organizations, research firms, international organizations, and government entities;

(b) Contacting asset managers contracted by the Fund that invest in companies having business operations in Iran or Sudan;

(c) Contacting other institutional investors that have divested from or engaged with companies that have business operations in Iran or Sudan;

(d) Reviewing the laws of the United States regarding the levels of business activity that would cause application of sanctions for companies conducting business or investing in countries that are designated state sponsors of terror.

(2) Within ninety days after the effective date of this section, the Fund shall create a "scrutinized companies with activities in Sudan list" and a "scrutinized companies with activities in Iran list," consisting of all publicly traded companies identified in division (B)(1) of this section, shall make the lists publicly available, and shall update the lists annually.

(3) Notwithstanding the provisions of this section, a social-development company that is not complicit in the Darfur genocide is not considered a scrutinized company.

(4) The Fund shall engage the companies on the scrutinized companies

with activities in Sudan list and the scrutinized companies with activities in Iran list, in which the Fund owns direct or indirect holdings, according to the following:

(a) For each company identified in this paragraph that has only inactive business operations, the Fund shall send a written notice informing the company of the requirements of this section and encouraging it to continue to refrain from initiating active business operations in Iran or Sudan until it is able to avoid scrutinized business operations. The Fund shall continue such correspondence semiannually.

(b) For each company newly identified under this section that has active business operations, the Fund shall send a written notice informing the company of its scrutinized company status and that it may become subject to divestment by the Fund. The notice shall inform the company of the opportunity to clarify its Iran-related or Sudan-related activities and encourage the company, within ninety days, to cease its scrutinized business operations or convert such operations to inactive business operations in order to avoid qualifying for divestment by the Fund.

(c) If, within ninety days after the Fund creates the lists pursuant to division (B)(2) of this section, a company on either list ceases scrutinized business operations, the Fund shall remove the company from the scrutinized companies with activities in Sudan list and the scrutinized companies with activities in Iran list, and the provisions of this section shall cease to apply to that company unless that company resumes scrutinized business operations. If, within ninety days after the Fund creates the list, the company converts its scrutinized active business operations to inactive business operations, the company is subject to all provisions of this section relating to inactive business operations. A company may be on both the scrutinized companies with activities in Sudan list and the scrutinized companies with activities in Iran list. A company may be removed from one list but remain on the other list, in which case the company is subject to the provisions of this section applicable to the list on which the company remains.

(d) The Fund shall submit letters to the managers of actively managed investment funds containing indirect holdings in companies identified in division (B)(1) of this section that have scrutinized active business operations requesting that they consider removing such companies from the Fund or create a similar actively managed fund having indirect holdings devoid of such companies.

(C) The Ohio Police and Fire Pension Fund Board shall adopt a policy to address divestiture of holdings in companies identified and engaged

pursuant to division (B) of this section. The goal of the policy shall be to achieve complete divestiture from such holdings when divestiture would be prudent and consistent with the Board's fiduciary duty. The policy shall be developed within thirty days after the effective date of this section.

(D)(1) The Ohio Police and Fire Pension Fund shall file a report with the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of Representatives, and the Ohio Retirement Study Council that includes the scrutinized companies with activities in Sudan list and the scrutinized companies with activities in Iran list within thirty days after the list is created and within thirty days after the list is updated. The Fund shall make the report available to the public.

(2) The Fund shall file a report annually, which shall be made available to the public, to the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of Representatives, the Ohio Retirement Study Council, and the Workers Compensation Council, and send a copy of that report to the United States Presidential Special Envoy to Sudan and the United States Presidential Special Envoy to Iran, or an appropriate designee or successor, that includes:

(a) A summary of correspondence with companies engaged by the Fund pursuant to this section;

(b) All investments sold, redeemed, divested, or withdrawn pursuant to this section;

(c) Any progress made under division (B)(4)(d) of this section;

(d) A list of all publicly traded securities held directly by the Fund.

(E) If any of the following occur, the Ohio Police and Fire Pension Fund shall no longer assemble the scrutinized companies with activities in Sudan list, shall cease engagement and divestment of such companies, and may reinvest in such companies as long as such companies do not satisfy the criteria for inclusion in the scrutinized companies with activities in Iran list:

(1) Congress or the President of the United States determines that the government of Sudan has sufficiently halted the genocide in the Darfur region for at least twelve months.

(2) The federal government revokes all sanctions imposed against the government of Sudan.

(3) Congress or the President of the United States, through legislation or executive order, declares that mandatory divestment of the type provided for in this section interferes with the conduct of United States foreign policy.

(4) Congress or the President of the United States declares that the

government of Sudan has honored its commitments to cease attacks on civilians, demobilize and demilitarize the Janjaweed and associated militias, grant free and unfettered access for deliveries of humanitarian assistance, and allow for the safe and voluntary return of refugees and internally displaced persons.

(F) If any of the following occur, the Fund shall no longer assemble the scrutinized companies with activities in Iran list and shall cease engagement, investment prohibitions, and divestment. The Fund may reinvest in such companies as long as such companies do not satisfy the criteria for inclusion in the scrutinized companies with activities in Sudan list:

(1) Congress or the President of the United States determines that the government of Iran has ceased to acquire weapons of mass destruction and support international terrorism.

(2) The federal government revokes all sanctions imposed against the government of Iran.

(3) Congress or the President of the United States declares that mandatory divestment of the type provided for in this act interferes with the conduct of United States foreign policy.

(G) The Ohio Police and Fire Pension Fund is not liable for breach of the Fund's fiduciary duty if the Fund complies in good faith with the requirements of this section. If the Fund made determinations in good faith regarding the status of a company as required under this section, the members are not liable in an action for libel or slander. All former, present, or future members of the Ohio Police and Fire Pension Fund Board of Trustees and all officers, employees, and agents of the Fund shall be indemnified, whether jointly or severally, for all claims, demands, suits, actions, damages, judgments, costs, charges, and expenses, including court costs and attorney's fees, and against all liability, losses, and damages of any nature that such board members, officers, employees, or agents may incur by reason of any decision to restrict, reduce, or eliminate investments in companies doing business in Iran or Sudan. A Board member, officer, employee, or agent of the Fund shall be indemnified through the Fund. In any action pursuant to this section, the Board has any rights granted in section 109.98 of the Revised Code.

SECTION 711.10. (A) As used in this section, "Community development bank" has the meaning as set forth in the "Federal Deposit Insurance Corporation Improvement Act of 1991," 105 Stat. 2317, 12 U.S.C. 1834b(e)(1).

(B) Notwithstanding any contrary provision of section 135.33 of the

Revised Code, a community development bank, pursuant to that section, may apply to, and be designated by, a county as a depository of active moneys during the county's period of designation in effect on the effective date of this section if all of the following apply:

(1) The bank is located in a county with a population of over one million three hundred thousand people based on the most recent decennial census figures from the United States Department of Commerce, Division of Census;

(2) The bank has previously served the county described in division (B)(1) of this section as a depository;

(3) The bank applies to the county described in division (B)(1) of this section to be a depository; and

(4) The bank is an eligible institution under section 135.32 of the Revised Code.

SECTION 715.10. The Department of Natural Resources and the Department of Public Safety shall seek all available federal money to assist the City of Findlay in rebuilding infrastructure or building preventative infrastructure with respect to flood mitigation and preparation.

SECTION 715.50. (A) There is hereby created the State Park and Recreational Area Study Committee consisting of the following members:

(1) The Director of Natural Resources or the Director's designee;

(2) Two members representing the public appointed by the Governor who have general knowledge of the operation of a park or recreational area;

(3) Three members appointed by the Speaker of the House of Representatives who may be members of the House of Representatives or individuals representing the public. A member representing the public shall have general knowledge of the operation of a park or recreational area.

(4) Three members appointed by the President of the Senate who may be members of the Senate or individuals representing the public. A member representing the public shall have general knowledge of the operation of a park or recreational area.

(B) All appointments to the Committee shall be made not later than thirty days after the effective date of this section. The Director of Natural Resources shall serve as the chairperson of the Committee.

(C) Members of the Committee shall serve without compensation and shall not be reimbursed for expenses.

(D) The Department of Natural Resources shall provide administrative

support if requested by the Committee.

(E) The Committee shall study and assess the current and future operating budgets of the state parks and of recreational areas under the control of the Department of Natural Resources and the condition of the current infrastructure and future needs of the state parks and those recreational areas.

(F) Not later than December 31, 2008, the Committee shall submit a report of its findings to the Governor, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, the President of the Senate, and the Minority Leader of the Senate. Upon the submission of the report, the Committee shall cease to exist.

SECTION 733.10. (A) As used in this section:

(1) "Eligible school district" means a city, exempted village, or local school district for which the certification of taxable values made under division (A) of section 3317.021 of the Revised Code for fiscal year 2007 and for fiscal year 2008 erroneously included at least ten million dollars in assessed value of tax-exempt public utility property.

(2) "Tax-exempt public utility property" means real or tangible personal property used in the provision of a public utility service that was exempted from taxation for tax years 2005 and 2006 under section 5709.62 or 5709.63 of the Revised Code.

(3) "State education aid" has the same meaning as in section 5751.20 of the Revised Code, except that for fiscal year 2007, state education aid includes both of the following:

(a) The transportation payment calculated under Section 206.09.21 of Am. Sub. H.B. 66 of the 126th General Assembly, as amended, instead of division (D) of section 3317.022 of the Revised Code;

(b) Transitional aid calculated under Section 206.09.39 of that act, as amended.

(4) "2005 valuation adjustment" means the assessed value of tax-exempt public utility property that was included in the certification made under division (A) of section 3317.021 of the Revised Code for fiscal year 2007.

(5) "2006 valuation adjustment" means the assessed value of tax-exempt public utility property that was included in the certification made under division (A) of section 3317.021 of the Revised Code for fiscal year 2008.

(6) "Total taxes charged and payable for current expenses" has the same meaning as in section 3317.0216 of the Revised Code.

(7) "2005 local revenue adjustment" means the amount of total taxes charged and payable for current expenses, as calculated for an eligible

school district for fiscal year 2007, that is attributable to the tax exempt public utility property that was included in the certification made under division (A)(3)(a) of section 3317.021 of the Revised Code for that fiscal year.

(8) "2006 local revenue adjustment" means the amount of total taxes charged and payable for current expenses, as calculated for an eligible school district for fiscal year 2008, that is attributable to the tax exempt public utility property that was included in the certification made under division (A)(3)(a) of section 3317.021 of the Revised Code for that fiscal year.

(B)(1) The Department of Education shall recompute an eligible school district's state education aid for fiscal year 2007 by reducing the total taxable value certified for the district under division (A) of section 3317.021 of the Revised Code for that fiscal year by an amount equal to the 2005 valuation adjustment, and by reducing the district's total taxes charged and payable for current expenses for that fiscal year by the 2005 local revenue adjustment, and pay the district the increase in state education aid resulting from the recomputation. Each component of state education aid affected by the valuation and revenue adjustment shall be recomputed. Within forty-five days after the effective date of this section, the payment shall be made from money appropriated for fiscal year 2008 under the appropriation line items corresponding with the components of state education aid required to be recomputed under this division.

(2) The Department of Education shall recompute an eligible school district's state education aid for fiscal year 2008 by reducing the total taxable value certified for the district under division (A) of section 3317.021 of the Revised Code for that fiscal year by an amount equal to the 2006 valuation adjustment, and by reducing the district's total taxes charged and payable for current expenses for that fiscal year by the 2006 local revenue adjustment, and pay the district the increase in state education aid resulting from the recomputation. Each component of state education aid affected by the valuation and revenue adjustment shall be recomputed. The payment shall be made from money appropriated for fiscal year 2008 under the appropriation line items corresponding with the components of state education aid required to be recomputed under this division. The amount of the payment shall be divided in equal amounts among the remaining payments of state education aid required to be made during fiscal year 2008 that have not been paid before the effective date of this section, and paid at the same time as those payments.

(3) The recomputed total taxable value, the recomputed total taxes

charged and payable for current expenses, and state education aid recomputed under divisions (B)(1) and (2) of this section shall be regarded as the district's total taxable value, total taxes charged and payable for current expenses, and state education aid for fiscal year 2007 and 2008, respectively, for all purposes of Chapter 3317. of the Revised Code; Am. Sub. H.B. 66 of the 126th General Assembly, including the computation of transitional aid under Section 206.09.39 of that act, as amended; and Am. Sub. H.B. 119 of the 127th General Assembly, including under Section 269.30.80 of that act.

(4) Any amounts payable under division (B)(1) or (2) of this section shall be reduced by any amount paid under section 3317.026 of the Revised Code if the amount paid under that section was paid on account of refunded taxes charged against tax-exempt public utility property for tax year 2005 or 2006 and for which recomputation is made under division (B) of this section.

(C) The Department of Education shall recompute an eligible school district's adjusted valuation per pupil, three-year average adjusted valuation per pupil, and average taxable value for the purposes of ranking the district under section 3318.011 of the Revised Code, and determining the district's portion of the basic project cost under section 3318.032 of the Revised Code, for any such computation that includes the taxable values certified for the district for tax year 2005 or 2006 under division (A) of section 3317.021 of the Revised Code. For computations of valuation per pupil or average taxable value that include the taxable value certified for tax year 2005, the recomputation shall incorporate the taxable values so certified reduced by the 2005 valuation adjustment. For computations of valuation per pupil or average taxable value that include the taxable value certified for tax year 2006, the recomputation shall incorporate the taxable values so certified reduced by the 2006 valuation adjustment. Within forty-five days after the effective date of this act, the Department shall adjust the percentile ranking of the district in the same manner as it was certified to the Ohio School Facilities in September 2007, but using the 2005 and 2006 valuation adjustments, and perform the Department's other duties under section 3318.011 of the Revised Code to reflect the recomputations, and shall certify the recomputations and other information required by that section to the Ohio School Facilities Commission. The Commission shall adjust the portion of basic project cost to be supplied by the district on the basis of the department's certification.

SECTION 733.12. The education aid growth recalculations made under

division (B) of section 5727.85 of the Revised Code for October 31, 2007, shall be calculated as if the amendments by this act of that section were effective at that time. Any school district that becomes eligible for payment in calendar year 2008 because of the recalculation shall receive its first-half payment along with its second-half payment in August 2008.

SECTION 733.13. (A) As used in this section, "equity list" means the school district percentile rankings calculated under section 3318.011 of the Revised Code.

(B) Not later than thirty days after the effective date of this section, the Department of Education shall create an alternate equity list for fiscal year 2008 by recalculating each school district's percentile ranking under section 3318.011 of the Revised Code and shall certify the alternate equity list to the Ohio School Facilities Commission. For this purpose, the Department shall recalculate every school district's percentile ranking using the district's "valuation per pupil" as that term is defined in the version of section 3318.011 of the Revised Code in effect on and after September 29, 2007. When recalculating the percentile rankings, the Department shall use the same values for "average taxable value," "formula ADM," and "income factor," as those terms are defined in section 3318.011 of the Revised Code, that it used in calculating the original equity list for fiscal year 2008 certified to the Commission on September 5, 2007, and shall not use any updated values for those variables.

(C) The Commission shall use the alternate equity list certified under division (B) of this section to determine the priority for assistance under sections 3318.01 to 3318.20 of the Revised Code in fiscal year 2009 for each school district that has not previously been offered funding under those sections. The alternate equity list shall not affect any school district's eligibility for the Exceptional Needs School Facilities Assistance Program under section 3318.37 of the Revised Code.

(D) Notwithstanding any provision of Chapter 3318. of the Revised Code to the contrary, for each school district that receives the Commission's conditional approval of the district's project under sections 3318.01 to 3318.20 or section 3318.37 of the Revised Code in fiscal year 2009, the district's portion of the basic project cost shall be the lesser of the following:

(1) The amount required under section 3318.032 of the Revised Code calculated using the percentile in which the district ranks on the alternate equity list certified under division (B) of this section;

(2) The amount required under section 3318.032 of the Revised Code calculated using the percentile in which the district ranks on the original equity list for fiscal year 2008.

SECTION 733.14. (A) As used in this section:

(1) "Alternative equity list" means a rank order of all city, exempted village, and local school districts into percentiles according to the one-year adjusted valuation per pupil of each district from lowest to higher adjusted valuation per pupil, computed as follows:

(The district's total taxable value for tax year 2006 / the district's formula ADM for fiscal year 2007) - [$\$30,000 \times (1 - \text{the district's income factor for fiscal year 2007})$]

(2) "Original equity list" means the school district percentile ranking according to the three-year average adjusted valuation per pupil of all city, exempted village, and local school districts calculated under section 3318.011 of the Revised Code and certified to the Ohio School Facilities Commission on September 5, 2007.

(3) "Project" has the same meaning as in section 3318.01 of the Revised Code.

(4) "School district's portion of the basic project cost" means the portion of the basic project cost computed under section 3318.032 of the Revised Code.

(5) "Total taxable value," "formula ADM," and "income factor" have the same meanings as in section 3317.02 of the Revised Code.

(B) Not later than thirty days after the effective date of this section, the Department of Education shall create the alternative equity list defined in this section and shall certify that list to the Ohio School Facilities Commission for its use in determining funding of school district projects for fiscal year 2009, in the manner prescribed in division (C) of this section.

(C) Notwithstanding any provision to the contrary in Chapter 3318. of the Revised Code, for fiscal year 2009 only, in the case of any school district that has not received funding under sections 3318.01 to 3318.20 of the Revised Code in any fiscal year prior to fiscal year 2009 and for which the district's rank on the alternative equity list is at least fifteen percentiles lower than the district's rank on the original equity list:

(1) The Commission shall use the district's percentile on the alternative equity list to determine the district's priority for assistance and the school district's portion of the basic project cost for a project under sections 3318.01 to 3318.20 of the Revised Code, rather than the district's percentile on the original equity list as otherwise provided under those sections;

(2) The Commission shall use the district's percentile on the alternative equity list to determine the school district's portion of the basic project cost for a project under section 3318.37 of the Revised Code, rather than the district's percentile on the original equity list as otherwise provided under that section. The alternative equity list shall not affect any school district's eligibility and priority for assistance under that section.

The Commission shall not use the alternative equity list to determine the priority for funding or a school district's portion of the basic project cost for any other school district or for any other program administered by the Commission.

(D) If a school district is offered funding under sections 3318.01 to 3318.20 or section 3318.37 of the Revised Code for fiscal year 2009 based on this section, the district's project shall proceed as specified in those sections, except as otherwise provided in this section.

SECTION 733.15. Notwithstanding division (B) of section 3318.40 of the Revised Code, the Ohio School Facilities Commission may set aside up to three per cent of the aggregate amount appropriated to it in fiscal year 2008 for classroom facilities assistance projects in the Education Facilities Trust Fund established under section 183.26 of the Revised Code, the Public School Building Fund established under section 3318.15 of the Revised Code, and the School Building Program Assistance Fund established under section 3318.25 of the Revised Code to provide assistance to joint vocational school districts for the acquisition of classroom facilities in accordance with sections 3318.40 to 3318.45 of the Revised Code.

SECTION 733.20. Notwithstanding any provision to the contrary in Chapter 3314. of the Revised Code, with respect to the calculation of full-time equivalency under division (L)(3) of section 3314.08 of the Revised Code, the Superintendent of Public Instruction shall waive the number of hours or days of learning opportunities not offered to a student because a community school was closed during the 2007-2008 school year due to disease epidemic, hazardous weather conditions, inoperability of school buses or other equipment necessary to the school's operation, damage to a school building, or other temporary circumstances due to utility failure rendering the school building unfit for school use, so long as the school was actually open for instruction with pupils in attendance during that school year for not less than nine hundred twenty hours. For purposes of determining funding for the community school under Chapter 3314. of the

Revised Code for the 2007-2008 school year, the Department of Education shall treat the school as if it were open for instruction with pupils in attendance during the hours or days waived under this section.

SECTION 733.21. (A) Notwithstanding sections 3313.48, 3313.481, and 3317.01 of the Revised Code, no school district to which the following conditions apply shall be required to make up any days or hours a school was closed during the 2007-2008 school year due to flooding from a burst water pipe:

(1) The flooding caused the school to be closed for only one day in excess of the number permitted by sections 3313.48, 3313.481, and 3317.01 of the Revised Code and the other schools of the district were not closed for any days in excess of the number permitted by those sections.

(2) The length of the school day for the school closed due to flooding exceeds the minimum number of hours required by the State Board of Education under section 3313.48 of the Revised Code by at least one-half hour.

(B) A school district described in division (A) of this section shall not be considered to have failed to comply with division (B) of section 3317.01 of the Revised Code during the 2007-2008 school year for purposes of receiving state payments under Chapter 3317. of the Revised Code in fiscal year 2009.

SECTION 733.30. (A)(1) The clearinghouse of distance learning courses established under former sections 3353.20 to 3353.30 of the Revised Code is hereby moved from the eTech Ohio Commission to the Chancellor of the Ohio Board of Regents. On and after the effective date of this section, that clearinghouse shall be administered by the Chancellor in the manner prescribed by sections 3353.20 (3333.81), 3353.21 (3333.82), 3353.22 (3333.83), 3353.26 (3333.85), 3353.27 (3333.86), 3353.28 (3333.87), and 3353.29 (3333.88) of the Revised Code, as amended and renumbered by this act, new section numbers indicated in parentheses, and section 3333.84 of the Revised Code as enacted by this act.

(2) The Chancellor is thereupon and thereafter successor to and assumes the obligations of the Commission as they relate to the distance learning clearinghouse.

(3) Any business commenced but not completed by the Commission

related to the distance learning clearinghouse shall be completed by the Chancellor in the same manner, and with the same effect, as if completed by the Commission. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of moving the clearinghouse from the Commission to the Chancellor.

(4) All of the rules of the Commission related to the distance learning clearinghouse continue in effect as rules of the Chancellor, until amended or rescinded by the Chancellor.

(B) No judicial or administrative action or proceeding related to the distance learning clearinghouse, in which the Commission is a party, that is pending on the effective date of this section is affected by reason of moving the clearinghouse from the Commission to the Chancellor. Such action or proceeding shall be prosecuted or defended in the name of the Chancellor. On application to the court or other tribunal, the Chancellor of the Ohio Board of Regents shall be substituted for the eTech Ohio Commission as a party to such action or proceeding.

(C) On the effective date of this section, all books, records, documents, files, transcripts, equipment, furniture, supplies, and other materials related to the distance learning clearinghouse assigned to or in the possession of the Commission shall be transferred to the Chancellor.

SECTION 733.40. DOE MEDICAID SCHOOL COMPONENT OF THE MEDICAID PROGRAM

Upon the request of the Superintendent of Public Instruction, the Director of Budget and Management may transfer up to \$1,000,000 cash and appropriation in fiscal year 2009 from General Revenue Fund appropriation item 200550, Foundation Funding, to appropriation item 200603, Schools Medicaid Administrative Claims (Fund 3AF0). The funds transferred are to be used by the Department of Education to pay the expenses the Department incurs in administering the Medicaid School Component of the Medicaid program established under sections 5111.71 to 5111.715 of the Revised Code. On June 1, 2009, or as soon as possible thereafter, the Director of Budget and Management shall transfer cash and appropriation back to General Revenue Fund appropriation item 200550, Foundation Funding, the total amount transferred in fiscal year 2009.

The money deposited into the Medicaid School Program Administrative Fund (Fund 3AF0) pursuant to division (B) of section 5111.714 of the Revised Code is hereby appropriated to appropriation item 200603, Schools Medicaid Administrative Claims, for fiscal year 2009 and shall be used in accordance with division (D) of section 5111.714 of the Revised Code.

SECTION 733.50. Notwithstanding divisions (A)(1)(b) and (c) of section 3333.122 of the Revised Code, an Ohio resident who first enrolls in an undergraduate program in the 2008-2009 academic year in an education program of at least two years' duration sponsored by a private institution of higher education in this state that meets the requirements of Title VI of the Civil Rights Act of 1964 and that as of July 1, 2008, has a pending application for a certificate of authorization from the Chancellor of the Board of Regents pursuant to Chapter 1713. of the Revised Code shall be an eligible student, as defined in section 3333.122 of the Revised Code.

For purposes of this section, "pending application" means a submitted application approved as sufficient by the Chancellor and that has not been otherwise denied or withdrawn.

SECTION 733.60. The Governor shall consult with the Speaker of the House of Representatives and the President of the Senate prior to appointing initial members of the board of trustees of the Northeastern Ohio Universities College of Medicine under division (A)(3) of section 3350.10 of the Revised Code.

SECTION 737.10. HOME MEDICAL EQUIPMENT SERVICE PROVIDERS

If a provider of home medical equipment services holds a license or certificate of registration scheduled to expire in an odd-numbered year pursuant to sections 4752.05 and 4752.12 of the Revised Code, as those sections existed prior to being amended by this act, the next renewal of the license or certificate that occurs after the effective date of this section shall be processed by the Ohio Respiratory Care Board in accordance with the even-numbered year licensing and registration periods specified in sections 4752.05 and 4752.12 of the Revised Code, as amended by this act. The Board shall provide for a proportionate reduction in the renewal fee that otherwise would apply for renewing the license or certificate.

SECTION 743.10. (A) The amendments made to section 4301.43 and the enactment of sections 4303.071 and 4303.232 of the Revised Code by Am. Sub. H.B. 119 of the 127th General Assembly were not meant to subject the holders of B-2a permits or S permits to the tax levied under section 4301.43 of the Revised Code. The imposition of the tax levied under Section 4301.43

of the Revised Code on those permit holders was the result of a technical drafting error that the General Assembly is now correcting with this section.

(B) The Tax Commissioner shall determine the amount of tax that has been levied under section 4301.43 of the Revised Code on each holder of a B-2a permit and each holder of an S permit and that should not have been collected for the time period beginning on October 1, 2007, and ending on December 31, 2007, or for any period in calendar year 2008 for which a B-2a or S permit holder has already filed a return and paid the tax levied under section 4303.43 of the Revised Code prior to the effective date of this section. The Tax Commissioner then shall refund the amounts so determined to the applicable B-2a permit holders and S permit holders.

SECTION 751.10. ICF/MR CONVERSION

(A) As used in this section, "home and community-based services" has the same meaning as in section 5123.01 of the Revised Code.

(B) For each quarter of fiscal year 2009, the Director of Mental Retardation and Developmental Disabilities shall certify to the Director of Budget and Management the estimated amount to be transferred from the Department of Job and Family Services to the Department of Mental Retardation and Developmental Disabilities for the provision of home and community-based services made available by the slots sought under section 5111.877 of the Revised Code. On receipt of the certification from the Director of Mental Retardation and Developmental Disabilities, the Director of Budget and Management may do one or more of the following:

(1) Reduce GRF appropriation item 600-525, Health Care/Medicaid, in the Department of Job and Family Services, by the estimated amount for providing the home and community-based services and increase GRF appropriation item 322-416, Medicaid Waiver - State Match, in the Department of Mental Retardation and Developmental Disabilities, by the state share of the estimated amount for the provision of the home and community-based services;

(2) Increase appropriation item 322-639, Medicaid Waiver - Federal, in the Department of Mental Retardation and Developmental Disabilities, by the federal share amount of the estimated amount for the provision of the home and community-based services;

(3) Increase appropriation item 600-655, Interagency Reimbursement, in the Department of Job and Family Services, by the federal share of the estimated amount for the provision of the home and community-based

services.

SECTION 751.20. MONEY FOLLOWS THE PERSON ENHANCED REIMBURSEMENT FUND

The Money Follows the Person Enhanced Reimbursement Fund is hereby created in the state treasury. The federal payments made to the state under subsection (e) of section 6071 of the "Deficit Reduction Act of 2005," Pub. L. No. 109-171, shall be deposited into the Fund. The Department of Job and Family Services shall use money deposited into the Fund for system reform activities related to the Money Follows the Person demonstration project.

SECTION 751.23. JFS MEDICAID SCHOOL COMPONENT OF THE MEDICAID PROGRAM

At the request of the Director of Job and Family Services, the Director of Budget and Management may increase the appropriation in appropriation item 600655, Interagency Reimbursement, for fiscal year 2009 by the amounts the Department of Job and Family Services receives from the federal government for the federal share of Medicaid services provided under, and administrative costs of, the Medicaid School Component of the Medicaid program established under sections 5111.71 to 5111.715 of the Revised Code.

SECTION 751.30. MORATORIUM ON CLOSURE OF STATE MENTAL HEALTH FACILITIES

(A) As used in this section, "state mental health facility" means an institution for the care and treatment of individuals with mental illness that is maintained, operated, managed, and governed by the Department of Mental Health pursuant to Chapter 5119. of the Revised Code. *JS*

(B) Until six months after the effective date of this section, neither the Governor nor the Department of Mental Health shall close a state mental health facility, notwithstanding the provisions of Chapter 5119. of the Revised Code or any other provision of the Revised Code under which the Department has jurisdiction over state mental health facilities.

SECTION 753.10. (A) The Governor is hereby authorized to execute a deed in the name of the state conveying to a purchaser and the purchaser's successors and assigns or heirs and assigns all of the state's right, title, and

The above boxed and initialed text was disapproved.

Date: June 24, 2008

Ted Strickland

Ted Strickland, Governor

interest in the following described real estate:

Being situated in the State of Ohio, County of Marion, Township of Marion, and being a part of Section 26, Township 5 South, Range 15 East, Marion Township, Marion County, Ohio, and being part of a 2.424 acre tract conveyed to Franchise Realty Interstate Corporation by deed dated April 26, 1973, shown of record in Deed Book 490, Page 464, Recorder's Office, Marion County, Ohio, and being more particularly described as follows:

Beginning at a PK nail at the intersection of the easterly line of Section 26 (westerly line of Section 25), with the centerline of State Route #95 (Mount Vernon Avenue) (the centerline of State Route #95 is shown on Sheet 12 of 16 of the Right-of-Way Plans of MAR-95-16.49, Department of Highways, State of Ohio, Division 6, Delaware, Ohio), said nail is at the northeasterly corner of said 2.424 acre tract, and the northwesterly corner of a 30 acre tract (Tract #3) conveyed to the State of Ohio, shown of record in Deed Book 415, Page 207;

Thence South 0 degrees, 11 minutes 18 seconds West, along the easterly line of said 2.424 acre tract (easterly line of Section 26), and along the westerly line of said 30 acre tract (Tract #3) (westerly line of Section 25), passing an iron pin on the southerly right-of-way line of said State Route #95 at 43.01 feet, a total distance of 329.50 feet to an iron pin at the southeasterly corner of said 2.424 acre tract, and the northeasterly corner of a 17.08 acre tract conveyed to J.C. Neff and A.J. Uliano (Tract #1), shown of record in Deed Book 435, 346;

Thence South 88 degrees 44 minutes 48 seconds West, along the southerly line of said 2.424 acre tract, and along the northerly line of said 17.08 acre tract (Tract #1), a distance of 150.00 feet to an iron pin;

Thence North 0 degrees 11 minutes 18 seconds East, across said 2.424 acre tract, and along a line parallel to the easterly line of said 2.424 acre tract, (easterly line of Section 26), passing an iron pin on the southerly right-of-way line of said State Route #95 at 286.49 feet, a total distance of 329.50 feet to a PK nail on the centerline of said State Route #95 (northerly line of said 2.424 acre tract);

Thence North 88 degrees 44 minutes 48 seconds East, along the centerline of said State Route #95 (northerly line of said 2.424 acre tract), a distance of 150.00 feet to the place of beginning, containing 1.134 acres more or less of which 0.148 acres more or less is within the present right-of-way limits of said State Route #95, leaving a net acreage of 0.986 acres more or less.

LAST DEED REFERENCE: VOLUME 187 PAGE 558, RECORDS OF MARION COUNTY, OHIO.

(B) The sale of the real estate described in division (A) of this section shall be carried out by the Board of Trustees of The Ohio State University.

(C) Consideration for the real estate described in division (A) of this section shall be \$365,000, subject to adjustment pursuant to the purchase contract and costs incidental to the closing.

(D) Closing costs incident to the sale of the real estate described in division (A) of this section required to be paid by the seller under the purchase contract shall be paid by the Board of Trustees of The Ohio State University.

(E) Upon payment of the purchase price set forth in division (C) of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section, which deed shall state that the conveyance of the property is subject to real estate taxes and assessments not yet due and payable, those liens and encumbrances created or assumed by the purchaser, zoning ordinances and regulations, legal highways and public rights-of-way, and any easements, conditions, restrictions, and covenants of record.

The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the office of the Auditor of State for recording, and delivered to the purchaser. The purchaser shall present the deed for recording in the office of the Marion County Recorder.

(F) The net proceeds of the sale of the real estate described in division (A) of this section shall be deposited in The Ohio State University Land Purchase Account.

(G) This section expires one year after its effective date.

SECTION 753.20. (A) The Governor is hereby authorized to execute a Governor's Deed in the name of the state conveying to the Board of Commissioners of Shelby County, Ohio (grantee), and the grantee's successors and assigns, all of the state's right, title, and interest in the following described real estate:

Situated in the State of Ohio, County of Shelby, Township of Jackson, being a part of the Southeast Quarter of the Southeast Quarter of Section 29, Township 7 South, Range 7 East, and being resurvey of that 6.070-acre tract and that 2.820-acre tract as conveyed to State of Ohio in Deed Volume 221, Page 524, all references being to those of record in the Recorder's Office, Shelby County, Ohio, said 8.905-acre parcel being more particularly

bounded and described as follows:

Commencing at a railroad spike found at the intersection of State Route 119 (width varies) and Wones Road (50' in width), also being the southeast corner of Section 29;

Thence along the centerline of said State Route 119 and the southerly line of Section 29, North $89^{\circ}42'00''$ West, passing a mag nail found at 467.78 feet and 777.73 feet, a total distance of 1,222.65 feet to a mag nail set and being the Point of Beginning of the 8.905-acre parcel herein described;

Thence continuing along the said centerline, North $89^{\circ}42'00''$ West, 90.00 feet to a point at the southeasterly corner of the 76.990-acre tract as conveyed to Lois M. Steenrod and Daniel Steenrod in Deed Volume 290, Page 34;

Thence leaving the said centerline and along the easterly line of said Steenrod tract, North $00^{\circ}53'00''$ East, passing an iron pin set in the northerly right-of-way line of said State Route 119 at 50.00 feet, a total distance of 1,142.38 feet to an iron pin set at the southwesterly corner of the 5.92-acre tract as conveyed to Robert K. Depweg and Barbara A. Depweg in Deed Volume 299, Page 246;

Thence along the southerly line of said Depweg tract, the following three (3) courses and distances:

South $89^{\circ}47'00''$ East, 340.14 feet to an iron pin set;

South $00^{\circ}51'00''$ West, 13.69 feet to an iron pin set; and

South $89^{\circ}27'00''$ East, 194.11 feet to an iron pin set at the northwesterly corner of the 8.02-acre tract as conveyed to William Ray Young, Carolyn B. Young, and Robert L. Mummy in Deed Volume 301, Page 297;

Thence leaving the said southerly line and along the westerly line of said William Ray Young, Carolyn B. Young, and Robert L. Mummy tract, South $00^{\circ}51'00''$ West, 633.33 feet to an iron pin set at the northeasterly corner of the 2.206-acre tract as conveyed to Daniel W. Steenrod in Official Record Book 1599, Page 18;

Thence along the northerly line of said 2.206-acre tract and the northerly line of the 2.85-acre tract as conveyed to Daniel W. Steenrod in Deed Volume 327, Page 435, North $89^{\circ}42'00''$ West, 444.92 feet to an iron pin set at the northwesterly corner of said 2.85-acre tract;

Thence along the westerly line of said 2.85-acre tract, South $00^{\circ}51'00''$ West, passing an iron pin set in the said northerly right-of-way line at 445.00 feet, a total distance of 495.00 feet to the Point of Beginning and containing 8.905 acre, more or less.

The above described area is contained within Shelby County Auditor

Parcel Numbers 19-0629400.004 and 19-0629400.005.

The bearings in the above description are based on the Ohio State Plane Coordinate System, Ohio North Zone, NAD83.

All iron pins set are 5/8" rebar by 30 inches in length with red surveyors identification caps marked "J&H, PS 8283".

Subject to all valid and existing easements, restrictions and conditions of record.

This description may be modified to a final form if modifications are needed.

(B) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(C) The Governor's Deed shall state that consideration for the conveyance of the real estate described in division (A) of this section shall be \$1.00 as derived by mutual agreement between the Director of Administrative Services and the grantee through an executed offer to purchase real estate.

(D) Prior to the execution of the Governor's Deed, possession of the real estate described in division (A) of this section may be governed by an interim lease or license between the Ohio Department of Administrative Services and the grantee.

(E) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a Governor's Deed to the real estate described in division (A) of this section. The Governor's Deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the Governor's Deed for recording in the office of the Shelby County Recorder.

(F) The Governor's Deed shall contain a restriction that grantee shall extend the existing agreement between Dayton Public Television and the state, for Dayton Public Television's right to use the Premises and tower located thereon, described in division (A) of this section, through June 30, 2009.

(G) The risk of loss or damage to the real estate described in division (A) of this section shall remain with and is expressly assumed by the state until title passes at the time of the delivery of the Governor's Deed.

(H) The grantee shall pay the costs of the conveyance of the real estate described in division (A) of this section, including recordation costs of the Governor's Deed.

(I) This section expires one year after its effective date.

SECTION 757.10. The purpose of the amendment by this act of section 5709.121 of the Revised Code is to clarify the intent of the General Assembly that institutions of the kind described in the amendment are charitable institutions for the purposes of that section as it existed before the effective date of the amendment. Therefore, the amendment applies to any application for exemption, or the property that is the subject of such application, pending before the Tax Commissioner on the effective date of this act or filed thereafter.

SECTION 803.03. Notwithstanding division (E)(5) of section 5721.37 of the Revised Code, the holder of a certificate for which a notice of intent to foreclose has been filed with the county treasurer before the effective date of this section shall have ninety days from the effective date of this section to file foreclosure proceedings in a court of competent jurisdiction.

SECTION 803.06. The amendment by this act of section 5739.02 of the Revised Code, adding divisions (B)(49) and (50), applies to sales described in those divisions on or after August 1, 2008.

SECTION 803.10. That the amendment of section 5747.01 of the Revised Code by this act applies to taxable years beginning on or after January 1, 2008.

SECTION 803.20. The amendment by this act to section 6117.012 of the Revised Code applies to any proceedings, covenant, stipulation, obligation, resolution, trust agreement, indenture, loan agreement, lease agreement, agreement, act, or action, or part of it, pending on the effective date of this act.

SECTION 803.31. Sections 4117.14 and 4117.15 of the Revised Code, as amended by this act, apply only to collective bargaining agreements and extensions and renewals of those agreements entered into on or after the effective date of those sections as amended by this act.

SECTION 803.40. Sections 4123.26, 4123.32, 4123.37, and 4123.54 of

the Revised Code, as amended by this act, apply to all claims pursuant to Chapters 4121., 4123., and 4131. of the Revised Code arising on and after the effective date of those sections as amended by this act.

SECTION 803.43. Notwithstanding division (A) of section 4121.78 of the Revised Code, the amendments by this act to sections 4123.26, 4123.32, 4123.37, and 4123.54 of the Revised Code shall not be subject to the requirement that the Workers' Compensation Council study all changes to Chapters 4121., 4123., 4127., and 4131. of the Revised Code proposed to the General Assembly and to report to the General Assembly on their probable costs, actuarial implications, and desirability as a matter of public policy.

SECTION 803.50. BOARDS OF ALCOHOL, DRUG ADDICTION, AND MENTAL HEALTH SERVICES

The amendments made by this act to section 340.02 of the Revised Code specifying the areas of interest to be reflected in the composition of a board of alcohol, drug addiction, and mental health service do not affect the terms of the members holding office on the effective date of this section.

SECTION 806.10. The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any application of any item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

SECTION 812.10. Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section is subject to the referendum under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code. Such an amendment, enactment, or repeal takes effect on the date specified below for the amendment, enactment, or repeal or, if a date is not specified below for the amendment, enactment, or repeal, on the ninety-first day after this act is filed with the Secretary of State.

Sections 9.231, 9.24, 9.835, 107.19, 109.71, 113.061, 117.11, 120.08, 121.31, 122.171, 124.821, 125.02, 125.021, 125.022, 125.04, 125.041, 125.05, 125.051, 125.06, 125.07, 125.18, 125.25, 127.16, 133.08, 133.52, *ff*

**The above boxed and initialed text was
disapproved.**

Date: June 24, 2008

Fel Strickland

135.101, 135.102, 135.103, 135.104, 135.105, 135.106, 135.61, 135.63, 135.65, 135.66, 145.47, 156.02, 165.01, 165.03, 303.12, 303.211, 303.213, 306.43, 307.697, 317.32, 319.301, 321.262, 340.02, 340.021, 351.26, 519.12, 519.211, 715.73, 715.74, 901.42, 1332.04, 1751.01, 1751.04, 1751.05, 1751.11, 1751.111, 1751.12, 1751.13, 1751.15, 1751.16, 1751.17, 1751.18, 1751.20, 1751.31, 1751.34, 1751.53, 1751.60, 1751.89, 2743.49, 2744.05, 2915.101, 2923.11, 2935.01, 2935.03, 2949.092, 2949.094, 3111.04, 3113.06, 3119.023, 3119.54, 3301.0714, 3310.42, 3311.21, 3311.24, 3313.842, 3313.978, 3314.016, 3314.02, 3314.03, 3314.05, 3314.086, 3314.37, 3316.03, 3316.041, 3316.06, 3316.08, 3317.161, 3317.20, 3319.291, 3323.30, 3323.31 (3323.33), 3323.32 (3323.34), 3323.33 (3323.35), 3333.045, 3333.58, 3333.84, 3335.05, 3341.03, 3343.08, 3344.02, 3345.34, 3350.10, 3352.02, 3353.02, 3353.20 (3333.81), 3353.21 (3333.82), 3353.22 (3333.83), 3353.23, 3353.24, 3353.25, 3353.26 (3333.85), 3353.27 (3333.86), 3353.28 (3333.87), 3353.29 (3333.88), 3353.30, 3354.16, 3355.12, 3356.02, 3357.16, 3359.02, 3361.02, 3364.02, 3365.15, 3501.19, 3503.14, 3503.16, 3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 3505.183, 3509.03, 3509.031, 3509.04, 3509.05, 3511.02, 3511.05, 3511.09, 3703.01, 3734.821, 3735.67, 3743.02, 3743.04, 3743.15, 3743.17, 3743.19, 3743.25, 3743.40, 3743.44, 3743.45, 3743.54, 3743.56, 3743.65, 3743.70, 3743.99, 3901.3814, 3905.40, 3923.281, 3923.443, 3925.101, 3961.04, 4112.12, 4117.14, 4117.15, 4123.26, 4123.32, 4123.37, 4123.54, 4141.31, 4141.312, 4301.355, 4301.421, 4301.424, 4301.62, 4303.041, 4303.182, 4303.25, 4510.10, 4511.01, 4511.101, 4511.181, 4511.191, 4511.53, 4731.65, 4731.71, 4735.01, 4735.02, 4735.10, 4735.13, 4735.14, 4735.141, 4735.142, 4752.04, 4752.05, 4752.06, 4752.07, 4752.11, 4752.12, 4752.13, 4905.84, 4928.142, 4928.20, 4981.14, 5101.26, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.571, 5101.58, 5101.80, 5104.02, 5104.041, 5111.032, 5111.084, 5111.941, 5123.0412, 5123.36, 5501.09, 5502.68, 5513.01, 5525.01, 5533.94, 5703.19, 5703.21, 5703.57, 5705.194, 5705.199, 5705.214, 5705.29, 5709.121, 5721.30, 5721.31, 5721.32, 5721.33, 5721.34, 5721.35, 5721.36, 5721.371, 5721.38, 5721.381, 5721.39, 5721.40, 5721.41, 5721.42, 5721.43, 5739.01, 5739.029, 5739.09, 5741.04, 5743.024, 5743.323, 5747.01, 5747.02, 5747.082, 5748.022, 5749.17, 6101.53, 6101.55, 6117.01, 6117.011, 6117.012, 6117.04, 6117.05, 6117.06, 6117.25, 6117.251, 6117.28, 6117.30, 6117.34, 6117.38, 6117.41, 6117.42, 6117.43, 6117.44, 6117.45, 6117.49, 6121.045, and 6123.042 of the Revised Code. New sections 3323.31 and 3323.32 of the Revised Code that replace sections bearing the same numbers that have been renumbered.

**The above boxed and initialed text was
disapproved.**

Date: June 24, 2008

Ted Strickland
Ted Strickland, Governor

Section 5721.37 of the Revised Code, except as otherwise provided in this act.

The amendment by this act of sections 5739.12, 5739.122, 5739.124, 5741.12, 5741.121, and 5741.122 of the Revised Code takes effect January 1, 2009.

Section 5 of Am. Sub. H.B. 24 of the 127th General Assembly, and Sections 103.80.50, 201.30, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly, all as amended by this act.

All sections of this act prefixed with a section number in the 200s.

Sections 701.10, 701.20, 703.20, 705.10, 711.10, 715.10, 715.50, 733.30, 733.60, 737.10, 753.10, 753.20, 757.10, 803.03, 803.10, 803.20, 803.31, 803.40, 803.43, 803.50, 812.10, 815.10, and 815.20 of this act.

SECTION 812.20. The amendment, enactment, or repeal by this act of the following sections is exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code and takes effect on the date specified below for the amendment, enactment or repeal or, if a date is not specified below for the amendment, enactment or repeal, immediately when this act becomes law.

Sections 105.41, 113.40, 117.13, 117.38, 149.30, 519.213, 713.081, 3314.018 1333.61, 2903.213, 2903.214, 2907.10, 2919.26, 2943.033, 3107.018, ~~3113.31, 3314.40,~~ 3317.11, 3318.01, 3318.03, 3318.032, 3318.033, 3318.034, 3318.04, 3318.37, 3318.90, 3326.45, 3326.51, 3333.04, 3333.044, 3333.122, 3501.17, 3702.71, 3702.72, 3702.73, 3702.74, 3702.75, 3702.78, 3702.79, 3702.81, 3702.85, 3702.86, 3702.91, 3702.93, 3702.95, 4906.13, 4906.20, 4906.98, 5101.143, 5101.572, 5111.0210, 5111.091, 5111.31, 5111.71, 5111.711, 5111.712, 5111.713, 5111.714, 5111.715, 5111.874, 5111.875, 5111.876, 5111.877, 5111.878, 5111.879, 5111.8710, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5111.8812, 5111.8813, 5111.8814, 5111.8815, 5111.8816, 5111.8817, 5111.94, 5112.311, 5123.196, 5703.82, 5727.84, 5727.85, 5739.21, 5745.05, 5751.20, and 5751.21 of the Revised Code.

The enactment of sections 5112.371 and 5123.0417 of the Revised Code takes effect July 1, 2008.

The amendment of section 5112.37 of the Revised Code takes effect July 1, 2008.

Except as otherwise provided in this paragraph, the amendment of section 5112.31 of the Revised Code takes effect July 1, 2008. The

The above boxed and initialed text was disapproved.

Date: June 24 2008

Ted Strickland
Ted Strickland, Governor

amendment striking ", except as adjusted under section 5112.311 of the Revised Code," takes effect immediately when this act becomes law.

The repeal of section 5739.213 of the Revised Code takes effect July 1, 2008.

Sections 203.50, 209.10, 223.10, and 315.10 of Am. Sub. H.B. 67 of the 127th General Assembly, Section 201.10 of Am. Sub. H.B. 100 of the 127th General Assembly, Sections 207.20.50, 207.20.70, 207.30.10, 207.30.20, 207.30.30, 219.10, 235.10, 249.10, 261.10, 263.10, 263.20.10, 263.20.80, 263.30.10, 269.30.30, 269.30.70, 269.40.50, 269.50.30, 275.10, 293.10, 299.10, 307.10, 309.10, 309.30.13, 309.30.30, 309.30.40, 309.30.41, 309.30.42, 309.40.33, 337.30, 337.30.43, 337.40, 337.40.15, 369.10, 375.10, 375.80.10, 379.10, 393.10, 405.10, 407.10, 512.03, 512.35, and 518.03 of Am. Sub. H.B. 119 of the 127th General Assembly, and Section 101.10 of H.B. 496 of the 127th General Assembly, all as amended by this act.

Sections 503.10, 503.20, 503.30, 503.40, 515.10, 515.20, 515.21, 515.30, 515.40, 515.50, 515.60, 703.30, 707.20, 733.10, 733.13, 733.14, 733.15, 733.20, 733.21, 733.40, 733.50, 751.10, 751.20, 751.23, 751.30, 806.10, 812.20, 812.40, and 812.50 of this act.

SECTION 812.30. The amendment, enactment, or repeal by this act of the following sections provides for or is essential to implementation of a tax levy, is exempt from the referendum under Ohio Constitution, Article II, Section 1d, and takes effect on the date specified below for the amendment, enactment, or repeal or, if a date is not specified below for the amendment, enactment, or repeal, immediately when this act becomes law.

Sections 1346.03, 2921.13, and 5739.02 of the Revised Code.

Sections 743.10, 803.06, and 812.30 of this act.

SECTION 812.40. The amendment by this act of the sections of law that are listed in the left-hand column of the following table combine amendments that are and are not exempt from the referendum under Ohio Constitution, Article II, Sections 1c and 1d and section 1.471 of the Revised Code.

The middle column identifies the amendments that are subject to the referendum under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code and take effect on the ninety-first day after this act is filed with the Secretary of State.

The right-hand column identifies the amendments that are exempt from the referendum under Ohio Constitution, Article II, Section 1d and section

The above boxed and initialed text was disapproved.

Date: June 24, 2008

Ed Strickland

1.471 of the Revised Code and take effect immediately when this act becomes law.

Section of law	Amendments subject to referendum	Amendments exempt from referendum
3317.023	Division (P)	Divisions (A) and (O)

SECTION 812.50. The amendments by this act of divisions (E)(1), (E)(3), and (E)(4) of section 5721.37 of the Revised Code and of division (A) of that section as the amendments pertain to the extension from three to six years of the time limit within which a holder of a tax certificate purchased at public auction may institute a foreclosure action are exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code, and take effect immediately when this act becomes law.

SECTION 815.10. Section 109.71 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 347 and Sub. H.B. 454 of the 126th General Assembly. Section 2935.01 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 545 and H.B. 675 of the 124th General Assembly. Section 4301.421 of the Revised Code is presented in this act as a composite of the section as amended by both Sub. H.B. 239 and Am. Sub. S.B. 188 of the 121st General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composites are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act.

SECTION 815.20. The amendment by this act of section 3501.19 of the Revised Code does not supersede the earlier repeal, with delayed effective date, of that section.

Jon A. Huster

Speaker _____ of the House of Representatives.

Bill Harris

President _____ of the Senate.

Passed June 10, 2008

Approved _____, 20____

Governor.

*The boxed and initialed text
contained in Am. Sub. H.B. 562
is disapproved.*

All remaining text is approved.

Ked Strickland

June 24, 2008

The section numbering of law of a general and permanent nature is complete and in conformity with the Revised Code. *

Mark C. Flanders

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the 24th day of June, A. D. 2008.

James B.

Secretary of State.

File No. 120

Effective Date

Some sections effective immediately on 6/24/08. Appendix period, if applicable expires 9/12/08. Other sections effective as provided in the act.

*This certification has required my designation of the following in the left-hand margin as a proper code section number:

3314.018

Mark C. Flanders

Director, Legislative Service Commission

AN ACT

To amend sections 9.231, 9.24, 9.835, 105.41, 109.71, 113.061, 113.40, 117.11, 117.13, 117.38, 120.08, 121.31, 122.171, 125.02, 125.021, 125.022, 125.04, 125.041, 125.05, 125.06, 125.07, 125.18, 125.25, 127.16, 133.08, 135.61, 135.63, 135.65, 135.66, 145.47, 149.30, 156.02, 165.01, 165.03, 303.12, 303.211, 306.43, 307.697, 317.32, 319.301, 340.02, 340.021, 351.26, 519.12, 519.211, 715.73, 715.74, 901.42, 1332.04, 1333.61, 1346.03, 1751.01, 1751.04, 1751.05, 1751.11, 1751.111, 1751.12, 1751.13, 1751.15, 1751.16, 1751.17, 1751.18, 1751.20, 1751.31, 1751.34, 1751.53, 1751.60, 1751.89, 2743.49, 2744.05, 2903.213, 2903.214, 2915.101, 2919.26, 2921.13, 2923.11, 2935.01, 2935.03, 2949.092, 3111.04, 3113.06, 3113.31, 3119.023, 3119.54, 3301.0714, 3311.21, 3311.24, 3313.842, 3313.978, 3314.016, 3314.02, 3314.03, 3314.05, 3316.03, 3316.041, 3316.06, 3316.08, 3317.023, 3317.11, 3317.20, 3318.01, 3318.03, 3318.032, 3318.04, 3318.37, 3319.291, 3323.30, 3323.31, 3323.32, 3323.33, 3333.04, 3333.044, 3333.045, 3333.122, 3335.05, 3341.03, 3343.08, 3344.02, 3345.34, 3350.10, 3352.02, 3353.02, 3353.20, 3353.21, 3353.22, 3353.26, 3353.27, 3353.28, 3353.29, 3354.16, 3355.12, 3356.02, 3357.16, 3359.02, 3361.02, 3364.02, 3501.17, 3501.19, 3503.14, 3503.16, 3503.19, 3503.28, 3505.18, 3505.181, 3505.182, 3505.183, 3509.03, 3509.031, 3509.04, 3509.05, 3511.02, 3511.05, 3511.09, 3702.71, 3702.72, 3702.73, 3702.74, 3702.75, 3702.78, 3702.79, 3702.81, 3702.85, 3702.86, 3702.91, 3702.93, 3702.95, 3703.01, 3734.821, 3735.67, 3743.02, 3743.04, 3743.15, 3743.17, 3743.19, 3743.25, 3743.40, 3743.44, 3743.45, 3743.54, 3743.56, 3743.65, 3743.70, 3743.99, 3901.3814, 3905.40, 3923.281, 3923.443, 3961.04, 4112.12, 4117.14, 4117.15, 4123.26, 4123.32, 4123.37, 4123.54, 4141.31, 4141.312, 4301.355, 4301.421, 4301.424, 4301.62, 4303.182, 4303.25, 4510.10, 4511.01, 4511.101, 4511.181, 4511.191, 4511.53, 4731.65, 4731.71, 4735.01, 4735.02, 4735.10, 4735.13, 4735.14, 4735.141, 4752.04, 4752.05, 4752.06, 4752.07, 4752.11, 4752.12, 4752.13, 4906.13, 4906.98, 4928.142, 4928.20, 4981.14, 5101.26, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.571, 5101.572, 5101.58, 5101.80, 5104.02, 5111.032, 5111.084, 5111.091, 5111.31, 5111.94, 5111.941, 5112.31, 5112.37, 5123.0412, 5123.196, 5123.36, 5513.01, 5525.01, 5703.19, 5703.21, 5703.57, 5705.194, 5705.214, 5705.29, 5709.121, 5721.30, 5721.31, 5721.32, 5721.33, 5721.34, 5721.35, 5721.36, 5721.37, 5721.38, 5721.39, 5721.40,

3314.018

5721.41, 5721.42, 5721.43, 5727.84, 5727.85, 5739.01, 5739.02, 5739.029, 5739.09, 5739.12, 5739.122, 5739.124, 5739.21, 5741.04, 5741.12, 5741.121, 5741.122, 5743.024, 5743.323, 5745.05, 5747.01, 5747.02, 5748.022, 5751.20, 5751.21, 6101.53, 6101.55, 6117.01, 6117.011, 6117.012, 6117.04, 6117.05, 6117.06, 6117.25, 6117.251, 6117.28, 6117.30, 6117.34, 6117.38, 6117.41, 6117.42, 6117.43, 6117.44, 6117.45, and 6117.49; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 3323.31 (3323.33), 3323.32 (3323.34), 3323.33 (3323.35), 3353.20 (3333.81), 3353.21 (3333.82), 3353.22 (3333.83), 3353.26 (3333.85), 3353.27 (3333.86), 3353.28 (3333.87), and 3353.29 (3333.88); to enact new sections 3323.31 and 3323.32 and sections 107.19, 125.051, 133.52, 135.101, 135.102, 135.103, 135.104, 135.105, 135.106, 303.213, 321.262, 519.213, 713.081, 2907.10, 2943.033, 2949.094, 3107.018, 3310.42, 3314.37, ~~3314.40~~ 3318.033, 3318.034, 3318.90, 3326.45, 3326.51, 3333.58, 3333.84, 3365.15, 3925.101, 4303.041, 4735.142, 4905.84, 4906.20, 5101.143, 5104.041, 5111.0210, 5111.71, 5111.711, 5111.712, 5111.713, 5111.714, 5111.715, 5111.874, 5111.875, 5111.876, 5111.877, 5111.878, 5111.879, 5111.8710, 5112.371, 5123.0417, 5501.09, 5502.68, 5533.94, 5703.82, 5705.199, 5721.371, 5721.381, 5747.082, 5749.17, 6121.045, and 6123.042; to repeal sections 124.821, 3314.086, 3317.161, 3353.23, 3353.24, 3353.25, 3353.30, 5111.88, 5111.881, 5111.882, 5111.883, 5111.884, 5111.885, 5111.886, 5111.887, 5111.888, 5111.889, 5111.8810, 5111.8811, 5111.8812, 5111.8813, 5111.8814, 5111.8815, 5111.8816, 5111.8817, 5112.311, and 5739.213 of the Revised Code; to amend Sections 223.10 and 315.10 of Am. Sub. H.B. 67 of the 127th General Assembly, to amend Sections 203.50 and 209.10 of Am. Sub. H.B. 67 of the 127th General Assembly, as subsequently amended, to amend Section 201.10 of Am. Sub. H.B. 100 of the 127th General Assembly, to amend Sections 207.20.50, 207.20.70, 207.30.10, 207.30.20, 207.30.30, 219.10, 235.10, 261.10, 263.10, 263.20.10, 263.20.80, 263.30.10, 269.30.30, 269.30.70, 269.40.50, 269.50.30, 275.10, 293.10, 299.10, 307.10, 309.10, 309.30.13, 309.30.30, 309.30.40, 309.30.41, 309.30.42, 309.40.33, 337.30, 337.30.43, 337.40, 337.40.15, 369.10, 379.10, 393.10, 405.10, 407.10, 512.03, 512.35, and 518.03 of Am. Sub. H.B. 119 of the 127th General Assembly, to amend Sections 249.10 and 375.10 of Am. Sub. H.B. 119 of the 127th General Assembly, as subsequently amended, to amend Sections 101.10, 103.80.50, 201.30, 201.50, 301.20.20, 301.20.80, 401.11, and 401.71 of H.B. 496 of the 127th General Assembly; to repeal Section 5 of Am. Sub. H.B. 24 of the 127th General Assembly and to repeal Section 375.80.10 of Am. Sub. H.B. 119 of the 127th General Assembly to

make capital and other appropriations and to provide authorization and conditions for the operation of state programs.

Introduced by

Representative Hottinger

Cosponsors: Representatives Peterson, Skindell, Bacon, Bolon, Boyd, Brown, Budish, Chandler, Evans, Flowers, Garrison, Hagan, R., Hite, Jones, McGregor, R., Patton, Redfern, Schlichter, Stewart, D., Stewart, J., Strahorn, Yates, Adams, Book, Brady, Collier, Combs, Dolan, Domenick, Dyer, Gerberry, Goyal, Hagan, J., Harwood, Hughes, Koziura, Mallory, McGregor, J., Schindel, Setzer, Szollosi, Ujvagi, Webster, White, Widowfield, Beatty, Celeste, Coley, Fende, Heard, Letson, Luckie, Newcomb, Sykes, Williams, B.
Senators Carey, Cafaro, Wilson, Kearney, Boccheri, Coughlin, Fedor, Goodman, Grendell, Harris, Morano, Mumper, Niehaus, Padgett, Roberts, Seitz, Spada, Stivers, Mason, Schaffer, Miller, D., Miller, R., Austria, Schuring

F. 12 120

Passed by the House of Representatives,

Some provisions effective immediately on 6/24/08. Reconsideration period, if
applicable expires 7/22/08. Other provisions effective as provided in
the act

May 22, 2008

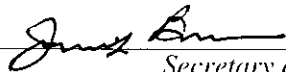
Passed by the Senate,

Agreed to Report of
Committee of Conference
June 10, 2008

May 28, 2008

Filed in the office of the Secretary of State at
Columbus, Ohio, on the

24th day of June, A. D. 2008



Secretary of State.