

shall reimburse, from appropriations made for the purpose, a school district, educational service center, or residential treatment facility, whichever is providing the service, that has demonstrated that it is in compliance with the funding criteria for each served child for whom a school district must pay tuition under division (C) of this section. The amount of the reimbursement shall be the amount appropriated for this purpose divided by the full-time equivalent number of children for whom reimbursement is to be made.

(E) Funds provided to a school district, educational service center, or residential treatment facility under this section shall be used to supplement, not supplant, funds from other public sources for which the school district, service center, or residential treatment facility is entitled or eligible.

(F) The Department of Education shall track the utilization of funds provided to school districts, educational service centers, and residential treatment facilities under this section and monitor the effect of the funding on the educational programs they provide in participating residential treatment facilities. The Department shall monitor the programs for educational accountability.

#### SECTION 267.40.90. SCHOOL DISTRICT PARTICIPATION IN NATIONAL ASSESSMENT OF EDUCATION PROGRESS

The General Assembly intends for the Superintendent of Public Instruction to provide for school district participation in the administration of the National Assessment of Education Progress in accordance with section 3301.27 of the Revised Code. Each school and school district selected for participation by the Superintendent of Public Instruction shall participate.

#### SECTION 267.50.10. COMMUNITY SCHOOL FUNDING GUARANTEE FOR SBH STUDENTS

(A) As used in this section:

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

(2) "SBH student" means a student receiving special education and related services for severe behavior disabilities pursuant to an IEP.

(B) This section applies only to a community school established under Chapter 3314. of the Revised Code that in each of fiscal years 2012 and 2013 enrolls a number of SBH students equal to at least fifty per cent of the total number of students enrolled in the school in the applicable fiscal year.

(C) In addition to any state foundation payments made, in each of fiscal

years 2012 and 2013, the Department of Education shall pay to a community school to which this section applies a subsidy equal to the difference between the aggregate amount calculated and paid in that fiscal year to the community school for special education and related services additional weighted costs for the SBH students enrolled in the school and the aggregate amount that would have been calculated for the school for special education and related services additional weighted costs for those same students in fiscal year 2001. If the difference is a negative number, the amount of the subsidy shall be zero.

(D) The amount of any subsidy paid to a community school under this section shall not be deducted from the school district in which any of the students enrolled in the community school are entitled to attend school under section 3313.64 or 3313.65 of the Revised Code. The amount of any subsidy paid to a community school under this section shall be paid from funds appropriated to the Department of Education in appropriation item 200550, Foundation Funding.

#### SECTION 267.50.20. EARMARK ACCOUNTABILITY

At the request of the Superintendent of Public Instruction, any entity that receives a budget earmark under the Department of Education shall submit annually to the chairpersons of the committees of the House of Representatives and the Senate primarily concerned with education and to the Department of Education a report that includes a description of the services supported by the funds, a description of the results achieved by those services, an analysis of the effectiveness of the program, and an opinion as to the program's applicability to other school districts. For an earmarked entity that received state funds from an earmark in the prior fiscal year, no funds shall be provided by the Department of Education to an earmarked entity for a fiscal year until its report for the prior fiscal year has been submitted.

#### SECTION 267.50.30. PROHIBITION FROM OPERATING FROM HOME

No community school established under Chapter 3314. of the Revised Code that was not open for operation as of May 1, 2005, shall operate from a home, as defined in section 3313.64 of the Revised Code.

#### SECTION 267.50.40. EARLY COLLEGE START UP COMMUNITY



#### SCHOOL

(A) As used in this section:

(1) "Big eight school district" has the same meaning as in section 3314.02 of the Revised Code.

(2) "Early college high school" means a high school that provides students with a personalized learning plan based on an accelerated curriculum combining high school and college-level coursework.

(B) Any early college high school that is operated by a big eight school district in partnership with a private university may operate as a new start-up community school under Chapter 3314. of the Revised Code beginning in the 2007-2008 school year, if all of the following conditions are met:

(1) The governing authority and sponsor of the school enter into a contract in accordance with section 3314.03 of the Revised Code and, notwithstanding division (D) of section 3314.02 of the Revised Code, both parties adopt and sign the contract by July 9, 2007.

(2) Notwithstanding division (A) of former section 3314.016 of the Revised Code, the school's governing authority enters into a contract with the private university under which the university will be the school's operator.

(3) The school provides the same educational program the school provided while part of the big eight school district.

#### SECTION 267.50.50. USE OF VOLUNTEERS

The Department of Education may utilize the services of volunteers to accomplish any of the purposes of the Department. The Superintendent of Public Instruction shall approve for what purposes volunteers may be used and for these purposes may recruit, train, and oversee the services of volunteers. The Superintendent may reimburse volunteers for necessary and appropriate expenses in accordance with state guidelines and may designate volunteers as state employees for the purpose of motor vehicle accident liability insurance under section 9.83 of the Revised Code, for immunity under section 9.86 of the Revised Code, and for indemnification from liability incurred in the performance of their duties under section 9.87 of the Revised Code.

#### SECTION 267.50.60. RESTRICTION OF LIABILITY FOR CERTAIN REIMBURSEMENTS

(A) Except as expressly required under a court judgment not subject to further appeals, or a settlement agreement with a school district executed on or before June 1, 2009, in the case of a school district for which the formula ADM for fiscal year 2005, as reported for that fiscal year under division (A) of section 3317.03 of the Revised Code, was reduced based on enrollment reports for community schools, made under section 3314.08 of the Revised Code, regarding students entitled to attend school in the district, which reduction of formula ADM resulted in a reduction of foundation funding or transitional aid funding for fiscal year 2005, 2006, or 2007, no school district, except a district named in the court's judgment or the settlement agreement, shall have a legal claim for reimbursement of the amount of such reduction in foundation funding or transitional aid funding, and the state shall not have liability for reimbursement of the amount of such reduction in foundation funding or transitional aid funding.

(B) As used in this section:

(1) "Community school" means a community school established under Chapter 3314. of the Revised Code.

(2) "Entitled to attend school" means entitled to attend school in a school district under section 3313.64 or 3313.65 of the Revised Code.

(3) "Foundation funding" means payments calculated for the respective fiscal year under Chapter 3317. of the Revised Code.

(4) "Transitional aid funding" means payments calculated for the respective fiscal year under Section 41.37 of Am. Sub. H.B. 95 of the 125th General Assembly, as subsequently amended; Section 206.09.39 of Am. Sub. H.B. 66 of the 126th General Assembly, as subsequently amended; and Section 269.30.80 of Am. Sub. H.B. 119 of the 127th General Assembly.

#### SECTION 267.50.70. UNAUDITABLE COMMUNITY SCHOOL

(A) If the Auditor of State or a public accountant, pursuant to section 117.41 of the Revised Code, declares a community school established under Chapter 3314. of the Revised Code to be unauditabile, the Auditor of State shall provide written notification of that declaration to the school, the school's sponsor, and the Department of Education. The Auditor of State also shall post the notification on the Auditor of State's web site.

(B) Notwithstanding any provision to the contrary in Chapter 3314. of the Revised Code or any other provision of law, a sponsor of a community school that is notified by the Auditor of State under division (A) of this section that a community school it sponsors is unauditabile shall not enter into contracts with any additional community schools under section 3314.03 of the Revised Code until the Auditor of State or a public accountant has

completed a financial audit of that school.

(C) Not later than forty-five days after receiving notification by the Auditor of State under division (A) of this section that a community school is unauditale, the sponsor of the school shall provide a written response to the Auditor of State. The response shall include the following:

(1) An overview of the process the sponsor will use to review and understand the circumstances that led to the community school becoming unauditale;

(2) A plan for providing the Auditor of State with the documentation necessary to complete an audit of the community school and for ensuring that all financial documents are available in the future;

(3) The actions the sponsor will take to ensure that the plan described in division (C)(2) of this section is implemented.

(D) If a community school fails to make reasonable efforts and continuing progress to bring its accounts, records, files, or reports into an auditable condition within ninety days after being declared unauditale, the Auditor of State, in addition to requesting legal action under sections 117.41 and 117.42 of the Revised Code, shall notify the Department of the school's failure. If the Auditor of State or a public accountant subsequently is able to complete a financial audit of the school, the Auditor of State shall notify the Department that the audit has been completed.

(E) Notwithstanding any provision to the contrary in Chapter 3314. of the Revised Code or any other provision of law, upon notification by the Auditor of State under division (D) of this section that a community school has failed to make reasonable efforts and continuing progress to bring its accounts, records, files, or reports into an auditable condition following a declaration that the school is unauditale, the Department shall immediately cease all payments to the school under Chapter 3314. of the Revised Code and any other provision of law. Upon subsequent notification from the Auditor of State under that division that the Auditor of State or a public accountant was able to complete a financial audit of the community school, the Department shall release all funds withheld from the school under this section.

#### SECTION 267.50.80. FLEXIBLE FUNDING FOR FAMILIES AND CHILDREN

In collaboration with the County Family and Children First Council, a city, local, or exempted village school district, community school, STEM school, joint vocational school district, educational service center, or county board of developmental disabilities that receives allocations from the

Department of Education from appropriation item 200550, Foundation Funding, or appropriation item 200540, Special Education Enhancements, may transfer portions of those allocations to a flexible funding pool authorized by the Section of this act entitled "FAMILY AND CHILDREN FIRST FLEXIBLE FUNDING POOL." Allocations used for maintenance of effort or for federal or state funding matching requirements shall not be transferred unless the allocation may still be used to meet such requirements.

SECTION 267.50.90. EDUCATIONAL SHARED SERVICES  
MODEL/P-16 COUNCILS

The Governor's Director of 21st Century Education shall develop a plan for the integration and consolidation of the publicly supported regional shared services organizations serving Ohio's public and chartered nonpublic schools and develop a plan to encourage communities and school districts to create regional P-16 councils to better organize and share existing community resources to improve student achievement. The Director shall include recommendations for implementation of the plans beginning July 1, 2012.

In preparing the shared services plan, the Director shall recommend educational support organizations to be integrated into the regional shared service center system. The organizations to be integrated shall include, but shall not be limited to, educational service centers, education technology centers, information technology centers, area media centers, Ohio's statewide system of support, the education regional service system, regional advisory boards, and regional staff from the Department of Education providing direct support to school districts.

In preparing the recommendations of the shared services plan, the Director shall include an examination of services offered to public and chartered nonpublic schools and recommendations for integration of services into a shared services model. Services to be considered shall include, but shall not be limited to, general instruction, special education, gifted education, academic leadership, technology, fiscal management, transportation, food services, human resources, employee benefits, pooled purchasing, professional development, and noninstructional support.

Not later than October 15, 2011, the Director shall conduct a shared services survey of Ohio's school districts, community schools, STEM schools, chartered nonpublic schools, joint vocational school districts, and other educational service providers and local political subdivisions to gather baseline data on the current status of shared services and to determine where

opportunities for additional shared services exist.

In preparing the P-16 plan, the Director shall develop a set of model criteria that encourages and permits communities and school districts to create local P-16 councils. Members of the councils shall include, but not be limited to, local community leaders in primary and secondary education, higher education, early childhood education, and representatives of business, nonprofit, and social service agencies.

In preparing the recommendations for the P-16 plan, the Director shall include an examination of existing P-16 councils in Ohio and identify for inclusion in the model criteria their success in setting short and long-term student achievement and growth targets in their communities, leading cross-sector strategies to improve student-level outcomes, effectively using data to inform decisions around funding, providing intervention strategies for students, and achieving greater systems alignment.

Not later than January 1, 2012, the Director shall submit to the Governor and the General Assembly, in accordance with section 101.68 of the Revised Code, legislative recommendations for implementation of the plans.

SECTION 267.60.10. If there are unencumbered moneys remaining on July 1, 2011, in a school district's textbook and instructional materials fund, as required by former section 3315.17 of the Revised Code, the district board of education may transfer those moneys to the district's general fund and may use such moneys for any purpose authorized for general fund moneys.

**Section 267.60.20.** A new conversion community school established under division (B) of section 3314.02 of the Revised Code may open for operation in the 2011-2012 school year, notwithstanding the deadlines prescribed by division (D) of section 3314.02 of the Revised Code for adoption and signing of the contract under section 3314.03 of the Revised Code, but those parties shall adopt and sign the contract, and file a copy of it with the Superintendent of Public Instruction, prior to the school's opening.

SECTION 267.60.23. Not later than July 1, 2012, the State Board of Education shall review its March 2008 legislative recommendations for performance standards for community schools that operate dropout prevention and recovery programs and shall make new recommendations to

the General Assembly regarding legislation to enact performance standards for those schools.

SECTION 267.60.30. The State Board of Education shall initiate rulemaking procedures for the rules for the Jon Peterson Special Needs Scholarship Program, required under section 3310.64 of the Revised Code, as enacted by this act, so that those rules are in effect not later than one hundred twenty days after the effective date of this section.

SECTION 267.60.31. The Department of Education shall conduct a formative evaluation of the Jon Peterson Special Needs Scholarship Program established under sections 3310.51 to 3310.64 of the Revised Code, using both quantitative and qualitative analyses, and shall report its findings to the General Assembly, in accordance with section 101.68 of the Revised Code, not later than December 31, 2014.

The study shall include an assessment of:

- (A) The level of the participating student's satisfaction with the program;
- (B) The level of the participating parent's satisfaction with the program;
- (C) The fiscal impact to the state and resident school districts affected by the program.

In conducting the evaluation, the Department shall to the extent possible gather comments from parents who have been awarded scholarships under the program, school district officials, representatives of registered private providers, educators, and representatives of educational organizations for inclusion in the report required under this section.

The Department may contract with one or more qualified researchers who have previous experience evaluating school choice programs to conduct this study. The Department may accept grants to assist in funding this study.

SECTION 267.60.33. Not later than December 31, 2011, the Department of Education shall develop and submit to the Governor and the General Assembly, in accordance with section 101.68 of the Revised Code, a plan and legislative recommendations for the provision of up to two cumulative school years of educational services toward a high school diploma for individuals who are twenty-two years of age or older and who have not been awarded a high school diploma or a certificate of high school equivalence,



as defined in section 4109.06 of the Revised Code. The plan and legislative recommendations shall specify that those services be provided by dropout prevention and recovery programs operated by school districts, granted waivers under division (F) of section 3313.603 of the Revised Code, and by dropout prevention and recovery programs operated by community schools, granted waivers under section 3314.36 of the Revised Code. In developing the plan and legislative recommendations, the Department shall consult with the United States Department of Education to ensure that the creation of the program does not expand the requirement of the state or local education agencies to provide a free appropriate public education under the Individuals with Disabilities Education Act to all individuals beyond twenty-one years of age.

#### SECTION 269.10. ELC OHIO ELECTIONS COMMISSION

##### General Revenue Fund

|                                |                    |    |         |    |         |
|--------------------------------|--------------------|----|---------|----|---------|
| GRF 051321                     | Operating Expenses | \$ | 333,117 | \$ | 333,117 |
| TOTAL GRF General Revenue Fund |                    | \$ | 333,117 | \$ | 333,117 |

##### General Services Fund Group

|                                       |                                |    |         |    |         |
|---------------------------------------|--------------------------------|----|---------|----|---------|
| 4P20 051601                           | Ohio Elections Commission Fund | \$ | 225,000 | \$ | 225,000 |
| TOTAL GSF General Services Fund Group |                                | \$ | 225,000 | \$ | 225,000 |
| TOTAL ALL BUDGET FUND GROUPS          |                                | \$ | 558,117 | \$ | 558,117 |

#### SECTION 271.10. FUN STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS

##### General Services Fund Group

|                                       |                    |    |         |    |         |
|---------------------------------------|--------------------|----|---------|----|---------|
| 4K90 881609                           | Operating Expenses | \$ | 561,494 | \$ | 551,958 |
| TOTAL GSF General Services Fund Group |                    | \$ | 561,494 | \$ | 551,958 |
| TOTAL ALL BUDGET FUND GROUPS          |                    | \$ | 561,494 | \$ | 551,958 |

#### SECTION 273.10. PAY EMPLOYEE BENEFITS FUNDS

##### Accrued Leave Liability Fund Group

|                                              |                    |    |            |    |            |
|----------------------------------------------|--------------------|----|------------|----|------------|
| 8060 995666                                  | Accrued Leave Fund | \$ | 72,053,178 | \$ | 71,828,986 |
| 8070 995667                                  | Disability Fund    | \$ | 27,616,583 | \$ | 26,593,747 |
| TOTAL ALF Accrued Leave Liability Fund Group |                    | \$ | 99,669,761 | \$ | 98,422,733 |

##### Agency Fund Group

|             |                                    |    |             |    |             |
|-------------|------------------------------------|----|-------------|----|-------------|
| 1240 995673 | Payroll Deductions                 | \$ | 855,456,678 | \$ | 840,248,559 |
| 8080 995668 | State Employee Health Benefit Fund | \$ | 590,265,468 | \$ | 649,292,014 |

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|                              |        |                                 |    |               |    |               |
|------------------------------|--------|---------------------------------|----|---------------|----|---------------|
| 8090                         | 995669 | Dependent Care Spending Account | \$ | 2,881,273     | \$ | 2,967,711     |
| 8100                         | 995670 | Life Insurance Investment Fund  | \$ | 2,080,634     | \$ | 2,143,053     |
| 8110                         | 995671 | Parental Leave Benefit Fund     | \$ | 3,484,737     | \$ | 3,355,673     |
| 8130                         | 995672 | Health Care Spending Account    | \$ | 8,588,262     | \$ | 9,447,088     |
| 8140                         | 995674 | Cost Savings Days               | \$ | 50,000,000    | \$ | 0             |
| TOTAL AGY Agency Fund Group  |        |                                 | \$ | 1,512,757,052 | \$ | 1,507,454,098 |
| TOTAL ALL BUDGET FUND GROUPS |        |                                 | \$ | 1,612,426,813 | \$ | 1,605,876,831 |

#### ACCRUED LEAVE LIABILITY FUND

The foregoing appropriation item 995666, Accrued Leave Fund, shall be used to make payments from the Accrued Leave Liability Fund (Fund 8060) pursuant to section 125.211 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are hereby appropriated.

#### STATE EMPLOYEE DISABILITY LEAVE BENEFIT FUND

The foregoing appropriation item 995667, Disability Fund, shall be used to make payments from the State Employee Disability Leave Benefit Fund (Fund 8070) pursuant to section 124.83 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are hereby appropriated.

#### PAYROLL WITHHOLDING FUND

The foregoing appropriation item 995673, Payroll Deductions, shall be used to make payments from the Payroll Withholding Fund (Fund 1240). If it is determined by the Director of Budget and Management that additional appropriation amounts are necessary, the amounts are hereby appropriated.

#### STATE EMPLOYEE HEALTH BENEFIT FUND

The foregoing appropriation item 995668, State Employee Health Benefit Fund, shall be used to make payments from the State Employee Health Benefit Fund (Fund 8080) pursuant to section 124.87 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are hereby appropriated.

#### DEPENDENT CARE SPENDING FUND

The foregoing appropriation item 995669, Dependent Care Spending Account, shall be used to make payments from the Dependent Care Spending Fund (Fund 8090) to employees eligible for dependent care expenses. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are hereby appropriated.

#### LIFE INSURANCE INVESTMENT FUND

The foregoing appropriation item 995670, Life Insurance Investment Fund, shall be used to make payments from the Life Insurance Investment Fund (Fund 8100) for the costs and expenses of the state's life insurance

benefit program pursuant to section 125.212 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are hereby appropriated.

#### PARENTAL LEAVE BENEFIT FUND

The foregoing appropriation item 995671, Parental Leave Benefit Fund, shall be used to make payments from the Parental Leave Benefit Fund (Fund 8110) to employees eligible for parental leave benefits pursuant to section 124.137 of the Revised Code. If it is determined by the Director of Budget and Management that additional amounts are necessary, the amounts are hereby appropriated.

#### HEALTH CARE SPENDING ACCOUNT FUND

The foregoing appropriation item 995672, Health Care Spending Account, shall be used to make payments from the Health Care Spending Account Fund (Fund 8130) for payments pursuant to state employees' participation in a flexible spending account for non-reimbursed health care expenses and section 124.821 of the Revised Code. If it is determined by the Director of Administrative Services that additional appropriation amounts are necessary, the Director of Administrative Services may request that the Director of Budget and Management increase such amounts. Such amounts are hereby appropriated.

At the request of the Director of Administrative Services, the Director of Budget and Management may transfer up to \$600,000 annually from the General Revenue Fund to the Health Care Spending Account Fund during fiscal years 2012 and 2013. This cash shall be transferred as needed to provide adequate cash flow for the Health Care Spending Account Fund during fiscal year 2012 and fiscal year 2013. If funds are available at the end of fiscal years 2012 and 2013, the Director of Budget and Management shall transfer cash up to the amount previously transferred in the respective year, plus interest income, from the Health Care Spending Account (Fund 8130) to the General Revenue Fund.

#### COST SAVINGS DAYS

The foregoing appropriation item, 995674, Cost Savings Days, shall be used by the Director of Budget and Management in accordance with division (E) of section 124.392 of the Revised Code to pay employees who participated in a mandatory cost savings program, or to reimburse employees who did not fully participate in a mandatory cost savings program. Notwithstanding any provision of law to the contrary, in fiscal year 2012 and fiscal year 2013, the Director may transfer agency savings achieved from the use of a mandatory cost savings program to the General Revenue Fund or any other fund as deemed necessary by the Director. The

Director may make temporary transfers from the General Revenue Fund to ensure sufficient balances in the Cost Savings Fund and may reimburse the General Revenue Fund for such transfers. If the Director determines that additional amounts are necessary for these purposes, the amounts are hereby appropriated.

#### SECTION 273.20. CASH TRANSFER TO PAYROLL WITHHOLDING FUND

The Director of Budget and Management may transfer \$561,897 in cash from the Health Care Spending Account Fund (Fund 8130) to the Payroll Withholding Fund (Fund 1240) to correct payments made from the Payroll Withholding Fund that should have been made from the Health Care Spending Account Fund.

#### SECTION 275.10. ERB STATE EMPLOYMENT RELATIONS BOARD

##### General Revenue Fund

|                                |                    |    |           |    |           |
|--------------------------------|--------------------|----|-----------|----|-----------|
| GRF 125321                     | Operating Expenses | \$ | 3,758,869 | \$ | 3,761,457 |
| TOTAL GRF General Revenue Fund |                    | \$ | 3,758,869 | \$ | 3,761,457 |

##### General Services Fund Group

|                              |                           |    |           |    |           |
|------------------------------|---------------------------|----|-----------|----|-----------|
| 5720 125603                  | Training and Publications | \$ | 87,075    | \$ | 87,075    |
| TOTAL GSF General Services   |                           |    |           |    |           |
| Fund Group                   |                           | \$ | 87,075    | \$ | 87,075    |
| TOTAL ALL BUDGET FUND GROUPS |                           | \$ | 3,845,944 | \$ | 3,848,532 |

#### SECTION 277.10. ENG STATE BOARD OF ENGINEERS AND SURVEYORS

##### General Services Fund Group

|                              |                    |    |         |    |         |
|------------------------------|--------------------|----|---------|----|---------|
| 4K90 892609                  | Operating Expenses | \$ | 934,264 | \$ | 921,778 |
| TOTAL GSF General Services   |                    |    |         |    |         |
| Fund Group                   |                    | \$ | 934,264 | \$ | 921,778 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 934,264 | \$ | 921,778 |

#### SECTION 279.10. EPA ENVIRONMENTAL PROTECTION AGENCY

##### General Services Fund Group

|                            |                          |    |            |    |            |
|----------------------------|--------------------------|----|------------|----|------------|
| 1990 715602                | Laboratory Services      | \$ | 402,295    | \$ | 408,560    |
| 2190 715604                | Central Support Indirect | \$ | 8,594,348  | \$ | 8,555,680  |
| 4A10 715640                | Operating Expenses       | \$ | 2,304,267  | \$ | 2,093,039  |
| TOTAL GSF General Services |                          |    |            |    |            |
| Fund Group                 |                          | \$ | 11,300,910 | \$ | 11,057,279 |

##### Federal Special Revenue Fund Group

|             |                     |    |           |    |           |
|-------------|---------------------|----|-----------|----|-----------|
| 3530 715612 | Public Water Supply | \$ | 2,941,282 | \$ | 2,941,282 |
| 3540 715614 | Hazardous Waste     | \$ | 4,193,000 | \$ | 4,193,000 |

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|                                                 |        |                                                            |    |            |    |            |
|-------------------------------------------------|--------|------------------------------------------------------------|----|------------|----|------------|
| 3570                                            | 715619 | Management - Federal<br>Air Pollution Control -<br>Federal | \$ | 6,310,203  | \$ | 6,310,203  |
| 3620                                            | 715605 | Underground Injection<br>Control - Federal                 | \$ | 111,874    | \$ | 111,874    |
| 3BU0                                            | 715684 | Water Quality Protection                                   | \$ | 8,100,000  | \$ | 6,785,000  |
| 3CS0                                            | 715688 | Federal NRD Settlements                                    | \$ | 100,000    | \$ | 100,000    |
| 3F20                                            | 715630 | Revolving Loan Fund -<br>Operating                         | \$ | 907,543    | \$ | 907,543    |
| 3F30                                            | 715632 | Federally Supported Cleanup<br>and Response                | \$ | 3,344,746  | \$ | 3,290,405  |
| 3F50                                            | 715641 | Nonpoint Source Pollution<br>Management                    | \$ | 6,265,000  | \$ | 6,260,000  |
| 3T30                                            | 715669 | Drinking Water State<br>Revolving Fund                     | \$ | 2,273,323  | \$ | 2,273,323  |
| 3V70                                            | 715606 | Agencywide Grants                                          | \$ | 600,000    | \$ | 600,000    |
| TOTAL FED Federal Special Revenue<br>Fund Group |        |                                                            | \$ | 35,146,971 | \$ | 33,772,630 |
| <b>State Special Revenue Fund Group</b>         |        |                                                            |    |            |    |            |
| 4J00                                            | 715638 | Underground Injection<br>Control                           | \$ | 445,234    | \$ | 445,571    |
| 4K20                                            | 715648 | Clean Air - Non Title V                                    | \$ | 3,152,306  | \$ | 2,906,267  |
| 4K30                                            | 715649 | Solid Waste                                                | \$ | 16,742,551 | \$ | 16,414,654 |
| 4K40                                            | 715650 | Surface Water Protection                                   | \$ | 7,642,625  | \$ | 6,672,246  |
| 4K40                                            | 715686 | Environmental Lab Service                                  | \$ | 2,096,007  | \$ | 2,096,007  |
| 4K50                                            | 715651 | Drinking Water Protection                                  | \$ | 7,410,118  | \$ | 7,405,428  |
| 4P50                                            | 715654 | Cozart Landfill                                            | \$ | 100,000    | \$ | 100,000    |
| 4R50                                            | 715656 | Scrap Tire Management                                      | \$ | 1,368,610  | \$ | 1,376,742  |
| 4R90                                            | 715658 | Voluntary Action Program                                   | \$ | 999,503    | \$ | 997,425    |
| 4T30                                            | 715659 | Clean Air - Title V Permit<br>Program                      | \$ | 16,349,471 | \$ | 16,241,822 |
| 4U70                                            | 715660 | Construction and Demolition<br>Debris                      | \$ | 425,913    | \$ | 433,591    |
| 5000                                            | 715608 | Immediate Removal Special<br>Account                       | \$ | 633,832    | \$ | 634,033    |
| 5030                                            | 715621 | Hazardous Waste Facility<br>Management                     | \$ | 10,241,107 | \$ | 9,789,620  |
| 5050                                            | 715623 | Hazardous Waste Cleanup                                    | \$ | 12,511,234 | \$ | 12,331,272 |
| 5050                                            | 715674 | Clean Ohio Environmental<br>Review                         | \$ | 108,104    | \$ | 108,104    |
| 5410                                            | 715670 | Site Specific Cleanup                                      | \$ | 2,048,101  | \$ | 2,048,101  |
| 5420                                            | 715671 | Risk Management Reporting                                  | \$ | 132,636    | \$ | 132,636    |
| 5920                                            | 715627 | Anti Tampering Settlement                                  | \$ | 2,285      | \$ | 2,285      |
| 5BC0                                            | 715617 | Clean Ohio                                                 | \$ | 611,455    | \$ | 611,455    |
| 5BC0                                            | 715622 | Local Air Pollution Control                                | \$ | 2,297,980  | \$ | 2,297,980  |
| 5BC0                                            | 715624 | Surface Water                                              | \$ | 8,970,181  | \$ | 9,114,974  |
| 5BC0                                            | 715672 | Air Pollution Control                                      | \$ | 4,438,629  | \$ | 4,534,758  |
| 5BC0                                            | 715673 | Drinking and Ground Water                                  | \$ | 4,317,527  | \$ | 4,323,521  |
| 5BC0                                            | 715675 | Hazardous Waste                                            | \$ | 95,266     | \$ | 95,266     |
| 5BC0                                            | 715676 | Assistance and Prevention                                  | \$ | 640,179    | \$ | 645,069    |
| 5BC0                                            | 715677 | Laboratory                                                 | \$ | 939,717    | \$ | 958,586    |
| 5BC0                                            | 715678 | Corrective Actions                                         | \$ | 31,765     | \$ | 105,423    |
| 5BC0                                            | 715687 | Areawide Planning Agencies                                 | \$ | 450,000    | \$ | 450,000    |
| 5BC0                                            | 715692 | Administration                                             | \$ | 8,562,476  | \$ | 8,212,627  |

## 3014

|                                              |        |                                             |    |             |    |             |
|----------------------------------------------|--------|---------------------------------------------|----|-------------|----|-------------|
| 5BT0                                         | 715679 | C&DD Groundwater Monitoring                 | \$ | 203,800     | \$ | 203,800     |
| 5BY0                                         | 715681 | Auto Emissions Test                         | \$ | 13,029,952  | \$ | 13,242,762  |
| 5CD0                                         | 715682 | Clean Diesel School Buses                   | \$ | 600,000     | \$ | 600,000     |
| 5H40                                         | 715664 | Groundwater Support                         | \$ | 77,508      | \$ | 78,212      |
| 5N20                                         | 715613 | Dredge and Fill                             | \$ | 29,250      | \$ | 29,250      |
| 5Y30                                         | 715685 | Surface Water Improvement                   | \$ | 2,800,000   | \$ | 2,800,000   |
| 6440                                         | 715631 | ER Radiological Safety                      | \$ | 279,838     | \$ | 279,966     |
| 6600                                         | 715629 | Infectious Waste Management                 | \$ | 91,573      | \$ | 88,764      |
| 6760                                         | 715642 | Water Pollution Control Loan Administration | \$ | 4,317,376   | \$ | 4,321,605   |
| 6780                                         | 715635 | Air Toxic Release                           | \$ | 138,669     | \$ | 138,669     |
| 6790                                         | 715636 | Emergency Planning                          | \$ | 2,623,192   | \$ | 2,623,252   |
| 6960                                         | 715643 | Air Pollution Control Administration        | \$ | 1,100,000   | \$ | 1,100,000   |
| 6990                                         | 715644 | Water Pollution Control Administration      | \$ | 220,000     | \$ | 220,000     |
| 6A10                                         | 715645 | Environmental Education                     | \$ | 1,488,260   | \$ | 1,488,718   |
| TOTAL SSR State Special Revenue Fund Group   |        |                                             | \$ | 140,764,230 | \$ | 138,700,461 |
| <b>Clean Ohio Conservation Fund Group</b>    |        |                                             |    |             |    |             |
| 5S10                                         | 715607 | Clean Ohio - Operating                      | \$ | 284,083     | \$ | 284,124     |
| TOTAL CLF Clean Ohio Conservation Fund Group |        |                                             | \$ | 284,083     | \$ | 284,124     |
| TOTAL ALL BUDGET FUND GROUPS                 |        |                                             | \$ | 187,496,194 | \$ | 183,814,494 |

#### AUTOMOBILE EMISSIONS TESTING PROGRAM OPERATION AND OVERSIGHT

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$13,029,952 in cash in fiscal year 2012, and up to \$13,242,762 in cash in fiscal year 2013 from the General Revenue Fund to the Auto Emissions Test Fund (Fund 5BY0) for the operation and oversight of the auto emissions testing program.

#### AREAWIDE PLANNING AGENCIES

The Director of Environmental Protection Agency may award grants from appropriation item 715687, Areawide Planning Agencies, to areawide planning agencies engaged in areawide water quality management and planning activities in accordance with Section 208 of the "Federal Clean Water Act," 33 U.S.C. 1288.

#### CORRECTIVE CASH TRANSFERS

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$376,891.85 in cash that was mistakenly deposited in the Clean Air Non Title V Fund (Fund 4K20) to the Clean Air Title V Permit Fund (Fund 4T30).

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$133,026.63 in cash that was mistakenly deposited in the Scrap Tire Management Fund (Fund 4R50) to



the Site Specific Cleanup Fund (Fund 5410).

#### SECTION 281.10. EBR ENVIRONMENTAL REVIEW APPEALS COMMISSION

##### General Revenue Fund

|                                |                    |    |         |    |         |
|--------------------------------|--------------------|----|---------|----|---------|
| GRF 172321                     | Operating Expenses | \$ | 580,145 | \$ | 545,530 |
| TOTAL GRF General Revenue Fund |                    | \$ | 580,145 | \$ | 545,530 |
| TOTAL ALL BUDGET FUND GROUPS   |                    | \$ | 580,145 | \$ | 545,530 |

#### SECTION 283.10. ETC ETECH OHIO

##### General Revenue Fund

|                                |                               |    |            |    |            |
|--------------------------------|-------------------------------|----|------------|----|------------|
| GRF 935401                     | Statehouse News Bureau        | \$ | 215,561    | \$ | 215,561    |
| GRF 935402                     | Ohio Government               | \$ | 702,089    | \$ | 702,089    |
| Telecommunications Services    |                               |    |            |    |            |
| GRF 935408                     | General Operations            | \$ | 1,251,789  | \$ | 1,254,193  |
| GRF 935409                     | Technology Operations         | \$ | 2,092,432  | \$ | 2,091,823  |
| GRF 935410                     | Content Development,          | \$ | 2,607,094  | \$ | 2,607,094  |
|                                | Acquisition, and Distribution |    |            |    |            |
| GRF 935411                     | Technology Integration and    | \$ | 4,251,185  | \$ | 4,252,671  |
|                                | Professional Development      |    |            |    |            |
| GRF 935412                     | Information Technology        | \$ | 829,340    | \$ | 829,963    |
| TOTAL GRF General Revenue Fund |                               | \$ | 11,949,490 | \$ | 11,953,394 |

##### General Services Fund Group

|                                       |                    |    |        |    |        |
|---------------------------------------|--------------------|----|--------|----|--------|
| 4F30 935603                           | Affiliate Services | \$ | 50,000 | \$ | 50,000 |
| 4T20 935605                           | Government         | \$ | 25,000 | \$ | 25,000 |
| Television/Telecommunications         |                    |    |        |    |        |
| Operating                             |                    |    |        |    |        |
| TOTAL GSF General Services Fund Group |                    | \$ | 75,000 | \$ | 75,000 |

##### State Special Revenue Fund Group

|                                            |                             |    |            |    |            |
|--------------------------------------------|-----------------------------|----|------------|----|------------|
| 4W90 935630                                | Telecommunity               | \$ | 25,000     | \$ | 25,000     |
| 4X10 935634                                | Distance Learning           | \$ | 24,150     | \$ | 24,150     |
| 5D40 935640                                | Conference/Special Purposes | \$ | 2,100,000  | \$ | 2,100,000  |
| 5FK0 935608                                | Media Services              | \$ | 637,601    | \$ | 637,956    |
| 5JU0 935611                                | Information Technology      | \$ | 1,455,000  | \$ | 1,455,000  |
| Services                                   |                             |    |            |    |            |
| 5T30 935607                                | Gates Foundation Grants     | \$ | 200,000    | \$ | 171,112    |
| TOTAL SSR State Special Revenue Fund Group |                             | \$ | 4,441,751  | \$ | 4,413,218  |
| TOTAL ALL BUDGET FUND GROUPS               |                             | \$ | 16,466,241 | \$ | 16,441,612 |

#### SECTION 283.20. STATEHOUSE NEWS BUREAU

The foregoing appropriation item 935401, Statehouse News Bureau, shall be used solely to support the operations of the Ohio Statehouse News Bureau.

#### OHIO GOVERNMENT TELECOMMUNICATIONS SERVICES

The foregoing appropriation item 935402, Ohio Government

Telecommunications Services, shall be used solely to support the operations of Ohio Government Telecommunications Services which include providing multimedia support to the state government and its affiliated organizations and broadcasting the activities of the legislative, judicial, and executive branches of state government, among its other functions.

#### TECHNOLOGY OPERATIONS

The foregoing appropriation item 935409, Technology Operations, shall be used by eTech Ohio to pay expenses of eTech Ohio's network infrastructure, which includes the television and radio transmission infrastructure and infrastructure that shall link all public K-12 classrooms to each other and to the Internet, and provide access to voice, video, other communication services, and data educational resources for students and teachers. The foregoing appropriation item 935409, Technology Operations, may also be used to cover student costs for taking advanced placement courses and courses that the Chancellor of the Board of Regents has determined to be eligible for postsecondary credit through the Ohio Learns Gateway. To the extent that funds remain available for this purpose, public school students taking advanced placement or postsecondary courses through the OhioLearns Gateway shall be eligible to receive a fee waiver to cover the cost of participating in one course. The fee waivers shall be distributed until the funds appropriated to support the waivers have been exhausted.

#### CONTENT DEVELOPMENT, ACQUISITION, AND DISTRIBUTION

The foregoing appropriation item 935410, Content Development, Acquisition, and Distribution, shall be used for the development, acquisition, and distribution of information resources by public media and radio reading services and for educational use in the classroom and online.

Of the foregoing appropriation item 935410, Content Development, Acquisition, and Distribution, up to \$658,099 in each fiscal year shall be allocated equally among the 12 Ohio educational television stations and used with the advice and approval of eTech Ohio. Funds shall be used for the production of interactive instructional programming series with priority given to resources aligned with state academic content standards in consultation with the Ohio Department of Education and for teleconferences to support eTech Ohio. The programming shall be targeted to the needs of the poorest two hundred school districts as determined by the district's adjusted valuation per pupil as defined in former section 3317.0213 of the Revised Code as that section existed prior to June 30, 2005.

Of the foregoing appropriation item 935410, Content Development,

Acquisition, and Distribution, up to \$1,749,283 in each fiscal year shall be distributed by eTech Ohio to Ohio's qualified public educational television stations and educational radio stations to support their operations. The funds shall be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified public educational television stations and educational radio stations.

Of the foregoing appropriation item 935410, Content Development, Acquisition, and Distribution, up to \$199,712 in each fiscal year shall be distributed by eTech Ohio to Ohio's qualified radio reading services to support their operations. The funds shall be distributed pursuant to an allocation formula used by the Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by eTech Ohio in consultation with Ohio's qualified radio reading services.

#### SECTION 283.30. TECHNOLOGY INTEGRATION AND PROFESSIONAL DEVELOPMENT

The foregoing appropriation item 935411, Technology Integration and Professional Development, shall be used by eTech Ohio for the provision of staff development, hardware, software, telecommunications services, and information resources to support educational uses of technology in the classroom and at a distance and for professional development for teachers, administrators, and technology staff on the use of educational technology in qualifying public schools, including the State School for the Blind, the State School for the Deaf, and the Department of Youth Services.

Of the foregoing appropriation item 935411, Technology Integration and Professional Development, up to \$1,691,701 in each fiscal year shall be used by eTech Ohio to contract with educational television to provide Ohio public schools with instructional resources and services with priority given to resources and services aligned with state academic content standards and such resources and services shall be based upon the advice and approval of eTech Ohio, based on a formula used by the Ohio SchoolNet Commission unless and until a substitute formula is developed by eTech Ohio in consultation with Ohio's educational technology agencies and noncommercial educational television stations.

#### SECTION 283.40. TELECOMMUNITY

The foregoing appropriation item 935630, Telecommunity, shall be distributed by eTech Ohio on a grant basis to eligible school districts to

establish "distance learning" through interactive video technologies in the school district. Per agreements with eight Ohio local telephone companies, ALLTEL Ohio, CENTURY Telephone of Ohio, Chillicothe Telephone Company, Cincinnati Bell Telephone Company, Orwell Telephone Company, Sprint North Central Telephone, VERIZON, and Western Reserve Telephone Company, school districts are eligible for funds if they are within one of the listed telephone company service areas. Funds to administer the program shall be expended by eTech Ohio up to the amount specified in the agreements with the listed telephone companies.

Within thirty days after the effective date of this section, the Director of Budget and Management shall transfer to Fund 4W90 in the State Special Revenue Fund Group any investment earnings from moneys paid by any telephone company as part of any settlement agreement between the listed companies and the Public Utilities Commission in fiscal years 1996 and beyond.

#### DISTANCE LEARNING

The foregoing appropriation item 935634, Distance Learning, shall be distributed by eTech Ohio on a grant basis to eligible school districts to establish "distance learning" in the school district. Per an agreement with Ameritech, school districts are eligible for funds if they are within an Ameritech service area. Funds to administer the program shall be expended by eTech Ohio up to the amount specified in the agreement with Ameritech.

Within thirty days after the effective date of this section, the Director of Budget and Management shall transfer to Fund 4X10 in the State Special Revenue Fund Group any investment earnings from moneys paid by any telephone company as part of a settlement agreement between the company and the Public Utilities Commission in fiscal year 1995.

#### GATES FOUNDATION GRANTS

The foregoing appropriation item 935607, Gates Foundation Grants, shall be used by eTech Ohio to provide professional development to school district principals, superintendents, and other administrative staff on the use of education technology.

### SECTION 285.10. ETH OHIO ETHICS COMMISSION

#### General Revenue Fund

|                                |                    |    |           |    |           |
|--------------------------------|--------------------|----|-----------|----|-----------|
| GRF 146321                     | Operating Expenses | \$ | 1,409,751 | \$ | 1,409,751 |
| TOTAL GRF General Revenue Fund |                    | \$ | 1,409,751 | \$ | 1,409,751 |

#### General Services Fund Group

|                                       |                    |    |         |    |         |
|---------------------------------------|--------------------|----|---------|----|---------|
| 4M60 146601                           | Operating Expenses | \$ | 827,393 | \$ | 827,393 |
| TOTAL GSF General Services Fund Group |                    | \$ | 827,393 | \$ | 827,393 |

TOTAL ALL BUDGET FUND GROUPS \$ 2,237,144 \$ 2,237,144

#### ETHICS COMMISSION CASINO-RELATED ACTIVITIES

On July 1, 2011, or as soon as possible thereafter, an amount equal to the unexpended and unencumbered balance of appropriation item 146602, Casino Investigations, at the end of fiscal year 2011 is hereby reappropriated to the same appropriation item for fiscal year 2012, to be used for the performance of the Ohio Ethics Commission's casino-related duties.

#### SECTION 287.10. EXP OHIO EXPOSITIONS COMMISSION

##### General Revenue Fund

|                                |                     |    |         |    |         |
|--------------------------------|---------------------|----|---------|----|---------|
| GRF 723403                     | Junior Fair Subsidy | \$ | 250,000 | \$ | 250,000 |
| TOTAL GRF General Revenue Fund |                     | \$ | 250,000 | \$ | 250,000 |

##### State Special Revenue Fund Group

|                                               |                                   |    |            |    |            |
|-----------------------------------------------|-----------------------------------|----|------------|----|------------|
| 4N20 723602                                   | Ohio State Fair Harness<br>Racing | \$ | 400,000    | \$ | 400,000    |
| 5060 723601                                   | Operating Expenses                | \$ | 12,991,000 | \$ | 12,894,000 |
| TOTAL SSR State Special Revenue<br>Fund Group |                                   | \$ | 13,391,000 | \$ | 13,294,000 |
| TOTAL ALL BUDGET FUND GROUPS                  |                                   | \$ | 13,641,000 | \$ | 13,544,000 |

#### STATE FAIR RESERVE

The General Manager of the Expositions Commission may submit a request to the Controlling Board to use available amounts in the State Fair Reserve Fund (Fund 6400) if the following conditions apply:

(A) Admissions receipts for the 2011 or 2012 Ohio State Fair are less than \$1,982,000 because of inclement weather or extraordinary circumstances;

(B) The Ohio Expositions Commission declares a state of fiscal exigency; and

(C) The request contains a plan describing how the Expositions Commission will eliminate the cash shortage causing the request.

The amount approved by the Controlling Board is hereby appropriated.

#### SECTION 289.10. GOV OFFICE OF THE GOVERNOR

##### General Revenue Fund

|                                |                    |    |           |    |           |
|--------------------------------|--------------------|----|-----------|----|-----------|
| GRF 040321                     | Operating Expenses | \$ | 3,001,806 | \$ | 2,851,552 |
| TOTAL GRF General Revenue Fund |                    | \$ | 3,001,806 | \$ | 2,851,552 |

##### General Services Fund Group

|                                       |                      |    |           |    |           |
|---------------------------------------|----------------------|----|-----------|----|-----------|
| 5AK0 040607                           | Government Relations | \$ | 365,149   | \$ | 365,149   |
| TOTAL GSF General Services Fund Group |                      | \$ | 365,149   | \$ | 365,149   |
| TOTAL ALL BUDGET FUND GROUPS          |                      | \$ | 3,366,955 | \$ | 3,216,701 |

#### GOVERNMENT RELATIONS

A portion of the foregoing appropriation item 040607, Government

Relations, may be used to support Ohio's membership in national or regional associations.

The Office of the Governor may charge any state agency of the executive branch using an intrastate transfer voucher such amounts necessary to defray the costs incurred for the conduct of governmental relations associated with issues that can be attributed to the agency. Amounts collected shall be deposited in the Government Relations Fund (Fund 5AK0).

#### SECTION 291.10. DOH DEPARTMENT OF HEALTH

##### General Revenue Fund

|                                           |                                          |    |            |    |            |
|-------------------------------------------|------------------------------------------|----|------------|----|------------|
| GRF440412                                 | Cancer Incidence Surveillance System     | \$ | 600,000    | \$ | 600,000    |
| GRF440413                                 | Local Health Department Support          | \$ | 2,302,788  | \$ | 2,303,061  |
| GRF440416                                 | Mothers and Children Safety Net Services | \$ | 4,227,842  | \$ | 4,228,015  |
| GRF440418                                 | Immunizations                            | \$ | 6,430,538  | \$ | 8,930,829  |
| GRF440431                                 | Free Clinics Safety Net Services         | \$ | 437,326    | \$ | 437,326    |
| GRF440438                                 | Breast and Cervical Cancer Screening     | \$ | 823,217    | \$ | 823,217    |
| GRF440444                                 | AIDS Prevention and Treatment            | \$ | 5,842,315  | \$ | 5,842,315  |
| GRF440451                                 | Public Health Laboratory                 | \$ | 3,654,348  | \$ | 3,655,449  |
| GRF440452                                 | Child and Family Health Services Match   | \$ | 630,390    | \$ | 630,444    |
| GRF440453                                 | Health Care Quality Assurance            | \$ | 8,170,694  | \$ | 8,174,361  |
| GRF440454                                 | Local Environmental Health               | \$ | 1,310,141  | \$ | 1,310,362  |
| GRF440459                                 | Help Me Grow                             | \$ | 33,673,545 | \$ | 33,673,987 |
| GRF440465                                 | Federally Qualified Health Centers       | \$ | 458,688    | \$ | 2,686,688  |
| GRF440467                                 | Access to Dental Care                    | \$ | 540,484    | \$ | 540,484    |
| GRF440468                                 | Chronic Disease and Injury Prevention    | \$ | 2,577,251  | \$ | 2,577,251  |
| GRF440472                                 | Alcohol Testing                          | \$ | 550,000    | \$ | 1,100,000  |
| GRF440505                                 | Medically Handicapped Children           | \$ | 7,512,451  | \$ | 7,512,451  |
| GRF440507                                 | Targeted Health Care Services Over 21    | \$ | 1,045,414  | \$ | 1,045,414  |
| TOTAL GRF General Revenue Fund            |                                          | \$ | 80,787,432 | \$ | 86,071,654 |
| <b>State Highway Safety Fund Group</b>    |                                          |    |            |    |            |
| 4T40 440603                               | Child Highway Safety                     | \$ | 233,894    | \$ | 233,894    |
| TOTAL HSF State Highway Safety Fund Group |                                          | \$ | 233,894    | \$ | 233,894    |
| <b>General Services Fund Group</b>        |                                          |    |            |    |            |
| 1420 440646                               | Agency Health Services                   | \$ | 8,825,788  | \$ | 8,826,146  |
| 2110 440613                               | Central Support Indirect                 | \$ | 28,900,000 | \$ | 29,000,000 |



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|                                                  |        |                                                     |    |             |                |
|--------------------------------------------------|--------|-----------------------------------------------------|----|-------------|----------------|
|                                                  |        | Costs                                               |    |             |                |
| 4730                                             | 440622 | Lab Operating Expenses                              | \$ | 5,000,000   | \$ 5,000,000   |
| 5HB0                                             | 440470 | Breast and Cervical Cancer Screening                | \$ | 1,000,000   | \$ 0           |
| 6830                                             | 440633 | Employee Assistance Program                         | \$ | 1,100,000   | \$ 1,100,000   |
| 6980                                             | 440634 | Nurse Aide Training                                 | \$ | 99,239      | \$ 99,265      |
| TOTAL GSF General Services Fund Group            |        |                                                     | \$ | 44,925,027  | \$ 44,025,411  |
| <b>Federal Special Revenue Fund Group</b>        |        |                                                     |    |             |                |
| 3200                                             | 440601 | Maternal Child Health Block Grant                   | \$ | 27,068,886  | \$ 27,068,886  |
| 3870                                             | 440602 | Preventive Health Block Grant                       | \$ | 7,826,659   | \$ 7,826,659   |
| 3890                                             | 440604 | Women, Infants, and Children                        | \$ | 308,672,689 | \$ 308,672,689 |
| 3910                                             | 440606 | Medicaid/Medicare                                   | \$ | 29,625,467  | \$ 29,257,457  |
| 3920                                             | 440618 | Federal Public Health Programs                      | \$ | 137,976,988 | \$ 137,976,988 |
| TOTAL FED Federal Special Revenue Fund Group     |        |                                                     | \$ | 511,170,689 | \$ 510,802,679 |
| <b>State Special Revenue Fund Group</b>          |        |                                                     |    |             |                |
| 4700                                             | 440647 | Fee Supported Programs                              | \$ | 24,503,065  | \$ 24,513,973  |
| 4710                                             | 440619 | Certificate of Need                                 | \$ | 878,145     | \$ 878,433     |
| 4770                                             | 440627 | Medically Handicapped Children Audit                | \$ | 3,692,704   | \$ 3,692,703   |
| 4D60                                             | 440608 | Genetics Services                                   | \$ | 3,310,953   | \$ 3,311,039   |
| 4F90                                             | 440610 | Sickle Cell Disease Control                         | \$ | 1,032,754   | \$ 1,032,824   |
| 4G00                                             | 440636 | Heirloom Birth Certificate                          | \$ | 5,000       | \$ 5,000       |
| 4G00                                             | 440637 | Birth Certificate Surcharge                         | \$ | 5,000       | \$ 5,000       |
| 4L30                                             | 440609 | Miscellaneous Expenses                              | \$ | 3,333,164   | \$ 3,333,164   |
| 4P40                                             | 440628 | Ohio Physician Loan Repayment                       | \$ | 476,870     | \$ 476,870     |
| 4V60                                             | 440641 | Save Our Sight                                      | \$ | 2,255,760   | \$ 2,255,789   |
| 5B50                                             | 440616 | Quality, Monitoring, and Inspection                 | \$ | 878,638     | \$ 878,997     |
| 5C00                                             | 440615 | Alcohol Testing and Permit                          | \$ | 551,018     | \$ 0           |
| 5CN0                                             | 440645 | Choose Life                                         | \$ | 75,000      | \$ 75,000      |
| 5D60                                             | 440620 | Second Chance Trust                                 | \$ | 1,151,815   | \$ 1,151,902   |
| 5ED0                                             | 440651 | Smoke Free Indoor Air                               | \$ | 190,452     | \$ 190,452     |
| 5G40                                             | 440639 | Adoption Services                                   | \$ | 20,000      | \$ 20,000      |
| 5L10                                             | 440623 | Nursing Facility Technical Assistance Program       | \$ | 687,500     | \$ 687,528     |
| 5Z70                                             | 440624 | Ohio Dentist Loan Repayment                         | \$ | 140,000     | \$ 140,000     |
| 6100                                             | 440626 | Radiation Emergency Response                        | \$ | 930,525     | \$ 930,576     |
| 6660                                             | 440607 | Medically Handicapped Children - County Assessments | \$ | 19,738,286  | \$ 19,739,617  |
| TOTAL SSR State Special Revenue Fund Group       |        |                                                     | \$ | 63,856,649  | \$ 63,318,867  |
| <b>Holding Account Redistribution Fund Group</b> |        |                                                     |    |             |                |
| R014                                             | 440631 | Vital Statistics                                    | \$ | 44,986      | \$ 44,986      |

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|                                                             |                                                             |    |             |    |             |
|-------------------------------------------------------------|-------------------------------------------------------------|----|-------------|----|-------------|
| R048 440625                                                 | Refunds, Grants<br>Reconciliation, and Audit<br>Settlements | \$ | 20,000      | \$ | 20,000      |
| TOTAL 090 Holding Account<br>Redistribution Fund Group      |                                                             |    |             |    |             |
|                                                             |                                                             | \$ | 64,986      | \$ | 64,986      |
| Tobacco Master Settlement Agreement Fund Group              |                                                             |    |             |    |             |
| 5BX0 440656                                                 | Tobacco Use Prevention                                      | \$ | 1,000,000   | \$ | 1,000,000   |
| TOTAL TSF Tobacco Master Settlement<br>Agreement Fund Group |                                                             | \$ | 1,000,000   | \$ | 1,000,000   |
| TOTAL ALL BUDGET FUND GROUPS                                |                                                             | \$ | 702,038,677 | \$ | 705,517,491 |

#### SECTION 291.20. IMMUNIZATIONS

Of the foregoing appropriation item 440418, Immunizations, \$2,500,000 in fiscal year 2013 shall be used to purchase pneumococcal conjugate vaccines.

#### HIV/AIDS PREVENTION/TREATMENT

The foregoing appropriation item 440444, AIDS Prevention and Treatment, shall be used to assist persons with HIV/AIDS in acquiring HIV-related medications and to administer educational prevention initiatives.

#### PUBLIC HEALTH LABORATORY

A portion of the foregoing appropriation item 440451, Public Health Laboratory, shall be used for coordination and management of prevention program operations and the purchase of drugs for sexually transmitted diseases.

#### HELP ME GROW

The foregoing appropriation item 440459, Help Me Grow, shall be used by the Department of Health to implement the Help Me Grow Program. Funds shall be distributed to counties through contracts, grants, or subsidies in accordance with section 3701.61 of the Revised Code. Appropriation item 440459, Help Me Grow, may be used in conjunction with Early Intervention funding from the Department of Developmental Disabilities, and in conjunction with other early childhood funds and services to promote the optimal development of young children and family-centered programs and services that acknowledge and support the social, emotional, cognitive, intellectual, and physical development of children and the vital role of families in ensuring the well-being and success of children. The Department of Health shall enter into an interagency agreement with the Department of Education, Department of Developmental Disabilities, Department of Job and Family Services, and Department of Mental Health to ensure that all early childhood programs and initiatives are coordinated and school linked.

Of the foregoing appropriation item 440459, Help Me Grow, if a county

Family and Children First Council selects home-visiting programs, the home-visiting program shall only be eligible for funding if it serves pregnant women, or parents or other primary caregivers and the parent or other primary caregiver's child or children under three years of age, through quality programs of early childhood home visitation and if the home visitations are performed by nurses, social workers, child development specialists or other well-trained and competent staff, as demonstrated by education or training and the provision of ongoing specific training and supervision in the model of service being delivered. The home-visiting program also shall be required to have outcome and research standards that demonstrate ongoing positive outcomes for children, parents, and other primary caregivers that enhance child health and development, and conform to a clear consistent home visitation model that has been in existence for at least three years. The home visitation model shall be research-based; grounded in relevant, empirically based knowledge; linked to program-determined outcomes; associated with a national organization or institution of higher education that has comprehensive home visitation program standards that ensure high quality service delivery and continuous program improvement; and have demonstrated significant positive outcomes when evaluated using well-designed and rigorous randomized, controlled, or quasi-experimental research designs, and the evaluation results have been published in a peer-reviewed journal.

For fiscal year 2012, the Department of Health shall support a county's need for a transition period to meet expected service levels for the Help Me Grow Home Visiting Program and the Part C Program by distributing funds for home visiting through a subsidy agreement that allows the county Family and Children First Council discretion to use a percentage of those funds for Part C services, so long as the services are provided in accordance with the "Individuals with Disability Education Act," 118 Stat. 2744 (2004), 20 U.S.C. 1431 et seq. and section 3701.61 of the Revised Code. The county Family and Children First council may use up to one hundred per cent of the funds allocated for the first quarter, with decreasing percentages determined by the Department of Health for the remaining quarters of fiscal year 2012, for Part C services.

The foregoing appropriation item 440459, Help Me Grow, may also be used for the Developmental Autism and Screening Program.

#### FEDERALLY QUALIFIED HEALTH CENTERS

For fiscal year 2012, any undisbursed funds previously provided under subsidy agreements between the Department of Health and the Ohio Association of Community Health Centers, or its predecessor organization,

pursuant to section 183.18 of the Revised Code, shall be available to federally qualified health centers in the same manner as those funds in appropriation item 440465, Federally Qualified Health Centers.

#### TARGETED HEALTH CARE SERVICES OVER 21

The foregoing appropriation item 440507, Targeted Health Care Services Over 21, shall be used to administer the Cystic Fibrosis Program and to implement the Hemophilia Insurance Premium Payment Program.

The foregoing appropriation item 440507, Targeted Health Care Services Over 21, shall also be used to provide essential medications and to pay the copayments for drugs approved by the Department of Health and covered by Medicare Part D that are dispensed to Bureau for Children with Medical Handicaps (BCMh) participants for the Cystic Fibrosis Program.

The Department shall expend all of these funds.

#### GENETICS SERVICES

The foregoing appropriation item 440608, Genetics Services (Fund 4D60), shall be used by the Department of Health to administer programs authorized by sections 3701.501 and 3701.502 of the Revised Code. None of these funds shall be used to counsel or refer for abortion, except in the case of a medical emergency.

#### MEDICALLY HANDICAPPED CHILDREN AUDIT

The Medically Handicapped Children Audit Fund (Fund 4770) shall receive revenue from audits of hospitals and recoveries from third-party payers. Moneys may be expended for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits. Moneys also may be expended for payments for diagnostic and treatment services on behalf of medically handicapped children, as defined in division (A) of section 3701.022 of the Revised Code, and Ohio residents who are twenty-one or more years of age and who are suffering from cystic fibrosis or hemophilia. Moneys may also be expended for administrative expenses incurred in operating the Medically Handicapped Children's Program.

#### CASH TRANSFER FROM LIQUOR CONTROL FUND TO ALCOHOL TESTING AND PERMIT FUND

The Director of Budget and Management may transfer up to \$551,018 in cash from the Liquor Control Fund (Fund 7043) to the Alcohol Testing and Permit Fund (Fund 5C00) in fiscal year 2012 to meet the operating needs of the Alcohol Testing and Permit Program.

The Director of Budget and Management may transfer up to \$551,018 in cash in fiscal year 2012 to the Alcohol Testing and Permit Fund (Fund

5C00) from the Liquor Control Fund (Fund 7043) created in section 4301.12 of the Revised Code determined by a transfer schedule set by the Department of Health.

**MEDICALLY HANDICAPPED CHILDREN - COUNTY ASSESSMENTS**

The foregoing appropriation item 440607, Medically Handicapped Children - County Assessments (Fund 6660), shall be used to make payments under division (E) of section 3701.023 of the Revised Code.

**NURSING FACILITY TECHNICAL ASSISTANCE PROGRAM**

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management may transfer, cash from the Resident Protection Fund (Fund 4E30), which is used by the Ohio Department of Job and Family Services, to the Nursing Facility Technical Assistance Program Fund (Fund 5L10), which is used by the Ohio Department of Health, to be used under section 3721.026 of the Revised Code. The transfers shall be up to \$698,595 in each fiscal year of the biennium.

**GENERAL REVENUE FUND TRANSFER TO THE TOBACCO USE PREVENTION FUND**

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer up to \$500,000 cash from the General Revenue Fund to the Tobacco Use Prevention Fund (Fund 5BX0), used by the Department of Health.

**SECTION 291.30. EARLY INTERVENTION WORKGROUP**

(A) The Department of Health shall convene a workgroup to develop recommendations for eligibility criteria for early intervention services to be provided pursuant to Part C of the "Individuals with Disability Education Act," 118 Stat. 2744 (2004), 20 U.S.C. 1431 et seq. The recommendations shall be based on available funds and national data related to the identification of infants and toddlers who have developmental delays or are most at risk for developmental delays and, in either case, would benefit from early intervention services.

(B) The workgroup shall be facilitated by the Department and shall be composed of all of the following members:

- (1) A representative from the Department of Developmental Disabilities;
- (2) A representative from the Department of Education;
- (3) A representative from the Department of Mental Health;
- (4) A representative from the Help Me Grow Advisory Council;
- (5) A parent member of the Help Me Grow Advisory Council;

- (6) A representative from the Ohio Family and Children First Cabinet Council;
- (7) A representative from the Ohio Family and Children First Association;
- (8) A county Help Me Grow project director;
- (9) A representative from the Ohio Council of Behavioral Health and Family Services Providers;
- (10) A representative from the Ohio Association for Infant Mental Health;
- (11) A representative from the Ohio Association of County Boards of Developmental Disabilities;
- (12) A representative from the Ohio Superintendents of County Boards of Developmental Disabilities;
- (13) A representative from the Ohio chapter of the American Academy of Pediatrics;
- (14) A public health nurse from a board of health of a city or general health district, or an authority having the duties of a board of health;
- (15) A representative from the Department of Job and Family Services;
- (16) The executive director of the Ohio Developmental Disabilities Council or the director's designee;
- (17) A representative of the County Commissioners Association of Ohio.

(C) The Department shall convene the workgroup not later than July 15, 2011. The workgroup shall present to the Director of Health its recommendations for eligibility criteria for Part C early intervention services not later than October 1, 2011. After the recommendations are submitted, the Director may accept the recommendations in whole or in part and implement eligibility criteria accordingly.

#### SECTION 291.40. CERTIFICATE OF NEED FOR NEW NURSING HOME

(A) As used in this section:

"Nursing home" and "residential care facility" have the same meanings as in section 3721.01 of the Revised Code.

"Population" means that shown by the 2000 regular federal census.

(B) The Director of Health shall accept, for review under section 3702.52 of the Revised Code, a certificate of need application for the establishment, development, and construction of a new nursing home if all of the following conditions are met:

- (1) The application is submitted to the Director not later than one



hundred eighty days after the effective date of this section.

(2) The new nursing home is to be located in a county that has a population of at least thirty thousand persons and not more than forty-one thousand persons.

(3) The new nursing home is to be located on a campus that has been in operation for at least twelve years and both of the following are also located on the campus on the effective date of this section:

(a) At least one existing residential care facility with at least twenty-five residents;

(b) At least one existing independent living dwelling for seniors with at least seventy-five residents.

(4) The new nursing home is to have not more than thirty beds to which both of the following apply:

(a) All of the beds are to be transferred from an existing nursing home in the state.

(b) All of the beds are proposed to be licensed as nursing home beds under Chapter 3721. of the Revised Code.

(C) In reviewing certificate of need applications accepted under this section, the Director shall neither deny an application on the grounds that the new nursing home is to have less than fifty beds nor require an applicant to obtain a waiver of the minimum fifty-bed requirement established by division (I) of rule 3701-12-23 of the Administrative Code.

#### SECTION 291.50. EXEMPTION FROM CERTIFICATE OF NEED REQUIREMENT

(A) As used in this section:

"2010 bed need determination" means the determination of each county's bed need that the Director of Health made in calendar year 2010.

"Bed need" means the number of long-term care beds that a county needs as determined by the Director of Health pursuant to division (B)(3) of section 3702.593 of the Revised Code.

"Bed need excess" means that a county's bed need is such that one or more long-term care beds could be relocated from the county according to the 2010 bed need determination and regardless of any subsequent bed need determination.

"Bed need shortage" means that a county's bed need is such that one or more long-term care beds could be relocated into the county according to the 2010 bed need determination and regardless of any subsequent bed need determination.

"Bed need shortage quantity" means the number of long-term care beds

that could be relocated into a county with a bed need shortage according to the 2010 bed need determination and regardless of any subsequent bed need determination.

"Existing bed" means a county home bed that is used, or available for use, for skilled nursing care by a resident of the county home on the effective date of this section.

"Skilled nursing care" has the same meaning as in section 3721.01 of the Revised Code.

(B) Notwithstanding sections 3702.51 to 3702.62 of the Revised Code and until January 1, 2014, a county home is not required to obtain a certificate of need to obtain Medicare or Medicaid certification for one or more of the county home's existing beds if all of the following apply:

(1) The county home is located in a county that has a bed need shortage.

(2) No county that borders the county in which the county home is located has a bed need excess or bed need shortage.

(3) The number of the county home's existing beds for which Medicare or Medicaid certification is sought does not exceed the bed need shortage quantity of the county in which the county home is located and the county home obtains Medicare or Medicaid certification for those existing beds not later than December 31, 2013.

#### SECTION 293.10. HEF HIGHER EDUCATIONAL FACILITY COMMISSION

##### Agency Fund Group

|                              |                    |    |        |    |        |
|------------------------------|--------------------|----|--------|----|--------|
| 4610 372601                  | Operating Expenses | \$ | 12,500 | \$ | 12,500 |
| TOTAL AGY Agency Fund Group  |                    | \$ | 12,500 | \$ | 12,500 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 12,500 | \$ | 12,500 |

#### SECTION 295.10. SPA COMMISSION ON HISPANIC/LATINO AFFAIRS

##### General Revenue Fund

|                                |                    |    |         |    |         |
|--------------------------------|--------------------|----|---------|----|---------|
| GRF 148100                     | Personal Services  | \$ | 230,000 | \$ | 230,000 |
| GRF 148200                     | Maintenance        | \$ | 50,000  | \$ | 50,000  |
| GRF 148402                     | Community Projects | \$ | 37,005  | \$ | 44,922  |
| TOTAL GRF General Revenue Fund |                    | \$ | 317,005 | \$ | 324,922 |

##### General Services Fund Group

|                                       |                         |    |         |    |         |
|---------------------------------------|-------------------------|----|---------|----|---------|
| 6010 148602                           | Gifts and Miscellaneous | \$ | 4,558   | \$ | 4,558   |
| TOTAL GSF General Services Fund Group |                         | \$ | 4,558   | \$ | 4,558   |
| TOTAL ALL BUDGET FUND GROUPS          |                         | \$ | 321,563 | \$ | 329,480 |

## SECTION 297.10. OHS OHIO HISTORICAL SOCIETY

## General Revenue Fund

|                                |                                  |    |           |    |           |
|--------------------------------|----------------------------------|----|-----------|----|-----------|
| GRF 360501                     | Education and Collections        | \$ | 2,368,997 | \$ | 2,368,997 |
| GRF 360502                     | Site and Museum Operations       | \$ | 3,926,288 | \$ | 3,926,288 |
| GRF 360504                     | Ohio Preservation Office         | \$ | 290,000   | \$ | 290,000   |
| GRF 360505                     | National Afro-American<br>Museum | \$ | 414,798   | \$ | 414,798   |
| GRF 360506                     | Hayes Presidential Center        | \$ | 281,043   | \$ | 281,043   |
| GRF 360508                     | State Historical Grants          | \$ | 1,140,570 | \$ | 390,570   |
| GRF 360509                     | Outreach and Partnership         | \$ | 90,395    | \$ | 90,395    |
| TOTAL GRF General Revenue Fund |                                  | \$ | 8,512,091 | \$ | 7,762,091 |
| TOTAL ALL BUDGET FUND GROUPS   |                                  | \$ | 8,512,091 | \$ | 7,762,091 |

## 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 year 2012 and fiscal year 2013 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.

## 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.

## STATE HISTORICAL GRANTS

Of the foregoing appropriation item 360508, State Historical Grants, \$195,285 in each fiscal year shall be granted to the Cincinnati Museum

Center, and \$195,285 in each fiscal year shall be granted to the Western Reserve Historical Society.

#### SECTION 299.10. REP OHIO HOUSE OF REPRESENTATIVES

##### General Revenue Fund

|                                |                    |    |            |    |            |
|--------------------------------|--------------------|----|------------|----|------------|
| GRF 025321                     | Operating Expenses | \$ | 18,517,093 | \$ | 18,517,093 |
| TOTAL GRF General Revenue Fund |                    | \$ | 18,517,093 | \$ | 18,517,093 |

##### General Services Fund Group

|                                       |                     |    |            |    |            |
|---------------------------------------|---------------------|----|------------|----|------------|
| 1030 025601                           | House Reimbursement | \$ | 1,433,664  | \$ | 1,433,664  |
| 4A40 025602                           | Miscellaneous Sales | \$ | 37,849     | \$ | 37,849     |
| TOTAL GSF General Services Fund Group |                     | \$ | 1,471,513  | \$ | 1,471,513  |
| TOTAL ALL BUDGET FUND GROUPS          |                     | \$ | 19,988,606 | \$ | 19,988,606 |

#### OPERATING EXPENSES

On July 1, 2011, or as soon as possible thereafter, the Chief Administrative Officer of the House of Representatives may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 025321, Operating Expenses, at the end of fiscal year 2011 to be reappropriated to fiscal year 2012. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2012.

On July 1, 2012, or as soon as possible thereafter, the Chief Administrative Officer of the House of Representatives may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 025321, Operating Expenses, at the end of fiscal year 2012 to be reappropriated to fiscal year 2013. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2013.

#### HOUSE REIMBURSEMENT

If it is determined by the Chief Administrative Officer of the House of Representatives that additional appropriations are necessary for the foregoing appropriation item 025601, House Reimbursement, the amounts are hereby appropriated.

#### SECTION 303.10. HFA OHIO HOUSING FINANCE AGENCY

##### Agency Fund Group

|                              |                                             |    |           |    |           |
|------------------------------|---------------------------------------------|----|-----------|----|-----------|
| 5AZ0 997601                  | Housing Finance Agency<br>Personal Services | \$ | 9,800,000 | \$ | 9,800,000 |
| TOTAL AGY Agency Fund Group  |                                             | \$ | 9,800,000 | \$ | 9,800,000 |
| TOTAL ALL BUDGET FUND GROUPS |                                             | \$ | 9,800,000 | \$ | 9,800,000 |

## SECTION 305.10. IGO OFFICE OF THE INSPECTOR GENERAL

## General Revenue Fund

|                                |                    |    |           |    |           |
|--------------------------------|--------------------|----|-----------|----|-----------|
| GRF 965321                     | Operating Expenses | \$ | 1,124,663 | \$ | 1,125,598 |
| TOTAL GRF General Revenue Fund |                    | \$ | 1,124,663 | \$ | 1,125,598 |

## General Services Fund Group

|                                       |                                         |    |           |    |           |
|---------------------------------------|-----------------------------------------|----|-----------|----|-----------|
| 5FA0 965603                           | Deputy Inspector General for<br>ODOT    | \$ | 400,000   | \$ | 400,000   |
| 5FT0 965604                           | Deputy Inspector General for<br>BWC/OIC | \$ | 425,000   | \$ | 425,000   |
| 5GI0 965605                           | Deputy Inspector General for<br>ARRA    | \$ | 520,837   | \$ | 521,535   |
| TOTAL GSF General Services Fund Group |                                         | \$ | 1,345,837 | \$ | 1,346,535 |
| TOTAL ALL BUDGET FUND GROUPS          |                                         | \$ | 2,470,500 | \$ | 2,472,133 |

## IGO CASINO-RELATED ACTIVITIES

On July 1, 2011, or as soon as possible thereafter, an amount equal to the unexpended, unencumbered balance of appropriation item 965609, Casino Investigations, at the end of fiscal year 2011 is hereby reappropriated to the same appropriation item for fiscal year 2012, to be used for the performance of the Inspector General's casino-related duties.

## DEPUTY INSPECTOR GENERAL FOR FUNDS RECEIVED THROUGH THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

On July 1, 2011, and on January 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$225,000 in cash, for each period, from the General Revenue Fund to the Deputy Inspector General for Funds Received through the American Recovery and Reinvestment Act of 2009 Fund (Fund 5GI0), which is created in section 121.53 of the Revised Code.

On July 1, 2012, and on January 1, 2013, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$225,000 in cash, for each period, from the General Revenue Fund to the Deputy Inspector General for Funds Received through the American Recovery and Reinvestment Act of 2009 Fund (Fund 5GI0).

## SECTION 307.10. INS DEPARTMENT OF INSURANCE

## Federal Special Revenue Fund Group

|                                                 |                                    |    |           |    |           |
|-------------------------------------------------|------------------------------------|----|-----------|----|-----------|
| 3EV0 820610                                     | Health Insurance Premium<br>Review | \$ | 1,000,000 | \$ | 1,000,000 |
| 3EW0 820611                                     | Health Exchange Planning           | \$ | 1,000,000 | \$ | 1,000,000 |
| 3U50 820602                                     | OSHIIP Operating Grant             | \$ | 2,270,726 | \$ | 2,270,725 |
| TOTAL FED Federal Special<br>Revenue Fund Group |                                    | \$ | 4,270,726 | \$ | 4,270,725 |

## State Special Revenue Fund Group

|                                 |        |                             |    |            |    |            |
|---------------------------------|--------|-----------------------------|----|------------|----|------------|
| 5540                            | 820601 | Operating Expenses - OSHIIP | \$ | 190,000    | \$ | 180,000    |
| 5540                            | 820606 | Operating Expenses          | \$ | 22,745,538 | \$ | 22,288,550 |
| 5550                            | 820605 | Examination                 | \$ | 9,065,684  | \$ | 8,934,065  |
| TOTAL SSR State Special Revenue |        |                             |    |            |    |            |
| Fund Group                      |        |                             | \$ | 32,001,222 | \$ | 31,402,615 |
| TOTAL ALL BUDGET FUND GROUPS    |        |                             | \$ | 36,271,948 | \$ | 35,673,340 |

## 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 5540).

## 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 5540), established by section 3901.021 of the Revised Code, to the Superintendent's Examination Fund (Fund 5550), 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 5540 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 (Fund 5540) to the General Revenue Fund.

## SECTION 309.10. JFS DEPARTMENT OF JOB AND FAMILY SERVICES

## General Revenue Fund

|           |                                        |    |             |    |             |  |
|-----------|----------------------------------------|----|-------------|----|-------------|--|
| GRF600321 | Support Services                       |    |             |    |             |  |
|           | State                                  | \$ | 34,801,760  | \$ | 31,932,117  |  |
|           | Federal                                | \$ | 9,322,222   | \$ | 9,207,441   |  |
|           | Support Services Total                 | \$ | 44,123,982  | \$ | 41,139,558  |  |
| GRF600410 | TANF State                             | \$ | 151,386,934 | \$ | 151,386,934 |  |
| GRF600413 | Child Care Match/Maintenance of Effort | \$ | 84,732,730  | \$ | 84,732,730  |  |
| GRF600416 | Computer Projects                      |    |             |    |             |  |
|           | State                                  | \$ | 67,955,340  | \$ | 69,263,506  |  |
|           | Federal                                | \$ | 13,105,167  | \$ | 12,937,222  |  |
|           | Computer Projects Total                | \$ | 81,060,507  | \$ | 82,200,728  |  |



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|                                           |                                                          |    |                |    |                |
|-------------------------------------------|----------------------------------------------------------|----|----------------|----|----------------|
| GRF600417                                 | Medicaid Provider Audits                                 | \$ | 1,312,992      | \$ | 1,312,992      |
| GRF600420                                 | Child Support Administration                             | \$ | 6,163,534      | \$ | 6,065,588      |
| GRF600421                                 | Office of Family Stability                               | \$ | 3,768,929      | \$ | 3,757,493      |
| GRF600423                                 | Office of Children and Families                          | \$ | 5,123,406      | \$ | 4,978,756      |
| GRF600425                                 | Office of Ohio Health Plans                              |    |                |    |                |
|                                           | State                                                    | \$ | 13,149,582     | \$ | 15,740,987     |
|                                           | Federal                                                  | \$ | 12,556,921     | \$ | 12,286,234     |
|                                           | Office of Ohio Health Plans                              | \$ | 25,706,503     | \$ | 28,027,221     |
|                                           | Total                                                    |    |                |    |                |
| GRF600502                                 | Administration - Local                                   | \$ | 23,814,103     | \$ | 23,814,103     |
| GRF600511                                 | Disability Financial Assistance                          | \$ | 26,599,666     | \$ | 27,108,734     |
| GRF600521                                 | Entitlement Administration - Local                       | \$ | 72,200,721     | \$ | 72,200,721     |
| GRF600523                                 | Children and Families Services                           | \$ | 53,605,323     | \$ | 53,105,323     |
| GRF600525                                 | Health Care/Medicaid                                     |    |                |    |                |
|                                           | State                                                    | \$ | 4,313,761,372  | \$ | 4,689,051,017  |
|                                           | Federal                                                  | \$ | 7,530,008,024  | \$ | 8,429,762,527  |
|                                           | Health Care Total                                        | \$ | 11,843,769,396 | \$ | 13,118,813,544 |
| GRF600526                                 | Medicare Part D                                          | \$ | 277,996,490    | \$ | 296,964,743    |
| GRF600528                                 | Adoption Services                                        |    |                |    |                |
|                                           | State                                                    | \$ | 29,257,932     | \$ | 29,257,932     |
|                                           | Federal                                                  | \$ | 41,085,169     | \$ | 41,085,169     |
|                                           | Adoption Services Total                                  | \$ | 70,343,101     | \$ | 70,343,101     |
| GRF600533                                 | Child, Family, and Adult Community & Protective Services | \$ | 13,500,000     | \$ | 13,500,000     |
| GRF600534                                 | Adult Protective Services                                | \$ | 366,003        | \$ | 366,003        |
| GRF600535                                 | Early Care and Education                                 | \$ | 123,596,474    | \$ | 123,596,474    |
| GRF600537                                 | Children's Hospital                                      | \$ | 6,000,000      | \$ | 6,000,000      |
| GRF600540                                 | Second Harvest Food Banks                                | \$ | 4,000,000      | \$ | 4,000,000      |
| GRF600541                                 | Kinship Permanency Incentive Program                     | \$ | 2,500,000      | \$ | 3,500,000      |
| TOTAL GRF                                 | General Revenue Fund                                     |    |                |    |                |
|                                           | State                                                    | \$ | 5,315,593,291  | \$ | 5,711,636,153  |
|                                           | Federal                                                  | \$ | 7,606,077,503  | \$ | 8,505,278,593  |
|                                           | GRF Total                                                | \$ | 12,921,670,794 | \$ | 14,216,914,746 |
| <b>General Services Fund Group</b>        |                                                          |    |                |    |                |
| 4A80 600658                               | Public Assistance Activities                             | \$ | 34,000,000     | \$ | 34,000,000     |
| 5C90 600671                               | Medicaid Program Support                                 | \$ | 85,800,878     | \$ | 82,839,266     |
| 5DL0 600639                               | Medicaid Revenue and Collections                         | \$ | 89,256,974     | \$ | 84,156,974     |
| 5DM0 600633                               | Administration & Operating                               | \$ | 20,392,173     | \$ | 19,858,928     |
| 5FX0 600638                               | Medicaid Payment Withholding                             | \$ | 5,000,000      | \$ | 6,000,000      |
| 5HL0 600602                               | State and County Shared services                         | \$ | 3,020,000      | \$ | 3,020,000      |
| 5P50 600692                               | Prescription Drug Rebate - State                         | \$ | 220,600,000    | \$ | 242,600,000    |
| 6130 600645                               | Training Activities                                      | \$ | 500,000        | \$ | 500,000        |
| TOTAL GSF                                 | General Services Fund Group                              | \$ | 458,570,025    | \$ | 472,975,168    |
| <b>Federal Special Revenue Fund Group</b> |                                                          |    |                |    |                |

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|                                              |        |                                                       |    |               |    |               |
|----------------------------------------------|--------|-------------------------------------------------------|----|---------------|----|---------------|
| 3270                                         | 600606 | Child Welfare                                         | \$ | 29,769,865    | \$ | 29,769,866    |
| 3310                                         | 600686 | Federal Operating                                     | \$ | 49,128,140    | \$ | 48,203,023    |
| 3840                                         | 600610 | Food Assistance and State Administration              | \$ | 180,381,394   | \$ | 180,381,394   |
| 3850                                         | 600614 | Refugee Services                                      | \$ | 11,582,440    | \$ | 12,564,952    |
| 3950                                         | 600616 | Special Activities/Child and Family Services          | \$ | 2,259,264     | \$ | 2,259,264     |
| 3960                                         | 600620 | Social Services Block Grant                           | \$ | 64,999,999    | \$ | 64,999,998    |
| 3970                                         | 600626 | Child Support                                         | \$ | 255,812,837   | \$ | 255,813,528   |
| 3980                                         | 600627 | Adoption Maintenance/ Administration                  | \$ | 352,183,862   | \$ | 352,184,253   |
| 3A20                                         | 600641 | Emergency Food Distribution                           | \$ | 5,000,000     | \$ | 5,000,000     |
| 3AW0                                         | 600675 | Faith Based Initiatives                               | \$ | 544,140       | \$ | 544,140       |
| 3D30                                         | 600648 | Children's Trust Fund Federal                         | \$ | 2,040,524     | \$ | 2,040,524     |
| 3ER0                                         | 600603 | Health Information Technology                         | \$ | 411,661,286   | \$ | 416,395,286   |
| 3F00                                         | 600623 | Health Care Federal                                   | \$ | 2,637,061,505 | \$ | 2,720,724,869 |
| 3F00                                         | 600650 | Hospital Care Assurance Match                         | \$ | 372,784,046   | \$ | 380,645,627   |
| 3FA0                                         | 600680 | Ohio Health Care Grants                               | \$ | 9,405,000     | \$ | 20,000,000    |
| 3G50                                         | 600655 | Interagency Reimbursement                             | \$ | 1,621,305,787 | \$ | 1,380,391,478 |
| 3H70                                         | 600617 | Child Care Federal                                    | \$ | 208,290,036   | \$ | 204,813,731   |
| 3N00                                         | 600628 | IV-E Foster Care Maintenance                          | \$ | 133,963,142   | \$ | 133,963,142   |
| 3S50                                         | 600622 | Child Support Projects                                | \$ | 534,050       | \$ | 534,050       |
| 3V00                                         | 600688 | Workforce Investment Act                              | \$ | 176,496,250   | \$ | 172,805,562   |
| 3V40                                         | 600678 | Federal Unemployment Programs                         | \$ | 188,680,096   | \$ | 186,723,415   |
| 3V40                                         | 600679 | Unemployment Compensation Review Commission - Federal | \$ | 4,166,988     | \$ | 4,068,758     |
| 3V60                                         | 600689 | TANF Block Grant                                      | \$ | 727,968,260   | \$ | 727,968,260   |
| TOTAL FED Federal Special Revenue Fund Group |        |                                                       | \$ | 7,446,018,911 | \$ | 7,302,795,120 |
| <b>State Special Revenue Fund Group</b>      |        |                                                       |    |               |    |               |
| 1980                                         | 600647 | Children's Trust Fund                                 | \$ | 5,873,637     | \$ | 5,873,848     |
| 4A90                                         | 600607 | Unemployment Compensation Administration Fund         | \$ | 21,924,998    | \$ | 21,424,998    |
| 4A90                                         | 600694 | Unemployment Compensation Review Commission           | \$ | 2,173,167     | \$ | 2,117,031     |
| 4E30                                         | 600605 | Nursing Home Assessments                              | \$ | 2,878,320     | \$ | 2,878,319     |
| 4E70                                         | 600604 | Child and Family Services Collections                 | \$ | 400,000       | \$ | 400,000       |
| 4F10                                         | 600609 | Children and Family Services Activities               | \$ | 683,359       | \$ | 683,549       |
| 4K10                                         | 600621 | ICF/MR Bed Assessments                                | \$ | 41,405,596    | \$ | 44,372,874    |
| 4Z10                                         | 600625 | HealthCare Compliance                                 | \$ | 11,551,076    | \$ | 14,582,000    |
| 5AJ0                                         | 600631 | Money Follows the Person                              | \$ | 5,483,080     | \$ | 4,733,080     |
| 5DB0                                         | 600637 | Military Injury Grants                                | \$ | 2,000,000     | \$ | 2,000,000     |
| 5DP0                                         | 600634 | Adoption Assistance Loan                              | \$ | 500,000       | \$ | 500,000       |
| 5ES0                                         | 600630 | Food Assistance                                       | \$ | 500,000       | \$ | 500,000       |
| 5GF0                                         | 600656 | Medicaid - Hospital                                   | \$ | 436,000,000   | \$ | 436,000,000   |
| 5KC0                                         | 600682 | Health Care Special Activities                        | \$ | 10,000,000    | \$ | 10,000,000    |
| 5R20                                         | 600608 | Medicaid-Nursing Facilities                           | \$ | 402,489,308   | \$ | 407,100,746   |

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|                                           |        |                              |    |                |    |                |
|-------------------------------------------|--------|------------------------------|----|----------------|----|----------------|
| 5S30                                      | 600629 | MR/DD Medicaid               | \$ | 9,252,738      | \$ | 9,147,791      |
|                                           |        | Administration and Oversight |    |                |    |                |
| 5U30                                      | 600654 | Health Care Services         | \$ | 24,400,000     | \$ | 24,400,000     |
|                                           |        | Administration               |    |                |    |                |
| 5U60                                      | 600663 | Children and Family Support  | \$ | 4,000,000      | \$ | 4,000,000      |
| 6510                                      | 600649 | Hospital Care Assurance      | \$ | 212,526,123    | \$ | 217,008,050    |
|                                           |        | Program Fund                 |    |                |    |                |
| TOTAL SSR State Special Revenue           |        |                              |    |                |    |                |
| Fund Group                                |        |                              | \$ | 1,194,041,402  | \$ | 1,207,722,286  |
| Agency Fund Group                         |        |                              |    |                |    |                |
| 1920                                      | 600646 | Support Intercept - Federal  | \$ | 130,000,000    | \$ | 130,000,000    |
| 5830                                      | 600642 | Support Intercept - State    | \$ | 16,000,000     | \$ | 16,000,000     |
| 5B60                                      | 600601 | Food Assistance Intercept    | \$ | 2,000,000      | \$ | 2,000,000      |
| TOTAL AGY Agency Fund Group               |        |                              | \$ | 148,000,000    | \$ | 148,000,000    |
| Holding Account Redistribution Fund Group |        |                              |    |                |    |                |
| R012                                      | 600643 | Refunds and Audit            | \$ | 2,200,000      | \$ | 2,200,000      |
|                                           |        | Settlements                  |    |                |    |                |
| R013                                      | 600644 | Forgery Collections          | \$ | 10,000         | \$ | 10,000         |
| TOTAL 090 Holding Account Redistribution  |        |                              | \$ | 2,210,000      | \$ | 2,210,000      |
| Fund Group                                |        |                              |    |                |    |                |
| TOTAL ALL BUDGET FUND GROUPS              |        |                              | \$ | 22,170,511,132 | \$ | 23,350,617,320 |

## SECTION 309.20. SUPPORT SERVICES

## SECTION 309.20.10. ADMINISTRATION AND OPERATING

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$535,300 cash from the TANF Quality Control Reinvestments Fund (Fund 5Z90) to the Administration and Operating Fund (Fund 5DM0). Upon completion of the transfer, Fund 5Z90 is abolished.

Of the foregoing appropriation item 600633, Administration and Operating, the Department of Job and Family Services shall use up to \$535,300 to pay for one-time contract expenses.

## SECTION 309.20.20. TRANSFER TO STATE AND COUNTY SHARED SERVICES FUND

Within thirty days of the effective date of this act, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unencumbered cash balance in the County Technologies Fund (Fund 5N10) to the State and County Shared Services Fund (Fund 5HL0). The transferred cash is hereby appropriated.

## SECTION 309.20.30. AGENCY FUND GROUP

The Agency Fund Group and Holding Account Redistribution Fund Group shall be used to hold revenues until the appropriate fund is determined or until the revenues are directed to the appropriate governmental agency other than the Department of Job and Family Services. If receipts credited to the Support Intercept – Federal Fund (Fund 1920), the Support Intercept – State Fund (Fund 5830), the Food Stamp Offset Fund (Fund 5B60), the Refunds and Audit Settlements Fund (Fund R012), or the Forgery Collections Fund (Fund R013) exceed the amounts appropriated from the fund, the Director of Job and Family Services may request the Director of Budget and Management to authorize expenditures from the fund in excess of the amounts appropriated. Upon the approval of the Director of Budget and Management, the additional amounts are hereby appropriated.

## SECTION 309.30. MEDICAID

## SECTION 309.30.10. HEALTH CARE/MEDICAID

The foregoing appropriation item 600525, Health Care/Medicaid, shall not be limited by section 131.33 of the Revised Code.

## SECTION 309.30.13. MEDICAID RESERVE FUND

There is hereby created in the state treasury the Medicaid Reserve Fund. The Director of Budget and Management may transfer up to \$129,113,790 cash from the General Revenue Fund to the Medicaid Reserve Fund during the FY 2012-FY 2013 biennium. Money in the fund may be used for the Medicaid Program upon request of the Director of Job and Family Services and approval of the Director of Budget and Management. As necessary, the Director of Budget and Management is authorized to transfer cash from the Medicaid Reserve Fund to the General Revenue Fund. Appropriations in appropriation item 600525, Health Care/Medicaid, shall be increased by the amounts of such transfers and corresponding federal matching funds. Such amounts are hereby appropriated.

## SECTION 309.30.20. UNIFIED LONG TERM CARE

The foregoing appropriation item 600525, Health Care/Medicaid, may

be used to provide the preadmission screening and resident review (PASRR), which includes screening, assessments, and determinations made under sections 5111.204, 5119.061, and 5123.021 of the Revised Code.

The foregoing appropriation item 600525, Health Care/Medicaid, may be used to assess and provide long-term care consultations under section 173.42 of the Revised Code to clients regardless of Medicaid eligibility.

The foregoing appropriation item 600525, Health Care/Medicaid, may be used to provide nonwaiver funded PASSPORT and assisted living services to persons who the state department has determined to be eligible to participate in the nonwaiver funded PASSPORT and assisted living programs, who applied for but have not yet been determined to be financially eligible to participate in the Medicaid waiver component of the PASSPORT Home Care Program or the Assisted Living Program by a county department of job and family services, and to persons who are not eligible for Medicaid but were enrolled in the PASSPORT Program prior to July 1, 1990.

The foregoing appropriation item 600525, Health Care/Medicaid, shall be used to provide the required state match for federal Medicaid funds supporting the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.

The foregoing appropriation item 600525, Health Care/Medicaid, shall be used to provide the federal matching share of program costs determined by the Department of Job and Family Services to be eligible for Medicaid reimbursement for the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.

#### SECTION 309.30.21. ESTIMATED EXPENDITURES FOR PASSPORT, CHOICES, ASSISTED LIVING, AND PACE PROGRAMS

(A) Of the funds appropriated to the Department of Job and Family Services for health care services, it is estimated that \$618,772,607 in fiscal year 2012 and \$662,261,174 in fiscal year 2013 will be expended on the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program.

(B) The Department of Job and Family Services and the Department of Aging shall jointly monitor the expenditures made under division (A) of this section at regular intervals, and shall use the following criteria in monitoring such expenditures:

(1) For fiscal year 2012 and fiscal year 2013, per member per month spending for PASSPORT and Choices services will be provided at

approximately the same levels as provided during fiscal year 2011;

(2) For fiscal year 2012 and fiscal year 2013, per member per month spending for PASSPORT Administrative Agency case management functions will be maintained at fiscal year 2011 levels;

(3) For fiscal year 2012, spending for PASSPORT Administrative Agency site operation functions will be ninety-five per cent of the level provided in fiscal year 2011. For fiscal year 2013, spending for PASSPORT Administrative Agency site operation functions will be ninety-five per cent of the level provided in fiscal year 2012.

(C) The Department of Job and Family Services and the Department of Aging shall identify any significant variance in expenditures from the overall funding levels provided under divisions (A) and (B) of this section, and shall take corrective action where variances may adversely affect the delivery of Medicaid waiver-funded PASSPORT Home Care, Choices, Assisted Living, and PACE services.

JRK  
**SECTION 309.30.23. HATTIE LARLHAM COMMUNITY LIVING**

Of the foregoing appropriation item 600525, Health Care/Medicaid, \$62,500 in each fiscal year shall be awarded to Hattie Larlham Community Living.

**SECTION 309.30.30. REDUCTION IN MEDICAID PAYMENT RATES**

(A) As used in this section, "charge high trim point" means a measure, excluding the measure established by paragraph (A)(6) of rule 5101:3-2-07.9 of the Administrative Code, used to determine whether a claim for a hospital inpatient service qualifies for a cost outlier payment under the Medicaid program.

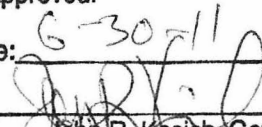
(B) For fiscal year 2012 and fiscal year 2013, the Director of Job and Family Services shall implement purchasing strategies and rate reductions for hospital and other Medicaid-covered services, as determined by the Director, that result in payment rates for those services being at least two per cent less than the respective payment rates for fiscal year 2011. In implementing the purchasing strategies and rate reductions, the Director shall do the following:

(1) Notwithstanding the section of this act titled "CONTINUATION OF MEDICAID RATES FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES," modernize hospital inpatient and outpatient reimbursement methodologies by doing the following:

(a) Modifying the inpatient hospital capital reimbursement

The above boxed and Initialed text was disapproved.

Date: 6-30-11

  
John R. Kasich, Governor



methodology;

(b) Establishing new diagnosis-related groups in a cost-neutral manner;

(c) For hospital discharges that occur during the period beginning October 1, 2011, and ending January 1, 2012, modifying charge high trim points, as in effect on January 1, 2011, by a factor of 13.6%;

(d) For hospital discharges that occur during the period beginning January 1, 2012, and ending on the effective date of the first of the new diagnosis-related groups established under division (B)(1)(b) of this section, modifying charge high trim points, as in effect on October 1, 2011, by a factor of 9.72%;

(e) Implementing other changes the Director considers appropriate.

(2) Establish selective contracting and prior authorization requirements for types of medical assistance the Director identifies.

(C) The Director shall adopt rules under section 5111.02 and 5111.85 of the Revised Code as necessary to implement this section.

(D) This section does not apply to nursing facility and intermediate care facility for the mentally retarded services provided under the Medicaid program.

#### SECTION 309.30.31. FISCAL YEAR 2012 MEDICARE COPAYMENT FOR DIALYSIS SERVICES PROVIDED TO MEDICAID RECIPIENTS

(A) As used in this section, "dual eligible individual" has the same meaning as in section 1915(h)(2)(B) of the "Social Security Act," 124 Stat. 315 (2010), 42 U.S.C. 1396n(h)(2)(B).

(B) Notwithstanding any conflicting provision of section 5111.021 of the Revised Code or any other conflicting provision of the Revised Code or this act, in fiscal year 2012, for dialysis services provided to a dual eligible individual, the Department of Job and Family Services shall pay under the Medicaid program an amount equal to the Medicare copayment amount that applies to the service, as that amount was paid by the Department immediately prior to the effective date of this section.

#### SECTION 309.30.32. FISCAL YEAR 2013 MEDICAID RATE FOR DIALYSIS SERVICES

In fiscal year 2013, the Department of Job and Family Services may adjust the Medicaid rates that are paid for dialysis services by an amount sufficient to achieve aggregate savings of not more than \$9 million in state share expenditures under the Medicaid program. The aggregate savings shall include any savings that may be achieved through measures taken with

regard to dialysis services under the section of this act titled "REDUCTION IN MEDICAID PAYMENT RATES.

SECTION 309.30.33. HOSPITAL INPATIENT AND OUTPATIENT SUPPLEMENTAL UPPER PAYMENT LIMIT PROGRAM; MEDICAID MANAGED CARE HOSPITAL INCENTIVE PAYMENT PROGRAM

(A) As used in this section:

(1) "Hospital" has the same meaning as in section 5112.40 of the Revised Code.

(2) "Hospital Assessment Fund" means the fund created under section 5112.45 of the Revised Code.

(3) "Medicaid managed care organization" means an entity under contract pursuant to section 5111.17 of the Revised Code to provide or arrange services for Medicaid recipients who are required or permitted to participate in the Medicaid care management system.

(B) The Department of Job and Family Services shall submit to the United States Secretary of Health and Human Services a Medicaid state plan amendment to do both of the following:

(1) Continue the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program that was established pursuant to Section 309.30.17 of Am. Sub. H.B. 1 of the 128th General Assembly, with any modifications necessary to implement the program as described under division (D) of this section;

(2) Create the Medicaid Managed Care Hospital Incentive Payment Program, as described under division (E) of this section.

(C) Of the amounts deposited into the Hospital Assessment Fund in fiscal year 2012 and fiscal year 2013:

(1) Up to \$432,432,725 (state and federal) in fiscal year 2012 and up to \$415,162,388 (state and federal) in fiscal year 2013 shall be used for the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program;

(2) Up to \$162,000,000 (state and federal) in each fiscal year shall be used for the Medicaid Managed Care Hospital Incentive Payment Program;

(3) Up to \$176,021,111 (state and federal) in fiscal year 2012 and up to \$195,158,394 (state and federal) in fiscal year 2013 shall be used for the program authorized by the section of this act titled "CONTINUATION OF MEDICAID RATES FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES."

(D)(1) If the Medicaid state plan amendment submitted under division (B)(1) of this section is approved, the Department shall implement the

Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program during fiscal year 2012 and fiscal year 2013. Under the Program, subject to division (D)(2) of this section, supplemental Medicaid payments shall be made to hospitals for Medicaid-covered inpatient and outpatient services. The Department shall make the payments through amounts that are made available for the Program under division (C) of this section and any federal financial participation available for the Program.

(2) The Department shall take all actions necessary to cease implementation of the Program if the United States Secretary determines that the assessment imposed under section 5112.41 of the Revised Code is an impermissible healthcare-related tax under section 1903(w) of the "Social Security Act," 105 Stat. 1793 (1991), 42 U.S.C. 1396b(w), as amended.

(E)(1) If the Medicaid state plan amendment submitted under division (B)(2) of this section is approved, the Department shall implement the Medicaid Managed Care Hospital Incentive Payment Program. The purpose of the Program is to increase access to hospital services for Medicaid recipients who are enrolled in Medicaid managed care organizations.

Under the Program, subject to division (E)(3) of this section, funds shall be provided to Medicaid managed care organizations, which shall use the funds to increase payments to hospitals for providing services to Medicaid recipients who are enrolled in the organizations. The Department shall provide the funds through amounts that are made available for the Program under division (C) of this section and any federal financial participation available for the Program.

(2) Not later than July 1, 2012, the Department shall select an actuary to conduct a study of the contracted reimbursement rates between Medicaid managed care organizations and hospitals. The actuary shall determine if a reduction in the capitation rates paid to Medicaid managed care organizations in fiscal year 2013 is appropriate as a result of the contracted reimbursement rates between the organizations and hospitals. The actuary shall notify the Department of its determination.

If the actuary determines that a reduction in the capitation rates paid to Medicaid managed care organizations in fiscal year 2013 will not achieve \$22 million in state savings in fiscal year 2013, the state shall receive the difference between what the actuary determines the state will save and \$22 million. The Department, in consultation with the Ohio Association of Health Plans and the Ohio Hospital Association, shall establish a methodology under which the difference is paid equally by Medicaid managed care organizations and hospitals in this state.

Notwithstanding anything to the contrary specified in division (E)(3)(b)

or (c) of this section, the Medicaid managed care organizations and hospitals shall pay the amounts determined under the methodology, unless the Department waives the requirement to make the payments. The requirement may be waived if spending for the Medicaid program in fiscal year 2013 is less than the amount that is budgeted for that fiscal year. If payments are made, the amount received by the Department shall be deposited into the state treasury to the credit of the Health Care Compliance Fund created under section 5111.171 of the Revised Code.

(3)(a) The Department shall not provide funds to Medicaid managed care organizations under the Program unless an actuary selected by the Department certifies that the Program would not violate the actuarial soundness of the capitation rates paid to Medicaid managed care organizations.

(b) The Department shall not implement the Program in a manner that causes a hospital to receive less money from the Hospital Assessment Fund than the hospital would have received if the Program were not implemented.

(c) The Department shall not implement the Program in a manner that causes a Medicaid managed care organization to receive a lower capitation payment rate solely because funds are made available to the organization under the Program.

(d) The Department shall take all necessary actions to cease implementation of the Program if the United States Secretary determines that the assessment imposed under section 5112.41 of the Revised Code is an impermissible healthcare-related tax under section 1903(w) of the "Social Security Act," 105 Stat. 1793 (1991), 42 U.S.C. 1396b(w), as amended.

(F) The Director of Budget and Management may authorize additional expenditures from appropriation item 600623, Health Care Federal, appropriation item 600525, Health Care/Medicaid, and appropriation item 600656, Medicaid-Hospital, in order to implement the programs authorized by this section and to implement the section of this act titled "CONTINUATION OF MEDICAID RATES FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES." Any amounts authorized are hereby appropriated.

(G) Nothing in this section reduces payments to children's hospitals authorized under the section of this act titled "CHILDREN'S HOSPITALS SUPPLEMENTAL FUNDING."

SECTION 309.30.35. CONTINUATION OF MEDICAID RATES FOR  
HOSPITAL INPATIENT AND OUTPATIENT SERVICES

The Director of Job and Family Services shall amend rules adopted

under section 5111.02 of the Revised Code as necessary to continue, for fiscal year 2012 and fiscal year 2013, the Medicaid reimbursement rates in effect on June 30, 2011, for Medicaid-covered hospital inpatient services and hospital outpatient services that are paid under the prospective payment system established in those rules.

SECTION 309.30.38. CHILDREN'S HOSPITALS SUPPLEMENTAL FUNDING

(A) As used in this section, "children's hospital" means a children's hospital, as defined in section 3702.51 of the Revised Code, that is located in this state, primarily serves patients eighteen years of age and younger, is subject to the Medicaid prospective payment system for hospitals established in rules adopted under section 5111.02 of the Revised Code, and is excluded from Medicare prospective payment in accordance with 42 C.F.R. 412.23(d).

(B) For fiscal year 2012 and fiscal year 2013, the Director of Job and Family Services shall make additional Medicaid payments to children's hospitals for inpatient services to compensate children's hospitals for the high percentage of Medicaid recipients they serve. The additional payments shall be made under a program modeled after the program the Department of Job and Family Services was required to create for fiscal year 2006 and fiscal year 2007 in Section 206.66.79 of Am. Sub. H.B. 66 of the 126th General Assembly. The program may be the same as the program the Director used for making the payments to children's hospitals for fiscal year 2010 and fiscal year 2011 under Section 309.30.15 of Am. Sub. H.B. 1 of the 128th General Assembly.

(C) All of the following shall be used to make additional Medicaid payments to children's hospitals under division (B) of this section:

(1) Of the foregoing appropriation item 600537, Children's Hospital, up to \$6 million in each fiscal year plus the corresponding federal match;

(2) Of the amounts deposited into the Hospital Assessment Fund created under section 5112.45 of the Revised Code, \$4.4 million in fiscal year 2012, plus the corresponding federal match, and \$4 million in fiscal year 2013, plus the corresponding federal match.

SECTION 309.30.40. MANAGED CARE PERFORMANCE PAYMENT PROGRAM

At the beginning of each quarter, or as soon as possible thereafter, the Director of Job and Family Services shall certify to the Director of Budget

and Management the amount withheld in accordance with section 5111.1711 of the Revised Code for purposes of the Managed Care Performance Payment Program. Upon receiving certification, the Director of Budget and Management shall transfer cash in the amount certified from the General Revenue Fund to the Managed Care Performance Payment Fund. The transferred cash is hereby appropriated. Appropriation item 600525, Health Care/Medicaid, is hereby reduced by the amount of the transfer.

SECTION 309.30.50. COORDINATION OF CARE FOR COVERED FAMILIES AND CHILDREN PENDING MEDICAID MANAGED CARE ENROLLMENT

(A) As used in this section, "Medicaid managed care" means the care management system established under section 5111.16 of the Revised Code.

(B) The departments of Job and Family Services and Health shall work together on the issue of achieving efficiencies in the delivery of medical assistance provided under Medicaid to families and children.

(C) As part of their work under division (B) of this section, the departments shall develop a proposal for coordinating medical assistance provided to families and children under Medicaid while they wait to be enrolled in Medicaid managed care. In developing the proposal, the departments may do the following:

(1) Conduct research on the status of families and children waiting to be enrolled in Medicaid managed care, including research on the reasons for the wait and the utilization of medical assistance during the waiting period;

(2) Conduct a review of ways to help families and children receive medical assistance in the most appropriate setting while they wait to be enrolled in Medicaid managed care;

(3) Develop recommendations for a coordinated, cost-effective system of helping families and children waiting to be enrolled in Medicaid managed care find the medical assistance they need during the waiting period;

(4) For the purpose of reducing the waiting period for enrollment in Medicaid managed care, develop recommendations for improving the enrollment processes.

(D) As part of the work that is done under division (B) of this section, the Department of Job and Family Services may submit to the United States Secretary of Health and Human Services a request for a Medicaid state plan amendment to authorize payment for Medicaid-reimbursable targeted case management services that are provided in connection with the Help Me Grow Program and for services provided under the Program. Each quarter during fiscal year 2012 and fiscal year 2013 following approval of the



Medicaid state plan amendment, the Department of Job and Family Services shall certify to the Director of Budget and Management the state and federal share of the amount the Department of Job and Family Services has expended that quarter for services under this section. On receipt of each quarterly certification to the Director of Budget and Management shall decrease appropriation from appropriation item 440459, Help Me Grow, an amount equal to the state share of the certified expenditures and increase appropriation item 600525, Health Care/Medicaid by an equal amount and adjust the Federal share accordingly. This transfer is not intended to reduce General Revenue Funds appropriated for the Help Me Grow Program, but is done solely for the purpose of drawing down the federal share of Medicaid reimbursement.

#### SECTION 309.30.53. MEDICAID MANAGED CARE EXEMPTIONS

Notwithstanding section 5111.16 of the Revised Code, as amended by this act, the Department of Job and Family Services shall not include in the care management system established under that section in either fiscal year 2012 or fiscal year 2013 any individual receiving services through the program for medically handicapped children established under section 3701.023 of the Revised Code who has one or more of the following conditions and who was not receiving services through the care management system immediately before the effective date of this section:

- (1) Cystic fibrosis;
- (2) Hemophilia;
- (3) Cancer.

#### SECTION 309.30.55. PRIOR AUTHORIZATION FOR COMMUNITY MENTAL HEALTH SERVICES

(A) As used in this section, "community mental health services" means mental health services included in the state Medicaid plan pursuant to section 5111.023 of the Revised Code.

(B) For fiscal year 2012 and fiscal year 2013, a Medicaid recipient who is under twenty-one years of age automatically satisfies all requirements for any prior authorization process for community mental health services provided under a component of the Medicaid program administered by the Department of Mental Health pursuant to an interagency agreement authorized by section 5111.91 of the Revised Code if any of the following apply to the recipient:

- (1) The recipient is in the temporary custody or permanent custody of a

public children services agency or private child placing agency or is in a planned permanent living arrangement.

(2) The recipient has been placed in protective supervision by a juvenile court.

(3) The recipient has been committed to the Department of Youth Services.

(4) The recipient is an alleged or adjudicated delinquent or unruly child receiving services under the Felony Delinquent Care and Custody Program operated under section 5139.43 of the Revised Code.

SECTION 309.30.60. FISCAL YEAR 2012 MEDICAID  
REIMBURSEMENT SYSTEM FOR NURSING FACILITIES

(A) As used in this section:

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

"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.

(B) Except as otherwise provided by this section, the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2011, and a valid Medicaid provider agreement during fiscal year 2012 shall be paid, for nursing facility services the nursing facility provides during fiscal year 2012, the rate calculated for the nursing facility under sections 5111.20 to 5111.331 of the Revised Code with the following adjustments:

(1) For the purpose of determining the nursing facility's rate for direct care costs under section 5111.231 of the Revised Code, the nursing facility's semiannual case-mix score for the period beginning July 1, 2011, and ending January 1, 2012, shall be the same as the semiannual case-mix score, as determined under section 5111.232 of the Revised Code, used in calculating the nursing facility's June 30, 2011, rate for direct care costs.

(2) 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 tax costs calculated under section 5111.242 of the Revised Code, and the rate for capital costs calculated under section 5111.25 of the Revised Code shall each be increased by 5.08 per cent.

(3) The per resident per day rate paid under section 5111.243 of the Revised Code for the franchise permit fee shall be \$11.47.

(4) 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, \$3.03 per Medicaid day.

(C) If the rate determined for a nursing facility under division (B) of this section for nursing facility services provided during fiscal year 2012 is less than 90 per cent of the rate the provider is paid for nursing facility services the nursing facility provides on June 30, 2011, the Department of Job and Family Services, except as provided in division (D) of this section, shall provide for the nursing facility's rate for fiscal year 2012 to be the percentage determined as follows less than its June 30, 2011, rate:

(1) Determine the percentage difference between the nursing facility's June 30, 2011, rate and the rate determined for the nursing facility under division (B) of this section;

(2) Reduce the percentage determined under division (C)(1) of this section by ten percentage points;

(3) Divide the percentage determined under division (C)(2) of this section by two;

(4) Increase the percentage determined under division (C)(3) of this section by ten percentage points.

(D) If the franchise permit fee must be reduced or eliminated to comply with federal law, 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) 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, 2011, and a valid Medicaid provider agreement during fiscal year 2012 notwithstanding anything to the contrary in sections 5111.20 to 5111.331 of the Revised Code.

#### SECTION 309.30.70. FISCAL YEAR 2013 MEDICAID REIMBURSEMENT SYSTEM FOR NURSING FACILITIES

(A) As used in this section:

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

"Low resource utilization resident" means a Medicaid recipient residing in a nursing facility who, for purposes of calculating the nursing facility's Medicaid reimbursement rate for direct care costs, is placed in either of the

two lowest resource utilization groups, excluding any resource utilization group that is a default group used for residents with incomplete assessment data.

"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.

(B) Except as otherwise provided by this section, the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2012, and a valid Medicaid provider agreement during fiscal year 2013 shall be paid, for nursing facility services the nursing facility provides during fiscal year 2013, the rate calculated for the nursing facility under sections 5111.20 to 5111.331 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 tax costs calculated under section 5111.242 of the Revised Code, and the rate for capital costs calculated under section 5111.25 of the Revised Code shall each be increased by 5.08 per cent;

(2) The maximum quality incentive payment made under section 5111.244 of the Revised Code shall be \$16.44 per Medicaid day.

(C) The rate determined under division (B) of this section shall not be paid for nursing facility services provided to low resource utilization residents. Except as provided in division (D) of this section, the provider of a nursing facility that has a valid Medicaid provider agreement on June 30, 2012, and a valid Medicaid provider agreement during fiscal year 2013 shall be paid, for nursing facility services the nursing facility provides during fiscal year 2013 to low resource utilization residents, \$130.00 per Medicaid day.

(D) If the franchise permit fee must be reduced or eliminated to comply with federal law, 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) 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, 2012, and a valid Medicaid provider agreement during fiscal year 2013 notwithstanding anything to the contrary in sections 5111.20 to 5111.331 of the Revised Code.

SECTION 309.30.73. JOINT LEGISLATIVE COMMITTEE FOR  
UNIFIED LONG-TERM SERVICES AND SUPPORTS

(A) There is hereby created the Joint Legislative Committee for Unified Long-Term Services and Supports. The Committee shall consist of the following members:

- (1) Two members of the House of Representatives from the majority party, appointed by the Speaker of the House of Representatives;
- (2) One member of the House of Representatives from the minority party, appointed by the Speaker of the House of Representatives;
- (3) Two members of the Senate from the majority party, appointed by the President of the Senate;
- (4) One member of the Senate from the minority party, appointed by the President of the Senate.

(B) The Speaker of the House of Representatives shall designate one of the members of the Committee appointed under division (A)(1) of this section to serve as co-chairperson of the Committee. The President of the Senate shall designate one of the members of the Committee appointed under division (A)(3) of this section to serve as the other co-chairperson of the Committee. The Committee shall meet at the call of the co-chairpersons. The co-chairpersons may request assistance for the Committee from the Legislative Service Commission.

(C) The Committee may examine the following issues:

- (1) The implementation of the dual eligible integrated care demonstration project authorized by section 5111.981 of the Revised Code;
- (2) The implementation of a unified long-term services and support Medicaid waiver component under section 5111.864 of the Revised Code;
- (3) Providing consumers choices regarding a continuum of services that meet their health-care needs, promote autonomy and independence, and improve quality of life;
- (4) Ensuring that long-term care services and supports are delivered in a cost effective and quality manner;
- (5) Subjecting county homes, county nursing homes, and district homes operated pursuant to Chapter 5155. of the Revised Code to the franchise permit fee under sections 3721.50 to 3721.58 of the Revised Code;
- (6) Other issues of interest to the committee.

(D) The co-chairpersons of the Committee shall provide for the Director of the Office of Ohio Health Plans in the Department of Job and Family Services to testify before the Committee not later than September 30, 2011, and at least quarterly thereafter regarding the issues that the Committee

examines.

SECTION 309.30.80. STUDY OF ICF/MR ISSUES

(A) As used in this section:

"Home and community-based services" has the same meaning as in section 5123.01 of the Revised Code.

"ICF/MR" means an intermediate care facility for the mentally retarded as defined in section 5111.20 of the Revised Code.

"ICF/MR services" means services covered by the Medicaid program that an ICF/MR provides to a Medicaid recipient eligible for the services.

(B) The Departments of Job and Family Services and Developmental Disabilities shall study issues regarding Medicaid reimbursement for ICF/MR services. In conducting the study, the Departments shall examine the following:

(1) Revising the Individual Assessment Form Answer Sheet in a manner that provides a more accurate assessment of the acuity and care needs of individuals who need ICF/MR services, especially the acuity and care needs of such individuals who have intensive behavioral or medical needs;

(2) Revising the Medicaid reimbursement formula for ICF/MR services to accomplish the following:

(a) Ensure that reimbursement for capital costs is adequate for maintaining the capital assets of ICFs/MR in a manner that promotes the well-being of the residents;

(b) Provide capital incentives for reducing the capacity of ICFs/MR as necessary to achieve goals regarding the optimal capacity of ICFs/MR;

(c) Ensure that wages paid individuals who provide direct care services to ICF/MR residents are sufficient for ICFs/MR to meet staffing and quality requirements;

(d) Provide incentives for high quality services;

(e) Achieve other goals developed for the purpose of improving the appropriateness and sufficiency of Medicaid reimbursements for ICF/MR services.

(C) The Departments shall examine the issue of revising the Individual Assessment Form Answer Sheet before examining the issue of revising the Medicaid reimbursement formula for ICF/MR services. The Departments shall prepare a report of the study conducted under this section and submit the report to the Governor and, in accordance with section 101.68 of the Revised Code, the General Assembly.

(D) At the same time that the Departments conduct the study under this section, they shall work with the Governor's Office of Health



Transformation and persons interested in the issue of ICF/MR services to develop recommendations regarding the following:

- (1) Goals regarding the ratio of home and community-based services and ICF/MR services provided under the Medicaid program that take into account goals regarding the optimal capacity of ICFs/MR;
- (2) The roles and responsibilities of both of the following:
  - (a) ICFs/MR owned and operated by the Department of Developmental Disabilities;
  - (b) Providers of home and community-based services.
- (3) Simplifying and eliminating duplicate regulations regarding ICFs/MR in a manner that lowers the cost of ICF/MR services.

SECTION 309.30.90. FISCAL YEAR 2012 MEDICAID  
REIMBURSEMENT SYSTEM FOR ICFs/MR

(A) As used in this section:

"Capped per diem rate" means the per diem rate calculated for an ICF/MR under division (D) of this section.

"Change of operator," "entering operator," and "exiting operator" have the same meanings as in section 5111.65 of the Revised Code.

"Franchise permit fee" and "provider" have the same meanings as in section 5111.20 of the Revised Code.

"ICF/MR" means an intermediate care facility for the mentally retarded as defined in section 5111.20 of the Revised Code.

"ICF/MR services" means services covered by the Medicaid program that an ICF/MR provides to a Medicaid recipient eligible for the services.

"Medicaid days" means all days during which a resident who is a Medicaid recipient occupies a bed in an ICF/MR that is included in the ICF/MR'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 ICF/MR's per resident per day rate paid for those days.

"Modified per diem rate" means the per diem rate calculated for an ICF/MR under division (C) of this section.

"Unmodified per diem rate" means the per diem rate calculated for an ICF/MR under sections 5111.20 to 5111.331 of the Revised Code.

(B) This section applies to each provider of an ICF/MR to which either of the following applies:

- (1) The provider has a valid Medicaid provider agreement for the ICF/MR on June 30, 2011, and a valid Medicaid provider agreement for the ICF/MR during fiscal year 2012.

(2) The ICF/MR undergoes a change of operator that takes effect during fiscal year 2012, the exiting operator has a valid Medicaid provider agreement for the ICF/MR on the day immediately preceding the effective date of the change of operator, and the entering operator has a valid Medicaid provider agreement for the ICF/MR during fiscal year 2012.

(C) An ICF/MR's total modified per diem rate for fiscal year 2012 shall be the ICF/MR's total unmodified per diem rate for that fiscal year with the following modifications:

(1) In place of the inflation adjustment otherwise made under section 5111.235 of the Revised Code, the ICF/MR's desk-reviewed, actual, allowable, per diem other protected costs, excluding the franchise permit fee, from calendar year 2010 shall be multiplied by 1.0123.

(2) In place of the maximum cost per case-mix unit established for the ICF/MR's peer group under division (B)(2) of section 5111.23 of the Revised Code, the ICF/MR's maximum costs per case-mix unit shall be the following:

- (a) In the case of an ICF/MR with more than eight beds, \$108.21;
- (b) In the case of an ICF/MR with eight or fewer beds, \$102.21.

(3) In place of the inflation adjustment otherwise calculated under division (B)(3) of section 5111.23 of the Revised Code for the purpose of division (C)(2) of that section, an inflation adjustment of 1.0123 shall be used.

(4) In place of the maximum rate for indirect care costs established for the ICF/MR's peer group under division (B) of section 5111.241 of the Revised Code, the maximum rate for indirect care costs for the ICF/MR's peer group shall be the following:

- (a) In the case of an ICF/MR with more than eight beds, \$68.98;
- (b) In the case of an ICF/MR with eight or fewer beds, \$59.60.

(5) In place of the inflation adjustment otherwise calculated under division (C)(1) of section 5111.241 of the Revised Code for the purpose of division (A)(1) of that section only, an inflation adjustment of 1.0123 shall be used.

(6) In place of the efficiency incentive otherwise calculated under division (A)(2) of section 5111.241 of the Revised Code, the ICF/MR's efficiency incentive for indirect care costs shall be the following:

- (a) In the case of an ICF/MR with more than eight beds, \$3.69;
- (b) In the case of an ICF/MR with eight or fewer beds, \$3.19.

(7) The ICF/MR's efficiency incentive for capital costs, as determined under division (B) of section 5111.251 of the Revised Code, shall be reduced by 50 per cent.

(D) An ICF/MR's total capped per diem rate for fiscal year 2012 shall be the ICF/MR's total unmodified per diem rate for that fiscal year reduced by the percentage by which the mean total unmodified per diem rates for all ICFs/MR in this state for fiscal year 2012, weighted by May 2011 Medicaid days and calculated as of July 1, 2011, exceeds \$282.59.

(E) Except as otherwise provided by this section, the provider of an ICF/MR to which this section applies shall be paid, for ICF/MR services the ICF/MR provides during fiscal year 2012, a total per diem rate determined as follows:

(1) Add the ICF/MR's total modified per diem rate to the ICF/MR's total capped per diem rate;

(2) Divide the amount determined under division (E)(1) of this section by two.

(F) If the mean total per diem rate for all ICFs/MR to which this section applies, weighted by May 2011 Medicaid days and determined under division (E) of this section as of July 1, 2011, is other than \$282.59, the Department of Job and Family Services shall adjust, for fiscal year 2012, the total per diem rate for each ICF/MR to which this section applies by a percentage that is equal to the percentage by which the mean total per diem rate is greater or less than \$282.59.

(G) 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 ICF/MR 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.

(H) The Department of Job and Family Services shall follow this section in determining the rate to be paid providers of ICF/MR services subject to this section notwithstanding anything to the contrary in sections 5111.20 to 5111.331 of the Revised Code.

SECTION 309.33.10. FISCAL YEAR 2013 MEDICAID  
REIMBURSEMENT SYSTEM FOR ICFs/MR

(A) As used in this section:

"Capped per diem rate" means the per diem rate calculated for an ICF/MR under division (D) of this section.

"Change of operator," "entering operator," and "exiting operator" have the same meanings as in section 5111.65 of the Revised Code.

"Franchise permit fee" and "provider" have the same meanings as in section 5111.20 of the Revised Code.

"ICF/MR" means an intermediate care facility for the mentally retarded as defined in section 5111.20 of the Revised Code.

"ICF/MR services" means services covered by the Medicaid program that an ICF/MR provides to a Medicaid recipient eligible for the services.

"Medicaid days" means all days during which a resident who is a Medicaid recipient occupies a bed in an ICF/MR that is included in the ICF/MR'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 ICF/MR's per resident per day rate paid for those days.

"Modified per diem rate" means the per diem rate calculated for an ICF/MR under division (C) of this section.

"Unmodified per diem rate" means the per diem rate calculated for an ICF/MR under sections 5111.20 to 5111.331 of the Revised Code.

(B) This section applies to each provider of an ICF/MR to which either of the following applies:

(1) The provider has a valid Medicaid provider agreement for the ICF/MR on June 30, 2012, and a valid Medicaid provider agreement for the ICF/MR during fiscal year 2013.

(2) The ICF/MR undergoes a change of operator that takes effect during fiscal year 2013, the exiting operator has a valid Medicaid provider agreement for the ICF/MR on the day immediately preceding the effective date of the change of operator, and the entering operator has a valid Medicaid provider agreement for the ICF/MR during fiscal year 2013.

(C) An ICF/MR's total modified per diem rate for fiscal year 2013 shall be the ICF/MR's total unmodified per diem rate for that fiscal year with the following modifications:

(1) In place of the inflation adjustment otherwise made under section 5111.235 of the Revised Code, the ICF/MR's desk-reviewed, actual, allowable, per diem other protected costs, excluding the franchise permit fee, from calendar year 2011 shall be multiplied by 1.0123.

(2) In place of the maximum cost per case-mix unit established for the ICF/MR's peer group under division (B)(2) of section 5111.23 of the Revised Code, the ICF/MR's maximum costs per case-mix unit shall be the following:

(a) In the case of an ICF/MR with more than eight beds, \$108.21;

(b) In the case of an ICF/MR with eight or fewer beds, \$102.21.

(3) In place of the inflation adjustment otherwise calculated under division (B)(3) of section 5111.23 of the Revised Code for the purpose of division (C)(2) of that section, an inflation adjustment of 1.0123 shall be

used.

(4) In place of the maximum rate for indirect care costs established for the ICF/MR's peer group under division (B) of section 5111.241 of the Revised Code, the maximum rate for indirect care costs for the ICF/MR's peer group shall be the following:

- (a) In the case of an ICF/MR with more than eight beds, \$68.98;
- (b) In the case of an ICF/MR with eight or fewer beds, \$59.60.

(5) In place of the inflation adjustment otherwise calculated under divisions (C)(1) and (2) of section 5111.241 of the Revised Code for the purpose of division (A)(1) of that section only, an inflation adjustment of 1.0123 shall be used.

(6) In place of the efficiency incentive otherwise calculated under division (A)(2) of section 5111.241 of the Revised Code, the ICF/MR's efficiency incentive for indirect care costs shall be the following:

- (a) In the case of an ICF/MR with more than eight beds, \$3.69;
- (b) In the case of an ICF/MR with eight or fewer beds, \$3.19.

(7) The ICF/MR's efficiency incentive for capital costs, as determined under division (B) of section 5111.251 of the Revised Code, shall be reduced by 50 per cent.

(D) An ICF/MR's total capped per diem rate for fiscal year 2013 shall be the ICF/MR's total unmodified per diem rate for that fiscal year reduced by the percentage by which the mean total unmodified per diem rates for all ICFs/MR in this state for fiscal year 2013, weighted by May 2012 Medicaid days and calculated as of July 1, 2012, exceeds \$282.92.

(E) Except as otherwise provided by this section, the provider of an ICF/MR to which this section applies shall be paid, for ICF/MR services the ICF/MR provides during fiscal year 2013, a total per diem rate determined as follows:

- (1) Add the ICF/MR's total modified per diem rate to the ICF/MR's total capped per diem rate;
- (2) Divide the amount determined under division (E)(1) of this section by two.

(F) If the mean total per diem rate for all ICFs/MR to which this section applies, weighted by May 2012 Medicaid days and determined under division (E) of this section as of July 1, 2012, is other than \$282.92, the Department of Job and Family Services shall adjust, for fiscal year 2013, the total per diem rate for each ICF/MR to which this section applies by a percentage that is equal to the percentage by which the mean total per diem rate is greater or less than \$282.92.

(G) 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 ICF/MR 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.

(H) The Department of Job and Family Services shall follow this section in determining the rate to be paid providers of ICF/MR services subject to this section notwithstanding anything to the contrary in sections 5111.20 to 5111.331 of the Revised Code.

SECTION 309.33.20. ICF/MR AND WAIVER SERVICES  
TRANSFERRED TO DEPARTMENT OF DEVELOPMENTAL  
DISABILITIES

The Director of Budget and Management shall establish line items for use by the Department of Developmental Disabilities for purposes regarding the Department's assumption of powers and duties under section 5111.226 of the Revised Code regarding the Medicaid program's coverage of ICF/MR services and, under section 5111.871 of the Revised Code, the Medicaid waiver component known as the Transitions Developmental Disabilities Waiver. The Department of Developmental Disabilities shall certify to the Director of Budget and Management and the Director of Job and Family Services the appropriation amounts, in fiscal year 2012 and fiscal year 2013, necessary for the Department of Developmental Disabilities to fulfill its obligations regarding the new powers and duties without duplicating administration or services that remain with the Department of Job and Family Services.

Once the certification required under this section has been submitted and approved by the Directors of Budget and Management and Job and Family Services, the appropriation items established under this section are hereby appropriated in the amounts approved by the Director of Budget and Management. The Director of Budget and Management may reduce the amount of one or more of the Department of Job and Family Services' appropriation items if the Director determines that the reduction is necessary and appropriate because of the appropriation items established under this section for the Department of Developmental Disabilities. The appropriations are hereby reduced by the amount as determined by the Director of Budget and Management.

SECTION 309.33.30. ADMINISTRATIVE ISSUES RELATED TO



#### TERMINATION OF MEDICAID WAIVER PROGRAMS

(A) As used in this section, "ODJFS or ODA Medicaid waiver component" means the following:

(1) The Medicaid waiver component of the PASSPORT program created under section 173.40 of the Revised Code;

(2) The Choices program created under section 173.403 of the Revised Code;

(3) The Ohio Home Care program created under section 5111.861 of the Revised Code;

(4) The Ohio Transitions II Aging Carve-Out program created under section 5111.863 of the Revised Code;

(5) The Medicaid waiver component of the Assisted Living program created under section 5111.89 of the Revised Code.

(B) If an ODJFS or ODA Medicaid waiver component is terminated under section 173.40, 173.403, 5111.861, 5111.863, or 5111.89 of the Revised Code, all of the following apply:

(1) All applicable statutes, and all applicable rules, standards, guidelines, or orders issued by the Director or Department of Job and Family Services or Director or Department of Aging before the component is terminated, shall remain in full force and effect on and after that date, but solely for purposes of concluding the component's operations, including fulfilling the Departments' legal obligations for claims arising from the component relating to eligibility determinations, covered medical assistance provided to eligible persons, and recovering erroneous overpayments.

(2) Notwithstanding the termination of the component, the right of subrogation for the cost of medical assistance given under section 5101.58 of the Revised Code to the Department of Job and Family Services and an assignment of the right to medical assistance given under section 5101.59 of the Revised Code to the Department continue to apply with respect to the component and remain in force to the full extent provided under those sections.

(3) The Departments of Job and Family Services and Aging may use appropriated funds to satisfy any claims or contingent claims for medical assistance provided under the component before the component's termination.

(4) Neither department has liability under the component to reimburse any provider or other person for claims for medical assistance rendered under the component after it is terminated.

(C) The Directors of Job and Family Services and Aging may adopt rules in accordance with Chapter 119. of the Revised Code to implement

this section.

SECTION 309.33.40. BEACON QUALITY IMPROVEMENT INITIATIVES

Building on the quality improvement work of the Best Evidence for Advancing Child Health in Ohio Now (BEACON) Council, the Departments of Health, Mental Health, and Job and Family Services, in conjunction with the Governor's Office of Health Transformation, may seek assistance from, and work with, the BEACON Council and hospitals and other provider groups to identify specific targets and initiatives to reduce the cost, and improve the quality, of medical assistance provided under the Medicaid program to children. At a minimum, the targets and initiatives shall focus on reducing all of the following:

- (A) Avoidable hospitalizations;
- (B) Inappropriate emergency room utilization;
- (C) Use of multiple medications when not medically indicated;
- (D) The state's rate of premature births;
- (E) The state's rate of elective, preterm births.

If the Departments of Health, Mental Health, and Job and Family Services identify initiatives under this section, they shall make the initiatives available on their internet web sites. The Departments shall also make a list of hospitals and other provider groups involved in the initiatives available on their internet web sites.

SECTION 309.33.50. EXPANSION AND EVALUATION OF PACE PROGRAM

(A) In order to effectively administer and manage growth within the PACE Program, the Director of Aging, in consultation with the Director of Job and Family Services, may expand the PACE Program to regions of the state beyond those currently served by the PACE Program if all of the following apply:

- (1) Funding is available for the expansion.
- (2) The Directors of Aging and Job and Family Services mutually determine, taking into consideration the results of the evaluation conducted under division (B) of this section, that the PACE Program is a cost effective alternative to nursing home care.
- (3) The United States Centers for Medicare and Medicaid Services agrees to share with the state any savings to the Medicare program resulting from an expansion of the PACE Program.

(B) The Director of Aging shall contract with Miami University's Scripps Gerontology Center for an evaluation of the PACE program.

(C) If the PACE Program is expanded, the Director of Aging may not decrease the number of individuals in Cuyahoga and Hamilton counties and parts of Butler, Clermont, and Warren counties who are participants in the PACE Program below the number of individuals in those counties and parts of counties who were participants in the PACE Program on July 1, 2011.

SECTION 309.33.60. REPEAL OF THE CHILDREN'S BUY-IN PROGRAM

(A) Notwithstanding sections 5101.5211 to 5101.5216 of the Revised Code and all references in the Revised Code to those sections or the Children's Buy-In Program, no person may enroll in the Program on or after the effective date of this section.

Notwithstanding this act's repeal on October 1, 2011, of the statutes under which the Program is operated, persons enrolled in the Program immediately prior to that date may continue to receive services under the Program, as if those statutes were not repealed. Such persons may receive the services through December 31, 2011, as long as they remain eligible for the Program.

(B) Commencing on the effective date of this section, the Director of Job and Family Services shall take steps as necessary to transition persons enrolled in the Program to other health coverage options and otherwise conclude Program operations.

All Program-related rules, standards, guidelines, or orders issued by the Director or Department of Job and Family Services prior to October 1, 2011, shall remain in full force and effect on and after that date, but solely for purposes of concluding the Program's operations. Such purposes include permitting eligible persons to receive services under the Program through December 31, 2011, as authorized by this section, and fulfilling the Department's legal obligations for claims arising from the Program relating to eligibility determinations, covered medical services rendered to eligible persons, and recovering erroneous overpayments.

(C) Notwithstanding this act's repeal of the statutes authorizing the Program, the right of subrogation for the cost of medical services and care given under section 5101.58 of the Revised Code to the Department and an assignment of the right to medical support given under section 5101.59 of the Revised Code to the Department continue to apply with respect to the Program and remain in force to the full extent provided under those sections.

(D) The Department may use appropriated funds to satisfy any claims or

contingent claims for services rendered to Program participants prior to October 1, 2011, and to eligible persons who receive services under the Program through December 31, 2011, as authorized by this section. The Department has no liability under the Program to reimburse any provider or other person for claims for services rendered on or after January 1, 2012.

(E) The Department may adopt rules in accordance with section 111.15 of the Revised Code to implement this section.

#### SECTION 309.33.70. CONTINUATION OF DISPENSING FEE FOR NONCOMPOUNDED DRUGS

The Medicaid dispensing fee for each noncompounded drug covered by the Medicaid program shall be \$1.80 for the period beginning July 1, 2011, and ending on the effective date of a rule, or an amendment to a rule, changing the amount of the fee that the Director of Job and Family Services adopts or amends under section 5111.02 of the Revised Code.

#### SECTION 309.33.80. MONEY FOLLOWS THE PERSON ENHANCED REIMBURSEMENT FUND

The Money Follows the Person Enhanced Reimbursement Fund, created by Section 751.20 of Am. Sub. H.B. 562 of the 127th General Assembly, shall continue to exist in the state treasury for fiscal year 2012 and fiscal year 2013. 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, as amended, shall be deposited into the fund. The Department of Job and Family Services shall continue to use money deposited into the fund for system reform activities related to the Money Follows the Person demonstration project.

#### SECTION 309.33.90. MEDICARE PART D

The foregoing appropriation item 600526, Medicare Part D, may be used by the Department of Job and Family Services for the implementation and operation of the Medicare Part D requirements contained in the "Medicare Prescription Drug, Improvement, and Modernization Act of 2003," Pub. L. No. 108-173, as amended. Upon the request of the Department of Job and Family Services, the Director of Budget and Management may transfer the state share of appropriations between appropriation item 600525, Health Care/Medicaid, or appropriation item 600526, Medicare Part D. If the state share of appropriation item 600525,

Health Care/Medicaid, is adjusted, the Director of Budget and Management shall adjust the federal share accordingly. The Department of Job and Family Services shall provide notification to the Controlling Board of any transfers at the next scheduled Controlling Board meeting.

SECTION 309.35.10. REBALANCING LONG-TERM CARE

(A) As used in this section:

"Balancing Incentive Payments Program" means the program established under section 10202 of the Patient Protection and Affordable Care Act.

"Long-term services and supports" has the same meaning as in section 10202(f)(1) of the Patient Protection and Affordable Care Act.

"Non-institutionally-based long-term services and supports" has the same meaning as in section 10202(f)(1)(B) of the Patient Protection and Affordable Care Act.

"Patient Protection and Affordable Care Act" means Public Law 111-148.

(B) The Departments of Job and Family Services, Aging, and Developmental Disabilities shall continue efforts to achieve a sustainable and balanced delivery system for long-term services and supports. In so doing, the Departments shall strive to realize the following goals by June 30, 2013:

(1) Having at least fifty per cent of Medicaid recipients who are sixty years of age or older and need long-term services and supports utilize non-institutionally-based long-term services and supports;

(2) Having at least sixty per cent of Medicaid recipients who are less than sixty years of age and have cognitive or physical disabilities for which long-term services and supports are needed utilize non-institutionally-based long-term services and supports.

(C) If the Department of Job and Family Services determines that participating in the Balancing Incentive Payments Program will assist in achieving the goals specified in division (B) of this section, the Department may apply to the United States Secretary of Health and Human Services to participate in the program. Any funds the state receives as the result of the enhanced federal financial participation provided to states participating in the Balancing Incentive Payments Program shall be deposited into the Balancing Incentive Payments Program Fund, which is hereby created in the state treasury. The Department of Job and Family Services shall use the money in the fund in accordance with section 10202(c)(4) of the Patient Protection and Affordable Care Act.

SECTION 309.35.20. BALANCING INCENTIVE PAYMENTS PROGRAM FUND

The Director of Job and Family Services may seek Controlling Board approval to make expenditures from the Balancing Incentive Payments Program Fund.

SECTION 309.35.30. DUAL ELIGIBLE INTEGRATED CARE DEMONSTRATION PROJECT

The Director of Job and Family Services may seek Controlling Board approval to make expenditures from the Integrated Care Delivery Systems Fund.

SECTION 309.35.40. OHIO ACCESS SUCCESS PROJECT AND IDENTIFICATION OF OVERPAYMENTS

(A) Notwithstanding any limitations in sections 3721.51 and 3721.56 of the Revised Code, in each fiscal year, cash from the Nursing Home Franchise Permit Fee Fund (Fund 5R20) may be used by the Department of Job and Family Services for the following purposes:

(1) Up to \$3,000,000 in each fiscal year to fund the state share of audits or limited reviews of Medicaid providers;

(2) Up to \$450,000 in each fiscal year to provide one-time transitional benefits under the Ohio Access Success Project that the Director of Job and Family Services may establish under section 5111.97 of the Revised Code.

(B) On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Home and Community-Based Services for the Aged Fund (Fund 4J50) to the Nursing Home Franchise Permit Fee Fund (Fund 5R20). The transferred cash is hereby appropriated. Upon completion of the transfer, Fund 4J50 is abolished. The Director shall cancel any existing encumbrances against appropriation item 600613, Nursing Facility Bed Assessments, and appropriation item 600618, Residential State Supplement Payments, and reestablish them against appropriation item 600608, Medicaid - Nursing Facilities.

SECTION 309.35.50. PROVIDER FRANCHISE FEE OFFSETS

(A) At least quarterly, the Director of Job and Family Services shall certify to the Director of Budget and Management both of the following:



(1) The amount of offsets withheld under section 3721.541 of the Revised Code from payments made from the General Revenue Fund.

(2) The amount of offsets withheld under section 5112.341 of the Revised Code from payments made from the General Revenue Fund.

(B) The Director of Budget and Management may transfer cash from the General Revenue Fund to all of the following:

(1) The Nursing Home Franchise Permit Fee Fund (Fund 5R20), in accordance with section 3721.56 of the Revised Code;

(2) The ICF/MR Bed Assessments Fund (Fund 4K10).

(C) Amounts transferred pursuant to this section are hereby appropriated.

#### SECTION 309.35.60. TRANSFER OF FUNDS TO THE DEPARTMENT OF DEVELOPMENTAL DISABILITIES

The Department of Job and Family Services may transfer cash in each fiscal year from the ICF/MR Bed Assessments Fund (Fund 4K10) to the Home and Community-Based Services Fund (Fund 4K80), used by the Department of Developmental Disabilities. The amount to be transferred shall be agreed to by both departments. The transfer may occur on a quarterly basis or on a schedule developed and agreed to by both departments. The transfer may be made using an intrastate transfer voucher.

#### SECTION 309.35.70. HOSPITAL CARE ASSURANCE MATCH

The foregoing appropriation item 600650, Hospital Care Assurance Match, shall be used by the Department of Job and Family Services solely for distributing funds to hospitals under section 5112.08 of the Revised Code.

#### SECTION 309.35.73. HEALTHCARE COMPLIANCE APPROPRIATION

Notwithstanding the provisions of section 5111.171 of the Revised Code specifying the uses of the HealthCare Compliance Fund, appropriations in appropriation item 600625, HealthCare Compliance, may be used for expenses incurred in implementation or operation of Health Home programs and for the creation, modification, or replacement of any federally funded Medicaid healthcare systems in fiscal year 2012 and fiscal year 2013.

SECTION 309.35.80. HEALTH CARE SERVICES ADMINISTRATION FUND

Of the amount received by the Department of Job and Family Services during fiscal year 2012 and fiscal year 2013 from the first installment of assessments paid under section 5112.06 of the Revised Code and intergovernmental transfers made under section 5112.07 of the Revised Code, the Director of Job and Family Services shall deposit \$350,000 in each fiscal year into the state treasury to the credit of the Health Care Services Administration Fund (Fund 5U30).

SECTION 309.35.90. TRANSFERS OF OFFSETS TO THE HEALTH CARE SERVICES ADMINISTRATION FUND

(A) As used in this section:

"Hospital offset" means an offset from a hospital's Medicaid payment authorized by section 5112.991 of the Revised Code.

"Vendor offset" means a reduction of a Medicaid payment to a Medicaid provider to correct a previous, incorrect Medicaid payment.

(B) At least quarterly during fiscal year 2012 and fiscal year 2013, the Director of Job and Family Services shall certify to the Director of Budget and Management the amount of hospital offsets and vendor offsets for the period covered by the certification and the particular funds that would have been used to make the extra payments to providers if not for the offsets. The certification shall specify how much extra would have been taken from each of the funds if not for the hospital offsets and vendor offsets.

(C) On receipt of a certification under division (B) of this section, the Director of Budget and Management shall transfer cash from the funds identified in the certification to the Health Care Services Administration Fund (Fund 5U30). The amount transferred from a fund shall equal the amount that would have been taken from the fund if not for the hospital offsets and vendor offsets as specified in the certification. The transferred cash is hereby appropriated.

SECTION 309.37.10. PROVIDER APPLICATION FEES

If receipts credited to the Health Care Services Administration Fund (Fund 5U30) exceed the amounts appropriated from the fund, the Director of Job and Family Services may seek Controlling Board approval to increase the appropriations in appropriation item 600654, Health Care Services

Administration.

SECTION 309.37.20. INTERAGENCY REIMBURSEMENT

The Director of Job and Family Services may request the Director of Budget and Management to increase appropriation item 600655, Interagency Reimbursement. Upon the approval of the Director of Budget and Management, the additional amounts are hereby appropriated.

SECTION 309.37.30. MEDICAID PROGRAM SUPPORT FUND - STATE

The foregoing appropriation item 600671, Medicaid Program Support, shall be used by the Department of Job and Family Services to pay for Medicaid services and contracts. The Department may also deposit to the Medicaid Program Support Fund (Fund 5C90) revenues received from other state agencies for Medicaid services under the terms of interagency agreements between the Department and other state agencies.

SECTION 309.37.40. TRANSFERS OF IMD/DSH CASH TO THE DEPARTMENT OF MENTAL HEALTH

The Department of Job and Family Services shall transfer cash from the Medicaid Program Support Fund (Fund 5C90), to the Behavioral Health Medicaid Services Fund (Fund 4X50), used by the Department of Mental Health, in accordance with an interagency agreement that delegates authority from the Department of Job and Family Services to the Department of Mental Health to administer specified Medicaid services. The transfer shall be made using an intrastate transfer voucher.

SECTION 309.37.50. PRESCRIPTION DRUG COVERAGE UNDER MEDICAID MANAGED CARE

(A) As used in this section:

(1) "Controlled substance" has the same meaning as in section 3719.01 of the Revised Code.

(2) "Licensed health professional authorized to prescribe drugs" has the same meaning as in section 4729.01 of the Revised Code.

(B) Not later than October 1, 2011, the Department of Job and Family Services shall enter into new contracts or amend existing contracts with health insuring corporations, pursuant to section 5111.17 of the Revised Code, as the Department considers necessary to require, in accordance with

section 5111.172 of the Revised Code, as amended by this act, that each health insuring corporation participating in the Medicaid care management system include coverage of prescription drugs for the Medicaid recipients who are enrolled in the health insuring corporation.

(C) For a period of thirty days immediately following the effective date of the inclusion of prescription drug coverage under a new or amended contract with a health insuring corporation pursuant to division (B) of this section, if, immediately prior to the effective date of the coverage, a Medicaid recipient enrolled in the health insuring corporation was being treated with a controlled substance prescribed by a licensed health professional authorized to prescribe drugs, and the drug is not an antidepressant or antipsychotic described in division (B)(2) of section 5111.172 of the Revised Code, as amended by this act, the health insuring corporation shall provide coverage of the controlled substance without using drug utilization or management techniques, including any prior authorization requirements, that are more stringent than the utilization or management techniques, if any, that the Medicaid recipient was subject to immediately prior to the effective date of the coverage.

(D) For a period of ninety days immediately following the effective date of the inclusion of prescription drug coverage under a new or amended contract with a health insuring corporation pursuant to division (B) of this section, if, immediately prior to the effective date of the coverage, a Medicaid recipient enrolled in the health insuring corporation was being treated with a drug prescribed by a licensed health professional authorized to prescribe drugs, and the drug is not a controlled substance and the drug is not an antidepressant or antipsychotic described in division (B)(2) of section 5111.172 of the Revised Code, as amended by this act, the health insuring corporation shall provide coverage of the drug without using drug utilization or management techniques, including any prior authorization requirements, that are more stringent than the utilization or management techniques, if any, that the Medicaid recipient was subject to immediately prior to the effective date of the coverage.

(E) For a period of one hundred twenty days immediately following the effective date of the inclusion of prescription drug coverage under a new or amended contract with a health insuring corporation pursuant to division (B) of this section, both of the following apply:

(1) If, immediately prior to the effective date of the coverage, a Medicaid recipient enrolled in the health insuring corporation was being treated with an antidepressant or antipsychotic described in division (B)(2) of section 5111.172 of the Revised Code, as amended by this act, the health

insuring corporation shall provide coverage of the drug without imposing a prior authorization requirement.

(2) Notwithstanding division (B)(3) of section 5111.172 of the Revised Code, as amended by this act, the health insuring corporation shall permit the health professional who was prescribing the drug to continue prescribing the drug for the Medicaid recipient, regardless of whether the prescriber is a psychiatrist as described in division (B)(3)(a) or (b) of that section.

SECTION 309.37.53. PHYSICIAN ASSISTANT MEDICAID PROVIDER AGREEMENTS, CLAIMS SUBMISSIONS, AND FISCAL YEAR 2013 REIMBURSEMENT RATES

(A) With respect to section 5111.053 of the Revised Code, as enacted by this act, regarding Medicaid provider agreements for physician assistants and submission of Medicaid claims for physician assistant services, the Department of Job and Family Services shall implement the provisions of that section when the Department determines that the computer system improvements necessary to implement those provisions are in place. The Department shall ensure that the necessary improvements are in place not later than July 1, 2012.

(B) The Medicaid reimbursement rates for services provided by physician assistants during fiscal year 2013 shall not be greater than the Medicaid reimbursement rates for such services provided on June 30, 2012.

SECTION 309.40. FAMILY STABILITY

SECTION 309.40.10. FOOD STAMPS TRANSFER

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$1,000,000 cash from the Food Stamp Program Fund (Fund 3840), to the Food Assistance Fund (Fund 5ES0).

SECTION 309.40.20. NAME OF FOOD STAMP PROGRAM

The Director of Job and Family Services is not required to amend rules regarding the Food Stamp Program to change the name of the program to the Supplemental Nutrition Assistance Program. The Director may refer to the program as the Food Stamp Program or the Food Assistance Program in rules and documents of the Department of Job and Family Services.

SECTION 309.40.30. OHIO ASSOCIATION OF SECOND HARVEST FOOD BANKS

The foregoing appropriation item 600540, Second Harvest Food Banks, shall be used to provide funds to the Ohio Association of Second Harvest Food Banks to purchase and distribute food products.

Notwithstanding section 5101.46 of the Revised Code and any other provision in this bill, in addition to funds designated for the Ohio Association of Second Harvest Food Banks in this section, in fiscal year 2012 and fiscal year 2013, the Director of Job and Family Services shall provide assistance from eligible funds to the Ohio Association of Second Harvest Food Banks in an amount up to or equal to the assistance provided in state fiscal year 2011 from all funds used by the Department, except the General Revenue Fund.

Eligible nonfederal expenditures made by member food banks of the Association shall be counted by the Department of Job and Family Services toward the TANF maintenance of effort requirements of 42 U.S.C. 609(a)(7). The Director of Job and Family Services shall enter into an agreement with the Ohio Association of Second Harvest Food Banks, in accordance with sections 5101.80 and 5101.801 of the Revised Code, to carry out the requirements under this section.

SECTION 309.40.40. PUBLIC ASSISTANCE ACTIVITIES/TANF MOE

The foregoing appropriation item 600658, Public Assistance Activities, 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 600658, Public Assistance Activities, to support public assistance activities.

SECTION 309.40.50. INDEPENDENT LIVING INITIATIVE

Of the foregoing appropriation item 600689, TANF Block Grant, up to \$2,000,000 in each fiscal year shall be used, in accordance with sections 5101.80 and 5101.801 of the Revised Code, to support the Independent Living Initiative, including life skills training and work supports for older children in foster care and those who have recently aged out of foster care.



SECTION 309.40.60. KINSHIP PERMANENCY INCENTIVE PROGRAM

Of the foregoing appropriation item 600689, TANF Block Grant, \$1,200,000 in each fiscal year shall be used to support the activities of the Kinship Permanency Incentive Program established in section 5101.802 of the Revised Code.

SECTION 309.40.63. OHIO COMMISSION ON FATHERHOOD

Of the foregoing appropriation item 600689, TANF Block Grant, \$1,000,000 in each fiscal year shall be provided to the Ohio Commission on Fatherhood.

SECTION 309.40.70. SWIPE CARD PILOT PROGRAM

During fiscal year 2012 and fiscal year 2013, if the Department of Job and Family Services implements a program that utilizes a swipe card system and point of service device to track attendance and submit invoices for payment for publicly funded child care, both of the following apply:

(A) Misuse of the system by a child care provider participating in the program constitutes a reason for which the provider's license or certification may be revoked.

(B) Misuse of the system by a caretaker parent participating in the program constitutes a reason for which the caretaker parent may lose eligibility for publicly funded child care.

SECTION 309.50. CHILD WELFARE

SECTION 309.50.10. DIFFERENTIAL RESPONSE

In accordance with an independent evaluation of the Ohio Alternative Response Pilot Program that recommended statewide implementation, the Department of Job and Family Services shall plan the statewide expansion of the Ohio Alternative Response Pilot Program on a county by county basis, through a schedule determined by the Department. The program shall be known as the "differential response" approach as defined in section 2151.011 of the Revised Code. Notwithstanding provisions of Chapter 2151. of the Revised Code that refer to "differential response," "traditional response," and "alternative response," those provisions shall become

effective on the scheduled date of expansion of the differential response approach to that county. Prior to statewide implementation, the Department may adopt rules in accordance with Chapter 119. of the Revised Code as necessary to carry out the purposes of this section.

SECTION 309.50.20. FLEXIBLE FUNDING FOR FAMILIES AND CHILDREN

In collaboration with the county family and children first council, a county department of job and family services or public children services agency that receives an allocation from the Department of Job and Family Services from the foregoing appropriation item 600523, Children and Families Services, or 600533, Child, Family, and Adult Community & Protective Services, may transfer a portion of either or both allocations to a flexible funding pool as authorized by the section of this act titled "FAMILY AND CHILDREN FIRST FLEXIBLE FUNDING POOL."

SECTION 309.50.30. CHILD, FAMILY, AND ADULT COMMUNITY AND PROTECTIVE SERVICES

(A) The foregoing appropriation item 600533, Child, Family, and Adult Community & Protective Services, shall be distributed to each county department of job and family services using the formula the Department of Job and Family Services uses when distributing Title XX funds to county departments of job and family services under section 5101.46 of the Revised Code. County departments shall use the funds distributed to them under this section as follows, in accordance with the written plan of cooperation entered into under section 307.983 of the Revised Code:

- (1) To assist individuals achieve or maintain self-sufficiency, including by reducing or preventing dependency among individuals with family income not exceeding two hundred per cent of the federal poverty guidelines;
- (2) Subject to division (B) of this section, to respond to reports of abuse, neglect, or exploitation of children and adults, including through the differential response approach program developed under Section 309.50.10 of this act;
- (3) To provide outreach and referral services regarding home and community-based services to individuals at risk of placement in a group home or institution, regardless of the individuals' family income and without need for a written application;
- (4) To provide outreach, referral, application assistance, and other

services to assist individuals receive assistance, benefits, or services under Medicaid; Title IV-A programs, as defined in section 5101.80 of the Revised Code; the Supplemental Nutrition Assistance Program; and other public assistance programs.

(B) Protective services may be provided to a child or adult as part of a response, under division (A)(2) of this section, to a report of abuse, neglect, or exploitation without regard to a child or adult's family income and without need for a written application. The protective services may be provided if the case record documents circumstances of actual or potential abuse, neglect, or exploitation.

#### SECTION 309.50.33. CHILDREN AND FAMILY SERVICES ACTIVITIES

The foregoing appropriation item 600609, Children and Family Services Activities, shall be used to expend miscellaneous foundation funds and grants to support children and family services activities.

#### SECTION 309.50.40. ADOPTION ASSISTANCE LOAN

Of the foregoing appropriation item 600634, Adoption Assistance Loan, the Department of Job and Family Services may use up to ten per cent for administration of adoption assistance loans pursuant to section 3107.018 of the Revised Code.

#### SECTION 309.60. UNEMPLOYMENT COMPENSATION

##### SECTION 309.60.10. FEDERAL UNEMPLOYMENT PROGRAMS

All unexpended funds remaining at the end of fiscal year 2011 that were appropriated and made available to the state under section 903(d) of the Social Security Act, as amended, in the foregoing appropriation item 600678, Federal Unemployment Programs (Fund 3V40), are hereby appropriated to the Department of Job and Family Services. Upon the request of the Director of Job and Family Services, the Director of Budget and Management may increase the appropriation for fiscal year 2012 by the amount remaining unspent from the fiscal year 2011 appropriation and may increase the appropriation for fiscal year 2013 by the amount remaining unspent from the fiscal year 2012 appropriation. The appropriation shall be used under the direction of the Department of Job and Family Services to pay for administrative activities for the Unemployment Insurance Program,

employment services, and other allowable expenditures under section 903(d) of the Social Security Act, as amended.

The amounts obligated pursuant to this section shall not exceed at any time the amount by which the aggregate of the amounts transferred to the account of the state under section 903(d) of the Social Security Act, as amended, exceeds the aggregate of the amounts obligated for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of the state.

#### SECTION 309.60.20. UNEMPLOYMENT COMPENSATION INTEREST CONTINGENCY FUND

The General Health and Human Service Pass-Through Fund (Fund 5HC0) is hereby renamed the Unemployment Compensation Interest Contingency Fund. On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$23,000,000 cash from the Child and Adult Protective Services Fund (Fund 5GV0), used by the Department of Job and Family Services, to the Unemployment Compensation Interest Contingency Fund. The Director of Budget and Management may seek Controlling Board approval to establish appropriations for payment of interest costs paid to the United States Secretary of the Treasury for the repayment of accrued interest related to federal unemployment account borrowing.

#### SECTION 311.10. JCR JOINT COMMITTEE ON AGENCY RULE REVIEW

##### General Revenue Fund

|                                |                    |    |         |    |         |
|--------------------------------|--------------------|----|---------|----|---------|
| GRF 029321                     | Operating Expenses | \$ | 435,168 | \$ | 435,168 |
| TOTAL GRF General Revenue Fund |                    | \$ | 435,168 | \$ | 435,168 |
| TOTAL ALL BUDGET FUND GROUPS   |                    | \$ | 435,168 | \$ | 435,168 |

##### OPERATING GUIDANCE

The Chief Administrative Officer of the House of Representatives and the Clerk of the Senate shall determine, by mutual agreement, which of them shall act as fiscal agent for the Joint Committee on Agency Rule Review. Members of the Committee shall be paid in accordance with section 101.35 of the Revised Code.

##### OPERATING EXPENSES

On July 1, 2011, or as soon as possible thereafter, the Executive Director of the Joint Committee on Agency Rule Review may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 029321,

Operating Expenses, at the end of fiscal year 2011 to be reappropriated to fiscal year 2012. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2012.

On July 1, 2012, or as soon as possible thereafter, the Executive Director of the Joint Committee on Agency Rule Review may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 029321, Operating Expenses, at the end of fiscal year 2012 to be reappropriated to fiscal year 2013. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2013.

#### SECTION 313.10. JCO JUDICIAL CONFERENCE OF OHIO

##### General Revenue Fund

|                                |                    |    |         |    |         |
|--------------------------------|--------------------|----|---------|----|---------|
| GRF 018321                     | Operating Expenses | \$ | 720,000 | \$ | 720,000 |
| TOTAL GRF General Revenue Fund |                    | \$ | 720,000 | \$ | 720,000 |

##### General Services Fund Group

|                                       |                        |    |           |    |           |
|---------------------------------------|------------------------|----|-----------|----|-----------|
| 4030 018601                           | Ohio Jury Instructions | \$ | 350,000   | \$ | 350,000   |
| TOTAL GSF General Services Fund Group |                        | \$ | 350,000   | \$ | 350,000   |
| TOTAL ALL BUDGET FUND GROUPS          |                        | \$ | 1,070,000 | \$ | 1,070,000 |

#### OHIO JURY INSTRUCTIONS FUND

The Ohio Jury Instructions Fund (Fund 4030) shall consist of grants, royalties, dues, conference fees, bequests, devises, and other gifts received for the purpose of supporting costs incurred by the Judicial Conference of Ohio in its activities as a part of the judicial system of the state as determined by the Judicial Conference Executive Committee. Fund 4030 shall be used by the Judicial Conference of Ohio to pay expenses incurred in its activities as a part of the judicial system of the state as determined by the Judicial Conference Executive Committee. All moneys accruing to Fund 4030 in excess of \$350,000 in fiscal year 2012 and in excess of \$350,000 in fiscal year 2013 are hereby appropriated for the purposes authorized.

No money in Fund 4030 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board.

#### SECTION 315.10. JSC THE JUDICIARY/SUPREME COURT

##### General Revenue Fund

|                                |                                                 |    |             |    |             |
|--------------------------------|-------------------------------------------------|----|-------------|----|-------------|
| GRF 005321                     | Operating Expenses -<br>Judiciary/Supreme Court | \$ | 133,704,620 | \$ | 132,565,410 |
| GRF 005406                     | Law Related Education                           | \$ | 236,172     | \$ | 236,172     |
| GRF 005409                     | Ohio Courts Technology<br>Initiative            | \$ | 2,150,000   | \$ | 2,150,000   |
| TOTAL GRF General Revenue Fund |                                                 | \$ | 136,090,792 | \$ | 134,951,582 |

##### General Services Fund Group

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|                                              |                                 |    |             |    |             |
|----------------------------------------------|---------------------------------|----|-------------|----|-------------|
| 6720 005601                                  | Continuing Judicial Education   | \$ | 172,142     | \$ | 169,420     |
| TOTAL GSF General Services Fund Group        |                                 | \$ | 172,142     | \$ | 169,420     |
| Federal Special Revenue Fund Group           |                                 |    |             |    |             |
| 3J00 005603                                  | Federal Grants                  | \$ | 1,653,317   | \$ | 1,605,717   |
| TOTAL FED Federal Special Revenue Fund Group |                                 | \$ | 1,653,317   | \$ | 1,605,717   |
| State Special Revenue Fund Group             |                                 |    |             |    |             |
| 4C80 005605                                  | Attorney Services               | \$ | 3,718,328   | \$ | 3,695,192   |
| 5HT0 005617                                  | Court Interpreter Certification | \$ | 39,000      | \$ | 39,000      |
| 5T80 005609                                  | Grants and Awards               | \$ | 50,000      | \$ | 50,000      |
| 6A80 005606                                  | Supreme Court Admissions        | \$ | 1,223,340   | \$ | 1,205,056   |
| TOTAL SSR State Special Revenue Fund Group   |                                 | \$ | 5,030,668   | \$ | 4,989,248   |
| TOTAL ALL BUDGET FUND GROUPS                 |                                 | \$ | 142,946,919 | \$ | 141,715,967 |

#### OPERATING EXPENSES - JUDICIARY/SUPREME COURT

Of the foregoing appropriation item 005321, Operating Expenses - Judiciary/Supreme Court, up to \$206,770 in each fiscal year may be used to support the functions of the State Criminal Sentencing Council.

#### LAW-RELATED EDUCATION

The foregoing appropriation item 005406, Law-Related Education, shall be distributed directly to the Ohio Center for Law-Related Education for the purposes of providing continuing citizenship education activities to primary and secondary students, expanding delinquency prevention programs, increasing activities for at-risk youth, and accessing additional public and private money for new programs.

#### OHIO COURTS TECHNOLOGY INITIATIVE

The foregoing appropriation item 005409, Ohio Courts Technology Initiative, shall be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

#### CONTINUING JUDICIAL EDUCATION

The Continuing Judicial Education Fund (Fund 6720) shall consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education. The foregoing appropriation item 005601, Continuing Judicial Education, shall be used to pay expenses for continuing education



courses for judges and court personnel. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in Fund 6720 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on money in Fund 6720 shall be credited to the fund.

#### FEDERAL GRANTS

The Federal Grants Fund (Fund 3J00) shall consist of grants and other moneys awarded to the Supreme Court (The Judiciary) by the United States Government or other entities that receive the moneys directly from the United States Government and distribute those moneys to the Supreme Court (The Judiciary). The foregoing appropriation item 005603, Federal Grants, shall be used in a manner consistent with the purpose of the grant or award. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in Fund 3J00 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. However, interest earned on money in Fund 3J00 shall be credited or transferred to the General Revenue Fund.

#### ATTORNEY SERVICES

The Attorney Services Fund (Fund 4C80), formerly known as the Attorney Registration Fund, shall consist of money received by the Supreme Court (The Judiciary) pursuant to the Rules for the Government of the Bar of Ohio. In addition to funding other activities considered appropriate by the Supreme Court, the foregoing appropriation item 005605, Attorney Services, may be used to compensate employees and to fund appropriate activities of the following offices established by the Supreme Court: the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in Fund 4C80 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on money in Fund 4C80 shall be credited to the fund.

#### COURT INTERPRETER CERTIFICATION

The Court Interpreter Certification Fund (Fund 5HT0) shall consist of money received by the Supreme Court (The Judiciary) pursuant to Rules 80 through 87 of the Rules of Superintendence for the Courts of Ohio. The

foregoing appropriation item 005617, Court Interpreter Certification, shall be used to provide training, to provide the written examination, and to pay language experts to rate, or grade, the oral examinations of those applying to become certified court interpreters. If it is determined by the Administrative Director that additional appropriations are necessary, the amounts are hereby appropriated.

No money in Fund 5HT0 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on money in Fund 5HT0 shall be credited to the fund.

#### GRANTS AND AWARDS

The Grants and Awards Fund (Fund 5T80) shall consist of grants and other money awarded to the Supreme Court (The Judiciary) by the State Justice Institute, the Division of Criminal Justice Services, or other entities. The foregoing appropriation item 005609, Grants and Awards, shall be used in a manner consistent with the purpose of the grant or award. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in Fund 5T80 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. However, interest earned on money in Fund 5T80 shall be credited or transferred to the General Revenue Fund.

#### SUPREME COURT ADMISSIONS

The foregoing appropriation item 005606, Supreme Court Admissions, shall be used to compensate Supreme Court employees who are primarily responsible for administering the attorney admissions program under the Rules for the Government of the Bar of Ohio, and to fund any other activities considered appropriate by the court. Moneys shall be deposited into the Supreme Court Admissions Fund (Fund 6A80) under the Supreme Court Rules for the Government of the Bar of Ohio. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

No money in Fund 6A80 shall be transferred to any other fund by the Director of Budget and Management or the Controlling Board. Interest earned on money in Fund 6A80 shall be credited to the fund.

#### SECTION 317.10. LEC LAKE ERIE COMMISSION

##### Federal Special Revenue Fund Group

|                                        |                          |    |        |    |        |
|----------------------------------------|--------------------------|----|--------|----|--------|
| 3EP0 780603                            | Lake Erie Federal Grants | \$ | 95,750 | \$ | 95,750 |
| TOTAL FED Federal Special Revenue Fund |                          | \$ | 95,750 | \$ | 95,750 |

## Group

## State Special Revenue Fund Group

|                                 |                           |    |         |    |         |
|---------------------------------|---------------------------|----|---------|----|---------|
| 4C00 780601                     | Lake Erie Protection Fund | \$ | 400,000 | \$ | 400,000 |
| 5D80 780602                     | Lake Erie Resources Fund  | \$ | 261,783 | \$ | 250,143 |
| TOTAL SSR State Special Revenue |                           |    |         |    |         |
| Fund Group                      |                           | \$ | 661,783 | \$ | 650,143 |
| TOTAL ALL BUDGET FUND GROUPS    |                           | \$ | 757,533 | \$ | 745,893 |

## SECTION 319.10. LRS LEGAL RIGHTS SERVICE

## General Revenue Fund

|                                |                  |    |         |    |        |
|--------------------------------|------------------|----|---------|----|--------|
| GRF 054321                     | Support Services | \$ | 97,255  | \$ | 24,314 |
| GRF 054401                     | Ombudsman        | \$ | 142,003 | \$ | 35,750 |
| TOTAL GRF General Revenue Fund |                  | \$ | 239,258 | \$ | 60,064 |

## General Services Fund Group

|                            |             |    |         |    |        |
|----------------------------|-------------|----|---------|----|--------|
| 5M00 054610                | Settlements | \$ | 181,352 | \$ | 32,839 |
| TOTAL GSF General Services |             | \$ | 181,352 | \$ | 32,839 |

## Federal Special Revenue Fund Group

|             |                                                                  |    |           |    |         |
|-------------|------------------------------------------------------------------|----|-----------|----|---------|
| 3050 054602 | Protection and Advocacy -<br>Developmentally Disabled            | \$ | 1,662,991 | \$ | 415,748 |
| 3AG0 054613 | Protection and Advocacy -<br>Voter Accessibility                 | \$ | 135,000   | \$ | 33,752  |
| 3B80 054603 | Protection and Advocacy -<br>Mentally Ill                        | \$ | 1,152,677 | \$ | 288,170 |
| 3CA0 054615 | Work Incentives Planning and<br>Assistance                       | \$ | 355,000   | \$ | 88,752  |
| 3N30 054606 | Protection and Advocacy -<br>Individual Rights                   | \$ | 591,112   | \$ | 147,779 |
| 3N90 054607 | Assistive Technology                                             | \$ | 135,000   | \$ | 33,751  |
| 3R90 054616 | Developmental Disability<br>Publications                         | \$ | 130,000   | \$ | 32,500  |
| 3T20 054609 | Client Assistance Program                                        | \$ | 435,000   | \$ | 108,752 |
| 3X10 054611 | Protection and Advocacy -<br>Beneficiaries of Social<br>Security | \$ | 235,000   | \$ | 58,752  |
| 3Z60 054612 | Protection and Advocacy -<br>Traumatic Brain Injury              | \$ | 151,624   | \$ | 37,907  |

## TOTAL FED Federal Special Revenue

|            |    |           |    |           |
|------------|----|-----------|----|-----------|
| Fund Group | \$ | 4,983,404 | \$ | 1,245,863 |
|------------|----|-----------|----|-----------|

## State Special Revenue Fund Group

|                                            |                      |    |           |    |           |
|--------------------------------------------|----------------------|----|-----------|----|-----------|
| 5AE0 054614                                | Grants and Contracts | \$ | 74,600    | \$ | 18,652    |
| TOTAL SSR State Special Revenue Fund Group |                      | \$ | 74,600    | \$ | 18,652    |
| TOTAL ALL BUDGET FUND GROUPS               |                      | \$ | 5,478,614 | \$ | 1,357,418 |

## SECTION 319.20. CONVERSION OF LEGAL RIGHTS SERVICE TO A NONPROFIT ENTITY

(A) Not later than December 31, 2011, the administrator of the Legal Rights Service, in consultation with the Legal Rights Service Commission,

shall establish a nonprofit entity to provide advocacy services and a client assistance program for people with disabilities. The nonprofit entity shall be established in such a manner that the entity is in compliance with all federal law regarding a protection and advocacy system, including 42 U.S.C. 15041 to 15045, and all federal law regarding a client assistance program, including 29 U.S.C. 732.

The Legal Rights Service may subcontract with the nonprofit entity to perform any functions that the Legal Rights Service is permitted or required to perform.

(B) Not later than September 30, 2012, the Governor shall designate the nonprofit entity established under division (A) of this section to serve as the state's protection and advocacy system. On October 1, 2012, pursuant to section 5123.60 of the Revised Code, as enacted by this act, the nonprofit entity is the Ohio Protection and Advocacy System.

(C) Effective October 1, 2012, the Legal Rights Service, the Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service are abolished.

Any aspect of the function of the Legal Rights Service, Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service commenced, but not completed on October 1, 2012 shall be completed by the nonprofit entity in the same manner, and with the same effect, as if completed by the Legal Rights Service, Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service as they existed immediately prior to October 1, 2012. No validation, cure, right, privilege, remedy, obligation, or liability pertaining to the Legal Rights Service, Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service is lost or impaired by reason of the abolishment of the Legal Rights Service, Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service. Each such validation, cure, right, privilege, remedy, obligation, or liability shall be administered by the nonprofit entity established under division (A) of this section.

Any action or proceeding that is related to the functions or duties of the Legal Rights Service, Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service pending on September 30, 2012, is not affected by the abolishment of the Legal Rights Service, the Legal Rights Service Commission, and the Ombudsperson Section of the Legal Rights Service and shall be prosecuted or defended in the name of the nonprofit entity. In all such actions and proceedings the nonprofit entity, on application to the court, shall be substituted as a party.

(D) After the Legal Rights Service is abolished, all employee personnel records of the Legal Rights Service shall be retained by the Office of Budget and Management according to the applicable retention schedules and then transferred to the Department of Administrative Services to be kept permanently.

All fiscal records of the Legal Rights Service shall be retained by the Office of Budget and Management until state and federal audits are conducted, audit reports are released, and all discrepancies are resolved. The records shall then be destroyed according to the applicable retention schedules.

All other general administrative and information technology records of the Legal Rights Service shall be retained by the Office of Budget and Management in accordance with applicable retention schedules.

(E) When the Legal Rights Service is abolished on October 1, 2012, all equipment and assets of the Legal Rights Service shall be transferred to the Ohio Protection and Advocacy System. The Office of Budget and Management shall designate the employment positions, if any, to be transferred to the System.

The Legal Rights Service and the nonprofit entity established to serve as the Ohio Protection and Advocacy System shall enter into an agreement to transfer any designated positions and all equipment and assets to the entity by October 1, 2012, or as soon as possible thereafter. The agreement may include provisions to transfer property and any other provisions necessary for the continued administration of Legal Rights Service activities.

(F) The foregoing appropriation items 054321, Support Services, and 054401, Ombudsman, may be used to support the costs of transitioning the Ohio Legal Rights Service into a nonprofit entity.

(G) By October 1, 2012, the Director of Budget and Management shall distribute any remaining cash balances in funds used by the Legal Rights Service to the nonprofit entity designated as the state's protection and advocacy system. To facilitate this transfer, on or before September 30, 2012, the Director of the Legal Rights Service shall certify to the Director of Budget and Management an estimate of the cash balance in each fund used by the Legal Rights Service to be transferred to the nonprofit entity. Upon receipt of the certification, the Director of Budget and Management may distribute the certified amounts to the nonprofit entity. Not more than sixty days after certifying the estimated amount, the nonprofit entity shall certify to the Director of Budget and Management the actual cash balances. If the actual amounts are more than the amounts that were transferred, the Director of Budget and Management shall disburse the difference to the nonprofit

entity. The Director of Budget and Management may transfer cash between any funds used by the Legal Rights Service to fulfill the requirements of this section.

On or after October 1, 2012, notwithstanding any provision of law to the contrary, the Director of Budget and Management may transfer cash between any funds that were used by the Legal Rights Service, create new funds, or abolish existing funds used by the Legal Rights Service in order to financially manage the abolition of that agency.

#### SECTION 321.10. JLE JOINT LEGISLATIVE ETHICS COMMITTEE

##### General Revenue Fund

|                                |                              |    |         |    |         |
|--------------------------------|------------------------------|----|---------|----|---------|
| GRF 028321                     | Legislative Ethics Committee | \$ | 550,000 | \$ | 550,000 |
| TOTAL GRF General Revenue Fund |                              | \$ | 550,000 | \$ | 550,000 |

##### General Services Fund Group

|            |                                    |    |         |    |         |
|------------|------------------------------------|----|---------|----|---------|
| 4G70028601 | Joint Legislative Ethics Committee | \$ | 100,000 | \$ | 100,000 |
|------------|------------------------------------|----|---------|----|---------|

|                                       |  |    |         |    |         |
|---------------------------------------|--|----|---------|----|---------|
| TOTAL GSF General Services Fund Group |  | \$ | 100,000 | \$ | 100,000 |
|---------------------------------------|--|----|---------|----|---------|

|                              |  |    |         |    |         |
|------------------------------|--|----|---------|----|---------|
| TOTAL ALL BUDGET FUND GROUPS |  | \$ | 650,000 | \$ | 650,000 |
|------------------------------|--|----|---------|----|---------|

#### SECTION 323.10. LSC LEGISLATIVE SERVICE COMMISSION

##### General Revenue Fund

|            |                                               |    |            |    |            |
|------------|-----------------------------------------------|----|------------|----|------------|
| GRF 035321 | Operating Expenses                            | \$ | 15,117,700 | \$ | 15,117,700 |
| GRF 035402 | Legislative Fellows                           | \$ | 1,022,120  | \$ | 1,022,120  |
| GRF 035405 | Correctional Institution Inspection Committee | \$ | 438,900    | \$ | 438,900    |

|            |                                         |    |         |    |         |
|------------|-----------------------------------------|----|---------|----|---------|
| GRF 035407 | Legislative Task Force on Redistricting | \$ | 590,000 | \$ | 750,000 |
|------------|-----------------------------------------|----|---------|----|---------|

|            |                       |    |         |    |         |
|------------|-----------------------|----|---------|----|---------|
| GRF 035409 | National Associations | \$ | 460,560 | \$ | 460,560 |
|------------|-----------------------|----|---------|----|---------|

|            |                                 |    |           |    |           |
|------------|---------------------------------|----|-----------|----|-----------|
| GRF 035410 | Legislative Information Systems | \$ | 3,661,250 | \$ | 3,661,250 |
|------------|---------------------------------|----|-----------|----|-----------|

|            |                                              |    |        |    |        |
|------------|----------------------------------------------|----|--------|----|--------|
| GRF 035411 | Ohio Constitutional Modernization Commission | \$ | 50,000 | \$ | 50,000 |
|------------|----------------------------------------------|----|--------|----|--------|

|                                |  |    |            |    |            |
|--------------------------------|--|----|------------|----|------------|
| TOTAL GRF General Revenue Fund |  | \$ | 21,340,530 | \$ | 21,500,530 |
|--------------------------------|--|----|------------|----|------------|

##### General Services Fund Group

|             |                      |    |        |    |        |
|-------------|----------------------|----|--------|----|--------|
| 4100 035601 | Sale of Publications | \$ | 10,000 | \$ | 10,000 |
|-------------|----------------------|----|--------|----|--------|

|             |                             |    |         |    |         |
|-------------|-----------------------------|----|---------|----|---------|
| 4F60 035603 | Legislative Budget Services | \$ | 200,000 | \$ | 200,000 |
|-------------|-----------------------------|----|---------|----|---------|

|             |                                    |    |        |    |        |
|-------------|------------------------------------|----|--------|----|--------|
| 5EF0 035607 | Legislative Agency Telephone Usage | \$ | 30,000 | \$ | 30,000 |
|-------------|------------------------------------|----|--------|----|--------|

|                                       |  |    |         |    |         |
|---------------------------------------|--|----|---------|----|---------|
| TOTAL GSF General Services Fund Group |  | \$ | 240,000 | \$ | 240,000 |
|---------------------------------------|--|----|---------|----|---------|

|                              |  |    |            |    |            |
|------------------------------|--|----|------------|----|------------|
| TOTAL ALL BUDGET FUND GROUPS |  | \$ | 21,580,530 | \$ | 21,740,530 |
|------------------------------|--|----|------------|----|------------|

#### OPERATING EXPENSES



On July 1, 2011, or as soon as possible thereafter, the Director of the Legislative Service Commission may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 035321, Operating Expenses, at the end of fiscal year 2011 to be reappropriated to fiscal year 2012. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2012.

On July 1, 2012, or as soon as possible thereafter, the Director of the Legislative Service Commission may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 035321, Operating Expenses, at the end of fiscal year 2012 to be reappropriated to fiscal year 2013. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2013.

#### LEGISLATIVE TASK FORCE ON REDISTRICTING

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 035407, Legislative Task Force on Redistricting, at the end of fiscal year 2011 is hereby reappropriated to the Legislative Service Commission for the same purpose for fiscal year 2012.

#### LEGISLATIVE INFORMATION SYSTEMS

On July 1, 2011, or as soon as possible thereafter, the Director of the Legislative Service Commission may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 035410, Legislative Information Systems, at the end of fiscal year 2011 to be reappropriated to fiscal year 2012. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2012.

On July 1, 2012, or as soon as possible thereafter, the Director of the Legislative Service Commission may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 035410, Legislative Information Systems, at the end of fiscal year 2012 to be reappropriated to fiscal year 2013. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2013.

#### OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

The foregoing appropriation item 035411, Ohio Constitutional Modernization Commission, shall be used to support the operation and expenses of the Ohio Constitutional Modernization Commission under sections 103.61 to 103.67 of the Revised Code.

## SECTION 325.10. LIB STATE LIBRARY BOARD

## General Revenue Fund

|                                |                          |    |           |    |           |
|--------------------------------|--------------------------|----|-----------|----|-----------|
| GRF 350321                     | Operating Expenses       | \$ | 5,057,312 | \$ | 5,057,364 |
| GRF 350401                     | Ohioana Rental Payments  | \$ | 124,437   | \$ | 124,437   |
| GRF 350502                     | Regional Library Systems | \$ | 582,469   | \$ | 582,469   |
| TOTAL GRF General Revenue Fund |                          | \$ | 5,764,218 | \$ | 5,764,270 |

## General Services Fund Group

|                                          |                                            |    |           |    |           |
|------------------------------------------|--------------------------------------------|----|-----------|----|-----------|
| 1390 350602                              | Intra-Agency Service Charges               | \$ | 9,000     | \$ | 9,000     |
| 4590 350603                              | Library Service Charges                    | \$ | 2,986,424 | \$ | 2,986,180 |
| 4S40 350604                              | Ohio Public Library<br>Information Network | \$ | 5,689,401 | \$ | 5,689,788 |
| 5GB0 350605                              | Library for the Blind                      | \$ | 1,274,194 | \$ | 1,274,194 |
| 5GG0 350606                              | Gates Foundation Grants                    | \$ | 6,000     | \$ | 0         |
| TOTAL GSF General Services<br>Fund Group |                                            | \$ | 9,965,019 | \$ | 9,959,162 |

## Federal Special Revenue Fund Group

|                                                 |              |    |            |    |            |
|-------------------------------------------------|--------------|----|------------|----|------------|
| 3130 350601                                     | LSTA Federal | \$ | 5,879,314  | \$ | 5,879,314  |
| TOTAL FED Federal Special Revenue<br>Fund Group |              | \$ | 5,879,314  | \$ | 5,879,314  |
| TOTAL ALL BUDGET FUND GROUPS                    |              | \$ | 21,608,551 | \$ | 21,602,746 |

## OHIOANA RENTAL PAYMENTS

The foregoing appropriation item 350401, Ohioana Rental Payments, shall be used to pay the rental expenses of the Martha Kinney Cooper Ohioana Library Association under section 3375.61 of the Revised Code.

## REGIONAL LIBRARY SYSTEMS

The foregoing appropriation item 350502, Regional Library Systems, shall be used to support regional library systems eligible for funding under sections 3375.83 and 3375.90 of the Revised Code.

## OHIO PUBLIC LIBRARY INFORMATION NETWORK

(A) The foregoing appropriation item 350604, Ohio Public Library Information Network, shall be used for an information telecommunications network linking public libraries in the state and such others as may participate in the Ohio Public Library Information Network (OPLIN).

The Ohio Public Library Information Network Board of Trustees created under section 3375.65 of the Revised Code may make decisions regarding use of the foregoing appropriation item 350604, Ohio Public Library Information Network.

(B) Of the foregoing appropriation item 350604, Ohio Public Library Information Network, up to \$81,000 in each fiscal year shall be used to help local libraries use filters to screen out obscene and illegal internet materials.

The OPLIN Board shall research and assist or advise local libraries with regard to emerging technologies and methods that may be effective means to control access to obscene and illegal materials. The OPLIN Director shall

provide written reports upon request within ten days to the Governor, the Speaker and Minority Leader of the House of Representatives, and the President and Minority Leader of the Senate on any steps being taken by OPLIN and public libraries in the state to limit and control such improper usage as well as information on technological, legal, and law enforcement trends nationally and internationally affecting this area of public access and service.

(C) The Ohio Public Library Information Network, INFOhio, and OhioLINK shall, to the extent feasible, coordinate and cooperate in their purchase or other acquisition of the use of electronic databases for their respective users and shall contribute funds in an equitable manner to such effort.

#### LIBRARY FOR THE BLIND

The foregoing appropriation item 350605, Library for the Blind, shall be used for the statewide Talking Book Program to assist the blind and disabled.

#### TRANSFER TO OPLIN TECHNOLOGY FUND

Notwithstanding sections 5747.03 and 5747.47 of the Revised Code and any other provision of law to the contrary, in accordance with a schedule established by the Director of Budget and Management, the Director of Budget and Management shall transfer \$3,689,401 in cash in fiscal year 2012 and \$3,689,788 in cash in fiscal year 2013 from the Public Library Fund (Fund 7065) to the OPLIN Technology Fund (Fund 4S40).

#### TRANSFER TO LIBRARY FOR THE BLIND FUND

Notwithstanding sections 5747.03 and 5747.47 of the Revised Code and any other provision of law to the contrary, in accordance with a schedule established by the Director of Budget and Management, the Director of Budget and Management shall transfer \$1,274,194 cash in each fiscal year from the Public Library Fund (Fund 7065) to the Library for the Blind Fund (Fund 5GB0).

### SECTION 327.10. LCO LIQUOR CONTROL COMMISSION

#### Liquor Control Fund Group

|                                     |        |                    |    |         |    |         |
|-------------------------------------|--------|--------------------|----|---------|----|---------|
| 7043                                | 970321 | Operating Expenses | \$ | 753,933 | \$ | 754,146 |
| TOTAL LCF Liquor Control Fund Group |        |                    | \$ | 753,933 | \$ | 754,146 |
| TOTAL ALL BUDGET FUND GROUPS        |        |                    | \$ | 753,933 | \$ | 754,146 |

### SECTION 329.10. LOT STATE LOTTERY COMMISSION

#### State Lottery Fund Group

|      |        |                             |    |           |    |           |
|------|--------|-----------------------------|----|-----------|----|-----------|
| 2310 | 950604 | Charitable Gaming Oversight | \$ | 1,946,000 | \$ | 1,946,000 |
|------|--------|-----------------------------|----|-----------|----|-----------|

|                              |        |                          |    |             |    |             |
|------------------------------|--------|--------------------------|----|-------------|----|-------------|
| 7044                         | 950100 | Personal Services        | \$ | 26,000,000  | \$ | 26,000,000  |
| 7044                         | 950200 | Maintenance              | \$ | 13,558,000  | \$ | 13,266,150  |
| 7044                         | 950300 | Equipment                | \$ | 4,810,440   | \$ | 4,465,690   |
| 7044                         | 950402 | Advertising Contracts    | \$ | 21,756,000  | \$ | 21,756,000  |
| 7044                         | 950403 | Gaming Contracts         | \$ | 46,476,608  | \$ | 47,359,732  |
| 7044                         | 950500 | Problem Gambling Subsidy | \$ | 350,000     | \$ | 350,000     |
| 7044                         | 950601 | Direct Prize Payments    | \$ | 131,995,700 | \$ | 133,263,456 |
| 8710                         | 950602 | Annuity Prizes           | \$ | 77,206,258  | \$ | 77,641,283  |
| TOTAL SLF State Lottery Fund |        |                          |    |             |    |             |
| Group                        |        |                          | \$ | 324,099,006 | \$ | 326,048,311 |
| TOTAL ALL BUDGET FUND GROUPS |        |                          | \$ | 324,099,006 | \$ | 326,048,311 |

#### OPERATING EXPENSES

Notwithstanding sections 127.14 and 131.35 of the Revised Code, the Controlling Board may, at the request of the State Lottery Commission, authorize expenditures from the State Lottery Fund in excess of the amounts appropriated, up to a maximum of 15 per cent of anticipated total revenue accruing from the sale of lottery tickets. Upon the approval of the Controlling Board, the additional amounts are hereby appropriated.

#### DIRECT PRIZE PAYMENTS

Any amounts, in addition to the amounts appropriated in appropriation item 950601, Direct Prize Payments, that the Director of the State Lottery Commission determines to be necessary to fund prizes are hereby appropriated.

#### ANNUITY PRIZES

Upon request of the State Lottery Commission, the Director of Budget and Management may transfer cash from the State Lottery Fund (Fund 7044) to the Deferred Prizes Trust Fund (Fund 8710) in an amount sufficient to fund deferred prizes. The Treasurer of State, from time to time, shall credit the Deferred Prizes Trust Fund (Fund 8710) the pro rata share of interest earned by the Treasurer of State on invested balances.

Any amounts, in addition to the amounts appropriated in appropriation item 950602, Annuity Prizes, that the Director of the State Lottery Commission determines to be necessary to fund deferred prizes and interest earnings are hereby appropriated.

#### TRANSFERS TO THE LOTTERY PROFITS EDUCATION FUND

The Director of Budget and Management shall transfer an amount greater than or equal to \$717,500,000 in fiscal year 2012 and \$680,500,000 in fiscal year 2013 from the State Lottery Fund to the Lottery Profits Education Fund (Fund 7017). Transfers from the State Lottery Fund to the Lottery Profits Education Fund shall represent the estimated net income from operations for the Commission in fiscal year 2012 and fiscal year 2013. Transfers by the Director of Budget and Management to the Lottery Profits Education Fund shall be administered as the statutes direct.

## SECTION 331.10. MHC MANUFACTURED HOMES COMMISSION

## General Services Fund Group

|                              |                    |    |         |    |         |
|------------------------------|--------------------|----|---------|----|---------|
| 4K90 996609                  | Operating Expenses | \$ | 652,922 | \$ | 642,267 |
| TOTAL GSF General Services   |                    |    |         |    |         |
| Fund Group                   |                    | \$ | 652,922 | \$ | 642,267 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 652,922 | \$ | 642,267 |

## SECTION 333.10. MED STATE MEDICAL BOARD

## General Services Fund Group

|                              |                    |    |           |    |           |
|------------------------------|--------------------|----|-----------|----|-----------|
| 5C60 883609                  | Operating Expenses | \$ | 9,292,393 | \$ | 9,172,062 |
| TOTAL GSF General Services   |                    |    |           |    |           |
| Fund Group                   |                    | \$ | 9,292,393 | \$ | 9,172,062 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 9,292,393 | \$ | 9,172,062 |

## SECTION 335.10. AMB OHIO MEDICAL TRANSPORTATION BOARD

## General Services Fund Group

|                              |                    |    |         |    |         |
|------------------------------|--------------------|----|---------|----|---------|
| 4K90 915604                  | Operating Expenses | \$ | 493,641 | \$ | 493,856 |
| TOTAL GSF General Services   |                    |    |         |    |         |
| Fund Group                   |                    | \$ | 493,641 | \$ | 493,856 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 493,641 | \$ | 493,856 |

## SECTION 337.10. DMH DEPARTMENT OF MENTAL HEALTH

## General Revenue Fund

|                                |                                     |    |             |    |             |
|--------------------------------|-------------------------------------|----|-------------|----|-------------|
| GRF 332401                     | Forensic Services                   | \$ | 3,244,251   | \$ | 3,244,251   |
| GRF 333321                     | Central Administration              | \$ | 16,000,000  | \$ | 16,000,000  |
| GRF 333402                     | Resident Trainees                   | \$ | 450,000     | \$ | 450,000     |
| GRF 333403                     | Pre-Admission Screening Expenses    | \$ | 486,119     | \$ | 486,119     |
| GRF 333415                     | Lease-Rental Payments               | \$ | 18,394,250  | \$ | 19,907,900  |
| GRF 333416                     | Research Program Evaluation         | \$ | 421,724     | \$ | 421,998     |
| GRF 334412                     | Hospital Services                   | \$ | 194,918,888 | \$ | 192,051,209 |
| GRF 334506                     | Court Costs                         | \$ | 584,210     | \$ | 584,210     |
| GRF 335405                     | Family & Children First             | \$ | 1,386,000   | \$ | 1,386,000   |
| GRF 335419                     | Community Medication Subsidy        | \$ | 8,963,818   | \$ | 8,963,818   |
| GRF 335501                     | Mental Health Medicaid Match        | \$ | 186,400,000 | \$ | 0           |
| GRF 335505                     | Local Mental Health Systems of Care | \$ | 49,963,776  | \$ | 59,087,955  |
| GRF 335506                     | Residential State Supplement        | \$ | 4,702,875   | \$ | 4,702,875   |
| TOTAL GRF General Revenue Fund |                                     | \$ | 485,915,911 | \$ | 307,286,335 |

## General Services Fund Group

|             |                          |    |            |    |            |
|-------------|--------------------------|----|------------|----|------------|
| 1490 333609 | Central Office Operating | \$ | 1,343,190  | \$ | 1,343,190  |
| 1490 334609 | Hospital - Operating     | \$ | 28,190,000 | \$ | 28,190,000 |

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|                                              |        |                                                       |    |               |                |
|----------------------------------------------|--------|-------------------------------------------------------|----|---------------|----------------|
|                                              |        | Expenses                                              |    |               |                |
| 1500                                         | 334620 | Special Education                                     | \$ | 150,000       | \$ 150,000     |
| 4P90                                         | 335604 | Community Mental Health Projects                      | \$ | 4,061,100     | \$ 250,000     |
| 1510                                         | 336601 | Office of Support Services                            | \$ | 129,770,770   | \$ 129,779,822 |
| TOTAL GSF General Services Fund Group        |        |                                                       | \$ | 163,515,060   | \$ 159,713,012 |
| <b>Federal Special Revenue Fund Group</b>    |        |                                                       |    |               |                |
| 3240                                         | 333605 | Medicaid/Medicare                                     | \$ | 154,500       | \$ 154,500     |
| 3A60                                         | 333608 | Federal Miscellaneous                                 | \$ | 140,000       | \$ 140,000     |
| 3A70                                         | 333612 | Social Services Block Grant                           | \$ | 50,000        | \$ 50,000      |
| 3A80                                         | 333613 | Federal Grant - Administration                        | \$ | 4,717,000     | \$ 4,717,000   |
| 3A90                                         | 333614 | Mental Health Block Grant - Administration            | \$ | 748,470       | \$ 748,470     |
| 3B10                                         | 333635 | Community Medicaid Expansion                          | \$ | 13,691,682    | \$ 13,691,682  |
| 3240                                         | 334605 | Medicaid/Medicare                                     | \$ | 28,200,000    | \$ 28,200,000  |
| 3A60                                         | 334608 | Federal Miscellaneous                                 | \$ | 200,000       | \$ 200,000     |
| 3A80                                         | 334613 | Federal Letter of Credit                              | \$ | 200,000       | \$ 200,000     |
| 3A60                                         | 335608 | Federal Miscellaneous                                 | \$ | 2,170,000     | \$ 2,170,000   |
| 3A70                                         | 335612 | Social Services Block Grant                           | \$ | 8,400,000     | \$ 8,400,000   |
| 3A80                                         | 335613 | Federal Grant - Community Mental Health Board Subsidy | \$ | 2,500,000     | \$ 2,500,000   |
| 3A90                                         | 335614 | Mental Health Block Grant                             | \$ | 14,200,000    | \$ 14,200,000  |
| 3B10                                         | 335635 | Community Medicaid Expansion                          | \$ | 346,200,000   | \$ 0           |
| TOTAL FED Federal Special Revenue Fund Group |        |                                                       | \$ | 421,571,652   | \$ 75,371,652  |
| <b>State Special Revenue Fund Group</b>      |        |                                                       |    |               |                |
| 2320                                         | 333621 | Family and Children First Administration              | \$ | 448,286       | \$ 432,197     |
| 4850                                         | 333632 | Mental Health Operating                               | \$ | 134,233       | \$ 134,233     |
| 4X50                                         | 333607 | Behavioral Health Medicaid Services                   | \$ | 3,000,624     | \$ 3,000,624   |
| 5V20                                         | 333611 | Non-Federal Miscellaneous                             | \$ | 100,000       | \$ 100,000     |
| 4850                                         | 334632 | Mental Health Operating                               | \$ | 2,477,500     | \$ 2,477,500   |
| 5AU0                                         | 335615 | Behavioral Healthcare                                 | \$ | 6,690,000     | \$ 6,690,000   |
| 6320                                         | 335616 | Community Capital Replacement                         | \$ | 350,000       | \$ 350,000     |
| TOTAL SSR State Special Revenue Fund Group   |        |                                                       | \$ | 13,200,643    | \$ 13,184,554  |
| TOTAL ALL BUDGET FUND GROUPS                 |        |                                                       | \$ | 1,084,203,266 | \$ 555,555,553 |

## SECTION 337.10.10. FORENSIC SERVICES

The foregoing appropriation item 332401, Forensic Services, shall be used to provide forensic psychiatric evaluations to courts of common pleas and to conduct evaluations of patients of forensic status in facilities operated or designated by the Department of Mental Health prior to conditional release to the community. A portion of this appropriation may be allocated through community mental health boards to certified community agencies in



accordance with a distribution methodology as determined by the Director of Mental Health.

In addition, appropriation item 332401, Forensic Services, may be used to provide forensic monitoring and tracking of individuals on conditional release and forensic training, and to support projects that assist courts and law enforcement to identify and develop appropriate alternative services to incarceration for nonviolent mentally ill offenders, and to provide specialized re-entry services to offenders leaving prisons and jails.

#### SECTION 337.20.10. RESIDENCY TRAINEESHIP PROGRAMS

The foregoing appropriation item 333402, Resident Trainees, shall be used to fund training agreements entered into by the Director of Mental Health for the development of curricula and the provision of training programs to support public mental health services.

#### SECTION 337.20.20. PRE-ADMISSION SCREENING EXPENSES

The foregoing appropriation item 333403, Pre-Admission Screening Expenses, shall be used to ensure that uniform statewide methods for pre-admission screening are in place for persons who have severe mental illness and are referred for long-term Medicaid certified nursing facility placement. Pre-admission screening includes the following activities: pre-admission assessment, consideration of continued stay requests, discharge planning and referral, and adjudication of appeals and grievance procedures.

#### SECTION 337.20.30. LEASE-RENTAL PAYMENTS

The foregoing appropriation item 333415, Lease-Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, by the Department of Mental Health under leases and agreements made under section 154.20 of the Revised Code. These appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to Chapter 154. of the Revised Code.

#### SECTION 337.20.50. HOSPITAL SERVICES

The foregoing appropriation item 334412, Hospital Services, shall be used for the operation of the Department of Mental Health State Regional Psychiatric Hospitals, including, but not limited to, all aspects involving

civil and forensic commitment, treatment, and discharge as determined by the Director of Mental Health. A portion of this appropriation may be used by the Department of Mental Health to create, purchase, or contract for the custody, supervision, control, and treatment of persons committed to the Department of Mental Health in other clinically appropriate environments, consistent with public safety.

SECTION 337.20.60. FISCAL YEARS 2012 AND 2013  
ALLOCATIONS OF STATE HOSPITAL FUNDS TO ADAMHS  
BOARDS

(A) As used in this section:

"Bed day" means a day for which a person receives inpatient hospitalization services in a state regional psychiatric hospital.

"State regional psychiatric hospital" means a hospital that the Department of Mental Health maintains, operates, manages, and governs under section 5119.02 of the Revised Code for the care and treatment of mentally ill persons.

(B) For fiscal years 2012 and 2013 and notwithstanding section 5119.62 of the Revised Code, the Director of Mental Health shall allocate a portion of the foregoing appropriation item 334412, Hospital Services, to boards of alcohol, drug addiction, and mental health services. In consultation with the boards, the Director shall establish a methodology to be used in allocating the funds to boards. The allocation methodology shall include as factors at least the per diem cost of inpatient hospitalization services at state regional psychiatric hospitals and the estimated number of bed days that each board will incur in fiscal years 2012 and 2013 in carrying out their duties under division (A)(12) of section 340.03 of the Revised Code. The Director may require each board to provide the Director with an estimate of the number of bed days the board will incur in fiscal years 2012 and 2013 for such purpose.

(C) All of the following apply to the funds allocated to a board under this section:

(1) Subject to divisions (C)(2) and (3) of this section, the board shall use the funds to pay for expenditures the board incurs in fiscal years 2012 and 2013 under division (A)(12) of section 340.03 of the Revised Code in paying for inpatient hospitalization services provided by state regional psychiatric hospitals to persons involuntarily committed to the board pursuant to Chapter 5122. of the Revised Code.

(2) If the amount of the funds allocated to the board and used for the purpose specified in division (C)(1) of this section exceeds the amount that

the board needs to pay for its expenditures identified in division (C)(1) of this section, the Director may permit the board to use the excess funds for the board's community mental health plan developed under division (A)(1)(c) of section 340.03 of the Revised Code.

(3) If the Director approves, the board may have a portion of the funds deposited into the Department of Mental Health Risk Fund.

(D) Notwithstanding the amendment by this act to section 5119.62 of the Revised Code, the Department of Mental Health Risk Fund shall continue to exist in the state treasury for the purpose of this section until it is no longer needed. In addition to the money that is in the fund on the effective date of this section, the fund shall consist of money deposited into it pursuant to division (C)(3) of this section and all the fund's investment earnings. Money in the fund shall be used in accordance with guidelines that the Director shall develop in consultation with representatives of the boards.

#### SECTION 337.30.20. COMMUNITY MEDICATION SUBSIDY

The foregoing appropriation item 335419, Community Medication Subsidy, shall be used to provide subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization because of lack of medication and to provide subsidized support for methadone costs. This appropriation may be allocated to community mental health boards in accordance with a distribution methodology determined by the Director of Mental Health.

#### SECTION 337.30.30. MENTAL HEALTH MEDICAID MATCH

(A) As used in this section, "community mental health Medicaid services" means services provided under the component, or aspect of the component, of the Medicaid program that the Department of Mental Health administers pursuant to a contract entered into with the Department of Job and Family Services under section 5111.91 of the Revised Code.

(B) Subject to division (C) of this section, the foregoing appropriation item 335501, Mental Health Medicaid Match, shall be used by the Department of Mental Health to make payments for community mental health Medicaid services.

(C) For state fiscal year 2012, the Department shall allocate foregoing appropriation item 335501, Mental Health Medicaid Match, to boards of alcohol, drug addiction, and mental health services in accordance with a distribution methodology the Department shall establish. Notwithstanding sections 5111.911 and 5111.912 of the Revised Code, the boards shall use

the funds allocated to them under this section to pay claims for community mental health Medicaid services provided during fiscal year 2012. The boards shall use all federal financial participation that the Department of Mental Health receives for claims paid for community mental health Medicaid services provided during fiscal year 2012 as the first payment source to pay claims for community mental health Medicaid services provided during fiscal year 2012. The boards are not required to use any funds other than the funds allocated to them under this section and the federal financial participation received for claims for community mental health Medicaid services provided during fiscal year 2012 to pay for such claims.

(D) The Department shall enter into an agreement with each board regarding the issue of paying claims that are for community mental health Medicaid services provided before July 1, 2011, and submitted for payment on or after that date. Such claims shall be paid in accordance with the agreements. A board shall receive the federal financial participation received for claims for community mental health Medicaid services that were provided before July 1, 2011, and paid by the board.

#### SECTION 337.30.40. LOCAL MENTAL HEALTH SYSTEMS OF CARE

The foregoing appropriation item 335505, Local Mental Health Systems of Care, shall be used by community mental health boards to purchase mental health services permitted under Chapter 340. of the Revised Code.

#### SECTION 337.30.50. RESIDENTIAL STATE SUPPLEMENT

(A)(1) On July 1, 2011, the Residential State Supplement Program is transferred from the Department of Aging to the Department of Mental Health. The transferred program is thereupon and thereafter successor to, assumes the obligations of, and otherwise constitutes the continuation of the program as it was operated immediately prior to July 1, 2011. The transfer shall not affect persons receiving payments under the program on July 1, 2011.

(2) Any business of the program commenced but not completed before July 1, 2011 shall be completed by the Department of Mental Health. The business shall be completed in the same manner, and with the same effect, as if completed by the Department of Aging immediately prior to July 1, 2011. No validation, cure, right, privilege, remedy, obligation, or liability pertaining to the program is lost or impaired by reason of the program's

transfer to the Department of Mental Health. Each such validation, cure, right, privilege, remedy, obligation, or liability shall be administered by the Department of Mental Health pursuant to sections 5119.69, 5119.691, and 5119.692 of the Revised Code.

(3) All rules, orders, and determinations pertaining to the program as it was operated immediately prior to July 1, 2011 continue in effect as rules, orders, and determinations of the Department of Mental Health until modified or rescinded by the Department of Mental Health. If necessary to ensure the integrity of the numbering system of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules to reflect the transfer of the Residential State Supplement Program from the Department of Aging to the Department of Mental Health.

(4) Any action or proceeding that is related to the functions or duties of the Residential State Supplement Program pending on July 1, 2011 is not affected by the transfer of the program and shall be prosecuted or defended in the name of the Department of Mental Health. In all such actions and proceedings, the Department of Mental Health, on application to the court, shall be substituted as a party.

(B) On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$2.8 million cash from the General Revenue Fund to the Residential State Supplement Fund (Fund 5CH0) to be used for the Residential State Supplement program. The transferred cash is hereby appropriated.

(C) The foregoing appropriation item 335506, Residential State Supplement, and the Residential State Supplement Fund (Fund 5CH0), may be used by the Department of Mental Health to provide training for adult care facilities serving residents with mental illness, to transfer cash to the Nursing Home Franchise Permit Fee Fund (Fund 5R20) used by the Department of Job and Family Services, and to make benefit payments to residential state supplement recipients. Under the Residential State Supplement Program, the amount used to determine whether a resident is eligible for payment, and for determining the amount per month the eligible resident will receive, shall be as follows:

(1) \$927 for a residential care facility, as defined in section 3721.01 of the Revised Code;

(2) \$927 for an adult group home, as defined in section 5119.70 of the Revised Code;

(3) \$824 for an adult foster home, as defined in section 5119.692 of the Revised Code;

(4) \$824 for an adult family home, as defined in section 5119.70 of the

Revised Code;

(5) \$824 for a residential facility, as identified in division (C)(1)(c) of section 5119.69 of the Revised Code; and

(6) \$618 for community mental health housing services, as identified in division (C)(1)(d) of section 5119.69 of the Revised Code.

The Department of Mental Health shall reflect these amounts in any applicable rules the Department adopts under section 5119.69 of the Revised Code.

#### SECTION 337.30.60. BEHAVIORAL HEALTH MEDICAID SERVICES

The Department of Mental Health shall administer specified Medicaid services as delegated by the Department of Job and Family Services in an interagency agreement. The foregoing appropriation item 333607, Behavioral Health Medicaid Services, may be used to make payments for free-standing psychiatric hospital inpatient services as defined in an interagency agreement with the Department of Job and Family Services.

#### SECTION 337.30.70. FAMILY AND CHILDREN FIRST FLEXIBLE FUNDING POOL

A county family and children first council may establish and operate a flexible funding pool in order to assure access to needed services by families, children, and older adults in need of protective services. The operation of the flexible funding pools shall be subject to the following restrictions:

(A) The county council shall establish and operate the flexible funding pool in accordance with formal guidance issued by the Family and Children First Cabinet Council;

(B) The county council shall produce an annual report on its use of the pooled funds. The annual report shall conform to a format prescribed in the formal guidance issued by the Family and Children First Cabinet Council;

(C) Unless otherwise restricted, funds transferred to the flexible funding pool may include state general revenues allocated to local entities to support the provision of services to families and children;

(D) The amounts transferred to the flexible funding pool shall be limited to amounts that can be redirected without impairing the achievement of the objectives for which the initial allocation is designated; and

(E) Each amount transferred to the flexible funding pool from a specific allocation shall be approved for transfer by the director of the local agency that was the original recipient of the allocation.



SECTION 337.30.75. TRANSITION FOR CURRENTLY CERTIFIED  
ADULT FOSTER HOMES

On July 1, 2011, the certification of adult foster homes is transferred from the Department of Aging to the Department of Mental Health. A certification that was issued by the Director of Aging to an adult foster home under former section 175.36 of the Revised Code and that is current and valid on the effective date of section 5119.692 of the Revised Code, as enacted by this act, is deemed to be a certificate issued by the Director of Mental Health under those sections.

Any business regarding the certification of adult foster homes commenced but not completed before July 1, 2011 shall be completed by the Department of Mental Health. The business shall be completed in the same manner, and with the same effect, as if completed by the Department of Aging immediately prior to July 1, 2011.

No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of this act's transfer of responsibility to the Department of Mental Health, from the Department of Aging, for the certification of adult foster homes.

Each such validation, cure, right, privilege, remedy, obligation, or liability shall be administered by the Department of Mental Health pursuant to section 5119.692 of the Revised Code.

All rules, orders, and determinations pertaining to the certification of adult foster homes as it was operated immediately prior to July 1, 2011 shall continue in effect as rules, orders, and determinations of the Department of Mental Health until modified or rescinded by the Department of Mental Health. If necessary to ensure the integrity of the numbering system of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules to reflect the transfer of the certification of adult foster homes from the Department of Aging to the Department of Mental Health.

Any action or proceeding that is related to the functions or duties of the certification of adult foster homes pending on July 1, 2011 is not affected by the transfer of the certification and shall be prosecuted or defended in the name of the Department of Mental Health. In all such actions and proceedings, the Department of Mental Health, on application to the court, shall be substituted as a party.

SECTION 337.30.80. TRANSITION FOR CURRENTLY LICENSED

**ADULT CARE FACILITIES**

On July 1, 2011, the licensing of adult care facilities is transferred from the Department of Health to the Department of Mental Health. A license that was issued by the Director of Health to an adult care facility under former Chapter 3722. of the Revised Code and that is current and valid on the effective date of sections 5119.70 to 5119.88 of the Revised Code, as enacted by this act, is deemed to be a license issued by the Director of Mental Health under those sections.

Any business regarding the licensing of adult care facilities commenced but not completed before July 1, 2011 shall be completed by the Department of Mental Health. The business shall be completed in the same manner, and with the same effect, as if completed by the Department of Health immediately prior to July 1, 2011.

No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of this act's transfer of responsibility to the Department of Mental Health, from the Department of Health, for the licensing of adult care facilities. Each such validation, cure, right, privilege, remedy, obligation, or liability shall be administered by the Department of Mental Health pursuant to sections 5119.70 to 5119.88 of the Revised Code.

All rules, orders, and determinations pertaining to the licensing of adult care facilities as it was operated immediately prior to July 1, 2011 shall continue in effect as rules, orders, and determinations of the Department of Mental Health until modified or rescinded by the Department of Mental Health. If necessary to ensure the integrity of the numbering system of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules to reflect the transfer of the licensing of adult care facilities from the Department of Health to the Department of Mental Health.

Any action or proceeding that is related to the functions or duties of the licensing of adult care facilities pending on July 1, 2011 is not affected by the transfer of the licensing and shall be prosecuted or defended in the name of the Department of Mental Health. In all such actions and proceedings, the Department of Mental Health, on application to the court, shall be substituted as a party.

**SECTION 337.30.90. BEHAVIORAL HEALTH DOCUMENTATION REDUCTION**

(A) As used in this section:

(1) "Community behavioral health services and programs" means both of the following:

(a) Community mental health services certified by the Director of Mental Health under section 5119.611 of the Revised Code;

(b) Alcohol and drug addiction programs certified by the Department of Alcohol and Drug Addiction Services under section 3793.06 of the Revised Code.

(2) "Residential facility" has the same meaning as in section 5119.22 of the Revised Code.

(B) Not later than December 31, 2011, the Directors of Mental Health and Alcohol and Drug Addiction Services, or their designees, shall, in consultation with persons interested in the issues of residential facilities and community behavioral health services and programs, do all of the following:

(1) Identify areas of duplicative and unnecessary documentation requirements associated with licensing residential facilities and certifying community behavioral health services and programs;

(2) Align the documentation standards of the Departments of Mental Health and Alcohol and Drug Addiction Services;

(3) Streamline the Departments' standards regarding residential facilities and community behavioral health services and programs with federal standards;

(4) Promote the integration of behavioral and physical health in residential facilities and community behavioral health services and programs.

SECTION 337.40.10. TRANSFER FROM FACILITIES ESTABLISHMENT

Notwithstanding Chapter 166. of the Revised Code, on July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$5 million cash from the Facilities Establishment Fund (Fund 7037) to the General Revenue Fund.

SECTION 339.10. MIH COMMISSION ON MINORITY HEALTH

General Revenue Fund

|                                |                        |    |           |    |           |
|--------------------------------|------------------------|----|-----------|----|-----------|
| GRF 149321                     | Operating Expenses     | \$ | 423,588   | \$ | 408,990   |
| GRF 149501                     | Minority Health Grants | \$ | 1,061,600 | \$ | 1,061,600 |
| GRF 149502                     | Lupus Program          | \$ | 110,047   | \$ | 110,047   |
| TOTAL GRF General Revenue Fund |                        | \$ | 1,595,235 | \$ | 1,580,637 |

Federal Special Revenue Fund Group

|                                              |                |    |         |    |         |
|----------------------------------------------|----------------|----|---------|----|---------|
| 3J90 149602                                  | Federal Grants | \$ | 140,000 | \$ | 140,000 |
| TOTAL FED Federal Special Revenue Fund Group |                | \$ | 140,000 | \$ | 140,000 |

State Special Revenue Fund Group

The above boxed and initialed text was disapproved.

Date: 6-30-11

John R. Kasich, Governor

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|                                 |                            |    |           |    |           |
|---------------------------------|----------------------------|----|-----------|----|-----------|
| 4C20 149601                     | Minority Health Conference | \$ | 25,000    | \$ | 25,000    |
| TOTAL SSR State Special Revenue |                            |    |           |    |           |
| Fund Group                      |                            | \$ | 25,000    | \$ | 25,000    |
| TOTAL ALL BUDGET FUND GROUPS    |                            | \$ | 1,760,235 | \$ | 1,745,637 |

# SECTION 341.10. CRB MOTOR VEHICLE COLLISION REPAIR REGISTRATION BOARD

## General Services Fund Group

|                              |                    |    |         |    |         |
|------------------------------|--------------------|----|---------|----|---------|
| 4K90 865601                  | Operating Expenses | \$ | 331,841 | \$ | 324,292 |
| TOTAL GSF General Services   |                    |    |         |    |         |
| Fund Group                   |                    | \$ | 331,841 | \$ | 324,292 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 331,841 | \$ | 324,292 |

# SECTION 343.10. DNR DEPARTMENT OF NATURAL RESOURCES

## General Revenue Fund

|                                |                                                      |    |            |    |            |
|--------------------------------|------------------------------------------------------|----|------------|----|------------|
| GRF 725401                     | Wildlife-GRF Central Support                         | \$ | 1,800,000  | \$ | 1,800,000  |
| GRF 725413                     | Lease Rental Payments                                | \$ | 20,568,600 | \$ | 19,734,700 |
| GRF 725456                     | Canal Lands                                          | \$ | 135,000    | \$ | 135,000    |
| GRF 725502                     | Soil and Water Districts                             | \$ | 2,900,000  | \$ | 2,900,000  |
| GRF 725903                     | Natural Resources General<br>Obligation Debt Service | \$ | 5,375,300  | \$ | 25,209,100 |
| GRF 727321                     | Division of Forestry                                 | \$ | 4,878,338  | \$ | 4,880,000  |
| GRF 729321                     | Office of Information<br>Technology                  | \$ | 194,118    | \$ | 197,117    |
| GRF 730321                     | Division of Parks and<br>Recreation                  | \$ | 30,000,000 | \$ | 30,000,000 |
| GRF 736321                     | Division of Engineering                              | \$ | 3,024,459  | \$ | 3,025,078  |
| GRF 737321                     | Division of Soil and Water<br>Resources              | \$ | 4,982,961  | \$ | 4,983,356  |
| GRF 741321                     | Division of Natural Areas and<br>Preserves           | \$ | 1,200,000  | \$ | 1,200,000  |
| TOTAL GRF General Revenue Fund |                                                      | \$ | 75,058,776 | \$ | 94,064,351 |

## General Services Fund Group

|             |                                          |    |           |    |           |
|-------------|------------------------------------------|----|-----------|----|-----------|
| 1550 725601 | Departmental Projects                    | \$ | 3,365,651 | \$ | 2,725,484 |
| 1570 725651 | Central Support Indirect                 | \$ | 5,854,167 | \$ | 5,857,800 |
| 2040 725687 | Information Services                     | \$ | 4,659,276 | \$ | 4,643,835 |
| 2070 725690 | Real Estate Services                     | \$ | 50,000    | \$ | 50,000    |
| 2230 725665 | Law Enforcement<br>Administration        | \$ | 2,106,776 | \$ | 2,126,432 |
| 2270 725406 | Parks Projects Personnel                 | \$ | 436,500   | \$ | 436,500   |
| 4300 725671 | Canal Lands                              | \$ | 907,618   | \$ | 907,879   |
| 4D50 725618 | Recycled Materials                       | \$ | 50,000    | \$ | 50,000    |
| 4S90 725622 | NatureWorks Personnel                    | \$ | 400,358   | \$ | 400,358   |
| 4X80 725662 | Water Resources Council                  | \$ | 138,011   | \$ | 138,005   |
| 5100 725631 | Maintenance - State-owned<br>Residences  | \$ | 303,611   | \$ | 303,611   |
| 5160 725620 | Water Management                         | \$ | 2,541,565 | \$ | 2,559,292 |
| 6350 725664 | Fountain Square Facilities<br>Management | \$ | 3,544,623 | \$ | 3,548,445 |
| 6970 725670 | Submerged Lands                          | \$ | 836,162   | \$ | 848,546   |

## TOTAL GSF General Services

|            |    |            |    |            |
|------------|----|------------|----|------------|
| Fund Group | \$ | 25,194,318 | \$ | 24,596,187 |
|------------|----|------------|----|------------|

## Federal Special Revenue Fund Group

|      |        |                                            |    |            |    |            |
|------|--------|--------------------------------------------|----|------------|----|------------|
| 3320 | 725669 | Federal Mine Safety Grant                  | \$ | 258,102    | \$ | 258,102    |
| 3B30 | 725640 | Federal Forest Pass-Thru                   | \$ | 600,000    | \$ | 600,000    |
| 3B40 | 725641 | Federal Flood Pass-Thru                    | \$ | 600,000    | \$ | 600,000    |
| 3B50 | 725645 | Federal Abandoned Mine Lands               | \$ | 21,007,667 | \$ | 21,207,667 |
| 3B60 | 725653 | Federal Land and Water Conservation Grants | \$ | 1,150,000  | \$ | 1,150,000  |
| 3B70 | 725654 | Reclamation - Regulatory                   | \$ | 3,200,000  | \$ | 3,200,000  |
| 3P10 | 725632 | Geological Survey - Federal                | \$ | 692,401    | \$ | 692,401    |
| 3P20 | 725642 | Oil and Gas-Federal                        | \$ | 234,509    | \$ | 234,509    |
| 3P30 | 725650 | Coastal Management - Federal               | \$ | 3,290,633  | \$ | 3,290,633  |
| 3P40 | 725660 | Federal - Soil and Water Resources         | \$ | 1,213,048  | \$ | 1,209,957  |
| 3R50 | 725673 | Acid Mine Drainage Abatement/Treatment     | \$ | 2,025,001  | \$ | 2,025,001  |
| 3Z50 | 725657 | Federal Recreation and Trails              | \$ | 1,850,000  | \$ | 1,850,000  |

## TOTAL FED Federal Special Revenue

|            |    |            |    |            |
|------------|----|------------|----|------------|
| Fund Group | \$ | 36,121,361 | \$ | 36,318,270 |
|------------|----|------------|----|------------|

## State Special Revenue Fund Group

|      |        |                                           |    |            |    |            |
|------|--------|-------------------------------------------|----|------------|----|------------|
| 4J20 | 725628 | Injection Well Review                     | \$ | 130,899    | \$ | 128,466    |
| 4M70 | 725686 | Wildfire Suppression                      | \$ | 100,000    | \$ | 100,000    |
| 4U60 | 725668 | Scenic Rivers Protection                  | \$ | 100,000    | \$ | 100,000    |
| 5090 | 725602 | State Forest                              | \$ | 7,891,747  | \$ | 7,058,793  |
| 5110 | 725646 | Ohio Geological Mapping                   | \$ | 704,777    | \$ | 705,130    |
| 5120 | 725605 | State Parks Operations                    | \$ | 32,284,117 | \$ | 31,550,444 |
| 5140 | 725606 | Lake Erie Shoreline                       | \$ | 1,502,654  | \$ | 1,505,983  |
| 5180 | 725643 | Oil and Gas Permit Fees                   | \$ | 5,821,970  | \$ | 5,623,645  |
| 5180 | 725677 | Oil and Gas Well Plugging                 | \$ | 800,000    | \$ | 800,000    |
| 5210 | 725627 | Off-Road Vehicle Trails                   | \$ | 143,490    | \$ | 143,490    |
| 5220 | 725656 | Natural Areas and Preserves               | \$ | 546,580    | \$ | 546,639    |
| 5260 | 725610 | Strip Mining Administration Fee           | \$ | 2,000,000  | \$ | 2,000,000  |
| 5270 | 725637 | Surface Mining Administration             | \$ | 1,940,977  | \$ | 1,941,532  |
| 5290 | 725639 | Unreclaimed Land Fund                     | \$ | 2,004,180  | \$ | 2,004,180  |
| 5310 | 725648 | Reclamation Forfeiture                    | \$ | 1,423,000  | \$ | 1,423,000  |
| 5320 | 725644 | Litter Control and Recycling              | \$ | 4,926,730  | \$ | 4,911,575  |
| 5860 | 725633 | Scrap Tire Program                        | \$ | 1,497,645  | \$ | 1,497,645  |
| 5B30 | 725674 | Mining Regulation                         | \$ | 28,135     | \$ | 28,135     |
| 5BV0 | 725658 | Heidelberg Water Quality Lab              | \$ | 250,000    | \$ | 250,000    |
| 5BV0 | 725683 | Soil and Water Districts                  | \$ | 8,000,000  | \$ | 8,000,000  |
| 5CU0 | 725647 | Mine Safety                               | \$ | 3,000,000  | \$ | 3,000,000  |
| 5EJ0 | 725608 | Forestry Law Enforcement                  | \$ | 1,000      | \$ | 1,000      |
| 5EK0 | 725611 | Natural Areas & Preserves Law Enforcement | \$ | 1,000      | \$ | 1,000      |
| 5EL0 | 725612 | Wildlife Law Enforcement                  | \$ | 12,000     | \$ | 12,000     |
| 5EM0 | 725613 | Park Law Enforcement                      | \$ | 34,000     | \$ | 34,000     |
| 5EN0 | 725614 | Watercraft Law Enforcement                | \$ | 2,500      | \$ | 2,500      |

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|                                                     |                                       |    |             |    |             |
|-----------------------------------------------------|---------------------------------------|----|-------------|----|-------------|
| 5HK0 725625                                         | Ohio Nature Preserves                 | \$ | 1,000       | \$ | 1,000       |
| 6150 725661                                         | Dam Safety                            | \$ | 925,344     | \$ | 926,028     |
| TOTAL SSR State Special Revenue Fund Group          |                                       | \$ | 76,073,745  | \$ | 74,296,185  |
| <b>Clean Ohio Conservation Fund Group</b>           |                                       |    |             |    |             |
| 7061 725405                                         | Clean Ohio Operating                  | \$ | 300,775     | \$ | 300,775     |
| TOTAL CLF Clean Ohio Conservation Fund Group        |                                       | \$ | 300,775     | \$ | 300,775     |
| <b>Wildlife Fund Group</b>                          |                                       |    |             |    |             |
| 5P20 725634                                         | Wildlife Boater Angler Administration | \$ | 4,000,000   | \$ | 4,000,000   |
| 7015 740401                                         | Division of Wildlife Conservation     | \$ | 52,721,044  | \$ | 51,669,158  |
| 8150 725636                                         | Cooperative Management Projects       | \$ | 120,449     | \$ | 120,449     |
| 8160 725649                                         | Wetlands Habitat                      | \$ | 966,885     | \$ | 966,885     |
| 8170 725655                                         | Wildlife Conservation Checkoff Fund   | \$ | 3,240,000   | \$ | 3,240,000   |
| 8180 725629                                         | Cooperative Fisheries Research        | \$ | 1,500,000   | \$ | 1,500,000   |
| 8190 725685                                         | Ohio River Management                 | \$ | 128,584     | \$ | 128,584     |
| TOTAL WLF Wildlife Fund Group                       |                                       | \$ | 62,676,962  | \$ | 61,625,076  |
| <b>Waterways Safety Fund Group</b>                  |                                       |    |             |    |             |
| 7086 725414                                         | Waterways Improvement                 | \$ | 5,692,601   | \$ | 5,693,671   |
| 7086 725418                                         | Buoy Placement                        | \$ | 52,182      | \$ | 52,182      |
| 7086 725501                                         | Waterway Safety Grants                | \$ | 120,000     | \$ | 120,000     |
| 7086 725506                                         | Watercraft Marine Patrol              | \$ | 576,153     | \$ | 576,153     |
| 7086 725513                                         | Watercraft Educational Grants         | \$ | 366,643     | \$ | 366,643     |
| 7086 739401                                         | Division of Watercraft                | \$ | 18,040,593  | \$ | 17,552,370  |
| TOTAL WSF Waterways Safety Fund Group               |                                       | \$ | 24,848,172  | \$ | 24,361,019  |
| <b>Accrued Leave Liability Fund Group</b>           |                                       |    |             |    |             |
| 4M80 725675                                         | FOP Contract                          | \$ | 20,219      | \$ | 20,219      |
| TOTAL ALF Accrued Leave Liability Fund Group        |                                       | \$ | 20,219      | \$ | 20,219      |
| <b>Holding Account Redistribution Fund Group</b>    |                                       |    |             |    |             |
| R017 725659                                         | Performance Cash Bond Refunds         | \$ | 296,263     | \$ | 296,263     |
| R043 725624                                         | Forestry                              | \$ | 2,000,000   | \$ | 2,154,750   |
| TOTAL 090 Holding Account Redistribution Fund Group |                                       | \$ | 2,296,263   | \$ | 2,451,013   |
| TOTAL ALL BUDGET FUND GROUPS                        |                                       | \$ | 302,590,591 | \$ | 318,033,095 |

## SECTION 343.20. CENTRAL SUPPORT INDIRECT

With the exception of the Division of Wildlife, whose direct and indirect central support charges shall be paid out of the General Revenue Fund from the foregoing appropriation item 725401, Wildlife-GRF Central Support, the Department of Natural Resources, with approval of the Director



of Budget and Management, shall utilize a methodology for determining each division's payments into the Central Support Indirect Fund (Fund 1570). The methodology used shall contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements. It may include direct cost charges for specific services provided. Payments to Fund 1570 shall be made using an intrastate transfer voucher.

#### SECTION 343.30. WELL LOG FILING FEES

The Chief of the Division of Soil and Water Resources shall deposit fees forwarded to the Division pursuant to section 1521.05 of the Revised Code into the Departmental Services – Intrastate Fund (Fund 1550) for the purposes described in that section.

#### SECTION 343.40. LEASE RENTAL PAYMENTS

The foregoing appropriation item 725413, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, by the Department of Natural Resources pursuant to leases and agreements made under section 154.22 of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

#### CANAL LANDS

The foregoing appropriation item 725456, Canal Lands, shall be used to transfer funds to the Canal Lands Fund (Fund 4300) to provide operating expenses for the State Canal Lands Program. The transfer shall be made using an intrastate transfer voucher and shall be subject to the approval of the Director of Budget and Management.

#### NATURAL RESOURCES GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 725903, Natural Resources General Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period July 1, 2011, through June 30, 2013, on obligations issued under sections 151.01 and 151.05 of the Revised Code.

#### SECTION 343.40.10. LAW ENFORCEMENT ADMINISTRATION

The foregoing appropriation item 725665, Law Enforcement Administration, shall be used to cover the cost of support, coordination, and

oversight of the Department of Natural Resources' law enforcement functions. The Law Enforcement Administration Fund (Fund 2230) shall consist of cash transferred to it via intrastate transfer voucher from other funds as determined by the Director of Natural Resources and the Director of Budget and Management.

#### SECTION 343.40.20. FOUNTAIN SQUARE

The foregoing appropriation item 725664, Fountain Square Facilities Management, shall be used for payment of repairs, renovation, utilities, property management, and building maintenance expenses for the Fountain Square complex. Cash transferred by intrastate transfer vouchers from various department funds and rental income received by the Department of Natural Resources shall be deposited into the Fountain Square Facilities Management Fund (Fund 6350).

#### SECTION 343.40.30. SOIL AND WATER DISTRICTS

In addition to state payments to soil and water conservation districts authorized by section 1515.10 of the Revised Code, the Department of Natural Resources may use appropriation item 725683, Soil and Water Districts, to pay any soil and water conservation district an annual amount not to exceed \$40,000, upon receipt of a request and justification from the district and approval by the Ohio Soil and Water Conservation Commission. The county auditor shall credit the payments to the special fund established under section 1515.10 of the Revised Code for the local soil and water conservation district. Moneys received by each district shall be expended for the purposes of the district.

#### TRANSFER OF FUNDS FOR OIL AND GAS DIVISION OPERATIONS

During fiscal years 2012 and 2013, the Director of Budget and Management may, in consultation with the Director of Natural Resources, transfer such cash as necessary from the General Revenue Fund to the Oil and Gas Well Fund (Fund 5180) for handling the increased regulatory work related to the expansion of oil and gas drilling that will occur before receipts from this activity are deposited into Fund 5180. Once funds from severance taxes, application and permitting fees, and other sources have accrued to Fund 5180 in such amounts as are deemed sufficient to sustain expanded operations, the Director of Budget and Management, in consultation with the Director of Natural Resources, shall establish a schedule for repaying the transferred funds from Fund 5180 to the General Revenue Fund.

**OIL AND GAS WELL PLUGGING**

The foregoing appropriation item 725677, Oil and Gas Well Plugging, shall be used exclusively for the purposes of plugging wells and to properly restore the land surface of idle and orphan oil and gas wells pursuant to section 1509.071 of the Revised Code. No funds from the appropriation item shall be used for salaries, maintenance, equipment, or other administrative purposes, except for those costs directly attributed to the plugging of an idle or orphan well. This appropriation item shall not be used to transfer cash to any other fund or appropriation item.

**LITTER CONTROL AND RECYCLING**

Of the foregoing appropriation item 725644, Litter Control and Recycling, up to \$1,500,000 may be used in each fiscal year for the administration of the Recycling and Litter Prevention Program.

**SECTION 343.40.40. CLEAN OHIO OPERATING EXPENSES**

The foregoing appropriation item 725405, Clean Ohio Operating, shall be used by the Department of Natural Resources in administering Clean Ohio Trail Fund (Fund 7061) projects pursuant to section 1519.05 of the Revised Code.

**SECTION 343.40.50. WATERCRAFT MARINE PATROL**

Of the foregoing appropriation item 739401, Division of Watercraft, up to \$200,000 in each fiscal year shall be expended for the purchase of equipment for marine patrols qualifying for funding from the Department of Natural Resources pursuant to section 1547.67 of the Revised Code. Proposals for equipment shall accompany the submission of documentation for receipt of a marine patrol subsidy pursuant to section 1547.67 of the Revised Code and shall be loaned to eligible marine patrols pursuant to a cooperative agreement between the Department of Natural Resources and the eligible marine patrol.

**SECTION 343.40.60. TRANSFER FOR CAESAR CREEK MARINA**

On July 1, 2011, or as soon as possible thereafter, the Director of Natural Resources may request the Director of Budget and Management to transfer up to \$4,000,000 in cash from the Watercraft Revolving Loan Fund (Fund 5AW0) to the Waterways Safety Fund (Fund 7086) to support a marina project at Caesar Creek State Park.

## SECTION 343.50. PARKS CAPITAL EXPENSES FUND

The Director of Natural Resources shall submit to the Director of Budget and Management the estimated design, engineering, and planning costs of capital-related work to be done by Department of Natural Resources staff for parks projects within the Ohio Parks and Recreation Improvement Fund (Fund 7035). If the Director of Budget and Management approves the estimated costs, the Director may release appropriations from appropriation item C725E6, Project Planning, Fund 7035, for those purposes. Upon release of the appropriations, the Department of Natural Resources shall pay for these expenses from the Parks Capital Expenses Fund (Fund 2270). Expenses paid from Fund 2270 shall be reimbursed by Fund 7035 using an intrastate transfer voucher.

## NATUREWORKS CAPITAL EXPENSES FUND

The Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by Department of Natural Resources staff for each capital improvement project within the Ohio Parks and Natural Resources Fund (Fund 7031). If the Director of Budget and Management approves the estimated costs, the Director may release appropriations from appropriation item C725E5, Project Planning, in Fund 7031, for those purposes. Upon release of the appropriations, the Department of Natural Resources shall pay for these expenses from the Capital Expenses Fund (Fund 4S90). Expenses paid from Fund 4S90 shall be reimbursed by Fund 7031 by using an intrastate transfer voucher.

## SECTION 345.10. NUR STATE BOARD OF NURSING

## General Services Fund Group

|                                       |                               |    |           |    |           |
|---------------------------------------|-------------------------------|----|-----------|----|-----------|
| 4K90 884609                           | Operating Expenses            | \$ | 6,943,322 | \$ | 6,680,896 |
| 5AC0 884602                           | Nurse Education Grant Program | \$ | 1,373,506 | \$ | 1,373,506 |
| 5P80 884601                           | Nursing Special Issues        | \$ | 5,000     | \$ | 5,000     |
| TOTAL GSF General Services Fund Group |                               | \$ | 8,321,828 | \$ | 8,059,402 |
| TOTAL ALL BUDGET FUND GROUPS          |                               | \$ | 8,321,828 | \$ | 8,059,402 |

SECTION 347.10. PYT OCCUPATIONAL THERAPY, PHYSICAL THERAPY, AND ATHLETIC TRAINERS BOARD  
General Services Fund Group

Am. Sub. H. B. No. 153

129th G.A.

3103

|                                       |    |         |    |         |
|---------------------------------------|----|---------|----|---------|
| 4K90 890609 Operating Expenses        | \$ | 874,087 | \$ | 866,169 |
| TOTAL GSF General Services Fund Group | \$ | 874,087 | \$ | 866,169 |
| TOTAL ALL BUDGET FUND GROUPS          | \$ | 874,087 | \$ | 866,169 |

SECTION 349.10. OLA OHIOANA LIBRARY ASSOCIATION

General Revenue Fund

|                                |    |         |    |         |
|--------------------------------|----|---------|----|---------|
| GRF 355501 Library Subsidy     | \$ | 120,000 | \$ | 120,000 |
| TOTAL GRF General Revenue Fund | \$ | 120,000 | \$ | 120,000 |
| TOTAL ALL BUDGET FUND GROUPS   | \$ | 120,000 | \$ | 120,000 |

SECTION 351.10. ODB OHIO OPTICAL DISPENSERS BOARD

General Services Fund Group

|                                |    |         |    |         |
|--------------------------------|----|---------|----|---------|
| 4K90 894609 Operating Expenses | \$ | 357,039 | \$ | 347,300 |
| TOTAL GSF General Services     |    |         |    |         |
| Fund Group                     | \$ | 357,039 | \$ | 347,300 |
| TOTAL ALL BUDGET FUND GROUPS   | \$ | 357,039 | \$ | 347,300 |

SECTION 353.10. OPT STATE BOARD OF OPTOMETRY

General Services Fund Group

|                                |    |         |    |         |
|--------------------------------|----|---------|----|---------|
| 4K90 885609 Operating Expenses | \$ | 356,914 | \$ | 347,278 |
| TOTAL GSF General Services     |    |         |    |         |
| Fund Group                     | \$ | 356,914 | \$ | 347,278 |
| TOTAL ALL BUDGET FUND GROUPS   | \$ | 356,914 | \$ | 347,278 |

SECTION 355.10. OPP STATE BOARD OF ORTHOTICS,  
PROSTHETICS, AND PEDORTHICS

General Services Fund Group

|                               |    |         |    |         |
|-------------------------------|----|---------|----|---------|
| 4K90973609 Operating Expenses | \$ | 126,340 | \$ | 114,218 |
| TOTAL GSF General Services    |    |         |    |         |
| Fund Group                    | \$ | 126,340 | \$ | 114,218 |
| TOTAL ALL BUDGET FUND GROUPS  | \$ | 126,340 | \$ | 114,218 |

SECTION 357.10. UST PETROLEUM UNDERGROUND STORAGE  
TANK RELEASE COMPENSATION BOARD

Agency Fund Group

|                              |    |           |    |           |
|------------------------------|----|-----------|----|-----------|
| 6910 810632 PUSTRCB Staff    | \$ | 1,162,179 | \$ | 1,123,014 |
| TOTAL AGY Agency Fund Group  | \$ | 1,162,179 | \$ | 1,123,014 |
| TOTAL ALL BUDGET FUND GROUPS | \$ | 1,162,179 | \$ | 1,123,014 |

SECTION 359.10. PRX STATE BOARD OF PHARMACY

Am. Sub. H. B. No. 153

3104

129th G.A.

**General Services Fund Group**

|                                       |        |                      |    |           |    |           |
|---------------------------------------|--------|----------------------|----|-----------|----|-----------|
| 4A50                                  | 887605 | Drug Law Enforcement | \$ | 150,000   | \$ | 150,000   |
| 4K90                                  | 887609 | Operating Expenses   | \$ | 6,608,498 | \$ | 6,701,285 |
| TOTAL GSF General Services Fund Group |        |                      | \$ | 6,758,498 | \$ | 6,851,285 |

**Federal Special Revenue Fund Group**

|                                              |        |                               |    |           |    |           |
|----------------------------------------------|--------|-------------------------------|----|-----------|----|-----------|
| 3CT0                                         | 887606 | 2008 Developing/Enhancing PMP | \$ | 70,775    | \$ | 0         |
| 3DV0                                         | 887607 | Enhancing Ohio's PMP          | \$ | 169,888   | \$ | 2,379     |
| 3EY0                                         | 887603 | Administration of PMIX Hub    | \$ | 320,637   | \$ | 66,335    |
| 3EZ0                                         | 887610 | NASPER 10                     | \$ | 164,459   | \$ | 27,710    |
| TOTAL FED Federal Special Revenue Fund Group |        |                               | \$ | 725,759   | \$ | 96,424    |
| TOTAL ALL BUDGET FUND GROUPS                 |        |                               | \$ | 7,484,257 | \$ | 6,947,709 |

**SECTION 361.10. PSY STATE BOARD OF PSYCHOLOGY****General Services Fund Group**

|                                       |        |                    |    |         |    |         |
|---------------------------------------|--------|--------------------|----|---------|----|---------|
| 4K90                                  | 882609 | Operating Expenses | \$ | 525,394 | \$ | 535,406 |
| TOTAL GSF General Services Fund Group |        |                    | \$ | 525,394 | \$ | 535,406 |
| TOTAL ALL BUDGET FUND GROUPS          |        |                    | \$ | 525,394 | \$ | 535,406 |

**SECTION 363.10. PUB OHIO PUBLIC DEFENDER COMMISSION****General Revenue Fund**

|                                |        |                               |    |           |    |           |
|--------------------------------|--------|-------------------------------|----|-----------|----|-----------|
| GRF                            | 019401 | State Legal Defense Services  | \$ | 2,610,272 | \$ | 3,020,855 |
| GRF                            | 019403 | Multi-County: State Share     | \$ | 338,931   | \$ | 406,626   |
| GRF                            | 019404 | Trumbull County - State Share | \$ | 99,321    | \$ | 119,158   |
| GRF                            | 019405 | Training Account              | \$ | 50,000    | \$ | 50,000    |
| GRF                            | 019501 | County Reimbursement          | \$ | 2,565,398 | \$ | 3,077,786 |
| TOTAL GRF General Revenue Fund |        |                               | \$ | 5,663,922 | \$ | 6,674,425 |

**General Services Fund Group**

|                                       |        |                       |    |           |    |           |
|---------------------------------------|--------|-----------------------|----|-----------|----|-----------|
| 4070                                  | 019604 | County Representation | \$ | 231,076   | \$ | 231,754   |
| 4080                                  | 019605 | Client Payments       | \$ | 1,052,919 | \$ | 953,492   |
| 5CX0                                  | 019617 | Civil Case Filing Fee | \$ | 708,654   | \$ | 705,713   |
| TOTAL GSF General Services Fund Group |        |                       | \$ | 1,992,649 | \$ | 1,890,959 |

**Federal Special Revenue Fund Group**

|                                              |        |                        |    |         |    |         |
|----------------------------------------------|--------|------------------------|----|---------|----|---------|
| 3S80                                         | 019608 | Federal Representation | \$ | 341,733 | \$ | 263,431 |
| TOTAL FED Federal Special Revenue Fund Group |        |                        | \$ | 341,733 | \$ | 263,431 |

**State Special Revenue Fund Group**

|      |        |                                         |    |            |    |            |
|------|--------|-----------------------------------------|----|------------|----|------------|
| 4C70 | 019601 | Multi-County: County Share              | \$ | 3,324,009  | \$ | 3,333,014  |
| 4N90 | 019613 | Gifts and Grants                        | \$ | 35,000     | \$ | 35,000     |
| 4X70 | 019610 | Trumbull County - County Share          | \$ | 974,069    | \$ | 976,612    |
| 5740 | 019606 | Civil Legal Aid                         | \$ | 24,000,000 | \$ | 27,000,000 |
| 5DY0 | 019618 | Indigent Defense Support - County Share | \$ | 42,195,000 | \$ | 43,125,000 |
| 5DY0 | 019619 | Indigent Defense Support                | \$ | 6,521,723  | \$ | 6,096,759  |



Fund - State Office  
 TOTAL SSR State Special Revenue  

|                              |    |            |    |            |
|------------------------------|----|------------|----|------------|
| Fund Group                   | \$ | 77,049,801 | \$ | 80,566,385 |
| TOTAL ALL BUDGET FUND GROUPS | \$ | 85,048,105 | \$ | 89,395,200 |

**INDIGENT DEFENSE OFFICE**

The foregoing appropriation items 019404, Trumbull County - State Share, and 019610, Trumbull County - County Share, shall be used to support an indigent defense office for Trumbull County.

**MULTI-COUNTY OFFICE**

The foregoing appropriation items 019403, Multi-County: State Share, and 019601, Multi-County: County Share, shall be used to support the Office of the Ohio Public Defender's Multi-County Branch Office Program.

**TRAINING ACCOUNT**

The foregoing appropriation item 019405, Training Account, shall be used by the Ohio Public Defender to provide legal training programs at no cost for private appointed counsel who represent at least one indigent defendant at no cost and for state and county public defenders and attorneys who contract with the Ohio Public Defender to provide indigent defense services.

**FEDERAL REPRESENTATION**

The foregoing appropriation item 019608, Federal Representation, shall be used to receive reimbursements from the federal courts when the Ohio Public Defender provides representation in federal court cases and to support representation in such cases.

**SECTION 365.10. PUC PUBLIC UTILITIES COMMISSION OF OHIO****General Services Fund Group**

|                                       |        |                                  |    |            |    |            |
|---------------------------------------|--------|----------------------------------|----|------------|----|------------|
| 5F60                                  | 870622 | Utility and Railroad Regulation  | \$ | 30,637,234 | \$ | 31,638,708 |
| 5F60                                  | 870624 | NARUC/NRRI Subsidy               | \$ | 158,000    | \$ | 158,000    |
| 5F60                                  | 870625 | Motor Transportation Regulation  | \$ | 4,976,641  | \$ | 5,971,218  |
| 5Q50                                  | 870626 | Telecommunications Relay Service | \$ | 5,000,000  | \$ | 5,000,000  |
| TOTAL GSF General Services Fund Group |        |                                  | \$ | 40,771,875 | \$ | 42,767,926 |

**Federal Special Revenue Fund Group**

|      |        |                                                 |    |           |    |           |
|------|--------|-------------------------------------------------|----|-----------|----|-----------|
| 3330 | 870601 | Gas Pipeline Safety                             | \$ | 597,959   | \$ | 597,959   |
| 3500 | 870608 | Motor Carrier Safety                            | \$ | 7,351,660 | \$ | 7,351,660 |
| 3CU0 | 870627 | Electric Market Modeling                        | \$ | 91,183    | \$ | 0         |
| 3EAO | 870630 | Energy Assurance Planning                       | \$ | 384,000   | \$ | 384,000   |
| 3ED0 | 870631 | State Regulators Assistance                     | \$ | 231,824   | \$ | 231,824   |
| 3V30 | 870604 | Commercial Vehicle Information Systems/Networks | \$ | 100,000   | \$ | 100,000   |

|                                   |                               |    |            |            |               |
|-----------------------------------|-------------------------------|----|------------|------------|---------------|
| TOTAL FED Federal Special Revenue |                               |    |            |            |               |
| Fund Group                        |                               | \$ | 8,756,626  | \$         | 8,665,443     |
| State Special Revenue Fund Group  |                               |    |            |            |               |
| 4A30 870614                       | Grade Crossing Protection     | \$ | 1,347,357  | \$         | 1,347,357     |
|                                   | Devices-State                 |    |            |            |               |
| 4L80 870617                       | Pipeline Safety-State         | \$ | 181,992    | \$         | 181,992       |
| 4S60 870618                       | Hazardous Material            | \$ | 450,395    | \$         | 450,395       |
|                                   | Registration                  |    |            |            |               |
| 4S60 870621                       | Hazardous Materials Base      | \$ | 373,346    | \$         | 373,346       |
|                                   | State Registration            |    |            |            |               |
| 4U80 870620                       | Civil Forfeitures             | \$ | 277,347    | \$         | 277,496       |
| 5590 870605                       | Public Utilities Territorial  | \$ | 3,880      | \$         | 3,880         |
|                                   | Administration                |    |            |            |               |
| 5600 870607                       | Special Assessment            | \$ | 97,000     | \$         | 97,000        |
| 5610 870606                       | Power Siting Board            | \$ | 631,508    | \$         | 631,618       |
| 5BP0 870623                       | Wireless 9-1-1 Administration | \$ | 36,440,000 | \$         | 18,220,000    |
| 5HD0 870629                       | Radioactive Waste             | \$ | 98,800     | \$         | 98,800        |
|                                   | Transportation                |    |            |            |               |
| 6380 870611                       | Biofuels/Municipal Waste      | \$ | 570        | \$         | 0             |
|                                   | Technology                    |    |            |            |               |
| 6610 870612                       | Hazardous Materials           | \$ | 898,800    | \$         | 898,800       |
|                                   | Transportation                |    |            |            |               |
| TOTAL SSR State Special Revenue   |                               |    |            |            |               |
| Fund Group                        |                               | \$ | 40,800,995 | \$         | 22,580,684    |
| TOTAL ALL BUDGET FUND GROUPS      |                               |    | \$         | 90,329,496 | \$ 74,014,053 |

#### COMMUNITY-VOICEMAIL SERVICE PILOT PROGRAM

The Community-voicemail Service Pilot Program assessments authorized by Section 6 of Sub. S.B. 162 of the 128th General Assembly shall cease. These assessments shall be refunded without interest to those assessed under the program by the Public Utilities Commission within 60 days of the effective date of this section.

#### SECTION 367.10. PWC PUBLIC WORKS COMMISSION

##### General Revenue Fund

|                                        |                            |    |             |             |                |
|----------------------------------------|----------------------------|----|-------------|-------------|----------------|
| GRF 150904                             | Conservation General       | \$ | 21,953,000  | \$          | 29,297,300     |
|                                        | Obligation Debt Service    |    |             |             |                |
| GRF 150907                             | State Capital Improvements | \$ | 106,770,600 | \$          | 215,571,100    |
|                                        | General Obligation Debt    |    |             |             |                |
|                                        | Service                    |    |             |             |                |
| TOTAL GRF General Revenue Fund         |                            |    | \$          | 128,723,600 | \$ 244,868,400 |
| Clean Ohio Conservation Fund Group     |                            |    |             |             |                |
| 7056 150403                            | Clean Ohio Operating       | \$ | 300,000     | \$          | 288,980        |
|                                        | Expenses                   |    |             |             |                |
| TOTAL 056 Clean Ohio Conservation Fund |                            |    | \$          | 300,000     | \$ 288,980     |
| Group                                  |                            |    |             |             |                |
| TOTAL ALL BUDGET FUND GROUPS           |                            |    | \$          | 129,023,600 | \$ 245,157,380 |

#### CONSERVATION GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 150904, Conservation General

Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2011, through June 30, 2013, at the times they are required to be made for obligations issued under sections 151.01 and 151.09 of the Revised Code.

#### STATE CAPITAL IMPROVEMENTS GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 150907, State Capital Improvements General Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2011, through June 30, 2013, at the times they are required to be made for obligations issued under sections 151.01 and 151.08 of the Revised Code.

#### CLEAN OHIO OPERATING EXPENSES

The foregoing appropriation item 150403, Clean Ohio Operating Expenses, shall be used by the Ohio Public Works Commission in administering Clean Ohio Conservation Fund (Fund 7056) projects pursuant to sections 164.20 to 164.27 of the Revised Code.

#### REIMBURSEMENT TO THE GENERAL REVENUE FUND

(A) On or before July 15, 2013, the Director of the Public Works Commission shall certify to the Director of Budget and Management the following:

(1) The total amount disbursed from appropriation item 700409, Farmland Preservation, during the FY 2012-FY 2013 biennium; and

(2) The amount of interest earnings that have been credited to the Clean Ohio Conservation Fund (Fund 7056) that are in excess of the amount needed for other purposes as calculated by the Director of the Public Works Commission.

(B) If the Director of Budget and Management determines under division (A)(2) of this section that there are excess interest earnings, the Director of Budget and Management shall, on or before July 15, 2013, transfer the excess interest earnings to the General Revenue Fund in an amount equal to the total amount disbursed under division (A)(1) of this section from the Clean Ohio Conservation Fund (Fund 7056).

#### SECTION 369.10. RAC STATE RACING COMMISSION

##### State Special Revenue Fund Group

|      |        |                                |    |           |    |           |
|------|--------|--------------------------------|----|-----------|----|-----------|
| 5620 | 875601 | Thoroughbred Race Fund         | \$ | 1,796,328 | \$ | 1,696,456 |
| 5630 | 875602 | Standardbred Development Fund  | \$ | 1,697,418 | \$ | 1,697,452 |
| 5640 | 875603 | Quarter Horse Development Fund | \$ | 1,000     | \$ | 1,000     |
| 5650 | 875604 | Racing Commission              | \$ | 3,095,331 | \$ | 2,934,178 |

|                                                  |    |            |               |
|--------------------------------------------------|----|------------|---------------|
| Operating                                        |    |            |               |
| 5C40 875607 Simulcast Horse Racing Purse         | \$ | 12,000,000 | \$ 12,000,000 |
| TOTAL SSR State Special Revenue                  |    |            |               |
| Fund Group                                       | \$ | 18,590,078 | \$ 18,329,087 |
| <b>Holding Account Redistribution Fund Group</b> |    |            |               |
| R021 875605 Bond Reimbursements                  | \$ | 100,000    | \$ 100,000    |
| TOTAL 090 Holding Account Redistribution         |    |            |               |
| Fund Group                                       | \$ | 100,000    | \$ 100,000    |
| TOTAL ALL BUDGET FUND GROUPS                     | \$ | 18,690,078 | \$ 18,429,087 |

## SECTION 371.10. BOR BOARD OF REGENTS

## General Revenue Fund

|            |                                                    |    |               |    |               |
|------------|----------------------------------------------------|----|---------------|----|---------------|
| GRF 235321 | Operating Expenses                                 | \$ | 2,300,000     | \$ | 2,300,000     |
| GRF 235401 | Lease Rental Payments                              | \$ | 83,151,600    | \$ | 57,634,400    |
| GRF 235402 | Sea Grants                                         | \$ | 285,000       | \$ | 285,000       |
| GRF 235406 | Articulation and Transfer                          | \$ | 2,000,000     | \$ | 2,000,000     |
| GRF 235408 | Midwest Higher Education Compact                   | \$ | 95,000        | \$ | 95,000        |
| GRF 235409 | Information System                                 | \$ | 800,000       | \$ | 800,000       |
| GRF 235414 | State Grants and Scholarship Administration        | \$ | 1,230,000     | \$ | 1,230,000     |
| GRF 235417 | Ohio Learning Network                              | \$ | 2,532,688     | \$ | 2,532,688     |
| GRF 235428 | Appalachian New Economy Partnership                | \$ | 737,366       | \$ | 737,366       |
| GRF 235433 | Economic Growth Challenge                          | \$ | 440,000       | \$ | 440,000       |
| GRF 235438 | Choose Ohio First Scholarship                      | \$ | 15,750,085    | \$ | 15,750,085    |
| GRF 235443 | Adult Basic and Literacy Education - State         | \$ | 7,302,416     | \$ | 7,302,416     |
| GRF 235444 | Post-Secondary Adult Career-Technical Education    | \$ | 15,317,547    | \$ | 15,317,547    |
| GRF 235474 | Area Health Education Centers Program Support      | \$ | 900,000       | \$ | 900,000       |
| GRF 235501 | State Share of Instruction                         | \$ | 1,735,530,031 | \$ | 1,751,225,497 |
| GRF 235502 | Student Support Services                           | \$ | 632,974       | \$ | 632,974       |
| GRF 235504 | War Orphans Scholarships                           | \$ | 4,787,833     | \$ | 4,787,833     |
| GRF 235507 | OhioLINK                                           | \$ | 6,100,000     | \$ | 6,100,000     |
| GRF 235508 | Air Force Institute of Technology                  | \$ | 1,740,803     | \$ | 1,740,803     |
| GRF 235510 | Ohio Supercomputer Center                          | \$ | 3,347,418     | \$ | 3,347,418     |
| GRF 235511 | Cooperative Extension Service                      | \$ | 22,220,910    | \$ | 22,220,910    |
| GRF 235514 | Central State Supplement                           | \$ | 11,503,651    | \$ | 10,928,468    |
| GRF 235515 | Case Western Reserve University School of Medicine | \$ | 2,146,253     | \$ | 2,146,253     |
| GRF 235519 | Family Practice                                    | \$ | 3,166,185     | \$ | 3,166,185     |
| GRF 235520 | Shawnee State Supplement                           | \$ | 2,448,523     | \$ | 2,326,097     |
| GRF 235524 | Police and Fire Protection                         | \$ | 107,814       | \$ | 107,814       |
| GRF 235525 | Geriatric Medicine                                 | \$ | 522,151       | \$ | 522,151       |
| GRF 235526 | Primary Care Residencies                           | \$ | 1,500,000     | \$ | 1,500,000     |
| GRF 235535 | Ohio Agricultural Research and Development Center  | \$ | 33,100,000    | \$ | 33,100,000    |
| GRF 235536 | The Ohio State University Clinical Teaching        | \$ | 9,668,941     | \$ | 9,668,941     |

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|-------------------------------------------|-------------------------------|----|---------------|----|---------------|
| GRF 235537                                | University of Cincinnati      | \$ | 7,952,573     | \$ | 7,952,573     |
|                                           | Clinical Teaching             |    |               |    |               |
| GRF 235538                                | University of Toledo Clinical | \$ | 6,198,600     | \$ | 6,198,600     |
|                                           | Teaching                      |    |               |    |               |
| GRF 235539                                | Wright State University       | \$ | 3,011,400     | \$ | 3,011,400     |
|                                           | Clinical Teaching             |    |               |    |               |
| GRF 235540                                | Ohio University Clinical      | \$ | 2,911,212     | \$ | 2,911,212     |
|                                           | Teaching                      |    |               |    |               |
| GRF 235541                                | Northeast Ohio Medical        | \$ | 2,994,178     | \$ | 2,994,178     |
|                                           | University Clinical Teaching  |    |               |    |               |
| GRF 235552                                | Capital Component             | \$ | 20,638,274    | \$ | 20,638,274    |
| GRF 235555                                | Library Depositories          | \$ | 1,440,342     | \$ | 1,440,342     |
| GRF 235556                                | Ohio Academic Resources       | \$ | 3,172,519     | \$ | 3,172,519     |
|                                           | Network                       |    |               |    |               |
| GRF 235558                                | Long-term Care Research       | \$ | 195,300       | \$ | 195,300       |
| GRF 235563                                | Ohio College Opportunity      | \$ | 80,284,265    | \$ | 80,284,265    |
|                                           | Grant                         |    |               |    |               |
| GRF 235572                                | The Ohio State University     | \$ | 766,533       | \$ | 766,533       |
|                                           | Clinic Support                |    |               |    |               |
| GRF 235599                                | National Guard Scholarship    | \$ | 16,912,271    | \$ | 18,143,293    |
|                                           | Program                       |    |               |    |               |
| GRF 235909                                | Higher Education General      | \$ | 108,262,500   | \$ | 201,555,000   |
|                                           | Obligation Debt Service       |    |               |    |               |
| TOTAL GRF General Revenue Fund            |                               | \$ | 2,226,105,156 | \$ | 2,310,109,335 |
| <b>General Services Fund Group</b>        |                               |    |               |    |               |
| 2200 235614                               | Program Approval and          | \$ | 1,311,567     | \$ | 1,457,959     |
|                                           | Reauthorization               |    |               |    |               |
| 4560 235603                               | Sales and Services            | \$ | 199,250       | \$ | 199,250       |
| 5JC0 235649                               | Co-op Internship Program      | \$ | 12,000,000    | \$ | 12,000,000    |
| 5JC0 235667                               | Ohio College Opportunity      | \$ | 6,000,000     | \$ | 6,000,000     |
|                                           | Grant-Proprietary             |    |               |    |               |
| 5JC0 235668                               | Air Force Institute of        | \$ | 4,000,000     | \$ | 4,000,000     |
|                                           | Technology -                  |    |               |    |               |
|                                           | Defense/Aerospace Graduate    |    |               |    |               |
|                                           | Studies Institute             |    |               |    |               |
| TOTAL GSF General Services                |                               |    |               |    |               |
| Fund Group                                |                               | \$ | 23,510,817    | \$ | 23,657,209    |
| <b>Federal Special Revenue Fund Group</b> |                               |    |               |    |               |
| 3120 235609                               | Tech Prep                     | \$ | 183,850       | \$ | 183,850       |
| 3120 235611                               | Gear-up Grant                 | \$ | 3,900,000     | \$ | 3,900,000     |
| 3120 235612                               | Carl D. Perkins Grant/Plan    | \$ | 912,961       | \$ | 912,961       |
|                                           | Administration                |    |               |    |               |
| 3120 235617                               | Improving Teacher Quality     | \$ | 3,200,000     | \$ | 3,200,000     |
|                                           | Grant                         |    |               |    |               |
| 3120 235641                               | Adult Basic and Literacy      | \$ | 14,835,671    | \$ | 14,835,671    |
|                                           | Education - Federal           |    |               |    |               |
| 3120 235659                               | Race to the Top Scholarship   | \$ | 2,400,000     | \$ | 3,780,000     |
|                                           | Program                       |    |               |    |               |
| 3120 235660                               | Race to the Top Educator      | \$ | 448,000       | \$ | 1,120,000     |
|                                           | Preparation Reform Initiative |    |               |    |               |
| 3120 235661                               | Americorps Grant              | \$ | 260,000       | \$ | 260,000       |
| 3H20 235608                               | Human Services Project        | \$ | 3,500,000     | \$ | 3,500,000     |
| 3N60 235638                               | College Access Challenge      | \$ | 4,381,431     | \$ | 4,381,431     |

|                                                  |        |                             |               |                  |
|--------------------------------------------------|--------|-----------------------------|---------------|------------------|
|                                                  |        | Grant                       |               |                  |
| TOTAL FED Federal Special Revenue                |        |                             |               |                  |
| Fund Group                                       |        | \$                          | 34,021,913    | \$ 36,073,913    |
| State Special Revenue Fund Group                 |        |                             |               |                  |
| 4E80                                             | 235602 | Higher Educational Facility | \$            | 29,100           |
|                                                  |        | Commission Administration   | \$            | 29,100           |
| 5FR0                                             | 235640 | Joyce Foundation Grant      | \$            | 919,719          |
| 5FR0                                             | 235647 | Developmental Education     | \$            | 135,000          |
|                                                  |        | Initiatives                 |               |                  |
| 5FR0                                             | 235657 | Win-Win Grant               | \$            | 37,000           |
| 5P30                                             | 235663 | Variable Savings Plan       | \$            | 8,946,994        |
| 6450                                             | 235664 | Guaranteed Savings Plan     | \$            | 907,514          |
| 6820                                             | 235606 | Nursing Loan Program        | \$            | 891,320          |
| TOTAL SSR State Special Revenue                  |        |                             |               |                  |
| Fund Group                                       |        | \$                          | 11,859,426    | \$ 11,969,789    |
| Third Frontier Research & Development Fund Group |        |                             |               |                  |
| 7011                                             | 235634 | Research Incentive Third    | \$            | 8,000,000        |
|                                                  |        | Frontier Fund               |               |                  |
| TOTAL 011 Third Frontier Research &              |        | \$                          | 8,000,000     | \$ 8,000,000     |
| Development Fund Group                           |        |                             |               |                  |
| TOTAL ALL BUDGET FUND GROUPS                     |        | \$                          | 2,303,497,312 | \$ 2,389,810,246 |

## SECTION 371.10.10. LEASE RENTAL PAYMENTS

The foregoing appropriation item 235401, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, by the Chancellor of the Board of Regents under leases and agreements made under section 154.21 of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

## SECTION 371.10.20. SEA GRANTS

The foregoing appropriation item 235402, Sea Grants, shall be used as required matching Funds by The Ohio State University's Sea Grant program to enhance the economic value, public utilization, and responsible management of Lake Erie and Ohio's coastal resources.

## SECTION 371.10.30. ARTICULATION AND TRANSFER

The foregoing appropriation item 235406, Articulation and Transfer, shall be used by the Chancellor of the Board of Regents to maintain and expand the work of the Articulation and Transfer Council to develop a system of transfer policies to ensure that students at state institutions of higher education can transfer and have coursework apply to their majors and



degrees at any other state institution of higher education without unnecessary duplication or institutional barriers under sections 3333.16, 3333.161, and 3333.162 of the Revised Code.

SECTION 371.10.40. MIDWEST HIGHER EDUCATION COMPACT

The foregoing appropriation item 235408, Midwest Higher Education Compact, shall be distributed by the Chancellor of the Board of Regents under section 3333.40 of the Revised Code.

SECTION 371.10.50. INFORMATION SYSTEM

The foregoing appropriation item 235409, Information System, shall be used by the Chancellor of the Board of Regents to support the development and implementation of information technology solutions designed to improve the performance and services of the Chancellor of the Board of Regents and the University System of Ohio. Information technology solutions shall be provided by the Ohio Academic Research Network (OARnet).

SECTION 371.10.60. STATE GRANTS AND SCHOLARSHIP ADMINISTRATION

The foregoing appropriation item 235414, State Grants and Scholarship Administration, shall be used by the Chancellor of the Board of Regents to administer the following student financial aid programs: Ohio College Opportunity Grant, Ohio War Orphans' Scholarship, Nurse Education Assistance Loan Program, Ohio Safety Officers College Memorial Fund, and any other student financial aid programs created by the General Assembly. The appropriation item also shall be used to support all state financial aid audits and student financial aid programs created by Congress, and to provide fiscal services for the Ohio National Guard Scholarship Program.

SECTION 371.10.70. OHIO LEARNING NETWORK

The foregoing appropriation item 235417, Ohio Learning Network, shall be used by the Chancellor of the Board of Regents to support the continued implementation of the Ohio Learning Network, a consortium organized under division (U) of section 3333.04 of the Revised Code to expand access to dual enrollment opportunities for high school students, as well as adult and higher education opportunities through technology. The

funds shall be used by the Ohio Learning Network to develop and promote learning and assessment through the use of technology, to test and provide advice on emerging learning-directed technologies, and to facilitate cost-effectiveness through shared educational technology investments.

Of the foregoing appropriation item 235417, Ohio Learning Network, up to \$250,000 in each fiscal year shall be used by the Chancellor of the Board of Regents to fund staff support and operations of the Ohio Digital Learning Task Force established in Section 371.60.80 of this act.

SECTION 371.10.80. APPALACHIAN NEW ECONOMY PARTNERSHIP

The foregoing appropriation item 235428, Appalachian New Economy Partnership, shall be distributed to Ohio University to continue a multi-campus and multi-agency coordinated effort to link Appalachia to the new economy. Ohio University shall use these funds to provide leadership in the development and implementation of initiatives in the areas of entrepreneurship, management, education, and technology.

SECTION 371.10.90. ECONOMIC GROWTH CHALLENGE

The foregoing appropriation item 235433, Economic Growth Challenge, shall be used for administrative expenses of the Research Incentive Program and other economic advancement initiatives undertaken by the Chancellor of the Board of Regents.

The Chancellor of the Board of Regents shall use any appropriation transfer to the foregoing appropriation item 235433, Economic Growth Challenge, to enhance the basic research capabilities of public colleges and universities and accredited Ohio institutions of higher education holding certificates of authorization issued under section 1713.02 of the Revised Code, in order to strengthen academic research for pursuing Ohio's economic development goals.

SECTION 371.20.10. CHOOSE OHIO FIRST SCHOLARSHIP

The foregoing appropriation item 235438, Choose Ohio First Scholarship, shall be used to operate the program prescribed in sections 3333.60 to 3333.70 of the Revised Code.

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 235438, Choose Ohio First Scholarship, at the end of fiscal year 2012 is hereby reappropriated to the Board of Regents for

the same purpose for fiscal year 2013.

SECTION 371.20.20. ADULT BASIC AND LITERACY EDUCATION

The foregoing appropriation item 235443, Adult Basic and Literacy Education - State, shall be used to support the adult basic and literacy education instructional grant program and state leadership program. The supported programs shall satisfy the state match and maintenance of effort requirements for the state-administered grant program.

SECTION 371.20.30. POST-SECONDARY ADULT CAREER-TECHNICAL EDUCATION

The foregoing appropriation item 235444, Post-Secondary Adult Career-Technical Education, shall be used by the Chancellor of the Board of Regents in each fiscal year to provide post-secondary adult career-technical education under sections 3313.52 and 3313.53 of the Revised Code.

SECTION 371.20.40. AREA HEALTH EDUCATION CENTERS

The foregoing appropriation item 235474, Area Health Education Centers Program Support, shall be used by the Chancellor of the Board of Regents to support the medical school regional area health education centers' educational programs for the continued support of medical and other health professions education and for support of the Area Health Education Center Program.

SECTION 371.20.50. STATE SHARE OF INSTRUCTION FORMULAS

The Chancellor of the Board of Regents shall establish procedures to allocate the foregoing appropriation item 235501, State Share of Instruction, based on the formulas, enrollment, course completion, degree attainment, and student achievement factors in the instructional models set out in this section.

(A) FULL-TIME EQUIVALENT (FTE) ENROLLMENTS AND COMPLETIONS

(1) As soon as possible during each fiscal year of the biennium ending June 30, 2013, in accordance with instructions of the Board of Regents, each state-assisted institution of higher education shall report its actual enrollment, consistent with the definitions in the Higher Education Information (HEI) system's enrollment files, to the Chancellor of the Board of Regents.

(2) In defining the number of full-time equivalent students for state subsidy purposes, the Chancellor of the Board of Regents shall exclude all undergraduate students who are not residents of Ohio, except those charged in-state fees in accordance with reciprocity agreements made under section 3333.17 of the Revised Code or employer contracts entered into under section 3333.32 of the Revised Code.

(3) In calculating the core subsidy entitlements for university branch and main campuses, the Chancellor of the Board of Regents shall use the following count of FTE students:

(a) The subsidy eligible enrollments by model shall equal only those FTE students who successfully complete the course as defined and reported through the Higher Education Information (HEI) system course enrollment file;

(b) For those undergraduate FTE students with successful course completions, identified in division (A)(3)(a) of this section, that had an expected family contribution less than 2190 or were determined to have been in need of remedial education shall be defined as at-risk students and shall have their eligible completions weighted by the following:

(i) Campus-specific course completion rates by model;

(ii) Campus-specific course completion indexes, where the indexes are calculated based upon the number of at-risk students enrolled during the 2009-2010 academic year; and

(iii) A statewide average at-risk course completion weight determined for each subsidy model. The statewide average at-risk course completion weight shall be determined by calculating the difference between the percentage of traditional students who complete a course and the percentage of at-risk students who complete the same course.

(4) In calculating the core subsidy entitlements for Medical II models only, students repeating terms may be no more than five per cent of current year enrollment.

(5) In calculating the core subsidy entitlements for students enrolled in state-supported law schools, subsidy eligible FTE completions shall be limited to students identified as residents of Ohio.

**(B) TOTAL COSTS PER FULL-TIME EQUIVALENT STUDENT**

For purposes of calculating state share of instruction allocations, the total instructional costs per full-time equivalent student shall be:

| Model                 | Fiscal    |           |
|-----------------------|-----------|-----------|
|                       | Year 2012 | Year 2013 |
| ARTS AND HUMANITIES 1 | \$8,000   | \$8,207   |
| ARTS AND HUMANITIES 2 | \$10,757  | \$11,036  |

|                                                           |          |          |
|-----------------------------------------------------------|----------|----------|
| ARTS AND HUMANITIES 3                                     | \$13,853 | \$14,212 |
| ARTS AND HUMANITIES 4                                     | \$20,228 | \$20,751 |
| ARTS AND HUMANITIES 5                                     | \$32,605 | \$33,449 |
| ARTS AND HUMANITIES 6                                     | \$38,027 | \$39,011 |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 1                   | \$7,124  | \$7,308  |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 2                   | \$8,164  | \$8,376  |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 3                   | \$10,430 | \$10,700 |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 4                   | \$12,406 | \$12,727 |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 5                   | \$19,267 | \$19,765 |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 6                   | \$22,684 | \$23,272 |
| BUSINESS, EDUCATION & SOCIAL SCIENCES 7                   | \$29,426 | \$30,188 |
| MEDICAL 1                                                 | \$51,214 | \$52,539 |
| MEDICAL 2                                                 | \$46,876 | \$48,089 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 1 | \$7,306  | \$7,495  |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 2 | \$10,242 | \$10,507 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 3 | \$12,242 | \$12,559 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 4 | \$15,592 | \$15,995 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 5 | \$20,250 | \$20,774 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 6 | \$22,357 | \$22,935 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 7 | \$28,000 | \$28,724 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 8 | \$37,731 | \$38,707 |
| SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS, MEDICINE 9 | \$52,676 | \$54,039 |

Doctoral I and Doctoral II models shall be allocated in accordance with division (D)(2) of this section.

(C) SCIENCE, TECHNOLOGY, ENGINEERING, MATHEMATICS,  
MEDICAL, AND GRADUATE WEIGHTS

For the purpose of implementing the recommendations of the State Share of Instruction Consultation and the Higher Education Funding Study Council that priority be given to maintaining state support for science, technology, engineering, mathematics, medicine, and graduate programs, the costs in division (B) of this section shall be weighted by the amounts provided below:

| Model                                                        | Fiscal<br>Year 2012 | Fiscal<br>Year 2013 |
|--------------------------------------------------------------|---------------------|---------------------|
| ARTS AND HUMANITIES 1                                        | 1.0000              | 1.0000              |
| ARTS AND HUMANITIES 2                                        | 1.0000              | 1.0000              |
| ARTS AND HUMANITIES 3                                        | 1.0000              | 1.0000              |
| ARTS AND HUMANITIES 4                                        | 1.0000              | 1.0000              |
| ARTS AND HUMANITIES 5                                        | 1.0425              | 1.0425              |
| ARTS AND HUMANITIES 6                                        | 1.0425              | 1.0425              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 1                   | 1.0000              | 1.0000              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 2                   | 1.0000              | 1.0000              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 3                   | 1.0000              | 1.0000              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 4                   | 1.0000              | 1.0000              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 5                   | 1.0425              | 1.0425              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 6                   | 1.0425              | 1.0425              |
| BUSINESS, EDUCATION & SOCIAL<br>SCIENCES 7                   | 1.0425              | 1.0425              |
| MEDICAL 1                                                    | 1.6456              | 1.6456              |
| MEDICAL 2                                                    | 1.7462              | 1.7462              |
| SCIENCE, TECHNOLOGY, ENGINEERING,<br>MATHEMATICS, MEDICINE 1 | 1.0000              | 1.0000              |
| SCIENCE, TECHNOLOGY, ENGINEERING,<br>MATHEMATICS, MEDICINE 2 | 1.0017              | 1.0017              |
| SCIENCE, TECHNOLOGY, ENGINEERING,<br>MATHEMATICS, MEDICINE 3 | 1.6150              | 1.6150              |
| SCIENCE, TECHNOLOGY, ENGINEERING,<br>MATHEMATICS, MEDICINE 4 | 1.6920              | 1.6920              |



|                                   |        |        |
|-----------------------------------|--------|--------|
| SCIENCE, TECHNOLOGY, ENGINEERING, | 1.4222 | 1.4222 |
| MATHEMATICS, MEDICINE 5           |        |        |
| SCIENCE, TECHNOLOGY, ENGINEERING, | 1.8798 | 1.8798 |
| MATHEMATICS, MEDICINE 6           |        |        |
| SCIENCE, TECHNOLOGY, ENGINEERING, | 1.4380 | 1.4380 |
| MATHEMATICS, MEDICINE 7           |        |        |
| SCIENCE, TECHNOLOGY, ENGINEERING, | 1.5675 | 1.5675 |
| MATHEMATICS, MEDICINE 8           |        |        |
| SCIENCE, TECHNOLOGY, ENGINEERING, | 1.1361 | 1.1361 |
| MATHEMATICS, MEDICINE 9           |        |        |

(D) CALCULATION OF STATE SHARE OF INSTRUCTION  
FORMULA ENTITLEMENTS AND ADJUSTMENTS

(1) Of the foregoing appropriation item 235501, State Share of Instruction, 7.5 per cent of the fiscal year 2012 appropriation and 10 per cent of the fiscal year 2013 appropriation for state-supported community colleges, state community colleges, and technical colleges shall be allocated to colleges in proportion to their share of college student success factors as adopted by the Chancellor of the Board of Regents in formal communication to the Controlling Board on August 30, 2010.

(2) Of the foregoing appropriation item 235501, State Share of Instruction, up to 12.89 per cent of the appropriation for university main campuses in each fiscal year shall be reserved for support of doctoral programs to implement the funding recommendations made by representatives of the universities. The amount so reserved shall be referred to as the doctoral set-aside.

The doctoral set-aside shall be allocated to universities as follows:

(a) 70 per cent of the doctoral set-aside in fiscal year 2012 and 60 per cent of the doctoral set-aside in fiscal year 2013 shall be allocated to universities in proportion to their share of the total number of Doctoral I equivalent FTEs as calculated on an institutional basis using the greater of the two-year or five-year FTEs for the period fiscal year 1994 through fiscal year 1998 with annualized FTEs for fiscal years 1994 through 1997 and all-term FTEs for fiscal year 1998 as adjusted to reflect the effects of doctoral review and subsequent changes in Doctoral I equivalent enrollments. For the purposes of this calculation, Doctoral I equivalent FTEs shall equal the sum of Doctoral I FTEs plus 1.5 times the sum of Doctoral II FTEs.

(b) 15 per cent of the doctoral set-aside in fiscal year 2012 and 20 per cent of the doctoral set-aside in fiscal year 2013 shall be allocated to universities in proportion to each campus's share of the total statewide

doctoral degrees, weighted by the cost of the doctoral discipline. In calculating each campus's doctoral degrees the Chancellor of the Board of Regents shall use the three-year average doctoral degrees awarded for the three-year period ending in the prior year.

(c) 7.5 per cent of the doctoral set-aside in fiscal year 2012 and 10 per cent of the doctoral set-aside in fiscal year 2013 shall be allocated to universities in proportion to their share of research grant activity, using a data collection method that is reviewed and approved by the presidents of Ohio's doctoral degree granting universities. In the event that the data collection method is not available, funding for this component shall be allocated to universities in proportion to their share of research grant activity published by the National Science Foundation. Grant awards from the Department of Health and Human Services shall be weighted at 50 per cent.

(d) 7.5 per cent of the doctoral set-aside in fiscal year 2012 and 10 per cent of the doctoral set-aside in fiscal year 2013 shall be allocated to universities based on other quality measures that contribute to the advancement of quality doctoral programs. These other quality measures shall be identified by the Chancellor in consultation with universities. If for any reason metrics for distributing the quality component of the doctoral set-aside are not identified prior to the fiscal year allocation process, this portion of the doctoral set-aside funds shall be allocated to universities based on division (D)(2)(a) of this section.

(3) Of the foregoing appropriation item 235501, State Share of Instruction, 7.01 per cent of the appropriation for university main campuses in each fiscal year shall be reserved for support of Medical II FTEs. The amount so reserved shall be referred to as the medical II set-aside.

The medical II set-aside shall be allocated to universities in proportion to their share of the total number of Medical II FTEs as calculated in division (A) of this section, weighted by model cost.

The Northeast Ohio Medical University may use funds from the addition of 35 medical students resulting from its partnership with Cleveland State University to establish the Northeast Ohio Medical University academic campus at Cleveland State University to enable 50 per cent or more of the medical curriculum to be based in Cleveland at Cleveland State University, local hospitals, and community- and neighborhood-based primary care clinics. Cleveland State University shall not receive state capital appropriations to pay for facilities for the academic campus.

(4) Of the foregoing appropriation item 235501, State Share of Instruction, 1.61 per cent of the appropriation for university main campuses

in each fiscal year shall be reserved for support of Medical I FTEs. The amount so reserved shall be referred to as the medical I set-aside.

The medical I set-aside shall be allocated to universities in proportion to their share of the total number of Medical I FTEs as calculated in division (A) of this section.

(5) Of the foregoing appropriation item 235501, State Share of Instruction, 15 per cent of the fiscal year 2012 appropriation for university main campuses and 20 per cent of the fiscal year 2013 appropriation for university main campuses shall be reserved for support of associate, baccalaureate, master's, and professional level degree attainment.

The degree attainment funding shall be allocated to universities in proportion to each campus's share of the total statewide degrees granted, weighted by the cost of the degree programs.

In calculating the subsidy entitlements for degree attainment at university main campuses, the Chancellor of the Board of Regents shall use the following count of degrees and degree costs:

(a) For those associate degrees awarded by a state-supported university, the subsidy eligible degrees granted are defined as only those earned by students attending a university that received funding under GRF appropriation item 235418, Access Challenge, in fiscal year 2009.

(b) In calculating each campus's count of degrees, the Chancellor of the Board of Regents shall use the three-year average associate, baccalaureate, master's, and professional degrees awarded for the three-year period ending in the prior year.

(c) Eligible associate degrees defined in division (D)(5)(a) of this section and all bachelor's degrees earned by a student that either had an expected family contribution less than 2190, was determined to have been in need of remedial education, is Native American, African American, or Hispanic, or is at least age 26 at the time of graduation, shall be defined as degrees earned by an at-risk student and shall be weighted by the following:

(i) A campus-specific degree completion index, where the index is calculated based on the number of at-risk students enrolled during a two-year degree cohort beginning in fiscal year 2000 or 2001 and earning a degree in eight years or less; and

(ii) A statewide average at-risk completion weight determined by calculating the difference between the percentage of traditional students who earned a degree and the percentage of at-risk students who earned a degree during the same time period.

(6) Each campus's state share of instruction base formula earnings shall be determined as follows:

(a) For each campus in each fiscal year, the instructional costs shall be determined by multiplying the amounts listed above in divisions (B) and (C) of this section by (i) average subsidy-eligible FTEs for the two-year period ending in the prior year for all models except Doctoral I and Doctoral II; and (ii) average subsidy-eligible FTEs for the five-year period ending in the prior year for all models except Doctoral I and Doctoral II.

(b) The Chancellor of the Board of Regents shall compute the two calculations listed in division (D)(6)(a) of this section and use the greater amount as each campus's instructional costs.

(c) The Chancellor of the Board of Regents shall compute a uniform state share of instructional costs for each sector.

(i) For the state-supported community colleges, state community colleges, and technical colleges, the Chancellor of the Board of Regents shall compute the uniform state share of instructional costs by dividing the sector level appropriation total as determined by the Chancellor in division (A)(1) of Section 371.20.60 of this act and adjusted pursuant to divisions (B) and (C) of Section 371.20.60 of this act, less the student college success allocation as described in division (D)(1) of this section, by the sum of all eligible campuses' instructional costs as calculated in division (D)(6)(b) of this section.

(ii) For the state-supported university branch campuses, the Chancellor of the Board of Regents shall compute the uniform state share of instructional costs by dividing the sector level appropriation, as determined by the Chancellor in division (A)(2) of Section 371.20.60 of this act and adjusted pursuant to division (B) of Section 371.20.60 of this act by the sum of all campuses' instructional costs as calculated in division (D)(6)(b) of this section.

(iii) For the state-supported university main campuses, the Chancellor of the Board of Regents shall compute the uniform state share of instructional costs by dividing the sector level appropriation, as determined by the Chancellor in division (A)(3) of Section 371.20.60 of this act and adjusted pursuant to division (B) of Section 371.20.60 of this act, less the doctoral set-aside, less the medical I set-aside, less the medical II set-aside, and less the degree attainment funding as calculated in divisions (D)(2) to (5) of this section, by the sum of all campuses' instructional costs as calculated in division (D)(6)(b) of this section.

(d) The formula entitlement for each sector's campuses shall be determined by multiplying the uniform state share of instructional costs calculated in division (D)(6)(c) of this section by the campus's instructional cost determined in division (D)(6)(b) of this section.

(7) In addition to the student success allocation, doctoral set-aside, medical I set-aside, medical II set-aside, and the degree attainment allocation determined in divisions (D)(1) to (5) of this section and the formula entitlement determined in division (D)(6) of this section, an allocation based on facility-based plant operations and maintenance (POM) subsidy shall be made. For each eligible campus, the amount of the POM allocation in each fiscal year shall be distributed based on what each campus received in the fiscal year 2009 POM allocation.

Any POM allocations required by this division shall be funded by proportionately reducing formula entitlement earnings, including the POM allocations, for all campuses in that sector.

(8) STABILITY IN STATE SHARE OF INSTRUCTION FUNDING

(a) In addition to and after the adjustments noted above, in fiscal year 2012, no campus shall receive a state share of instruction allocation that is less than the lesser of the following two amounts, net of funding for the medical II set-aside:

(i) The prior year's state share of instruction amount reduced by 3 per cent, or

(ii) The prior year's state share of instruction amount reduced by a percentage equal to the percentage change from the prior year in the campus's sector's state share of instruction funding minus three percentage points. Funds shall be made available to support this allocation by proportionately reducing formula entitlement earnings from those campuses, within each sector, that are not receiving stability funding.

(b) In fiscal year 2013, in addition to and after the adjustments noted above, no campus shall receive a state share of instruction allocation that is less than the lesser of the following two amounts, net of funding for the medical II set-aside:

(i) The prior year's state share of instruction amount reduced by 4 per cent, or

(ii) The prior year's state share of instruction amount reduced by a percentage equal to the percentage change from the prior year in the campus's sector's state share of instruction funding minus four percentage points. Funds shall be made available to support this allocation by proportionately reducing formula entitlement earnings from those campuses, within each sector, that are not receiving stability funding.

(c) For main campus universities that operate a medical school, in fiscal year 2012 no campus shall receive an allocation for the medical II set-aside that is less than the lesser of the following amounts:

(i) The prior year's allocation for the medical II set-aside reduced by 2



per cent, or

(ii) The prior year's allocation for the medical II set-aside reduced by a percentage equal to the percentage change from the prior year in the total medical II set-aside minus two percentage points. Funds shall be made available to support this allocation by proportionately reducing formula entitlement earnings from public medical schools, within each sector, that are not receiving stability funding.

(d) In fiscal year 2013, no main campus university that operates a medical school shall receive an allocation for the medical II set-aside that is less than 97 per cent of the prior year's allocation for the medical II set-aside. Funds shall be made available to support this allocation by proportionately reducing formula entitlement earnings from public medical schools, within each sector, that are not receiving stability funding.

#### (9) CAPITAL COMPONENT DEDUCTION

After all other adjustments have been made, state share of instruction earnings shall be reduced for each campus by the amount, if any, by which debt service charged in Am. H.B. 748 of the 121st General Assembly, Am. Sub. H.B. 850 of the 122nd General Assembly, Am. Sub. H.B. 640 of the 123rd General Assembly, H.B. 675 of the 124th General Assembly, Am. Sub. H.B. 16 of the 126th General Assembly, Am. Sub. H.B. 699 of the 126th General Assembly, Am. Sub. H.B. 496 of the 127th General Assembly, and Am. Sub. H.B. 562 of the 127th General Assembly for that campus exceeds that campus's capital component earnings. The sum of the amounts deducted shall be transferred to appropriation item 235552, Capital Component, in each fiscal year.

#### (E) EXCEPTIONAL CIRCUMSTANCES

Adjustments may be made to the state share of instruction payments and other subsidies distributed by the Chancellor of the Board of Regents to state-assisted colleges and universities for exceptional circumstances. No adjustments for exceptional circumstances may be made without the recommendation of the Chancellor and the approval of the Controlling Board.

#### (F) APPROPRIATION REDUCTIONS TO THE STATE SHARE OF INSTRUCTION

The standard provisions of the state share of instruction calculation as described in the preceding sections of temporary law shall apply to any reductions made to appropriation item 235501, State Share of Instruction, before the Chancellor of the Board of Regents has formally approved the final allocation of the state share of instruction funds for any fiscal year.

Any reductions made to appropriation item 235501, State Share of



Instruction, after the Chancellor of the Board of Regents has formally approved the final allocation of the state share of instruction funds for any fiscal year, shall be uniformly applied to each campus in proportion to its share of the final allocation.

(G) DISTRIBUTION OF STATE SHARE OF INSTRUCTION

The state share of instruction payments to the institutions shall be in substantially equal monthly amounts during the fiscal year, unless otherwise determined by the Director of Budget and Management pursuant to section 126.09 of the Revised Code. Payments during the first six months of the fiscal year shall be based upon the state share of instruction appropriation estimates made for the various institutions of higher education according to the Chancellor of the Board of Regents enrollment estimates. Payments during the last six months of the fiscal year shall be distributed after approval of the Controlling Board upon the request of the Chancellor.

SECTION 371.20.60. STATE SHARE OF INSTRUCTION FOR FISCAL YEARS 2012 AND 2013

(A) The foregoing appropriation item 235501, State Share of Instruction, shall be distributed according to the section of this act entitled "STATE SHARE OF INSTRUCTION FORMULAS."

(1) Of the foregoing appropriation item 235501, State Share of Instruction, \$400,039,672 in fiscal year 2012 and \$403,657,477 in fiscal year 2013 shall be distributed to state-supported community colleges, state community colleges, and technical colleges.

(2) Of the foregoing appropriation item 235501, State Share of Instruction, \$115,139,824 in fiscal year 2012 and \$116,181,104 in fiscal year 2013 shall be distributed to state-supported university branch campuses.

(3) Of the foregoing appropriation item 235501, State Share of Instruction, \$1,220,350,535 in fiscal year 2012 and \$1,231,386,916 in fiscal year 2013 shall be distributed to state-supported university main campuses.

(B) Of the amounts earmarked in division (A) of this section, \$60,996,059 in each fiscal year shall be distributed to eligible colleges and universities based on each campus's share of the appropriation item 235418, Access Challenge, in fiscal year 2009.

(C) Of the amount earmarked in division (A)(1) of this section, \$10,323,056 in each fiscal year shall be distributed among state-supported community colleges, state community colleges, and technical colleges in an amount equal to the amount each institution received in fiscal year 2009 from the supplemental tuition subsidy earmarked under Section 375.30.25 of

H.B. 119 of the 127th General Assembly.

(D) The state share of instruction payments to the institutions shall be in substantially equal monthly amounts during the fiscal year, unless otherwise determined by the Director of Budget and Management pursuant to section 126.09 of the Revised Code. Payments during the last six months of the fiscal year shall be distributed after approval of the Controlling Board upon the request of the Chancellor of the Board of Regents.

#### SECTION 371.20.65. TRANSFER OF INSTRUCTIONAL SUBSIDIES BETWEEN UNIVERSITIES

Notwithstanding any provision of law to the contrary, in consultation with the Chancellor of the Board of Regents, a state-supported university may request to transfer state share of instruction subsidy allocations of the foregoing appropriation item 235501, State Share of Instruction, between a university main campus and any university branch campus for which the university main campus is affiliated to best accomplish institutional goals and objectives. At the request of the Chancellor of the Board of Regents, the Director of Budget and Management may transfer the requested amounts of state share of instruction appropriation allocations between affiliated university branch campuses and university main campuses.

#### SECTION 371.20.70. RESTRICTION ON FEE INCREASES

The boards of trustees of state-assisted institutions of higher education shall restrain increases in in-state undergraduate instructional and general fees. Each state university, university branch, and the Northeast Ohio Medical University shall not increase its in-state undergraduate instructional and general fees more than 3.5 per cent over what the institution charged for the preceding academic year.

Each community college, state community college, and technical college shall not increase its in-state undergraduate instructional and general fees by more than \$200 more than the institution charged for the preceding academic year.

These limitations shall not apply to increases required to comply with institutional covenants related to their obligations or to meet unfunded legal mandates or legally binding obligations incurred or commitments made prior to the effective date of this section with respect to which the institution had identified such fee increases as the source of funds. Any increase required by such covenants and any such mandates, obligations, or commitments shall be reported by the Chancellor of the Board of Regents to

the Controlling Board. These limitations may also be modified by the Chancellor of the Board of Regents, with the approval of the Controlling Board, to respond to exceptional circumstances as identified by the Chancellor of the Board of Regents.

SECTION 371.20.80. HIGHER EDUCATION - BOARD OF TRUSTEES

(A) Funds appropriated for instructional subsidies at colleges and universities may be used to provide such branch or other off-campus undergraduate courses of study and such master's degree courses of study as may be approved by the Chancellor of the Board of Regents.

(B) In providing instructional and other services to students, boards of trustees of state-assisted institutions of higher education shall supplement state subsidies with income from charges to students. Except as otherwise provided in this act, each board shall establish the fees to be charged to all students, including an instructional fee for educational and associated operational support of the institution and a general fee for noninstructional services, including locally financed student services facilities used for the benefit of enrolled students. The instructional fee and the general fee shall encompass all charges for services assessed uniformly to all enrolled students. Each board may also establish special purpose fees, service charges, and fines as required; such special purpose fees and service charges shall be for services or benefits furnished individual students or specific categories of students and shall not be applied uniformly to all enrolled students. A tuition surcharge shall be paid by all students who are not residents of Ohio.

The board of trustees of a state-assisted institution of higher education shall not authorize a waiver or nonpayment of instructional fees or general fees for any particular student or any class of students other than waivers specifically authorized by law or approved by the Chancellor. This prohibition is not intended to limit the authority of boards of trustees to provide for payments to students for services rendered the institution, nor to prohibit the budgeting of income for staff benefits or for student assistance in the form of payment of such instructional and general fees.

Each state-assisted institution of higher education in its statement of charges to students shall separately identify the instructional fee, the general fee, the tuition charge, and the tuition surcharge. Fee charges to students for instruction shall not be considered to be a price of service but shall be considered to be an integral part of the state government financing program in support of higher educational opportunity for students.

(C) The boards of trustees of state-assisted institutions of higher

education shall ensure that faculty members devote a proper and judicious part of their work week to the actual instruction of students. Total class credit hours of production per academic term per full-time faculty member is expected to meet the standards set forth in the budget data submitted by the Chancellor of the Board of Regents.

(D) The authority of government vested by law in the boards of trustees of state-assisted institutions of higher education shall in fact be exercised by those boards. Boards of trustees may consult extensively with appropriate student and faculty groups. Administrative decisions about the utilization of available resources, about organizational structure, about disciplinary procedure, about the operation and staffing of all auxiliary facilities, and about administrative personnel shall be the exclusive prerogative of boards of trustees. Any delegation of authority by a board of trustees in other areas of responsibility shall be accompanied by appropriate standards of guidance concerning expected objectives in the exercise of such delegated authority and shall be accompanied by periodic review of the exercise of this delegated authority to the end that the public interest, in contrast to any institutional or special interest, shall be served.

#### SECTION 371.20.90. STUDENT SUPPORT SERVICES

The foregoing appropriation item 235502, Student Support Services, shall be distributed by the Chancellor of the Board of Regents to Ohio's state-assisted colleges and universities that incur disproportionate costs in the provision of support services to disabled students.

#### SECTION 371.30.10. WAR ORPHANS SCHOLARSHIPS

The foregoing appropriation item 235504, War Orphans Scholarships, shall be used to reimburse state-assisted institutions of higher education for waivers of instructional fees and general fees provided by them, to provide grants to institutions that have received a certificate of authorization from the Chancellor of the Board of Regents under Chapter 1713. of the Revised Code, in accordance with the provisions of section 5910.04 of the Revised Code, and to fund additional scholarship benefits provided by section 5910.032 of the Revised Code.

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 235504, War Orphans Scholarships, at the end of fiscal year 2012 is hereby reappropriated to the Board of Regents for the same purpose for fiscal year 2013.

## SECTION 371.30.20. OHIOLINK

The foregoing appropriation item 235507, OhioLINK, shall be used by the Chancellor of the Board of Regents to support OhioLINK, a consortium organized under division (U) of section 3333.04 of the Revised Code to serve as the state's electronic library information and retrieval system, which provides access statewide to an extensive set of electronic databases and resources and the library holdings of Ohio's public and participating private nonprofit colleges and universities, and the State Library of Ohio.

## SECTION 371.30.30. AIR FORCE INSTITUTE OF TECHNOLOGY

The foregoing appropriation item 235508, Air Force Institute of Technology, shall be used by the director of the Air Force Institute to: (A) strengthen the research and educational linkages between the Wright Patterson Air Force Base and institutions of higher education in Ohio; and (B) support the Dayton Area Graduate Studies Institute, an engineering graduate consortium of Wright State University, the University of Dayton, and the Air Force Institute of Technology, with the participation of the University of Cincinnati and The Ohio State University.

## SECTION 371.30.40. OHIO SUPERCOMPUTER CENTER

The foregoing appropriation item 235510, Ohio Supercomputer Center, shall be used by the Chancellor of the Board of Regents to support the operation of the Ohio Supercomputer Center, a consortium organized under division (U) of section 3333.04 of the Revised Code, located at The Ohio State University. The Ohio Supercomputer Center is a statewide resource available to Ohio research universities both public and private. It is also intended that the center be made accessible to private industry as appropriate.

Funds shall be used, in part, to support the Ohio Supercomputer Center's Computational Science Initiative, which includes its industrial outreach program, Blue Collar Computing, and its School of Computational Science. These collaborations between the Ohio Supercomputer Center and Ohio's colleges and universities shall be aimed at making Ohio a leader in using computer modeling to promote economic development.

## SECTION 371.30.50. COOPERATIVE EXTENSION SERVICE

The foregoing appropriation item 235511, Cooperative Extension

Service, shall be disbursed through the Chancellor of the Board of Regents to The Ohio State University in monthly payments, unless otherwise determined by the Director of Budget and Management under section 126.09 of the Revised Code.

#### SECTION 371.30.60. CENTRAL STATE SUPPLEMENT

The Chancellor of the Board of Regents shall, in consultation with Central State University, develop a plan whereby the foregoing appropriation item 235514, Central State Supplement, shall be used in a manner consistent with the goals of increasing enrollment, improving course completion, and increasing the number of degrees conferred. The Chancellor shall submit a summary of the plan to the Speaker of the House of Representatives, the President of the Senate, and the Governor by December 31, 2011.

The foregoing appropriation item 235514, Central State Supplement, shall be disbursed by the Chancellor of the Board of Regents to Central State University. The first two disbursements in fiscal year 2012 shall be made on a quarterly basis. Beginning January 1, 2012, the funds shall be disbursed to Central State University in accordance with the plan developed by the Chancellor under this section.

The Chancellor shall monitor the implementation of the plan and the use of funds. Central State University shall provide any information requested by the Chancellor related to the implementation of the plan. If the Chancellor determines that Central State University's use of supplemental funds is not in accordance with the plan or if the plan is not having the desired effect, the Chancellor may notify Central State University that the plan is suspended. Upon receiving such notice, Central State University shall avoid all unnecessary expenditures under the plan. The Chancellor shall notify the Controlling Board of the suspension of the plan and within sixty days prepare a new plan for the use of any remaining funds.

#### SECTION 371.30.70. CASE WESTERN RESERVE UNIVERSITY SCHOOL OF MEDICINE

The foregoing appropriation item 235515, Case Western Reserve University School of Medicine, shall be disbursed to Case Western Reserve University through the Chancellor of the Board of Regents in accordance with agreements entered into under section 3333.10 of the Revised Code, provided that the state support per full-time medical student shall not exceed that provided to full-time medical students at state universities.



## SECTION 371.30.80. FAMILY PRACTICE

The Chancellor of the Ohio Board of Regents shall develop plans consistent with existing criteria and guidelines as may be required for the distribution of appropriation item 235519, Family Practice.

## SECTION 371.30.90. SHAWNEE STATE SUPPLEMENT

The Chancellor of the Board of Regents shall, in consultation with Shawnee State University, develop a plan whereby the foregoing appropriation item 235520, Shawnee State Supplement, shall be used in a manner consistent with the goals of improving course completion, increasing the number of degrees conferred, and furthering the university's mission of service to the Appalachian region. The Chancellor shall submit a summary of the plan to the Speaker of the House of Representatives, the President of the Senate, and the Governor by December 31, 2011.

The foregoing appropriation item 235520, Shawnee State Supplement, shall be disbursed by the Chancellor of the Board of Regents to Shawnee State University. The first two disbursements in fiscal year 2012 shall be made on a quarterly basis. Beginning January 1, 2012, the funds shall be disbursed to Shawnee State University in accordance with the plan developed by the Chancellor under this section.

The Chancellor shall monitor the implementation of the plan and the use of funds. Shawnee State University shall provide any information requested by the Chancellor related to the implementation of the plan. If the Chancellor determines that Shawnee State University's use of supplemental funds is not in accordance with the plan or if the plan is not having the desired effect, the Chancellor may notify Shawnee State University that the plan is suspended. Upon receiving such notice, Shawnee State University shall avoid all unnecessary expenditures under the plan. The Chancellor shall notify the Controlling Board of the suspension of the plan and within sixty days prepare a new plan for the use of any remaining funds.

## SECTION 371.40.10. POLICE AND FIRE PROTECTION

The foregoing appropriation item 235524, Police and Fire Protection, shall be used for police and fire services in the municipalities of Kent, Athens, Oxford, Fairborn, Bowling Green, Portsmouth, Xenia Township (Greene County), Rootstown Township, and the City of Nelsonville that may be used to assist these local governments in providing police and fire

protection for the central campus of the state-affiliated university located therein.

#### SECTION 371.40.20. GERIATRIC MEDICINE

The Chancellor of the Board of Regents shall develop plans consistent with existing criteria and guidelines as may be required for the distribution of appropriation item 235525, Geriatric Medicine.

#### SECTION 371.40.30. PRIMARY CARE RESIDENCIES

The Chancellor of the Board of Regents shall develop plans consistent with existing criteria and guidelines as may be required for the distribution of appropriation item 235526, Primary Care Residencies.

The foregoing appropriation item 235526, Primary Care Residencies, shall be distributed in each fiscal year of the biennium, based on whether or not the institution has submitted and gained approval for a plan. If the institution does not have an approved plan, it shall receive five per cent less funding per student than it would have received from its annual allocation. The remaining funding shall be distributed among those institutions that meet or exceed their targets.

#### SECTION 371.40.40. OHIO AGRICULTURAL RESEARCH AND DEVELOPMENT CENTER

The foregoing appropriation item 235535, Ohio Agricultural Research and Development Center, shall be disbursed through the Chancellor of the Board of Regents to The Ohio State University in monthly payments, unless otherwise determined by the Director of Budget and Management under section 126.09 of the Revised Code. The Ohio Agricultural Research and Development Center shall not be required to remit payment to The Ohio State University during the biennium ending June 30, 2013, for cost reallocation assessments. The cost reallocation assessments include, but are not limited to, any assessment on state appropriations to the Center.

The Ohio Agricultural Research and Development Center, an entity of the College of Food, Agricultural, and Environmental Sciences of The Ohio State University, shall further its mission of enhancing Ohio's economic development and job creation by continuing to internally allocate on a competitive basis appropriated funding of programs based on demonstrated performance. Academic units, faculty, and faculty-driven programs shall be evaluated and rewarded consistent with agreed-upon performance

expectations as called for in the College's Expectations and Criteria for Performance Assessment.

#### SECTION 371.40.50. STATE UNIVERSITY CLINICAL TEACHING

The foregoing appropriation items 235536, The Ohio State University Clinical Teaching; 235537, University of Cincinnati Clinical Teaching; 235538, University of Toledo Clinical Teaching; 235539, Wright State University Clinical Teaching; 235540, Ohio University Clinical Teaching; and 235541, Northeast Ohio Medical University Clinical Teaching, shall be distributed through the Chancellor of the Board of Regents.

#### SECTION 371.40.60. CAPITAL COMPONENT

The foregoing appropriation item 235552, Capital Component, shall be used by the Chancellor of the Board of Regents to implement the capital funding policy for state-assisted colleges and universities established in Am. H.B. 748 of the 121st General Assembly. Appropriations from this item shall be distributed to all campuses for which the estimated campus debt service attributable to new qualifying capital projects is less than the campus's formula-determined capital component allocation. Campus allocations shall be determined by subtracting the estimated campus debt service attributable to new qualifying capital projects from the campus's formula-determined capital component allocation. Moneys distributed from this appropriation item shall be restricted to capital-related purposes.

Any campus for which the estimated campus debt service attributable to qualifying capital projects is greater than the campus's formula-determined capital component allocation shall have the difference subtracted from its State Share of Instruction allocation in each fiscal year. Appropriation equal to the sum of all such amounts except that of the Ohio Agricultural Research and Development Center shall be transferred from appropriation item 235501, State Share of Instruction, to appropriation item 235552, Capital Component. Appropriation equal to any estimated Ohio Agricultural Research and Development Center debt service attributable to qualifying capital projects that is greater than the Center's formula-determined capital component allocation shall be transferred from appropriation item 235535, Ohio Agricultural Research and Development Center, to appropriation item 235552, Capital Component.

#### SECTION 371.40.70. LIBRARY DEPOSITORIES

The foregoing appropriation item, 235555, Library Depositories, shall be distributed to the state's five regional depository libraries for the cost-effective storage of and access to lesser-used materials in university library collections. The depositories shall be administrated by the Chancellor of the Board of Regents, or by OhioLINK at the discretion of the Chancellor.

SECTION 371.40.80. OHIO ACADEMIC RESOURCES NETWORK (OARNET)

The foregoing appropriation item 235556, Ohio Academic Resources Network, shall be used by the Chancellor of the Board of Regents to support the operations of the Ohio Academic Resources Network, a consortium organized under division (U) of section 3333.04 of the Revised Code, which shall include support for Ohio's colleges and universities in maintaining and enhancing network connections, using new network technologies to improve research, education, and economic development programs, and sharing information technology services. To the extent network capacity is available, OARnet shall support allocating bandwidth to eligible programs directly supporting Ohio's economic development.

SECTION 371.40.90. LONG-TERM CARE RESEARCH

The foregoing appropriation item 235558, Long-term Care Research, shall be disbursed to Miami University for long-term care research.

SECTION 371.50.10. OHIO COLLEGE OPPORTUNITY GRANT

(A) Except as provided in division (C) of this section:

Of the foregoing appropriation item 235563, Ohio College Opportunity Grant, \$37,000,000 in each fiscal year shall be used by the Chancellor of the Board of Regents to award need-based financial aid to students enrolled in eligible four-year public institutions of higher education, excluding early college high school and post-secondary enrollment option participants.

Of the foregoing appropriation item 235563, Ohio College Opportunity Grant, \$41,000,000 in each fiscal year shall be used by the Chancellor of the Board of Regents to award need-based financial aid to students enrolled in eligible private nonprofit institutions of higher education, excluding early college high school and post-secondary enrollment option participants.

The remainder of the foregoing appropriation item 235563, Ohio College Opportunity Grant, shall be used by the Chancellor of the Board of

Regents to award needs-based financial aid to students enrolled in eligible private for-profit career colleges and schools.

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 235563, Ohio College Opportunity Grant, at the end of fiscal year 2012 is hereby reappropriated to the Board of Regents for the same purpose for fiscal year 2013.

(B)(1) As used in this section:

(a) "Eligible institution" means any institution described in divisions (B)(2)(a) to (c) of section 3333.122 of the Revised Code.

(b) The three "sectors" of institutions of higher education consist of the following:

(i) State colleges and universities, community colleges, state community colleges, university branches, and technical colleges;

(ii) Eligible private nonprofit institutions of higher education;

(iii) Eligible private for-profit career colleges and schools.

(2) If the Chancellor determines that the amounts appropriated for support of the Ohio College Opportunity Grant program are inadequate to provide grants to all eligible students as calculated under division (D) of section 3333.122 of the Revised Code, the Chancellor may create a distribution formula for fiscal year 2012 and fiscal year 2013 based on the formula used in fiscal year 2011, or may follow methods established in division (C)(1)(a) or (b) of section 3333.122 of the Revised Code. The Chancellor shall notify the Controlling Board of the distribution method. Any formula calculated under this division shall be complete and established to coincide with the start of the 2011-2012 academic year.

(C) Prior to determining the amount of funds available to award under this section and section 3333.122 of the Revised Code, the Chancellor shall use the foregoing appropriation item 235563, Ohio College Opportunity Grant, to pay for renewals or partial renewals of scholarships students receive under the Ohio Academic Scholarship Program under sections 3333.21 and 3333.22 of the Revised Code. In paying for scholarships under this division, the Chancellor shall deduct funds from the allocations made under division (A) of this section. Deductions shall be proportionate to the amounts allocated to each sector from the total amounts appropriated for each sector under the foregoing appropriation item 235563, Ohio College Opportunity Grant, and the foregoing appropriation item 235667, Ohio College Opportunity Grant - Proprietary.

In each fiscal year, the Chancellor shall not distribute or obligate or commit to be distributed an amount greater than what is appropriated under the foregoing appropriation item 235563, Ohio College Opportunity Grant.

(D) The Chancellor shall establish, and post on the Ohio Board of Regents' web site, award tables based on any formulas created under division (B) of this section. The Chancellor shall notify students and institutions of any reductions in awards under this section.

On or before August 31, 2011, the Chancellor of the Board of Regents shall submit award tables to the Controlling Board for the 2011-2012 academic year and allocations of Ohio College Opportunity Grant awards not already specified in section 3333.122 of the Revised Code.

(E) Notwithstanding section 3333.122 of the Revised Code, no student shall be eligible to receive an Ohio College Opportunity Grant for more than ten semesters, fifteen quarters, or the equivalent of five academic years, less the number of semesters or quarters in which the student received an Ohio Instructional Grant.

#### SECTION 371.50.20. THE OHIO STATE UNIVERSITY CLINIC SUPPORT

The foregoing appropriation item 235572, The Ohio State University Clinic Support, shall be distributed through the Chancellor of the Board of Regents to The Ohio State University for support of dental and veterinary medicine clinics.

#### SECTION 371.50.30. NATIONAL GUARD SCHOLARSHIP PROGRAM

The Chancellor of the Board of Regents shall disburse funds from appropriation item 235599, National Guard Scholarship Program. During each fiscal year, the Chancellor of the Board of Regents, within ten days of cancellation, may certify to the Director of Budget and Management the amount of canceled prior-year encumbrances in appropriation item 235599, National Guard Scholarship Program. Upon receipt of the certification, the Director of Budget and Management may transfer cash in an amount up to the amount certified from the General Revenue Fund to the National Guard Scholarship Reserve Fund (Fund 5BM0). The Chancellor of the Board of Regents shall seek Controlling Board approval to authorize additional expenditures for appropriation item 235623, National Guard Scholarship Reserve Fund. Upon approval of the Controlling Board, the additional amounts are hereby appropriated. The Chancellor of the Board of Regents shall disburse funds from appropriation item 235623, National Guard Scholarship Reserve Fund.



## SECTION 371.50.40. PLEDGE OF FEES

Any new pledge of fees, or new agreement for adjustment of fees, made in the biennium ending June 30, 2013, to secure bonds or notes of a state-assisted institution of higher education for a project for which bonds or notes were not outstanding on the effective date of this section shall be effective only after approval by the Chancellor of the Board of Regents, unless approved in a previous biennium.

## SECTION 371.50.50. HIGHER EDUCATION GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 235909, Higher Education General Obligation Debt Service, shall be used to pay all debt service and related financing costs at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, for obligations issued under sections 151.01 and 151.04 of the Revised Code.

## SECTION 371.50.60. SALES AND SERVICES

The Chancellor of the Board of Regents is authorized to charge and accept payment for the provision of goods and services. Such charges shall be reasonably related to the cost of producing the goods and services. Except as otherwise provided by law, no charges may be levied for goods or services that are produced as part of the routine responsibilities or duties of the Chancellor. All revenues received by the Chancellor of the Board of Regents shall be deposited into Fund 4560, and may be used by the Chancellor of the Board of Regents to pay for the costs of producing the goods and services.

## SECTION 371.50.61. CO-OP INTERNSHIP PROGRAM

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used by the Chancellor of the Board of Regents to support the operations of Ohio University's Voinovich School.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year, shall be used by the Chancellor of the Board of Regents to support the operations of The Ohio State University's John Glenn School of Public Affairs.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Bliss Institute of

Applied Politics at the University of Akron.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Public Management and Regional Affairs at Miami University.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Washington Center Internship Program.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Maxine Goodman Levin College of Urban Affairs at Cleveland State University.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the University of Cincinnati Internship Program.

SECTION 371.50.63. OHIO COLLEGE OPPORTUNITY GRANT - PROPRIETARY

The foregoing appropriation item 235667, Ohio College Opportunity Grant - Proprietary, shall be used by the Chancellor of the Board of Regents to award needs-based financial aid to students enrolled in eligible private for-profit career colleges and schools, pursuant to section 3333.122 of the Revised Code and section 371.50.10 of this act.

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 235667, Ohio College Opportunity Grant - Proprietary, at the end of fiscal year 2012 is hereby reappropriated to the Board of Regents for the same purpose for fiscal year 2013.

In each fiscal year, the Chancellor shall not distribute or obligate or commit to be distributed an amount greater than what is appropriated under the foregoing appropriation item 235667, Ohio College Opportunity Grant - Proprietary.

SECTION 371.50.65. AIR FORCE INSTITUTE OF TECHNOLOGY - DEFENSE/AEROSPACE GRADUATE STUDIES INSTITUTE

The foregoing appropriation item 235668, Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute, shall be used by the Defense/Aerospace Graduate Studies Institute to strengthen regional job training, equip Ohio's workforce with needed skills, and strengthen the research and educational linkages among Department of Defense facilities in Ohio, institutions of higher education in Ohio, and available industry jobs in Ohio. These funds shall be matched by private industry partners or the

Department of Defense in the aggregate amount of \$2,500,000 over the FY 2012 - FY 2013 biennium.

SECTION 371.50.70. HIGHER EDUCATIONAL FACILITY COMMISSION ADMINISTRATION

The foregoing appropriation item 235602, Higher Educational Facility Commission Administration, shall be used by the Chancellor of the Board of Regents for operating expenses related to the Chancellor of the Board of Regents' support of the activities of the Ohio Higher Educational Facility Commission. Upon the request of the Chancellor, the Director of Budget and Management shall transfer up to \$29,100 cash in fiscal year 2012 and up to \$29,100 cash in fiscal year 2013 from the HEFC Operating Expenses Fund (Fund 4610) to the HEFC Administration Fund (Fund 4E80).

SECTION 371.50.80. NURSING LOAN PROGRAM

The foregoing appropriation item 235606, Nursing Loan Program, shall be used to administer the nurse education assistance program. Up to \$167,580 in each fiscal year may be used for operating expenses associated with the program. Any additional funds needed for the administration of the program are subject to Controlling Board approval.

SECTION 371.50.90. VETERANS PREFERENCES

The Chancellor of the Board of Regents shall work with the Department of Veterans Services to develop specific veterans preference guidelines for higher education institutions. These guidelines shall ensure that the institutions' hiring practices are in accordance with the intent of Ohio's veterans preference laws.

SECTION 371.60.10. STATE NEED-BASED FINANCIAL AID RECONCILIATION

By the first day of August in each fiscal year, or as soon as possible thereafter, the Chancellor of the Board of Regents shall certify to the Director of Budget and Management the amount necessary to pay any outstanding prior year obligations to higher education institutions for the state's need-based financial aid programs. The amounts certified are hereby appropriated to appropriation item 235618, State Need-based Financial Aid Reconciliation, from revenues received in the State Need-based Financial Aid Reconciliation Fund (Fund 5Y50).

SECTION 371.60.20. (A) As used in this section:

(1) "Board of trustees" includes the managing authority of a university branch district.

(2) "State institution of higher education" has the same meaning as in section 3345.011 of the Revised Code.

(B) The board of trustees of any state institution of higher education, notwithstanding any rule of the institution to the contrary, may adopt a policy providing for mandatory furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits.

#### SECTION 371.60.40. EFFICIENCY ADVISORY COMMITTEE

The Chancellor of the Board of Regents shall establish an efficiency advisory committee for the purpose of generating optimal efficiency plans for campuses, identifying shared services opportunities, and sharing best practices. The efficiency advisory committee shall also attempt to reduce the cost of textbooks and other education resource materials. The committee shall meet at the call of the Chancellor or the Chancellor's designee, but at least quarterly. Each state institution of higher education shall designate an employee to serve as its efficiency officer responsible for the evaluation and improvement of operational efficiencies on campus. Each efficiency officer shall serve on the efficiency advisory committee.

#### SECTION 371.60.50. TEXTBOOK AFFORDABILITY

Each state institution of higher education shall submit to the Chancellor of the Board of Regents by December 31, 2011, a plan to reduce the cost to students of textbooks and other education resource materials.

#### SECTION 371.60.60. TUITION TRUST AUTHORITY APPROPRIATION LINE ITEM TRANSFER

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management, upon request by the Chancellor of the Board of Regents, shall cancel any existing encumbrances against appropriation item 095602, Variable Savings Plans, and re-establish them against appropriation item 235663, Variable Savings Plans. The re-established encumbrance amounts are hereby appropriated.

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management, upon request by the Chancellor of the Board of

Regents, shall cancel any existing encumbrances against appropriation item 095601, Guaranteed Savings Plan, and re-establish them against appropriation item 235664, Guaranteed Savings Plan. The re-established encumbrance amounts are hereby appropriated.

SECTION 371.60.70. (A) Notwithstanding anything to the contrary in sections 3333.81 to 3333.88 of the Revised Code, the distance learning clearinghouse required to be established under those sections shall be located at the Ohio Resource Center for Mathematics, Science, and Reading administered by the College of Education and Human Ecology at The Ohio State University. The College shall provide access to its online repository of educational content to offer courses from multiple providers at competitive prices for Ohio students in grades kindergarten to twelve.

(B) The College shall review the content of each course offered to assess the course's alignment with the academic standards adopted under division (A) of section 3301.079 of the Revised Code and shall publish its determination about the degree of alignment.

(C) The College shall indicate, for each course offered, the academic credit that a student may reasonably expect to earn upon successful completion of the course. However, in accordance with section 3333.85 of the Revised Code, the school district or school in which the student is enrolled retains full authority to determine the credit awarded to the student.

(D) As prescribed by section 3333.84 of the Revised Code, the fee charged for a course shall be set by the course provider. The College may retain a percentage of the fee to offset the cost of maintaining the course repository.

(E) The College may establish policies to protect the proprietary interest in or intellectual property of the educational content and courses that are housed in the course repository. The College may require end users to agree to the terms of any such policies prior to accessing the repository.

SECTION 371.60.80. (A) The Ohio Digital Learning Task Force is hereby established to develop a strategy for the expansion of digital learning that enables students to customize their education, produces cost savings, and meets the needs of Ohio's economy. The Task Force shall consist of the following members:

- (1) The Chancellor of the Ohio Board of Regents or the Chancellor's designee;
- (2) The Superintendent of Public Instruction or the Superintendent's

designee;

(3) The Director of the Governor's Office of 21st Century Education or the Director's designee;

(4) Up to six members appointed by the Governor, who shall be representatives of school districts or community schools, established under Chapter 3314. of the Revised Code, that are high-performing of their type and have demonstrated the ability to incorporate technology into the classroom successfully;

(5) A member appointed by the President of the Senate;

(6) A member appointed by the Speaker of the House of Representatives.

(B) Members of the Task Force shall be appointed not later than sixty days after the effective date of this section. Vacancies on the Task Force shall be filled in the same manner as the original appointments. Members shall serve without compensation.

(C) The Governor shall designate the chairperson of the Task Force. All meetings of the Task Force shall be held at the call of the chairperson.

(D) The Task Force shall do all of the following:

(1) Request information from textbook publishers about the development of digital textbooks and other new digital content distribution methods for use by primary, secondary, and post-secondary schools and institutions and examine that information;

(2) Examine potential cost savings and efficiency of utilizing digital textbooks and other new digital content distribution methods in primary, secondary, and post-secondary schools and institutions;

(3) Examine potential academic benefits of utilizing digital textbooks and other new digital content distribution methods, including, but not limited to, the ability to individualize content to specific student learning styles, accessibility for individuals with disabilities, and the integration of formative and other online assessments;

(4) Examine digital content pilot programs and initiatives currently operating at primary, secondary, and post-secondary schools and institutions in Ohio, including, but not limited to, those financed in part with federal funds;

(5) Examine any state-level initiatives to provide or facilitate use of digital content in primary, secondary, and post-secondary schools and institutions in Ohio.

(E) The Task Force shall make recommendations regarding all of the following:

(1) The creation of high quality digital content and instruction in grades



kindergarten to twelve for free access by public and nonpublic schools and students receiving home instruction;

(2) High quality professional development for teachers and principals providing online instruction or blended learning programs;

(3) Funding strategies that create incentives for high performance, innovation, and options in course providers and delivery;

(4) Student assessment and accountability;

(5) Infrastructure to support digital learning;

(6) Mobile learning and mobile learning applications;

(7) The clearinghouse established under section 3333.82 of the Revised Code;

(8) Ways to align the resources and digital learning initiatives of state agencies and offices;

(9) Methods for removing redundancy and inefficiency in, and for providing coordination, of all digital learning programs, including the provision of free online instruction to public and nonpublic schools on a statewide basis;

(10) Methods of addressing future changes in technology and learning.

(E) Not later than March 1, 2012, the Task Force shall issue a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Upon issuance of its report, the Task Force shall cease to exist.

SECTION 371.60.90. Not later than six months after the effective date of this section, the Chancellor of the Ohio Board of Regents shall do both of the following:

(A) Take steps to facilitate full implementation of any digital textbook and digital content pilot programs currently planned at any state institutions of higher education in Ohio;

(B) Take steps to ensure that those pilot programs examine the potential cost savings and efficiencies of digital content and the potential academic benefits, including, but not limited to, the ability to individualize content to specific student learning styles, accessibility for individuals with disabilities, and the integration of formative and other online assessments.

SECTION 371.70.10. On July 1, 2011, or as soon as possible thereafter, the Chancellor of the Board of Regents shall pay to The Ohio State University an amount equal to the cash balance in the OSU Highway/Transportation Research Fund (Fund 6490). The amount of the

payment is hereby appropriated from Fund 6490. Upon completion of the payment, Fund 6490 is hereby abolished and the Chancellor of the Board of Regents shall cancel any existing encumbrances against appropriation item 235607, The Ohio State University Highway/Transportation Research.

SECTION 371.70.20. An amount equal to the unexpended, unencumbered, previously released balance of capital appropriation item C38816, Penta Renovations, at the end of fiscal year 2010 is hereby reappropriated and released to the same appropriation item for fiscal year 2012, to be used to support the campus renovation program at Owens Community College. This amount represents the amount of fiscal year 2010 capital encumbrances that were inadvertently canceled and does not represent a new capital appropriation.

#### SECTION 373.10. DRC DEPARTMENT OF REHABILITATION AND CORRECTION

##### General Revenue Fund

|                                |                                       |    |               |    |               |
|--------------------------------|---------------------------------------|----|---------------|----|---------------|
| GRF 501321                     | Institutional Operations              | \$ | 909,547,156   | \$ | 866,592,589   |
| GRF 501403                     | Prisoner Compensation                 | \$ | 8,599,255     | \$ | 8,599,255     |
| GRF 501405                     | Halfway House                         | \$ | 43,637,069    | \$ | 43,622,104    |
| GRF 501406                     | Lease Rental Payments                 | \$ | 42,863,100    | \$ | 104,301,500   |
| GRF 501407                     | Community Nonresidential Programs     | \$ | 25,859,382    | \$ | 25,839,390    |
| GRF 501408                     | Community Misdemeanor Programs        | \$ | 14,906,800    | \$ | 14,906,800    |
| GRF 501501                     | Community Residential Programs - CBCF | \$ | 62,692,785    | \$ | 62,477,785    |
| GRF 502321                     | Mental Health Services                | \$ | 58,525,816    | \$ | 51,778,513    |
| GRF 503321                     | Parole and Community Operations       | \$ | 68,197,272    | \$ | 63,783,848    |
| GRF 504321                     | Administrative Operations             | \$ | 21,996,504    | \$ | 20,085,474    |
| GRF 505321                     | Institution Medical Services          | \$ | 209,231,014   | \$ | 195,241,961   |
| GRF 506321                     | Institution Education Services        | \$ | 20,237,576    | \$ | 18,086,492    |
| GRF 507321                     | Institution Recovery Services         | \$ | 5,786,109     | \$ | 5,375,737     |
| TOTAL GRF General Revenue Fund |                                       | \$ | 1,492,079,838 | \$ | 1,480,691,448 |

##### General Services Fund Group

|             |                           |    |            |    |            |
|-------------|---------------------------|----|------------|----|------------|
| 1480 501602 | Services and Agricultural | \$ | 3,579,250  | \$ | 3,584,263  |
| 2000 501607 | Ohio Penal Industries     | \$ | 38,000,000 | \$ | 38,000,000 |
| 4830 501605 | Property Receipts         | \$ | 182,723    | \$ | 182,086    |
| 4B00 501601 | Sewer Treatment Services  | \$ | 2,145,630  | \$ | 2,157,682  |
| 4D40 501603 | Prisoner Programs         | \$ | 14,900,000 | \$ | 14,900,000 |
| 4L40 501604 | Transitional Control      | \$ | 1,168,843  | \$ | 1,213,120  |
| 4S50 501608 | Education Services        | \$ | 2,376,041  | \$ | 2,359,775  |
| 5710 501606 | Training Academy Receipts | \$ | 125,000    | \$ | 125,000    |

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|                                              |        |                                   |    |               |    |               |
|----------------------------------------------|--------|-----------------------------------|----|---------------|----|---------------|
| 5930                                         | 501618 | Laboratory Services               | \$ | 6,665,137     | \$ | 6,664,729     |
| 5AF0                                         | 501609 | State and Non-Federal Awards      | \$ | 1,440,000     | \$ | 1,440,000     |
| 5H80                                         | 501617 | Offender Financial Responsibility | \$ | 2,000,000     | \$ | 2,000,000     |
| 5L60                                         | 501611 | Information Technology Services   | \$ | 600,000       | \$ | 600,000       |
| TOTAL GSF General Services Fund Group        |        |                                   | \$ | 73,182,624    | \$ | 73,226,655    |
| <b>Federal Special Revenue Fund Group</b>    |        |                                   |    |               |    |               |
| 3230                                         | 501619 | Federal Grants                    | \$ | 9,013,558     | \$ | 9,180,703     |
| TOTAL FED Federal Special Revenue Fund Group |        |                                   | \$ | 9,013,558     | \$ | 9,180,703     |
| TOTAL ALL BUDGET FUND GROUPS                 |        |                                   | \$ | 1,574,276,020 | \$ | 1,563,098,806 |

#### TRANSFER OF OPERATING APPROPRIATIONS TO IMPLEMENT CRIMINAL SENTENCING REFORMS

For the purposes of implementing criminal sentencing reforms, and notwithstanding any other provision of law to the contrary, the Director of Budget and Management, at the request of the Director of Rehabilitation and Correction, may transfer up to \$14,000,000 in appropriations, in each of fiscal years 2012 and 2013, from appropriation item 501321, Institutional Operations, to any combination of appropriation items 501405, Halfway House; 501407, Community Residential Programs; 501408, Community Misdemeanor Programs; and 501501, Community Residential Programs - CBCF.

#### OHIO BUILDING AUTHORITY LEASE PAYMENTS

The foregoing appropriation item 501406, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, by the Department of Rehabilitation and Correction to the Ohio Building Authority under the primary leases and agreements for those buildings made under Chapter 152. of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 152. of the Revised Code.

#### OSU MEDICAL CHARGES

Notwithstanding section 341.192 of the Revised Code, at the request of the Department of Rehabilitation and Correction, The Ohio State University Medical Center, including the James Cancer Hospital and Solove Research Institute and the Richard M. Ross Heart Hospital, shall provide necessary care to persons who are confined in state adult correctional facilities. The provision of necessary care shall be billed to the Department at a rate not to exceed the authorized reimbursement rate for the same service established by the Department of Job and Family Services under the Medical Assistance Program.

## SECTION 375.10. RSC REHABILITATION SERVICES COMMISSION

## General Revenue Fund

|                                |        |                                       |    |            |    |            |
|--------------------------------|--------|---------------------------------------|----|------------|----|------------|
| GRF                            | 415402 | Independent Living Council            | \$ | 252,000    | \$ | 252,000    |
| GRF                            | 415406 | Assistive Technology                  | \$ | 26,618     | \$ | 26,618     |
| GRF                            | 415431 | Office for People with Brain Injury   | \$ | 126,567    | \$ | 126,567    |
| GRF                            | 415506 | Services for People with Disabilities | \$ | 12,777,884 | \$ | 12,777,884 |
| GRF                            | 415508 | Services for the Deaf                 | \$ | 28,000     | \$ | 28,000     |
| TOTAL GRF General Revenue Fund |        |                                       | \$ | 13,211,069 | \$ | 13,211,069 |

## General Services Fund Group

|                                       |        |                                        |    |           |    |           |
|---------------------------------------|--------|----------------------------------------|----|-----------|----|-----------|
| 4670                                  | 415609 | Business Enterprise Operating Expenses | \$ | 1,308,431 | \$ | 1,303,090 |
| TOTAL GSF General Services Fund Group |        |                                        | \$ | 1,308,431 | \$ | 1,303,090 |

## Federal Special Revenue Fund Group

|                                              |        |                                                       |    |             |    |             |
|----------------------------------------------|--------|-------------------------------------------------------|----|-------------|----|-------------|
| 3170                                         | 415620 | Disability Determination                              | \$ | 97,579,095  | \$ | 97,579,095  |
| 3790                                         | 415616 | Federal - Vocational Rehabilitation                   | \$ | 103,160,426 | \$ | 103,150,102 |
| 3L10                                         | 415601 | Social Security Personal Care Assistance              | \$ | 3,370,000   | \$ | 3,370,000   |
| 3L10                                         | 415605 | Social Security Community Centers for the Deaf        | \$ | 772,000     | \$ | 772,000     |
| 3L10                                         | 415608 | Social Security Special Programs/Assistance           | \$ | 1,521,406   | \$ | 1,520,184   |
| 3L40                                         | 415612 | Federal Independent Living Centers or Services        | \$ | 652,222     | \$ | 652,222     |
| 3L40                                         | 415615 | Federal - Supported Employment                        | \$ | 929,755     | \$ | 929,755     |
| 3L40                                         | 415617 | Independent Living/Vocational Rehabilitation Programs | \$ | 2,137,338   | \$ | 2,137,338   |
| TOTAL FED Federal Special Revenue Fund Group |        |                                                       | \$ | 210,122,242 | \$ | 210,110,696 |

## State Special Revenue Fund Group

|                                            |        |                             |    |             |    |             |
|--------------------------------------------|--------|-----------------------------|----|-------------|----|-------------|
| 4680                                       | 415618 | Third Party Funding         | \$ | 10,802,589  | \$ | 10,802,589  |
| 4L10                                       | 415619 | Services for Rehabilitation | \$ | 3,700,000   | \$ | 3,700,000   |
| 4W50                                       | 415606 | Program Management Expenses | \$ | 11,636,730  | \$ | 11,587,201  |
| TOTAL SSR State Special Revenue Fund Group |        |                             | \$ | 26,139,319  | \$ | 26,089,790  |
| TOTAL ALL BUDGET FUND GROUPS               |        |                             | \$ | 250,781,061 | \$ | 250,714,645 |

## INDEPENDENT LIVING COUNCIL

The foregoing appropriation item 415402, Independent Living Council, shall be used to fund the operations of the State Independent Living Council and 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.

Of the foregoing appropriation item 415402, Independent Living Council, \$67,662 in each fiscal year shall be used as state matching funds for vocational rehabilitation innovation and expansion activities.

#### ASSISTIVE TECHNOLOGY

The total amount of the foregoing appropriation item 415406, Assistive Technology, shall be provided to Assistive Technology of Ohio to provide grants and assistive technology services for people with disabilities in the State of Ohio.

#### OFFICE FOR PEOPLE WITH BRAIN INJURY

The foregoing appropriation item 415431, Office for People with Brain Injury, 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.

Of the foregoing appropriation item 415431, Office for People with Brain Injury, \$44,067 in each fiscal year shall be used as state matching funds to provide vocational rehabilitation services to eligible consumers.

#### VOCATIONAL REHABILITATION SERVICES

The foregoing appropriation item 415506, Services for People with Disabilities, shall be used as state matching funds to provide vocational rehabilitation services to eligible consumers.

At the request of the Chancellor of the Board of Regents, the Director of Budget and Management may transfer any unexpended, unencumbered appropriation in fiscal year 2012 or fiscal year 2013 from appropriation item 235502, Student Support Services, to appropriation item 415506, Services for People with Disabilities. Any appropriation so transferred shall be used by the Ohio Rehabilitation Services Commission to obtain additional federal matching funds to serve disabled students.

#### SERVICES FOR THE DEAF

The foregoing appropriation item 415508, Services for the Deaf, shall be used to provide grants to community centers for the deaf.

#### INDEPENDENT LIVING/VOCATIONAL REHABILITATION PROGRAMS

The foregoing appropriation item 415617, 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 expended from the Social Security Reimbursement Fund (Fund 3L10), to the extent funds are available, as follows:

(A) Appropriation item 415601, Social Security Personal Care Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code;

(B) Appropriation item 415605, Social Security Community Centers for the Deaf, to provide grants to community centers for the deaf in Ohio for services to individuals with hearing impairments; and

(C) Appropriation item 415608, Social Security Special Programs/Assistance, 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 shall also be used to pay a portion of indirect costs of the Personal Care Assistance Program and the Independent Living Programs as mandated by federal OMB Circular A-87.

#### PROGRAM MANAGEMENT EXPENSES

The foregoing appropriation item 415606, 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.

#### SECTION 377.10. RCB RESPIRATORY CARE BOARD

##### General Services Fund Group

|                              |                    |    |         |    |         |
|------------------------------|--------------------|----|---------|----|---------|
| 4K90 872609                  | Operating Expenses | \$ | 528,624 | \$ | 523,013 |
| TOTAL GSF General Services   |                    |    |         |    |         |
| Fund Group                   |                    | \$ | 528,624 | \$ | 523,013 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 528,624 | \$ | 523,013 |

#### SECTION 379.10. RDF REVENUE DISTRIBUTION FUNDS

##### Volunteer Firefighters' Dependents Fund

|                                   |                           |    |           |    |             |
|-----------------------------------|---------------------------|----|-----------|----|-------------|
| 7085 800985                       | Volunteer Firemen's       | \$ | 300,000   | \$ | 300,000     |
| Dependents Fund                   |                           |    |           |    |             |
| TOTAL 085 Volunteer Firefighters' |                           |    |           |    |             |
| Dependents Fund                   |                           | \$ | 300,000   | \$ | 300,000     |
| Agency Fund Group                 |                           |    |           |    |             |
| 4P80 001698                       | Cash Management           | \$ | 3,100,000 | \$ | 3,100,000   |
| Improvement Fund                  |                           |    |           |    |             |
| 5JG0 110633                       | Gross Casino Revenue      | \$ | 5,778,617 | \$ | 138,882,294 |
| County Fund                       |                           |    |           |    |             |
| 5JH0 110634                       | Gross Casino Revenue      | \$ | 3,852,412 | \$ | 92,588,196  |
| County Student Fund               |                           |    |           |    |             |
| 5JJ0 110636                       | Gross Casino Revenue Host | \$ | 566,531   | \$ | 13,615,911  |
| City Fund                         |                           |    |           |    |             |
| 5JK0 875610                       | Ohio State Racing         | \$ | 339,919   | \$ | 8,169,547   |



|                                               |        |                                                     |    |               |                  |
|-----------------------------------------------|--------|-----------------------------------------------------|----|---------------|------------------|
|                                               |        | Commission Fund                                     |    |               |                  |
| 5JL0                                          | 038629 | Problem Casino Gambling and Addictions Fund         | \$ | 226,612       | \$ 5,446,364     |
| 5JN0                                          | 055654 | Ohio Law Enforcement Training Fund                  | \$ | 226,612       | \$ 5,446,364     |
| 6080                                          | 001699 | Investment Earnings                                 | \$ | 50,000,000    | \$ 150,000,000   |
| 7062                                          | 110962 | Resort Area Excise Tax                              | \$ | 1,000,000     | \$ 1,000,000     |
| 7063                                          | 110963 | Permissive Tax Distribution                         | \$ | 1,904,500,000 | \$ 1,980,700,000 |
| 7067                                          | 110967 | School District Income Tax                          | \$ | 317,000,000   | \$ 330,000,000   |
| TOTAL AGY Agency Fund Group                   |        |                                                     | \$ | 2,286,590,703 | \$ 2,728,948,676 |
| <b>Holding Account Redistribution</b>         |        |                                                     |    |               |                  |
| R045                                          | 110617 | International Fuel Tax Distribution                 | \$ | 40,000,000    | \$ 40,000,000    |
| TOTAL 090 Holding Account Redistribution Fund |        |                                                     |    |               |                  |
| Revenue Distribution Fund Group               |        |                                                     | \$ | 40,000,000    | \$ 40,000,000    |
| 7049                                          | 038900 | Indigent Drivers Alcohol Treatment                  | \$ | 2,200,000     | \$ 2,200,000     |
| 7050                                          | 762900 | International Registration Plan Distribution        | \$ | 30,000,000    | \$ 30,000,000    |
| 7051                                          | 762901 | Auto Registration Distribution                      | \$ | 539,000,000   | \$ 539,000,000   |
| 7054                                          | 110954 | Local Government Property Tax Replacement - Utility | \$ | 16,000,000    | \$ 11,000,000    |
| 7060                                          | 110960 | Gasoline Excise Tax Fund                            | \$ | 393,000,000   | \$ 395,000,000   |
| 7065                                          | 110965 | Public Library Fund                                 | \$ | 354,000,000   | \$ 345,000,000   |
| 7066                                          | 800966 | Undivided Liquor Permits                            | \$ | 14,100,000    | \$ 14,100,000    |
| 7068                                          | 110968 | State and Local Government Highway Distribution     | \$ | 193,000,000   | \$ 196,000,000   |
| 7069                                          | 110969 | Local Government Fund                               | \$ | 577,000,000   | \$ 348,000,000   |
| 7081                                          | 110981 | Local Government Property Tax Replacement-Business  | \$ | 291,000,000   | \$ 181,000,000   |
| 7082                                          | 110982 | Horse Racing Tax                                    | \$ | 100,000       | \$ 100,000       |
| 7083                                          | 700900 | Ohio Fairs Fund                                     | \$ | 1,400,000     | \$ 1,400,000     |
| TOTAL RDF Revenue Distribution Fund Group     |        |                                                     | \$ | 2,410,800,000 | \$ 2,062,800,000 |
| TOTAL ALL BUDGET FUND GROUPS                  |        |                                                     | \$ | 4,737,690,703 | \$ 4,832,048,676 |

**ADDITIONAL APPROPRIATIONS**

Appropriation items in this section shall be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

**GENERAL REVENUE FUND TRANSFERS**

Notwithstanding any provision of law to the contrary, in fiscal year 2012 and fiscal year 2013, the Director of Budget and Management may transfer from the General Revenue Fund to the Local Government Tangible Property Tax Replacement Fund (Fund 7081) in the Revenue Distribution Fund Group, those amounts necessary to reimburse local taxing units under

section 5751.22 of the Revised Code. Also, in fiscal year 2012 and fiscal year 2013, the Director of Budget and Management may make temporary transfers from the General Revenue Fund to ensure sufficient balances in the Local Government Tangible Property Tax Replacement Fund (Fund 7081) and to replenish the General Revenue Fund for such transfers.

#### SECTION 381.10. SAN BOARD OF SANITARIAN REGISTRATION

##### General Services Fund Group

|                              |                    |    |         |    |         |
|------------------------------|--------------------|----|---------|----|---------|
| 4K90 893609                  | Operating Expenses | \$ | 141,839 | \$ | 126,850 |
| TOTAL GSF General Services   |                    |    |         |    |         |
| Fund Group                   |                    | \$ | 141,839 | \$ | 126,850 |
| TOTAL ALL BUDGET FUND GROUPS |                    | \$ | 141,839 | \$ | 126,850 |

#### SECTION 383.10. OSB OHIO STATE SCHOOL FOR THE BLIND

##### General Revenue Fund

|                                |                   |    |           |    |           |
|--------------------------------|-------------------|----|-----------|----|-----------|
| GRF 226100                     | Personal Services | \$ | 6,593,546 | \$ | 6,593,546 |
| GRF 226200                     | Maintenance       | \$ | 619,528   | \$ | 619,528   |
| GRF 226300                     | Equipment         | \$ | 65,505    | \$ | 65,505    |
| TOTAL GRF General Revenue Fund |                   | \$ | 7,278,579 | \$ | 7,278,579 |

##### General Services Fund Group

|                            |                         |    |        |    |        |
|----------------------------|-------------------------|----|--------|----|--------|
| 4H80 226602                | Education Reform Grants | \$ | 60,086 | \$ | 60,086 |
| TOTAL GSF General Services |                         |    |        |    |        |
| Fund Group                 |                         | \$ | 60,086 | \$ | 60,086 |

##### Federal Special Revenue Fund Group

|             |                                              |    |           |    |           |
|-------------|----------------------------------------------|----|-----------|----|-----------|
| 3100 226626 | Coordinating Unit                            | \$ | 2,527,104 | \$ | 2,527,104 |
| 3DT0 226621 | Ohio Transition Collaborative                | \$ | 1,800,000 | \$ | 1,800,000 |
| 3P50 226643 | Medicaid Professional Services Reimbursement | \$ | 50,000    | \$ | 50,000    |

|                                              |  |    |           |    |           |
|----------------------------------------------|--|----|-----------|----|-----------|
| TOTAL FED Federal Special Revenue Fund Group |  | \$ | 4,377,104 | \$ | 4,377,104 |
|----------------------------------------------|--|----|-----------|----|-----------|

##### State Special Revenue Fund Group

|                                            |                                      |    |            |    |            |
|--------------------------------------------|--------------------------------------|----|------------|----|------------|
| 4M50 226601                                | Work Study and Technology Investment | \$ | 698,521    | \$ | 698,521    |
| TOTAL SSR State Special Revenue Fund Group |                                      | \$ | 698,521    | \$ | 698,521    |
| TOTAL ALL BUDGET FUND GROUPS               |                                      | \$ | 12,414,290 | \$ | 12,414,290 |

#### SECTION 385.10. OSD OHIO SCHOOL FOR THE DEAF

##### General Revenue Fund

|                                |                   |    |           |    |           |
|--------------------------------|-------------------|----|-----------|----|-----------|
| GRF 221100                     | Personal Services | \$ | 7,842,339 | \$ | 7,842,339 |
| GRF 221200                     | Maintenance       | \$ | 814,532   | \$ | 814,532   |
| GRF 221300                     | Equipment         | \$ | 70,786    | \$ | 70,786    |
| TOTAL GRF General Revenue Fund |                   | \$ | 8,727,657 | \$ | 8,727,657 |

##### General Services Fund Group

|             |                         |    |        |    |        |
|-------------|-------------------------|----|--------|----|--------|
| 4M10 221602 | Education Reform Grants | \$ | 74,903 | \$ | 74,903 |
|-------------|-------------------------|----|--------|----|--------|

|                                                          |                           |    |                        |
|----------------------------------------------------------|---------------------------|----|------------------------|
| TOTAL GSF General Services                               |                           |    |                        |
| Fund Group                                               |                           | \$ | 74,903 \$ 74,903       |
| <b>Federal Special Revenue Fund Group</b>                |                           |    |                        |
| 3110 221625                                              | Coordinating Unit         | \$ | 2,460,135 \$ 2,460,135 |
| 3R00 221684                                              | Medicaid Professional     | \$ | 35,000 \$ 35,000       |
|                                                          | Services Reimbursement    |    |                        |
| 3Y10 221686                                              | Early Childhood Grant     | \$ | 300,000 \$ 300,000     |
| TOTAL FED Federal Special                                |                           |    |                        |
| Revenue Fund Group                                       |                           | \$ | 2,795,135 \$ 2,795,135 |
| <b>State Special Revenue Fund Group</b>                  |                           |    |                        |
| 4M00 221601                                              | Educational Program       | \$ | 190,000 \$ 190,000     |
|                                                          | Expenses                  |    |                        |
| 5H60 221609                                              | Even Start Fees and Gifts | \$ | 126,750 \$ 126,750     |
| TOTAL SSR State Special Revenue                          |                           |    |                        |
| Fund Group                                               |                           | \$ | 316,750 \$ 316,750     |
| TOTAL ALL BUDGET FUND GROUPS \$ 11,914,445 \$ 11,914,445 |                           |    |                        |

## SECTION 387.10. SFC SCHOOL FACILITIES COMMISSION

## General Revenue Fund

|                                                              |                         |    |                            |
|--------------------------------------------------------------|-------------------------|----|----------------------------|
| GRF 230908                                                   | Common Schools General  | \$ | 150,604,900 \$ 341,919,400 |
|                                                              | Obligation Debt Service |    |                            |
| TOTAL GRF General Revenue Fund \$ 150,604,900 \$ 341,919,400 |                         |    |                            |

## State Special Revenue Fund Group

|                                                            |                    |    |                        |
|------------------------------------------------------------|--------------------|----|------------------------|
| 5E30 230644                                                | Operating Expenses | \$ | 8,950,000 \$ 8,550,000 |
| TOTAL SSR State Special Revenue                            |                    |    |                        |
| Fund Group                                                 |                    | \$ | 8,950,000 \$ 8,550,000 |
| TOTAL ALL BUDGET FUND GROUPS \$ 159,554,900 \$ 350,469,400 |                    |    |                        |

## SECTION 387.20. COMMON SCHOOLS GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 230908, Common Schools General Obligation Debt Service, shall be used to pay all debt service and related financing costs at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, for obligations issued under sections 151.01 and 151.03 of the Revised Code.

## OPERATING EXPENSES

The foregoing appropriation item 230644, Operating Expenses, shall be used by the Ohio School Facilities Commission to carry out its responsibilities under this section and Chapter 3318. of the Revised Code.

In both fiscal years 2012 and 2013, the Executive Director of the Ohio School Facilities Commission shall certify on a quarterly basis to the Director of Budget and Management the amount of cash from interest earnings to be transferred from the School Building Assistance Fund (Fund 7032), the Public School Building Fund (Fund 7021), and the Educational

Facilities Trust Fund (Fund N087) to the Ohio School Facilities Commission Fund (Fund 5E30). The amount transferred from the School Building Assistance Fund (Fund 7032) may not exceed investment earnings credited to the fund, less any amount required to be paid for federal arbitrage rebate purposes.

If the Executive Director of the Ohio School Facilities Commission determines that transferring cash from interest earnings is insufficient to support operations and carry out its responsibilities under this section and Chapter 3318. of the Revised Code, the Commission may, with the approval of the Controlling Board, transfer cash not generated from interest from the Public School Building Fund (Fund 7021) and the Educational Trust Fund (Fund N087) to the Ohio School Facilities Commission Fund (Fund 5E30).

SCHOOL FACILITIES ENCUMBRANCES AND  
REAPPROPRIATION

At the request of the Executive Director of the Ohio School Facilities Commission, the Director of Budget and Management may cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within thirteen months of receiving Controlling Board approval under section 3318.05 or 3318.41 of the Revised Code. The Executive Director of the Ohio School Facilities Commission shall certify the amounts of the canceled encumbrances to the Director of Budget and Management on a quarterly basis. The amounts of the canceled encumbrances are hereby appropriated.

SECTION 387.30. AMENDMENT TO PROJECT AGREEMENT FOR  
MAINTENANCE LEVY

The Ohio School Facilities Commission shall amend the project agreement between the Commission and a school district that is participating in the Accelerated Urban School Building Assistance Program on the effective date of this section, if the Commission determines that it is necessary to do so in order to comply with division (B)(3)(c) of section 3318.38 of the Revised Code.

SECTION 387.40. CANTON CITY SCHOOL DISTRICT PROJECT

(A) The Ohio School Facilities Commission may commit up to thirty-five million dollars to the Canton City School District for construction of a facility described in this section, in lieu of a high school that would otherwise be authorized under Chapter 3318. of the Revised Code. The Commission shall not commit funds under this section unless all of the

following conditions are met:

(1) The District has entered into a cooperative agreement with a state-assisted technical college;

(2) The District has received an irrevocable commitment of additional funding from nonpublic sources; and

(3) The facility is intended to serve both secondary and postsecondary instructional purposes.

(B) The Commission shall enter into an agreement with the District for the construction of the facility authorized under this section that is separate from and in addition to the agreement required for the District's participation in the Classroom Facilities Assistance Program under section 3318.08 of the Revised Code. Notwithstanding that section and sections 3318.03, 3318.04, and 3318.083 of the Revised Code, the additional agreement shall provide, but not be limited to, the following:

(1) The Commission shall not have any oversight responsibilities over the construction of the facility.

(2) The facility need not comply with the specifications for plans and materials for high schools adopted by the Commission.

(3) The Commission may decrease the basic project cost that would otherwise be calculated for a high school under Chapter 3318. of the Revised Code.

(4) The state shall not share in any increases in the basic project cost for the facility above the amount authorized under this section.

All other provisions of Chapter 3318. of the Revised Code apply to the approval and construction of a facility authorized under this section.

The state funds committed to the facility authorized by this section shall be part of the total amount the state commits to the Canton City School District under Chapter 3318. of the Revised Code. All additional state funds committed to the Canton City School District for classroom facilities assistance shall be subject to all provisions of Chapter 3318. of the Revised Code.

SECTION 387.50. Notwithstanding any other provision of law to the contrary, the Ohio School Facilities Commission may determine the amount of funding available for disbursement in a given fiscal year for any project approved under sections 3318.01 to 3318.20 of the Revised Code in order to keep aggregate state capital spending within approved limits and may take actions including, but not limited to, determining the schedule for design or bidding of approved projects, to ensure appropriate and supportable cash flow.

SECTION 387.60. Notwithstanding division (B) of section 3318.40 of the Revised Code, the Ohio School Facilities Commission may provide assistance to at least one joint vocational school district each fiscal year for the acquisition of classroom facilities in accordance with sections 3318.40 to 3318.45 of the Revised Code.

SECTION 387.70. (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 2011, for use in funding projects for fiscal year 2012, 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 each school district's percentile ranking using the district's "average taxable value" as that term is defined in the version of section 3318.011 of the Revised Code, as it results from the amendments to that section enacted by this act.

JRK  
(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 for fiscal year 2012 for each school district that has not previously been offered funding under those sections. However, no district that already has been offered assistance under those sections for fiscal year 2011 prior to the Commission's receipt of the alternate equity list shall be denied the opportunity for assistance under those sections for that fiscal year.

(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 of the Revised Code for fiscal year 2012, 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 2011.

The above boxed and initialed text was disapproved.

Date: 6-30-11

John R. Kasich, Governor



## SECTION 389.10. SOS SECRETARY OF STATE

## General Revenue Fund

|                                |                      |    |           |    |           |
|--------------------------------|----------------------|----|-----------|----|-----------|
| GRF 050321                     | Operating Expenses   | \$ | 2,144,030 | \$ | 2,144,030 |
| GRF 050407                     | Pollworkers Training | \$ | 234,196   | \$ | 234,196   |
| TOTAL GRF General Revenue Fund |                      | \$ | 2,378,226 | \$ | 2,378,226 |

## General Services Fund Group

|                                   |                                      |    |         |    |         |
|-----------------------------------|--------------------------------------|----|---------|----|---------|
| 4120 050609                       | Notary Commission                    | \$ | 475,000 | \$ | 475,000 |
| 4130 050601                       | Information Systems                  | \$ | 49,000  | \$ | 49,000  |
| 4140 050602                       | Citizen Education Fund               | \$ | 25,000  | \$ | 25,000  |
| 4S80 050610                       | Board of Voting Machine<br>Examiners | \$ | 7,200   | \$ | 7,200   |
| 5FG0 050620                       | BOE Reimbursement and<br>Education   | \$ | 100,000 | \$ | 100,000 |
| TOTAL General Services Fund Group |                                      | \$ | 656,200 | \$ | 656,200 |

## Federal Special Revenue Fund Group

|                                                 |                                              |    |           |    |           |
|-------------------------------------------------|----------------------------------------------|----|-----------|----|-----------|
| 3AH0 050614                                     | Election Reform/Health and<br>Human Services | \$ | 800,000   | \$ | 800,000   |
| 3AS0 050616                                     | Help America Vote Act<br>(HAVA)              | \$ | 3,000,000 | \$ | 3,000,000 |
| TOTAL FED Federal Special Revenue<br>Fund Group |                                              | \$ | 3,800,000 | \$ | 3,800,000 |

## State Special Revenue Fund Group

|                                               |                                         |    |            |    |            |
|-----------------------------------------------|-----------------------------------------|----|------------|----|------------|
| 5990 050603                                   | Business Services Operating<br>Expenses | \$ | 14,385,400 | \$ | 14,385,400 |
| TOTAL SSR State Special Revenue<br>Fund Group |                                         | \$ | 14,385,400 | \$ | 14,385,400 |

## Holding Account Redistribution Fund Group

|                                                        |                                      |    |            |    |            |
|--------------------------------------------------------|--------------------------------------|----|------------|----|------------|
| R001 050605                                            | Uniform Commercial Code<br>Refunds   | \$ | 30,000     | \$ | 30,000     |
| R002 050606                                            | Corporate/Business Filing<br>Refunds | \$ | 85,000     | \$ | 85,000     |
| TOTAL 090 Holding Account<br>Redistribution Fund Group |                                      | \$ | 115,000    | \$ | 115,000    |
| TOTAL ALL BUDGET FUND GROUPS                           |                                      | \$ | 21,334,826 | \$ | 21,334,826 |

## POLLWORKER TRAINING

The foregoing appropriation item 050407, Pollworkers Training, shall be used to reimburse county boards of elections for pollworker training pursuant to section 3501.27 of the Revised Code. At the end of fiscal year 2012, an amount equal to the unexpended, unencumbered portion of appropriation item 050407, Pollworkers Training, is hereby reappropriated in fiscal year 2013 for the same purpose.

## BOARD OF VOTING MACHINE EXAMINERS

The foregoing appropriation item 050610, 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 equipment for examination. If it is determined that additional appropriations are necessary, such amounts are hereby appropriated.

#### HAVA FUNDS

An amount equal to the unexpended, unencumbered portion of appropriation item 050616, Help America Vote Act (HAVA) Voting Machines, at the end of fiscal year 2012 is reappropriated for the same purpose in fiscal year 2013.

An amount equal to the unexpended, unencumbered portion of appropriation item 050614, Election Reform/Health and Human Services, at the end of fiscal year 2012 is reappropriated for the same purpose in fiscal year 2013.

The Director of Budget and Management shall credit the ongoing interest earnings from the Election Reform/Health and Human Services Fund (Fund 3AH0), the Help America Vote Act (HAVA) Voting Machines Fund (Fund 3AS0), and the Election Data Collection Grant Fund (Fund 3AC0) to the respective funds and distribute these earnings in accordance with the terms of the grant under which the money is received.

#### HOLDING ACCOUNT REDISTRIBUTION GROUP

The foregoing appropriation items 050605, Uniform Commercial Code Refunds, and 050606, Corporate/Business Filing Refunds, 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 hereby appropriated.

#### ABOLITION OF THE TECHNOLOGY IMPROVEMENTS FUND

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Technology Improvements Fund (Fund 5N90) to the Business Services Operating Expenses Fund (Fund 5990). The Director shall cancel any existing encumbrances against appropriation item 050607, Technology Improvements, and re-establish them against appropriation item 050603, Business Services Operating Expenses. The re-established encumbered amounts are hereby appropriated. Upon completion of the transfer, Fund 5N90 is abolished.

#### SECTION 391.10. SEN THE OHIO SENATE

##### General Revenue Fund

|                                |                    |    |            |    |            |
|--------------------------------|--------------------|----|------------|----|------------|
| GRF 020321                     | Operating Expenses | \$ | 10,911,095 | \$ | 10,911,095 |
| TOTAL GRF General Revenue Fund |                    | \$ | 10,911,095 | \$ | 10,911,095 |

**General Services Fund Group**

|                                       |        |                      |    |            |    |            |
|---------------------------------------|--------|----------------------|----|------------|----|------------|
| 1020                                  | 020602 | Senate Reimbursement | \$ | 852,001    | \$ | 852,001    |
| 4090                                  | 020601 | Miscellaneous Sales  | \$ | 34,497     | \$ | 34,497     |
| TOTAL GSF General Services Fund Group |        |                      | \$ | 886,498    | \$ | 886,498    |
| TOTAL ALL BUDGET FUND GROUPS          |        |                      | \$ | 11,797,593 | \$ | 11,797,593 |

**OPERATING EXPENSES**

On July 1, 2011, or as soon as possible thereafter, the Clerk of the Senate may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 020321, Operating Expenses, at the end of fiscal year 2011 to be reappropriated to fiscal year 2012. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2012.

On July 1, 2012, or as soon as possible thereafter, the Clerk of the Senate may certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the foregoing appropriation item 020321, Operating Expenses, at the end of fiscal year 2012 to be reappropriated to fiscal year 2013. The amount certified is hereby reappropriated to the same appropriation item for fiscal year 2013.

**SECTION 393.10. CSV COMMISSION ON SERVICE AND VOLUNTEERISM****General Revenue Fund**

|                                |        |                |    |         |    |         |
|--------------------------------|--------|----------------|----|---------|----|---------|
| GRF                            | 866321 | CSV Operations | \$ | 129,998 | \$ | 126,664 |
| TOTAL GRF General Revenue Fund |        |                | \$ | 129,998 | \$ | 126,664 |

**General Services Fund**

|                                 |        |                    |    |        |    |        |
|---------------------------------|--------|--------------------|----|--------|----|--------|
| 5GN0                            | 866605 | Serve Ohio Support | \$ | 67,500 | \$ | 67,500 |
| TOTAL GSF General Services Fund |        |                    | \$ | 67,500 | \$ | 67,500 |

**Federal Special Revenue Fund Group**

|                                              |        |                     |    |           |    |           |
|----------------------------------------------|--------|---------------------|----|-----------|----|-----------|
| 3R70                                         | 866617 | AmeriCorps Programs | \$ | 8,279,290 | \$ | 8,272,110 |
| TOTAL FED Federal Special Revenue Fund Group |        |                     | \$ | 8,279,290 | \$ | 8,272,110 |

**State Special Revenue Fund Group**

|                                            |        |                                  |    |           |    |           |
|--------------------------------------------|--------|----------------------------------|----|-----------|----|-----------|
| 6240                                       | 866604 | Volunteer Contracts and Services | \$ | 49,130    | \$ | 47,870    |
| TOTAL SSR State Special Revenue Fund Group |        |                                  | \$ | 49,130    | \$ | 47,870    |
| TOTAL ALL BUDGET FUND GROUPS               |        |                                  | \$ | 8,525,918 | \$ | 8,514,144 |

**SECTION 395.10. CSF COMMISSIONERS OF THE SINKING FUND  
Debt Service Fund Group**

|      |        |                                                              |    |            |    |            |
|------|--------|--------------------------------------------------------------|----|------------|----|------------|
| 7070 | 155905 | Third Frontier Research and Development Bond Retirement Fund | \$ | 29,323,300 | \$ | 63,640,300 |
|------|--------|--------------------------------------------------------------|----|------------|----|------------|

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3156

|                                   |        |                                                                    |    |             |    |               |
|-----------------------------------|--------|--------------------------------------------------------------------|----|-------------|----|---------------|
| 7072                              | 155902 | Highway Capital Improvement Bond Retirement Fund                   | \$ | 143,176,000 | \$ | 150,789,300   |
| 7073                              | 155903 | Natural Resources Bond Retirement Fund                             | \$ | 5,375,300   | \$ | 25,209,100    |
| 7074                              | 155904 | Conservation Projects Bond Retirement Fund                         | \$ | 24,556,800  | \$ | 29,297,300    |
| 7076                              | 155906 | Coal Research and Development Bond Retirement Fund                 | \$ | 7,861,100   | \$ | 5,577,700     |
| 7077                              | 155907 | State Capital Improvement Bond Retirement Fund                     | \$ | 113,306,600 | \$ | 215,571,100   |
| 7078                              | 155908 | Common Schools Bond Retirement Fund                                | \$ | 150,604,900 | \$ | 341,919,400   |
| 7079                              | 155909 | Higher Education Bond Retirement Fund                              | \$ | 108,262,500 | \$ | 201,555,000   |
| 7080                              | 155901 | Persian Gulf, Afghanistan, and Iraq Conflicts Bond Retirement Fund | \$ | 5,497,700   | \$ | 10,112,100    |
| 7090                              | 155912 | Job Ready Site Development Bond Retirement Fund                    | \$ | 9,859,200   | \$ | 15,680,500    |
| TOTAL DSF Debt Service Fund Group |        |                                                                    | \$ | 597,823,400 | \$ | 1,059,351,800 |
| TOTAL ALL BUDGET FUND GROUPS      |        |                                                                    | \$ | 597,823,400 | \$ | 1,059,351,800 |

## ADDITIONAL APPROPRIATIONS

Appropriation items in this section are for the purpose of paying debt service and financing costs on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. If it is determined that additional amounts are necessary for this purpose, such amounts are hereby appropriated.

## SECTION 397.10. SOA SOUTHERN OHIO AGRICULTURAL AND COMMUNITY DEVELOPMENT FOUNDATION

## Tobacco Master Settlement Agreement Fund Group

|                                                          |        |                    |    |         |    |         |
|----------------------------------------------------------|--------|--------------------|----|---------|----|---------|
| 5M90                                                     | 945601 | Operating Expenses | \$ | 436,500 | \$ | 426,800 |
| TOTAL TMF Tobacco Master Settlement Agreement Fund Group |        |                    | \$ | 436,500 | \$ | 426,800 |
| TOTAL ALL BUDGET FUND GROUPS                             |        |                    | \$ | 436,500 | \$ | 426,800 |

## SECTION 399.10. SPE BOARD OF SPEECH-LANGUAGE PATHOLOGY &amp; AUDIOLOGY

## General Services Fund Group

|                                       |        |                    |    |         |    |         |
|---------------------------------------|--------|--------------------|----|---------|----|---------|
| 4K90                                  | 886609 | Operating Expenses | \$ | 477,490 | \$ | 472,260 |
| TOTAL GSF General Services Fund Group |        |                    | \$ | 477,490 | \$ | 472,260 |
| TOTAL ALL BUDGET FUND GROUPS          |        |                    | \$ | 477,490 | \$ | 472,260 |

## SECTION 401.10. BTA BOARD OF TAX APPEALS

## General Revenue Fund

|                                |                    |    |           |    |           |
|--------------------------------|--------------------|----|-----------|----|-----------|
| GRF 116321                     | Operating Expenses | \$ | 1,600,000 | \$ | 1,700,000 |
| TOTAL GRF General Revenue Fund |                    | \$ | 1,600,000 | \$ | 1,700,000 |
| TOTAL ALL BUDGET FUND GROUPS   |                    | \$ | 1,600,000 | \$ | 1,700,000 |

## SECTION 403.10. TAX DEPARTMENT OF TAXATION

## General Revenue Fund

|                                |                                    |    |             |    |             |
|--------------------------------|------------------------------------|----|-------------|----|-------------|
| GRF 110321                     | Operating Expenses                 | \$ | 73,500,000  | \$ | 73,550,000  |
| GRF 110404                     | Tobacco Settlement Enforcement     | \$ | 200,000     | \$ | 200,000     |
| GRF 110412                     | Child Support Administration       | \$ | 15,804      | \$ | 15,804      |
| GRF 110901                     | Property Tax Allocation - Taxation | \$ | 610,900,000 | \$ | 616,000,000 |
| TOTAL GRF General Revenue Fund |                                    | \$ | 684,615,804 | \$ | 689,765,804 |

## General Services Fund Group

|                                       |                                          |    |            |    |            |
|---------------------------------------|------------------------------------------|----|------------|----|------------|
| 2280 110628                           | Tax Reform System Implementation         | \$ | 13,638,008 | \$ | 13,642,176 |
| 4330 110602                           | Tape File Account                        | \$ | 197,802    | \$ | 197,878    |
| 5AP0 110632                           | Discovery Project                        | \$ | 2,445,799  | \$ | 2,445,657  |
| 5BW0 110630                           | Tax Amnesty Promotion and Administration | \$ | 2,500,000  | \$ | 0          |
| 5CZ0 110631                           | Vendor's License Application             | \$ | 250,000    | \$ | 250,000    |
| 5N50 110605                           | Municipal Income Tax Administration      | \$ | 339,798    | \$ | 339,975    |
| 5N60 110618                           | Kilowatt Hour Tax Administration         | \$ | 150,000    | \$ | 150,000    |
| 5V80 110623                           | Property Tax Administration              | \$ | 12,195,733 | \$ | 12,099,303 |
| 5W40 110625                           | Centralized Tax Filing and Payment       | \$ | 200,000    | \$ | 200,000    |
| 5W70 110627                           | Exempt Facility Administration           | \$ | 50,000     | \$ | 50,000     |
| TOTAL GSF General Services Fund Group |                                          | \$ | 31,967,140 | \$ | 29,374,989 |

## State Special Revenue Fund Group

|             |                                            |    |            |    |            |
|-------------|--------------------------------------------|----|------------|----|------------|
| 4350 110607 | Local Tax Administration                   | \$ | 19,028,339 | \$ | 19,225,941 |
| 4360 110608 | Motor Vehicle Audit                        | \$ | 1,474,081  | \$ | 1,474,353  |
| 4370 110606 | Litter/Natural Resource Tax Administration | \$ | 20,000     | \$ | 20,000     |
| 4380 110609 | School District Income Tax                 | \$ | 5,859,041  | \$ | 5,860,650  |
| 4C60 110616 | International Registration Plan            | \$ | 689,296    | \$ | 689,308    |
| 4R60 110610 | Tire Tax Administration                    | \$ | 245,462    | \$ | 246,660    |
| 5V70 110622 | Motor Fuel Tax Administration              | \$ | 5,384,254  | \$ | 5,086,236  |
| 6390 110614 | Cigarette Tax Enforcement                  | \$ | 1,384,217  | \$ | 1,384,314  |
| 6420 110613 | Ohio Political Party Distributions         | \$ | 500,000    | \$ | 500,000    |
| 6880 110615 | Local Excise Tax Administration            | \$ | 782,630    | \$ | 782,843    |

|                                           |        |                          |    |               |                  |
|-------------------------------------------|--------|--------------------------|----|---------------|------------------|
| TOTAL SSR State Special Revenue           |        |                          |    |               |                  |
| Fund Group                                |        |                          | \$ | 35,367,320    | \$ 35,270,305    |
| Agency Fund Group                         |        |                          |    |               |                  |
| 4250                                      | 110635 | Tax Refunds              | \$ | 1,546,800,000 | \$ 1,546,800,000 |
| 7095                                      | 110995 | Municipal Income Tax     | \$ | 21,000,000    | \$ 21,000,000    |
| TOTAL AGY Agency Fund Group               |        |                          | \$ | 1,567,800,000 | \$ 1,567,800,000 |
| Holding Account Redistribution Fund Group |        |                          |    |               |                  |
| R010                                      | 110611 | Tax Distributions        | \$ | 50,000        | \$ 50,000        |
| R011                                      | 110612 | Miscellaneous Income Tax | \$ | 50,000        | \$ 50,000        |
| Receipts                                  |        |                          |    |               |                  |
| TOTAL 090 Holding Account                 |        |                          |    |               |                  |
| Redistribution Fund Group                 |        |                          | \$ | 100,000       | \$ 100,000       |
| TOTAL ALL BUDGET FUND GROUPS              |        |                          | \$ | 2,319,850,264 | \$ 2,322,311,098 |

#### HOMESTEAD EXEMPTION, PROPERTY TAX ROLLBACK

The foregoing appropriation item 110901, Property Tax Allocation - Taxation, is hereby appropriated to pay for the state's costs incurred due to 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.

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 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 item 110901, Property Tax Allocation - Taxation, for the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback payments, which are determined to be necessary for these purposes, are hereby appropriated.

#### TAX AMNESTY PROMOTION AND ADMINISTRATION

The foregoing appropriation item 110630, Tax Amnesty Promotion and Administration, shall be used to pay expenses incurred to promote and administer the tax amnesty program to be conducted from May 1, 2012, through June 15, 2012, by the Department of Taxation pursuant to Section 757.40 of this act.

#### MUNICIPAL INCOME TAX

The foregoing appropriation item 110995, 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 such payments, such amounts are hereby appropriated.

#### TAX REFUNDS

The foregoing appropriation item 110635, 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 110616, 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 110607, 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.

#### 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 5W40). The transfers of cash shall not exceed \$400,000 in the biennium.

#### TOBACCO SETTLEMENT ENFORCEMENT

The foregoing appropriation item 110404, 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.

#### SECTION 403.20. FUND TRANSFERS TO TAX AMNESTY PROGRAM

Notwithstanding any provision of law to the contrary, not later than thirty days following the effective date of this section, the Director of Budget and Management shall transfer \$2,500,000 from the General Revenue Fund to the Tax Amnesty Promotion and Administration Fund

(5BW0), which is hereby created in the state treasury. The funds shall be used by the Department of Taxation to pay expenses incurred in promoting and administering the tax amnesty program that is to be conducted from May 1, 2012, through June 15, 2012, pursuant to section 757.40 of this act.

#### SECTION 405.10. DOT DEPARTMENT OF TRANSPORTATION

##### General Revenue Fund

|                                |                                  |    |            |    |            |
|--------------------------------|----------------------------------|----|------------|----|------------|
| GRF 775451                     | Public Transportation - State    | \$ | 7,300,000  | \$ | 7,300,000  |
| GRF 776465                     | Ohio Rail Development Commission | \$ | 2,000,000  | \$ | 2,000,000  |
| GRF 777471                     | Airport Improvements - State     | \$ | 750,000    | \$ | 750,000    |
| TOTAL GRF General Revenue Fund |                                  | \$ | 10,050,000 | \$ | 10,050,000 |
| TOTAL ALL BUDGET FUND GROUPS   |                                  | \$ | 10,050,000 | \$ | 10,050,000 |

#### SECTION 407.10. TOS TREASURER OF STATE

##### General Revenue Fund

|                                |                                         |    |            |    |            |
|--------------------------------|-----------------------------------------|----|------------|----|------------|
| GRF 090321                     | Operating Expenses                      | \$ | 7,743,553  | \$ | 7,743,553  |
| GRF 090401                     | Office of the Sinking Fund              | \$ | 502,304    | \$ | 502,304    |
| GRF 090402                     | Continuing Education                    | \$ | 377,702    | \$ | 377,702    |
| GRF 090524                     | Police and Fire Disability Pension Fund | \$ | 7,900      | \$ | 7,900      |
| GRF 090534                     | Police and Fire Ad Hoc Cost of Living   | \$ | 87,000     | \$ | 87,000     |
| GRF 090554                     | Police and Fire Survivor Benefits       | \$ | 600,000    | \$ | 600,000    |
| GRF 090575                     | Police and Fire Death Benefits          | \$ | 20,000,000 | \$ | 20,000,000 |
| TOTAL GRF General Revenue Fund |                                         | \$ | 29,318,459 | \$ | 29,318,459 |

##### General Services Fund Group

|                                       |                                        |    |           |    |           |
|---------------------------------------|----------------------------------------|----|-----------|----|-----------|
| 4E90 090603                           | Securities Lending Income              | \$ | 4,829,441 | \$ | 4,829,441 |
| 5770 090605                           | Investment Pool Reimbursement          | \$ | 550,000   | \$ | 550,000   |
| 5C50 090602                           | County Treasurer Education             | \$ | 170,057   | \$ | 170,057   |
| 6050 090609                           | Treasurer of State Administrative Fund | \$ | 135,000   | \$ | 135,000   |
| TOTAL GSF General Services Fund Group |                                        | \$ | 5,684,498 | \$ | 5,684,498 |

##### Agency Fund Group

|                              |             |    |            |    |            |
|------------------------------|-------------|----|------------|----|------------|
| 4250 090635                  | Tax Refunds | \$ | 6,000,000  | \$ | 6,000,000  |
| TOTAL Agency Fund Group      |             | \$ | 6,000,000  | \$ | 6,000,000  |
| TOTAL ALL BUDGET FUND GROUPS |             | \$ | 41,002,957 | \$ | 41,002,957 |

#### SECTION 407.20. OFFICE OF THE SINKING FUND

The foregoing appropriation item 090401, Office of the Sinking Fund, shall be used for costs incurred by or on behalf of the Commissioners of the Sinking Fund and the Ohio Public Facilities Commission with respect to

State of Ohio general obligation bonds or notes, and the Treasurer of State with respect to State of Ohio general obligation and special obligation bonds or notes, including, but not limited to, printing, advertising, delivery, rating fees and the procurement of ratings, professional publications, membership in professional organizations, and other services referred to in division (D) of section 151.01 of the Revised Code. The General Revenue Fund shall be reimbursed for such costs relating to the issuance and administration of Highway Capital Improvement bonds or notes authorized under Ohio Constitution, Article VIII, Section 2m and Chapter 151. of the Revised Code. That reimbursement shall be made from appropriation item 155902, Highway Capital Improvement Bond Retirement Fund, by intrastate transfer voucher pursuant to a certification by the Office of the Sinking Fund of the actual amounts used. The amounts necessary to make such a reimbursement are hereby appropriated from the Highway Capital Improvement Bond Retirement Fund created in section 151.06 of the Revised Code.

#### POLICE AND FIRE DEATH BENEFIT FUND

The foregoing appropriation item 090575, Police and Fire Death Benefits, shall be disbursed quarterly by the Treasurer of State at the beginning of each quarter of each fiscal year to the Board of Trustees of the Ohio Police and Fire Pension Fund. The Treasurer of State shall certify such amounts quarterly to the Director of Budget and Management. By the twentieth day of June of each fiscal year, the Board of Trustees of the Ohio Police and Fire Pension Fund shall certify to the Treasurer of State the amount disbursed in the current fiscal year to make the payments required by section 742.63 of the Revised Code and shall return to the Treasurer of State moneys received from this appropriation item but not disbursed.

#### TAX REFUNDS

The foregoing appropriation item 090635, Tax Refunds, shall be used to pay refunds under section 5703.052 of the Revised Code. If the Director of Budget and Management determines that additional amounts are necessary for this purpose, such amounts are hereby appropriated.

### SECTION 409.10. VTO VETERANS' ORGANIZATIONS

#### General Revenue Fund

|     |        |                                    |           |           |
|-----|--------|------------------------------------|-----------|-----------|
|     |        | VAP AMERICAN EX-PRISONERS OF WAR   |           |           |
| GRF | 743501 | State Support                      | \$ 28,910 | \$ 28,910 |
|     |        | VAN ARMY AND NAVY UNION, USA, INC. |           |           |
| GRF | 746501 | State Support                      | \$ 63,539 | \$ 63,539 |
|     |        | VKW KOREAN WAR VETERANS            |           |           |
| GRF | 747501 | State Support                      | \$ 57,118 | \$ 57,118 |

|                                         |        |               |    |           |              |
|-----------------------------------------|--------|---------------|----|-----------|--------------|
| VJW JEWISH WAR VETERANS                 |        |               |    |           |              |
| GRF                                     | 748501 | State Support | \$ | 34,321    | \$ 34,321    |
| VCW CATHOLIC WAR VETERANS               |        |               |    |           |              |
| GRF                                     | 749501 | State Support | \$ | 66,978    | \$ 66,978    |
| VPH MILITARY ORDER OF THE PURPLE HEART  |        |               |    |           |              |
| GRF                                     | 750501 | State Support | \$ | 65,116    | \$ 65,116    |
| VVV VIETNAM VETERANS OF AMERICA         |        |               |    |           |              |
| GRF                                     | 751501 | State Support | \$ | 214,776   | \$ 214,776   |
| VAL AMERICAN LEGION OF OHIO             |        |               |    |           |              |
| GRF                                     | 752501 | State Support | \$ | 349,189   | \$ 349,189   |
| VII AMVETS                              |        |               |    |           |              |
| GRF                                     | 753501 | State Support | \$ | 332,547   | \$ 332,547   |
| VAV DISABLED AMERICAN VETERANS          |        |               |    |           |              |
| GRF                                     | 754501 | State Support | \$ | 249,836   | \$ 249,836   |
| VMC MARINE CORPS LEAGUE                 |        |               |    |           |              |
| GRF                                     | 756501 | State Support | \$ | 133,947   | \$ 133,947   |
| V37 37TH DIVISION VETERANS' ASSOCIATION |        |               |    |           |              |
| GRF                                     | 757501 | State Support | \$ | 6,868     | \$ 6,868     |
| VFW VETERANS OF FOREIGN WARS            |        |               |    |           |              |
| GRF                                     | 758501 | State Support | \$ | 284,841   | \$ 284,841   |
| TOTAL GRF General Revenue Fund          |        |               | \$ | 1,887,986 | \$ 1,887,986 |
| TOTAL ALL BUDGET FUND GROUPS            |        |               | \$ | 1,887,986 | \$ 1,887,986 |

## RELEASE OF FUNDS

The Director of Budget and Management may release the foregoing appropriation items 743501, 746501, 747501, 748501, 749501, 750501, 751501, 752501, 753501, 754501, 756501, 757501, and 758501, State Support.

## SECTION 411.10. DVS DEPARTMENT OF VETERANS SERVICES

## General Revenue Fund

|                                |        |                                                               |    |            |               |
|--------------------------------|--------|---------------------------------------------------------------|----|------------|---------------|
| GRF                            | 900321 | Veterans' Homes                                               | \$ | 27,369,946 | \$ 27,369,946 |
| GRF                            | 900402 | Hall of Fame                                                  | \$ | 107,075    | \$ 107,075    |
| GRF                            | 900408 | Department of Veterans Services                               | \$ | 1,901,823  | \$ 1,901,823  |
| GRF                            | 900901 | Persian Gulf, Afghanistan, and Iraq Compensation Debt Service | \$ | 5,486,600  | \$ 10,112,100 |
| TOTAL GRF General Revenue Fund |        |                                                               | \$ | 34,865,444 | \$ 39,490,944 |

## General Services Fund Group

|                                       |        |                          |    |         |            |
|---------------------------------------|--------|--------------------------|----|---------|------------|
| 4840                                  | 900603 | Veterans' Homes Services | \$ | 305,806 | \$ 312,458 |
| TOTAL GSF General Services Fund Group |        |                          | \$ | 305,806 | \$ 312,458 |

## Federal Special Revenue Fund Group

|      |        |                              |    |            |               |
|------|--------|------------------------------|----|------------|---------------|
| 3680 | 900614 | Veterans Training            | \$ | 769,500    | \$ 754,377    |
| 3740 | 900606 | Troops to Teachers           | \$ | 136,786    | \$ 133,461    |
| 3BX0 | 900609 | Medicare Services            | \$ | 2,500,000  | \$ 2,490,169  |
| 3L20 | 900601 | Veterans' Homes Operations - | \$ | 23,455,379 | \$ 23,476,269 |

|                                                                       |    |            |                |
|-----------------------------------------------------------------------|----|------------|----------------|
| Federal                                                               |    |            |                |
| TOTAL FED Federal Special Revenue                                     |    |            |                |
| Fund Group                                                            | \$ | 26,861,665 | \$ 26,854,276  |
| State Special Revenue Fund Group                                      |    |            |                |
| 4E20 900602 Veterans' Homes Operating                                 | \$ | 10,117,680 | \$ 10,319,078  |
| 6040 900604 Veterans' Homes Improvement                               | \$ | 347,598    | \$ 398,731     |
| TOTAL SSR State Special Revenue                                       |    |            |                |
| Fund Group                                                            | \$ | 10,465,278 | \$ 10,717,809  |
| Persian Gulf, Afghanistan, and Iraq Compensation Fund Group           |    |            |                |
| 7041 900615 Veteran Bonus Program - Administration                    | \$ | 1,605,410  | \$ 1,147,703   |
| 7041 900641 Persian Gulf, Afghanistan, and Iraq Compensation          | \$ | 25,425,000 | \$ 24,300,000  |
| TOTAL 041 Persian Gulf, Afghanistan, and Iraq Compensation Fund Group |    |            |                |
|                                                                       | \$ | 27,030,410 | \$ 25,447,703  |
| TOTAL ALL BUDGET FUND GROUPS                                          | \$ | 99,528,603 | \$ 102,823,190 |

**PERSIAN GULF, AFGHANISTAN AND IRAQ COMPENSATION  
GENERAL OBLIGATION DEBT SERVICE**

The foregoing appropriation item 900901, Persian Gulf, Afghanistan and Iraq Compensation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2011, through June 30, 2013, on obligations issued for Persian Gulf, Afghanistan and Iraq Conflicts Compensation purposes under sections 151.01 and 151.12 of the Revised Code.

**SECTION 413.10. DVM STATE VETERINARY MEDICAL BOARD**

**General Services Fund Group**

|                                             |    |         |            |
|---------------------------------------------|----|---------|------------|
| 4K90 888609 Operating Expenses              | \$ | 322,375 | \$ 319,857 |
| 5BU0 888602 Veterinary Student Loan Program | \$ | 30,000  | \$ 30,000  |
| TOTAL GSF General Services                  |    |         |            |
| Fund Group                                  | \$ | 352,375 | \$ 349,857 |
| TOTAL ALL BUDGET FUND GROUPS                | \$ | 352,375 | \$ 349,857 |

**SECTION 415.10. DYS DEPARTMENT OF YOUTH SERVICES**

**General Revenue Fund**

|                                      |    |             |                |
|--------------------------------------|----|-------------|----------------|
| GRF 470401 RECLAIM Ohio              | \$ | 168,716,967 | \$ 162,362,228 |
| GRF 470412 Lease Rental Payments     | \$ | 10,221,800  | \$ 27,230,100  |
| GRF 470510 Youth Services            | \$ | 16,702,728  | \$ 16,702,728  |
| GRF 472321 Parole Operations         | \$ | 10,830,019  | \$ 10,583,118  |
| GRF 477321 Administrative Operations | \$ | 12,222,051  | \$ 11,855,389  |
| TOTAL GRF General Revenue Fund       | \$ | 218,693,565 | \$ 228,733,563 |

**General Services Fund Group**

|                                     |    |           |              |
|-------------------------------------|----|-----------|--------------|
| 1750 470613 Education Reimbursement | \$ | 8,160,277 | \$ 8,151,056 |
| 4790 470609 Employee Food Service   | \$ | 150,000   | \$ 150,000   |

## 3164

|                                           |        |                              |    |             |    |             |
|-------------------------------------------|--------|------------------------------|----|-------------|----|-------------|
| 4A20                                      | 470602 | Child Support                | \$ | 450,000     | \$ | 400,000     |
| 4G60                                      | 470605 | General Operational Funds    | \$ | 125,000     | \$ | 125,000     |
| 5BN0                                      | 470629 | E-Rate Program               | \$ | 535,000     | \$ | 535,000     |
| TOTAL GSF General Services                |        |                              |    |             |    |             |
| Fund Group                                |        |                              | \$ | 9,420,277   | \$ | 9,361,056   |
| <b>Federal Special Revenue Fund Group</b> |        |                              |    |             |    |             |
| 3210                                      | 470601 | Education                    | \$ | 1,774,469   | \$ | 1,517,840   |
| 3210                                      | 470603 | Juvenile Justice Prevention  | \$ | 300,000     | \$ | 300,000     |
| 3210                                      | 470606 | Nutrition                    | \$ | 1,747,432   | \$ | 1,704,022   |
| 3210                                      | 470610 | Rehabilitation Programs      | \$ | 36,000      | \$ | 36,000      |
| 3210                                      | 470614 | Title IV-E Reimbursements    | \$ | 6,000,000   | \$ | 6,000,000   |
| 3BY0                                      | 470635 | Federal Juvenile Programs    | \$ | 56,471      | \$ | 2,000       |
| FFY 07                                    |        |                              |    |             |    |             |
| 3BZ0                                      | 470636 | Federal Juvenile Programs    | \$ | 82,000      | \$ | 1,618       |
| FFY 08                                    |        |                              |    |             |    |             |
| 3CP0                                      | 470638 | Federal Juvenile Programs    | \$ | 500,000     | \$ | 300,730     |
| FFY 09                                    |        |                              |    |             |    |             |
| 3CR0                                      | 470639 | Federal Juvenile Programs    | \$ | 800,000     | \$ | 479,900     |
| FFY 10                                    |        |                              |    |             |    |             |
| 3FB0                                      | 470641 | Federal Juvenile Programs    | \$ | 135,000     | \$ | 600,000     |
| FFY 11                                    |        |                              |    |             |    |             |
| 3FC0                                      | 470642 | Federal Juvenile Programs    | \$ | 0           | \$ | 135,000     |
| FFY 12                                    |        |                              |    |             |    |             |
| 3V50                                      | 470604 | Juvenile Justice/Delinquency | \$ | 2,010,000   | \$ | 2,000,000   |
| Prevention                                |        |                              |    |             |    |             |
| TOTAL FED Federal Special Revenue         |        |                              |    |             |    |             |
| Fund Group                                |        |                              | \$ | 13,441,372  | \$ | 13,077,110  |
| <b>State Special Revenue Fund Group</b>   |        |                              |    |             |    |             |
| 1470                                      | 470612 | Vocational Education         | \$ | 762,126     | \$ | 758,210     |
| TOTAL SSR State Special Revenue           |        |                              |    |             |    |             |
| Fund Group                                |        |                              | \$ | 762,126     | \$ | 758,210     |
| TOTAL ALL BUDGET FUND GROUPS              |        |                              | \$ | 242,317,340 | \$ | 251,929,939 |

**COMMUNITY PROGRAMS**

For purposes of implementing juvenile sentencing reforms, and notwithstanding any provision of law to the contrary, the Department of Youth Services may use up to forty-five per cent of the unexpended, unencumbered balance of the portion of appropriation item 470401, RECLAIM Ohio, that is allocated to juvenile correctional facilities in each fiscal year to expand Targeted RECLAIM, the Behavioral Health Juvenile Justice Initiative, and other evidence-based community programs.

**OHIO BUILDING AUTHORITY LEASE PAYMENTS**

The foregoing appropriation item 470412, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made for the period from July 1, 2011, through June 30, 2013, by the Department of Youth Services to the Ohio Building Authority under the leases and agreements for facilities made under Chapter 152. of the Revised Code. This appropriation is the source of funds pledged for bond service charges on related obligations issued pursuant to Chapter 152. of the Revised Code.



**EDUCATION REIMBURSEMENT**

The foregoing appropriation item 470613, Education Reimbursement, shall be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services. Operating expenses include, but are not limited to, teachers' salaries, maintenance costs, and educational equipment. This appropriation item may be used for capital expenses related to the education program.

**EMPLOYEE FOOD SERVICE AND EQUIPMENT**

Notwithstanding section 125.14 of the Revised Code, the foregoing appropriation item 470609, Employee Food Service, may be used to purchase any food operational items with funds received into the fund from reimbursements for state surplus property.

**FLEXIBLE FUNDING FOR CHILDREN AND FAMILIES**

In collaboration with the county family and children first council, the juvenile court of that county that receives allocations from one or both of the foregoing appropriation items 470401, RECLAIM Ohio, and 470510, Youth Services, may transfer portions of those allocations to a flexible funding pool as authorized by the section of this act titled "FAMILY AND CHILDREN FIRST FLEXIBLE FUNDING POOL."

SECTION 501.10. All items set forth in this section are hereby appropriated for fiscal year 2012 out of any moneys in the state treasury to the credit of the Administrative Building Fund (Fund 7026) that are not otherwise appropriated.

**CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD**

|        |                                                |    |         |
|--------|------------------------------------------------|----|---------|
| C87416 | Statehouse Boiler Replacement                  | \$ | 900,000 |
|        | Total Capitol Square Review and Advisory Board | \$ | 900,000 |
|        | TOTAL Administrative Building Fund             | \$ | 900,000 |

SECTION 501.20. All items set forth in this section are hereby appropriated for fiscal year 2012 out of any moneys in the state treasury to the credit of the Parks and Recreation Improvement Fund (Fund 7035) that are not otherwise appropriated. The appropriations made in this act are in addition to any other appropriations or reappropriations made for the fiscal year 2011-fiscal year 2012 biennium.

**DNR DEPARTMENT OF NATURAL RESOURCES**

|        |                                             |    |           |
|--------|---------------------------------------------|----|-----------|
| C725E2 | Local Parks Projects                        | \$ | 2,000,000 |
|        | Total Department of Natural Resources       | \$ | 2,000,000 |
|        | TOTAL Parks and Recreation Improvement Fund | \$ | 2,000,000 |

Of the foregoing appropriation item C725E2, Local Parks Projects,

\$2,000,000 in fiscal year 2012 shall be used for Grand Lake St. Marys improvements.

SECTION 501.30. The Treasurer of State is hereby authorized to issue and sell, in accordance with Section 2i of Article VIII, Ohio Constitution, and Chapter 154. of the Revised Code, particularly section 154.22 of the Revised Code, original obligations in an aggregate principal amount not to exceed \$2,000,000, in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued, subject to applicable constitutional and statutory limitations, to pay the costs of capital facilities for parks and recreation as defined in section 154.01 of the Revised Code.

#### SECTION 503.10. PERSONAL SERVICE EXPENSES

Unless otherwise prohibited by law, any appropriation from which personal service expenses are paid shall bear the employer's share of public employees' retirement, workers' compensation, disabled workers' relief, and insurance programs; and the costs of centralized financial services, centralized payroll processing, and related reports and services; centralized human resources services, including affirmative action and equal employment opportunity programs; the Office of Collective Bargaining; the Employee Assistance Program; centralized information technology management services; administering the enterprise resource planning system; and administering the state employee merit system as required by section 124.07 of the Revised Code. These costs shall be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by the Office of Budget and Management. Expenditures from appropriation item 070601, Public Audit Expense - Intra-State, may be exempted from the requirements of this section.

#### SECTION 503.20. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE

Except as otherwise provided in this section, an appropriation in this act or any other act may be used for the purpose of satisfying judgments, settlements, or administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state. This authorization does not apply to appropriations to be applied to or used for payment of guarantees by or on

behalf of the state, or for payments under lease agreements relating to, or debt service on, bonds, notes, or other obligations of the state. Notwithstanding any other statute to the contrary, this authorization includes appropriations from funds into which proceeds of direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for, or represents, capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, and is not intended to waive or compromise any defense or right available to the state in any suit against it.

#### SECTION 503.30. CAPITAL PROJECT SETTLEMENTS

This section specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of Budget and Management determines, pursuant to division (C)(4) of section 2743.19 of the Revised Code, that sufficient unencumbered moneys do not exist in the fund to support a particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation. In such a case, the Director may either proceed pursuant to division (C)(4) of section 2743.19 of the Revised Code or apply to the Controlling Board to increase an appropriation or create an appropriation out of any unencumbered moneys in the state treasury to the credit of the capital projects fund from which the initial state appropriation was made. The amount of an increase in appropriation or new appropriation approved by the Controlling Board is hereby appropriated from the applicable capital projects fund and made available for the payment of the judgment or settlement.

If the Director does not make the application authorized by this section or the Controlling Board disapproves the application, and the Director does not make application under division (C)(4) of section 2743.19 of the Revised Code, the Director shall for the purpose of making that payment make a request to the General Assembly as provided for in division (C)(5) of that section.

#### SECTION 503.40. RE-ISSUANCE OF VOIDED WARRANTS

In order to provide funds for the reissuance of voided warrants under section 126.37 of the Revised Code, there is hereby appropriated, out of moneys in the state treasury from the fund credited as provided in section 126.37 of the Revised Code, that amount sufficient to pay such warrants when approved by the Office of Budget and Management.

SECTION 503.50. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF OPERATING APPROPRIATIONS

(A) An unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year is hereby reappropriated on the first day of July of the following fiscal year from the fund from which it was originally appropriated or reappropriated for the following period and shall remain available only for the purpose of discharging the encumbrance:

(1) For an encumbrance for personal services, maintenance, equipment, or items for resale, other than an encumbrance for an item of special order manufacture not available on term contract or in the open market or for reclamation of land or oil and gas wells, for a period of not more than five months from the end of the fiscal year;

(2) For an encumbrance for an item of special order manufacture not available on term contract or in the open market, for a period of not more than five months from the end of the fiscal year or, with the written approval of the Director of Budget and Management, for a period of not more than twelve months from the end of the fiscal year;

(3) For an encumbrance for reclamation of land or oil and gas wells, for a period ending when the encumbered appropriation is expended or for a period of two years, whichever is less;

(4) For an encumbrance for any other expense, for such period as the Director approves, provided such period does not exceed two years.

(B) Any operating appropriations for which unexpended balances are reappropriated beyond a five-month period from the end of the fiscal year by division (A)(2) of this section shall be reported to the Controlling Board by the Director of Budget and Management by the thirty-first day of December of each year. The report on each such item shall include the item, the cost of the item, and the name of the vendor. The report shall be updated on a quarterly basis for encumbrances remaining open.

(C) Upon the expiration of the reappropriation period set out in division (A) of this section, a reappropriation made by this section lapses, and the Director of Budget and Management shall cancel the encumbrance of the unexpended reappropriation not later than the end of the weekend following

the expiration of the reappropriation period.

(D) Notwithstanding division (C) of this section, with the approval of the Director of Budget and Management, an unexpended balance of an encumbrance that was reappropriated on the first day of July by this section for a period specified in division (A)(3) or (4) of this section and that remains encumbered at the close of the fiscal biennium is hereby reappropriated on the first day of July of the following fiscal biennium from the fund from which it was originally appropriated or reappropriated for the applicable period specified in division (A)(3) or (4) of this section and shall remain available only for the purpose of discharging the encumbrance.

(E) The Director of Budget and Management may correct accounting errors committed by the staff of the Office of Budget and Management, such as re-establishing encumbrances or appropriations cancelled in error, during the cancellation of operating encumbrances in November and of nonoperating encumbrances in December.

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

#### SECTION 503.60. APPROPRIATIONS RELATED TO CASH TRANSFERS AND RE-ESTABLISHMENT OF ENCUMBRANCES

Any cash transferred by the Director of Budget and Management under section 126.15 of the Revised Code is hereby appropriated. Any amounts necessary to re-establish appropriations or encumbrances under section 126.15 of the Revised Code are hereby appropriated.

#### SECTION 503.70. INCOME TAX DISTRIBUTION TO COUNTIES

There are hereby appropriated out of any moneys in the state treasury to the credit of the General Revenue Fund, which are not otherwise appropriated, funds sufficient to make any payment required by division (B)(2) of section 5747.03 of the Revised Code.

#### SECTION 503.80. EXPENDITURES AND APPROPRIATION INCREASES APPROVED BY THE CONTROLLING BOARD

Any money that the Controlling Board approves for expenditure or any increase in appropriation that the Controlling Board approves under sections 127.14, 131.35, and 131.39 of the Revised Code or any other provision of law is hereby appropriated for the period ending June 30, 2013.

SECTION 503.90. FUNDS RECEIVED FOR USE OF GOVERNOR'S RESIDENCE

If the Governor's Residence Fund (Fund 4H20) receives payment for use of the residence pursuant to section 107.40 of the Revised Code, the amounts so received are hereby appropriated to appropriation item 100604, Governor's Residence Gift.

SECTION 503.93. PENSION SHIFT REPLACEMENT

The Director of Budget and Management may authorize additional expenditures from various General Revenue Fund and non-General Revenue Fund appropriation items in order to fully fund the employer's share of public retirement system contributions for state employees who are paid directly by warrant of the Director of Budget and Management. Any additional expenditures authorized by the Director of Budget and Management under this paragraph are hereby appropriated.

SECTION 503.95. EMERGENCY CAPITAL APPROPRIATIONS AND AUTHORIZATION TO ISSUE OBLIGATIONS

Notwithstanding any provision of law to the contrary, the Director of Budget and Management may establish a process for, and receive from state agencies or institutions, applications for funding emergency or critical capital facilities needs that may be paid from the funds identified in this section. Upon review of any such application, if determined necessary to address emergency or critical capital needs identified in an application, the director may request Controlling Board approval to establish additional capital appropriations, from the following funds in an aggregate amount not to exceed \$50,000,000 for the FY 2011 - FY 2012 capital biennium: the Administrative Building Fund (Fund 7026), the Adult Correctional Building Fund (Fund 7027), the Juvenile Correctional Building Fund (Fund 7028), the Ohio Cultural Facilities Fund (Fund 7030), the Ohio Parks and Natural Resources Fund (Fund 7031), the Mental Health Facilities Improvement Fund (Fund 7033), the Parks and Recreation Improvement Fund (Fund 7035), and any other capital fund from which emergency capital facilities funding is deemed necessary by the Director as a result of any natural disaster occurring between July 1, 2010, and September 30, 2010, that resulted in damages to a facility of a state-assisted institution of higher education. Reference is made to Section 221.20.30 of Am. Sub. H.B. 562 (as



to Fund 7026), Section 223.11 of Am. Sub. H.B. 562 (as to Fund 7027), Section 225.11 of Am. Sub. H.B. 562 (as to Fund 7028), Section 227.11 of Am. Sub. H.B. 562 (as to Fund 7030), Section 229.11 of Am. Sub. H.B. 562 (as to Fund 7031), Section 231.40.10 of Am. Sub. H.B. 562 (as to Fund 7033), Section 233.60.30 of Am. Sub. H.B. 562 (as to Fund 7034), and Section 235.12 of Am. Sub. H.B. 562 (as to Fund 7035), each of which authorizes the issuance and sale of original obligations, pursuant to the applicable constitutional and statutory authority indicated therein, in a principal amount indicated therein. In addition to those amounts previously authorized for each of those purposes, the Ohio Public Facilities Commission or the Treasurer of State, as applicable, are each hereby authorized to issue and sell additional original obligations, pursuant to the applicable constitutional and statutory authority, in an aggregate principal amount equal to any additional capital appropriations approved by the Controlling Board under the authority of this section for that purpose, plus amounts necessary to cover the costs of issuance of those additional original obligations. Sections 518.10 and 518.20 of Am. Sub. H.B. 153 of the 129th General Assembly apply to the debt service on any additional obligations issued and sold under this paragraph.

#### SECTION 506.10. UTILITY RADIOLOGICAL SAFETY BOARD ASSESSMENTS

Unless the agency and nuclear electric utility mutually agree to a higher amount by contract, the maximum amounts that may be assessed against nuclear electric utilities under division (B)(2) of section 4937.05 of the Revised Code and deposited into the specified funds are as follows:

| <u>Fund</u>                                   | <u>User</u>                     | <u>FY 2012</u> | <u>FY 2013</u> |
|-----------------------------------------------|---------------------------------|----------------|----------------|
| Utility Radiological Safety Fund (Fund 4E40)  | Department of Agriculture       | \$ 131,785     | \$ 131,785     |
| Radiation Emergency Response Fund (Fund 6100) | Department of Health            | \$ 930,525     | \$ 930,576     |
| ER Radiological Safety Fund (Fund 6440)       | Environmental Protection Agency | \$ 279,838     | \$ 279,966     |
| Emergency Response Plan Fund (Fund 6570)      | Department of Public Safety     | \$1,415,945    | \$ 1,415,945   |

#### SECTION 512.10. TRANSFERS TO THE GENERAL REVENUE FUND

## OF INTEREST EARNED

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, through June 30, 2013, may transfer interest earned by any state fund to the General Revenue Fund. This section does not apply to funds whose source of revenue is restricted or protected by the Ohio Constitution, federal tax law, or the "Cash Management Improvement Act of 1990," 104 Stat. 1058 (1990), 31 U.S.C. 6501 et seq., as amended.

## SECTION 512.30. CASH TRANSFERS TO THE GENERAL REVENUE FUND FROM NON-GRF FUNDS

Notwithstanding any provision of law to the contrary, the Director of Budget and Management may transfer up to \$60,000,000 in each fiscal year in cash from non-General Revenue Funds that are not constitutionally restricted to the General Revenue Fund in order to ensure that available General Revenue Fund receipts and balances are sufficient to support General Revenue Fund appropriations in each fiscal year. The Director shall not make transfers from any non-General Revenue Fund if more than thirty per cent of the total fund value consists of cash from donations.

## SECTION 512.40. FISCAL YEAR 2011 GENERAL REVENUE FUND ENDING BALANCE

Notwithstanding divisions (B) and (C) of section 131.44 of the Revised Code, the Director of Budget and Management shall determine the surplus General Revenue Fund revenue that existed on June 30, 2011, in excess of the amount required under division (A)(3) of section 131.44 of the Revised Code, and transfer from the General Revenue Fund, to the extent of the amount so determined, the following:

(A) To the Disaster Services Fund (Fund 5E20), a cash amount up to \$25,000,000;

(B) To the Controlling Board Emergency Purposes Fund (Fund 5KM0), a cash amount of up to \$20,000,000.

## SECTION 512.60. NATURAL RESOURCES PUBLICATIONS

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management, at the request of the Director of Natural Resources, shall transfer the remaining cash balance in the Natural Resources Publications and Promotional Materials Fund (Fund 5080) to the Departmental Projects Fund (Fund 1550) and the Geological Mapping Fund

(Fund 5110) in such amounts as determined by the Director of Budget and Management after consultation with the Director of Natural Resources. The Director of Budget and Management shall cancel all existing encumbrances against appropriation item 725684, Natural Resources Publications, and reestablish them against appropriation item 725601, Departmental Projects, and appropriation item 725646, Ohio Geological Mapping. Upon completion of the transfer, the Natural Resources Publications and Promotional Materials Fund is hereby abolished. Beginning July 1, 2011, all moneys from the sale of books, bulletins, maps, or other publications and promotional materials shall be credited to the Departmental Projects Fund (Fund 1550) or the Geological Mapping Fund (Fund 5110) as determined by the Director of Natural Resources.

SECTION 512.70. On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Penalty Enforcement Fund (Fund 5K70) to the Labor Operating Fund (Fund 5560). The Director shall cancel any existing encumbrances against appropriation item 800621, Penalty Enforcement, and re-establish them against appropriation item 800615, Industrial Compliance. The re-established encumbrance amounts are hereby appropriated. Upon completion of the transfer, Fund 5K70 is abolished.

#### SECTION 512.80. ABOLISHMENT OF PASSPORT FUND

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the PASSPORT Fund (Fund 4U90) to the Nursing Home Franchise Permit Fee Fund (Fund 5R20). Upon completion of the transfer, Fund 4U90 is abolished. The Director shall cancel any existing encumbrances against appropriation item 490602, PASSPORT Fund, and reestablish them against appropriation item 600613, Nursing Facility Bed Assessments. The reestablished encumbrance amounts are hereby appropriated.

#### SECTION 512.90. DIESEL EMISSIONS REDUCTION GRANT PROGRAM

There is established in the Highway Operating Fund (Fund 7002) in the Department of Transportation a Diesel Emissions Reduction Grant Program. The Director of Environmental Protection 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 Director of Transportation shall process Federal Highway Administration-approved projects as recommended by the Director of Environmental Protection.

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 CMAQ Program.

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 Diesel Emissions Reduction Fund (Fund 3FH0), which is hereby created and to be used by the Environmental Protection Agency.

Appropriation item 715693, Diesel Emissions Reduction Grants, is established with an appropriation of \$10,000,000 in FY 2012 and \$10,000,000 in FY 2013. Total expenditures between both the Environmental Protection Agency and the Department of Transportation shall not exceed the amounts appropriated in this section.

On or before June 30, 2012, any unencumbered balance of the foregoing appropriation item 715693, Diesel Emissions Reduction Grants, for fiscal year 2012 is appropriated for the same purposes in fiscal year 2013.

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 Environmental Protection Agency. These allocations shall not reduce the amount of such moneys designated for metropolitan planning organizations.

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

SECTION 515.20. (A) On the effective date of the amendment of the statutes creating the Division of Oil and Gas Resources Management in the Department of Natural Resources by this act, the functions, assets, and

liabilities of the Division of Mineral Resources Management in the Department of Natural Resources with respect to oil and gas are transferred to the Division of Oil and Gas Resources Management. The Division of Oil and Gas Resources Management is successor to, assumes the obligations and authority of, and otherwise continues the Division of Mineral Resources Management with respect to oil and gas. No right, privilege, or remedy, and no duty, liability, or obligation, accrued under the Division of Mineral Resources Management with respect to oil and gas is impaired or lost by reason of the transfer and shall be recognized, administered, performed, or enforced by the Division of Oil and Gas Resources Management.

(B) Business commenced but not completed by the Division of Mineral Resources Management or by the Chief of the Division of Mineral Resources Management with respect to oil and gas shall be completed by the Division of Oil and Gas Resources Management or the Chief of the Division of Oil and Gas Resources Management in the same manner, and with the same effect, as if completed by the Division of Mineral Resources Management or by the Chief of the Division of Mineral Resources Management.

(C) All of the Division of Mineral Resources Management's rules, orders, and determinations with respect to oil and gas continue in effect as rules, orders, and determinations of the Division of Oil and Gas Resources Management until modified or rescinded by the Division of Oil and Gas Resources Management. If necessary to ensure the integrity of the numbering of the Administrative Code, the Director of the Legislative Service Commission shall renumber the Division of Mineral Resources Management's rules with respect to oil and gas to reflect their transfer to the Division of Oil and Gas Resources Management.

(D) The Director of Budget and Management shall determine the amount of unexpended balances in the appropriation accounts that pertain to the Division of Mineral Resources Management with respect to oil and gas and shall recommend to the Controlling Board their transfer to the appropriation accounts that pertain to the Division of Oil and Gas Resources Management. The Chief of the Division of Mineral Resources Management shall provide full and timely information to the Controlling Board to facilitate the transfer.

(E) Whenever the Division of Mineral Resources Management or the Chief of the Division of Mineral Resources Management is referred to in a statute, contract, or other instrument with respect to oil and gas, the reference is deemed to refer to the Division of Oil and Gas Resources

Management or to the Chief of the Division of Oil and Gas Resources Management, whichever is appropriate in context.

(F) No pending action or proceeding being prosecuted or defended in court or before an agency with respect to oil and gas by the Division of Mineral Resources Management or the Chief of the Division of Mineral Resources Management is affected by the transfer and shall be prosecuted or defended in the name of the Division of Oil and Gas Resources Management or the Chief of the Division of Oil and Gas Resources Management, whichever is appropriate. Upon application to the court or agency, the Division of Oil and Gas Resources Management or the Chief of the Division of Oil and Gas Resources Management shall be substituted as a party.

SECTION 515.23. On the effective date of the amendments to section 1517.03 of the Revised Code by this act, the terms of office of members appointed to the Ohio Natural Areas Council under section 1517.03 of the Revised Code prior to its amendment by this act are terminated.

SECTION 515.30. (A) On the effective date of the amendment of the statutes governing the Ohio Coal Development Office by this act, the Ohio Coal Development Office and all of its functions, together with its assets and liabilities, are transferred from within the Ohio Air Quality Development Authority to within the Department of Development. The Ohio Coal Development Office in the Department of Development assumes the obligations of and otherwise constitutes the continuation of the Ohio Coal Development Office in the Ohio Air Quality Development Authority.

(B) Any business commenced but not completed by the Ohio Coal Development Office in the Ohio Air Quality Development Authority or the Director of that office on the effective date of the amendment of the statutes governing that Office by this act shall be completed by the Ohio Coal Development Office in the Department of Development or the Director of that Office in the same manner, and with the same effect, as if completed by the Ohio Coal Development Office in the Ohio Air Quality Development Authority or the Director of that Office. Any validation, cure, right, privilege, remedy, obligation, or liability is not lost or impaired by reason of the transfer required by this section and shall be administered by the Ohio Coal Development Office in the Department of Development.

(C) All of the rules, orders, and determinations of the Ohio Coal Development Office in the Ohio Air Quality Development Authority or of



the Ohio Air Quality Development Authority in relation to that Office continue in effect as rules, orders, and determinations of the Ohio Coal Development Office in the Department of Development until modified or rescinded by that Office or by the Department of Development in relation to that Office. If necessary to ensure the integrity of the numbering of the Administrative Code, the Director of the Legislative Service Commission shall renumber rules of the Ohio Air Quality Development Authority in relation to the Ohio Coal Development Office in the Ohio Air Quality Development Authority to reflect the transfer to the Department of Development.

(D) Subject to the lay-off provisions of sections 124.321 to 124.328 of the Revised Code, all of the employees of the Ohio Coal Development Office in the Ohio Air Quality Development Authority are transferred to the Ohio Coal Development Office in the Department of Development and retain their positions and all the benefits accruing thereto.

(E) Whenever the Ohio Coal Development Office in the Ohio Air Quality Development Office or the Authority in relation to that Office is referred to in any law, contract, or other document, the reference shall be deemed to refer to the Ohio Coal Development Office in the Department of Development or the Director of Development in relation to that Office, whichever is appropriate in context.

(F) Any action or proceeding pending on the effective date of the amendment of the statutes governing the Ohio Coal Development Office by this act is not affected by the transfer of that Office and shall be prosecuted or defended in the name of the Department of Development or the Ohio Coal Development Office in that Department. In all such actions and proceedings, the Department of Development or the Ohio Coal Development Office in that Department, upon application to the court, shall be substituted as a party.

SECTION 515.40. (A) On the effective date of this section, the building and facility operations and management functions of the Ohio Building Authority (OBA) under Chapter 152. of the Revised Code, and the related functions, assets, and liabilities, including, but not limited to, funds, accounts, records, regardless of form or medium, leases, agreements, and contracts of the OBA are transferred to the Department of Administrative Services. Notwithstanding Chapters 123., 124., 125., 126., and 153. of the Revised Code, the Department is thereupon and thereafter successor to, assumes the powers and obligations of, and otherwise constitutes the continuation of the building and facilities operations and management

functions of the OBA as provided in the applicable sections of Chapter 152. of the Revised Code or in any agreements relating to building and facility operation and management functions to which the Ohio Building Authority is a party, including the invoicing and collection of rent from local government tenants in state office buildings. All statutory references to OBA with regard to building and facility operations and management functions are deemed to be references to the Department of Administrative Services.

(B) Any business relating to its building and facility operations and management functions commenced but not completed by the OBA by the date of transfer shall be completed by the Department of Administrative Services, in the same manner, and with the same effect, as if completed by the OBA. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer and shall be administered by the Department of Administrative Services. All of the OBA's rules, orders, and determinations related to building and facility operations and management functions continue in effect as rules, orders, and determinations of the Department of Administrative Services, until modified or rescinded by the Department of Administrative Services. If necessary to ensure the integrity of the Administrative Code rule numbering system, the Director of the Legislative Service Commission shall renumber the OBA's rules related to the OBA's building and facility operations and management functions to reflect their transfer to the Department of Administrative Services.

(C) Employees of the OBA designated as building and facility operations and management staff may be transferred to the Department of Administrative Services as the Department determines to be necessary for successful implementation of this section, to the extent possible, with no loss of service credit.

(D) No judicial or administrative action or proceeding to which the OBA is a party that is pending on the effective date of this section or such later date as may be established by an authorized officer of the OBA and the Director of Administrative Services, and related to its building and facility operations and management functions, is affected by the transfer of functions. Any such action or proceeding shall be prosecuted or defended in the name of the Director of Administrative Services. On application to the court or agency, the Director of Administrative Services shall be substituted for the OBA or an authorized officer of the OBA as a party to the action or proceeding.

(E) On and after the effective date of this section, notwithstanding any provision of the law to the contrary, if requested by the Director of Administrative Services, the Director of Budget and Management shall make the budget changes made necessary by the transfer, if any, including administrative reorganization, program transfers, the creation of new funds, and the consolidation of funds as authorized by this section. The Director of Budget and Management may, if necessary, establish encumbrances or parts of encumbrances as needed in fiscal year 2012 in the appropriate fund and appropriation item for the same purpose and for payment to the same vendor. The established encumbrances plus any additional amounts determined to be necessary for the Department of Administrative Services to perform the building and facility operation and management functions of the Ohio Building Authority are hereby appropriated.

(F) Not later than thirty days after the transfer of the building and facility operation and management functions of the Ohio Building Authority to the Department of Administrative Services, an authorized officer of the Ohio Building Authority shall certify to the Director of Administrative Services the unexpended balance and location of any funds and accounts designated for building and facility operation and management functions and custody of such funds and accounts shall be transferred to the Department of Administrative Services.

(G) Notwithstanding any other provisions of this section, the Ohio Building Authority may, subsequent to the effective date of this section, meet for the purpose of better accomplishing the transfer of the building and facility operation and management functions described in this section. At any such meeting, the Ohio Building Authority may take necessary or appropriate actions to effect an orderly transition relating to the transfer of such functions.

(H) Not later than August 1, 2011, employees of the Ohio Building Authority designated as building and facility operation and management staff shall be eligible to participate in group health plans offered to state employees pursuant to sections 124.81 or 124.82 of the Revised Code.

SECTION 515.60. Effective July 1, 2011, the School Employees Health Care Board is abolished. All equipment, assets, and records of the Board are transferred to the Department of Administrative Services. The Department of Administrative Services shall designate the positions, if any, to be transferred to the Department of Administrative Services.

The Department of Administrative Services and the Department of Education shall enter into an interagency agreement to transfer to the

Department of Administrative Services any designated positions and all equipment, assets, and records of the Board by July 1, 2011, or as soon as possible thereafter. The interagency agreement may include provisions to transfer property and any other provisions necessary for the continued administration of Board activities under section 9.901 of the Revised Code.

Any positions of the Board that the Department of Administrative Services designates for transfer, and any equipment assigned to those positions, are transferred to the Department of Administrative Services. Any employees of the Board in positions so transferred retain the rights specified in sections 124.321 to 124.328 of the Revised Code, and any employee transferred to the Department of Administrative Services retains the employee's respective classification, but the Department of Administrative Services may reassign and reclassify the employee's position and compensation as the Department determines to be in the interest of office administration.

Effective July 1, 2011, the Director of Budget and Management shall cancel any existing encumbrances against appropriation item 200458, School Employees Health Care Board, and re-establish them against appropriation item 100403, Public Employees Health Care Program. The re-established encumbrance amounts are hereby appropriated. Any business commenced but not completed under appropriation item 200458, School Employees Health Care Board, by July 1, 2011, shall be completed under appropriation item 100403, Public Employees Health Care Program, in the same manner, and with the same effect, as if completed with regard to appropriation item 200458, School Employees Health Care Board. All of the rules, orders, and determinations associated with the Board continue in effect as rules, orders, and determinations associated with the Department of Administrative Services until modified or rescinded by the Director of Administrative Services. If necessary to ensure the integrity of the Administrative Code rule numbering system, the Director of the Legislative Service Commission shall renumber the rules relating to the Board to reflect their transfer to the Department of Administrative Services. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer and shall be administered with regard to appropriation item 100403, Public Employees Health Care Program. On and after July 1, 2011, if the School Employees Health Care Board is referred to in any statute, rule, contract, grant, or other document, the reference is deemed to refer to the Department of Administrative Services.

**PAYMENTS**

Certain appropriations are in this act for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state issued pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

**SECTION 518.20. LEASE PAYMENTS TO OPFC, OBA, AND TREASURER OF STATE**

Certain appropriations are in this act for the purpose of making lease rental payments pursuant to leases and agreements relating to bonds or notes issued by the Ohio Building Authority or the Treasurer of State, or previously by the Ohio Public Facilities Commission, pursuant to the Ohio Constitution and acts of the General Assembly. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

**SECTION 518.30. AUTHORIZATION FOR TREASURER OF STATE AND OBM TO EFFECTUATE CERTAIN DEBT SERVICE PAYMENTS**

The Office of Budget and Management shall process payments from general obligation and lease rental payment appropriation items during the period from July 1, 2011, through June 30, 2013, relating to bonds or notes issued under Sections 2i, 2k, 2l, 2m, 2n, 2o, 2p, 2q, 2r, and 15 of Article VIII, Ohio Constitution, and Chapters 151. and 154. of the Revised Code. Payments shall be made upon certification by the Treasurer of State of the dates and the amounts due on those dates.

**SECTION 518.40. AUTHORIZATION FOR OHIO BUILDING AUTHORITY AND OBM TO EFFECTUATE CERTAIN LEASE RENTAL PAYMENTS**

The Office of Budget and Management shall process payments from lease rental payment appropriation items during the period from July 1, 2011, through June 30, 2013, pursuant to the lease agreements entered into relating to bonds or notes issued under Section 2i of Article VIII, Ohio Constitution, and Chapter 152. of the Revised Code. Payments shall be made upon certification by the Ohio Building Authority of the dates and the amounts due on those dates.

## SECTION 521.10. STATE AND LOCAL REBATE AUTHORIZATION

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

Rebate payments shall be approved and vouchered by the Office of Budget and Management.

## SECTION 521.20. STATEWIDE INDIRECT COST RECOVERY

Whenever the Director of Budget and Management determines that an appropriation made to a state agency from a fund of the state is insufficient to provide for the recovery of statewide indirect costs under section 126.12 of the Revised Code, the amount required for such purpose is hereby appropriated from the available receipts of such fund.

## SECTION 521.30. TRANSFERS ON BEHALF OF THE STATEWIDE INDIRECT COST ALLOCATION PLAN

The total transfers made from the General Revenue Fund by the Director of Budget and Management under this section shall not exceed the amounts transferred into the General Revenue Fund under section 126.12 of the Revised Code.

The director of an agency may certify to the Director of Budget and Management the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan under federal regulations, from any fund included in the Statewide Indirect Cost Allocation Plan, prepared as required by section 126.12 of the Revised Code.

Upon determining that no alternative source of funding is available to pay for such expenses, the Director of Budget and Management may transfer from the General Revenue Fund into the fund for which the certification is made, up to the amount of the certification. The director of the agency receiving such funds shall include, as part of the next budget submission prepared under section 126.02 of the Revised Code, a request for funding for such activities from an alternative source such that further federal disallowances would not be required.



The director of an agency may certify to the Director of Budget and Management the amount of expenses paid in error from a fund included in the Statewide Indirect Cost Allocation Plan. The Director of Budget and Management may transfer cash from the fund from which the expenditure should have been made into the fund from which the expenses were erroneously paid, up to the amount of the certification.

SECTION 521.30.10. OGRIP FUNDS TRANSFER TO THE GENERAL REVENUE FUND

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management may transfer cash in the amount of \$15,072.03 from the Federal Grants OGRIP Fund (Fund 3H60) to the General Revenue Fund. This amount represents residual funds from old federal grants for the state's OGRIP program that have been closed by the federal awarding agency.

SECTION 521.30.20. TRANSFER OF FEDERAL FUNDS

On July 1, 2011, or as soon as possible thereafter, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in the DOE Monitoring and Oversight Fund (Fund 3N40). The Director of Budget and Management shall transfer the certified amount from Fund 3N40 to the Federally Supported Response Fund (Fund 3F30). Upon completion of the transfer, Fund 3N40 is abolished. The Director shall cancel any existing encumbrances against appropriation item 715657, DOE Monitoring and Oversight, and re-establish them against appropriation item 715632, Federally Supported Response. The re-established encumbrance amounts are hereby appropriated.

On July 1, 2011, or as soon as possible thereafter, the Director of Environmental Protection shall certify to the Director of Budget and Management the cash balance in the DOD Monitoring and Oversight Fund (Fund 3K40). The Director of Budget and Management shall transfer the certified amount from Fund 3K40 to the Federally Supported Response Fund (Fund 3F30). Upon completion of the transfer, Fund 3K40 is abolished. The Director shall cancel any existing encumbrances against appropriation item 715634, DOD Monitoring and Oversight, and re-establish them against appropriation item 715632, Federally Supported Response. The re-established encumbrance amounts are hereby appropriated.

SECTION 521.40. FEDERAL GOVERNMENT INTEREST REQUIREMENTS

Notwithstanding any provision of law to the contrary, on or before the first day of September of each fiscal year, the Director of Budget and Management, in order to reduce the payment of adjustments to the federal government, as determined by the plan prepared under division (A) of section 126.12 of the Revised Code, may designate such funds as the Director considers necessary to retain their own interest earnings.

SECTION 521.50. FEDERAL CASH MANAGEMENT IMPROVEMENT ACT

Pursuant to the plan for compliance with the Federal Cash Management Improvement Act required by section 131.36 of the Revised Code, the Director of Budget and Management may cancel and re-establish all or part of encumbrances in like amounts within the funds identified by the plan. The amounts necessary to re-establish all or part of encumbrances are hereby appropriated.

SECTION 521.60. FISCAL STABILIZATION AND RECOVERY

To ensure the level of accountability and transparency required by federal law, the Director of Budget and Management may issue guidelines to any agency applying for federal money made available to this state for fiscal stabilization and recovery purposes, and may prescribe the process by which agencies are to comply with any reporting requirements established by the federal government.

SECTION 521.70. OVERSIGHT OF FEDERAL STIMULUS FUNDS

(A) The Office of Internal Auditing within the Office of Budget and Management shall, in connection with its duties under sections 126.45 to 126.48 of the Revised Code, monitor and measure the effectiveness of funds allocated to the state as part of the federal American Recovery and Reinvestment Act of 2009. As such, the Office of Internal Auditing shall review how funds allocated to each state agency are spent. For purposes of this section, "state agency" has the same meaning as in division (A) of section 126.45 of the Revised Code.

In addition to the reports required under section 126.47 of the Revised Code, the Office of Internal Auditing shall submit a report of its findings to

the President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, and the Chairs of the committees in the Senate and House of Representatives handling finance and appropriations. The report shall be submitted every six months at the following intervals:

(1) For the six-month period ending December 31, 2011, not later than February 1, 2012;

(2) For the six-month period ending June 30, 2012, not later than August 1, 2012;

(3) For the six-month period ending December 31, 2012, not later than February 1, 2013;

(4) For the six-month period ending June 30, 2013, not later than August 1, 2013.

(B) When, as part of its compliance with the federal American Recovery and Reinvestment Act of 2009 requirements to monitor and measure the effectiveness of funds for which the state of Ohio is the prime recipient, and for which reporting authority has not been delegated to a sub-recipient, the Office of Budget and Management submits quarterly reports to the federal government, the Office of Budget and Management shall also submit those reports to the President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, and Chairs and ranking members of the committees in the Senate and House of Representatives handling finance and appropriations. The Office of Budget and Management shall continue to submit quarterly reports to the legislature for the duration of the period in which the state of Ohio is required to make reports to the federal government concerning Ohio's use of the federal American Recovery and Reinvestment Act of 2009 funds.

#### SECTION 521.80. FEDERAL FUNDS FOR HISTORIC PRESERVATION LOAN GUARANTEE

(A) As used in this section:

(1) "Approved historic rehabilitation project" means a rehabilitation of a historic building that the Director of Development has approved for a rehabilitation tax credit under section 149.311 of the Revised Code.

(2) "Federal funds" means federal money available to states under the American Recovery and Reinvestment Act of 2009 or any other source of federal money available to the states, that may lawfully be used for the purposes of this section.

(3) "Owner" and "qualified rehabilitation expenditures" have the same

meanings as in section 149.311 of the Revised Code.

(B) There is hereby created in the state treasury the Ohio Historic Preservation Tax Credit Fund. The fund shall consist of money obtained by the Director of Development under division (C) of this section. Money in the fund shall be used to secure and pay guarantees of loans for approved historic rehabilitation projects as provided in this section.

(C) The Director of Development may undertake to secure \$75,000,000 of federal funds for crediting to the Ohio Historic Preservation Tax Credit Fund. If the Director secures such funds, the Director, for the purpose of creating new jobs or preserving existing jobs and employment opportunities and improving the economic welfare of the people of this state, shall enter into loan guarantee contracts under section 166.06 of the Revised Code in connection with approved historic rehabilitation projects, except that the guarantees shall be secured solely by and be payable solely from the Ohio Historic Preservation Tax Credit Fund. Money deposited into the Ohio Historic Preservation Tax Credit Fund shall be prioritized by providing loan guarantees for approved historic rehabilitation projects from the first funding round of the Ohio Historic Preservation Tax Credit Program before being used to provide loan guarantees for approved historic rehabilitation projects approved in subsequent funding rounds. The amount of a loan guarantee provided under this section shall not exceed the amount of the credit to be awarded for the approved historic rehabilitation project. References to the loan guarantee fund in divisions (C) and (F) of section 166.06 of the Revised Code shall be construed as references to the Ohio Historic Preservation Tax Credit Fund for the purposes of loan guarantees authorized by this section, except that no transfer shall be made to the Ohio Historic Preservation Tax Credit Fund from the facilities establishment fund as may otherwise be required by that section.

(D) Nothing in this section is a determination by the General Assembly that federal funds are currently available for the purposes of this section. Rather, this section evidences a determination by the General Assembly that public purposes will be advanced by the use of current or future federal funds for the purposes of this section.

SECTION 605.10. That Section 5 of Am. Sub. H.B. 1 of the 129th General Assembly be amended to read as follows:

Sec. 5. The Director of Development, in consultation with the Director of Budget and Management, shall find within the Department of Development's total unexpended and unencumbered fiscal year 2011 General Revenue Fund appropriation an amount not to exceed \$1,000,000 in

order to establish and operate the JobsOhio corporation established in Chapter 187. of the Revised Code. The Director of Development shall identify appropriation items within the General Revenue Fund that are to be reduced for this purpose, and any reduction in appropriations to these items pursuant to this section shall not collectively exceed \$1,000,000. The amounts identified by the Director are hereby appropriated in General Revenue Fund appropriation item 195527, JobsOhio, for transition and start-up costs of the JobsOhio corporation, including, but not limited to, the costs of the incorporation and formation of the corporation. Nothing in this section shall be construed as increasing or decreasing the Department of Development's total fiscal year 2011 General Revenue Fund appropriation. Any unexpended and unencumbered balance in appropriation item 195527, JobsOhio, remaining at the end of fiscal year 2011 is hereby reappropriated for fiscal year 2012.

The Department of Development shall prepare and, not later than six months after the effective date of this section, submit to the Controlling Board a report detailing the use of the funds appropriated under this section. The Department of Development shall submit to the Controlling Board a report not later than every six months thereafter detailing the use of the funds appropriated under this section, until those funds have all been used.

SECTION 605.11. That existing Section 5 of Am. Sub. H.B. 1 of the 129th General Assembly is hereby repealed.

SECTION 610.10. That Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly be amended to read as follows:

**Sec. 205.10. DPS DEPARTMENT OF PUBLIC SAFETY**

**State Highway Safety Fund Group**

|      |        |                                                  |    |             |    |             |
|------|--------|--------------------------------------------------|----|-------------|----|-------------|
| 4W40 | 762321 | Operating Expense - BMV                          | \$ | 80,003,146  | \$ | 82,403,240  |
| 4W40 | 762410 | Registrations Supplement                         | \$ | 28,945,176  | \$ | 29,813,532  |
| 5V10 | 762682 | License Plate Contributions                      | \$ | 2,100,000   | \$ | 2,100,000   |
| 7036 | 761321 | Operating Expense -<br>Information and Education | \$ | 7,124,366   | \$ | 7,338,097   |
| 7036 | 761401 | Lease Rental Payments                            | \$ | 9,978,300   | \$ | 2,315,700   |
| 7036 | 764033 | Minor Capital Projects                           | \$ | 1,250,000   | \$ | 1,250,000   |
| 7036 | 764321 | Operating Expense - Highway<br>Patrol            | \$ | 260,744,934 | \$ | 258,365,903 |
| 7036 | 764605 | Motor Carrier Enforcement<br>Expenses            | \$ | 2,860,000   | \$ | 2,860,000   |
| 8300 | 761603 | Salvage and Exchange -<br>Administration         | \$ | 19,469      | \$ | 20,053      |
| 8310 | 761610 | Information and Education -<br>Federal           | \$ | 422,084     | \$ | 434,746     |

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|                                           |        |                                                     |    |             |    |             |
|-------------------------------------------|--------|-----------------------------------------------------|----|-------------|----|-------------|
| 8310                                      | 764610 | Patrol - Federal                                    | \$ | 2,209,936   | \$ | 2,276,234   |
| 8310                                      | 764659 | Transportation Enforcement - Federal                | \$ | 5,519,333   | \$ | 5,684,913   |
| 8310                                      | 765610 | EMS - Federal                                       | \$ | 532,007     | \$ | 532,007     |
| 8310                                      | 769610 | Food Stamp Trafficking Enforcement - Federal        | \$ | 1,546,319   | \$ | 1,546,319   |
| 8310                                      | 769631 | Homeland Security - Federal                         | \$ | 2,184,000   | \$ | 2,184,000   |
| 8320                                      | 761612 | Traffic Safety - Federal                            | \$ | 16,577,565  | \$ | 16,577,565  |
| 8350                                      | 762616 | Financial Responsibility Compliance                 | \$ | 5,457,240   | \$ | 5,549,068   |
| 8370                                      | 764602 | Turnpike Policing                                   | \$ | 11,553,959  | \$ | 11,553,959  |
| 8380                                      | 764606 | Patrol Reimbursement                                | \$ | 50,000      | \$ | 50,000      |
| 83C0                                      | 764630 | Contraband, Forfeiture, Other                       | \$ | 622,894     | \$ | 622,894     |
| 83F0                                      | 764657 | Law Enforcement Automated Data System               | \$ | 9,053,266   | \$ | 9,053,266   |
| 83G0                                      | 764633 | OMVI Enforcement/Education                          | \$ | 623,230     | \$ | 641,927     |
| 83J0                                      | 764693 | Highway Patrol Justice Contraband                   | \$ | 2,100,000   | \$ | 2,100,000   |
| 83M0                                      | 765624 | Operating Expense - Trauma and EMS                  | \$ | 2,632,106   | \$ | 2,711,069   |
| 83N0                                      | 761611 | Elementary School Seat Belt Program                 | \$ | 305,600     | \$ | 305,600     |
| 83P0                                      | 765637 | EMS Grants                                          | \$ | 4,106,621   | \$ | 4,229,819   |
| 83R0                                      | 762639 | Local Immobilization Reimbursement                  | \$ | 450,000     | \$ | 450,000     |
| 83T0                                      | 764694 | Highway Patrol Treasury Contraband                  | \$ | 21,000      | \$ | 21,000      |
| 8400                                      | 764607 | State Fair Security                                 | \$ | 1,256,655   | \$ | 1,294,354   |
| 8400                                      | 764617 | Security and Investigations                         | \$ | 6,432,686   | \$ | 6,432,686   |
| 8400                                      | 764626 | State Fairgrounds Police Force                      | \$ | 849,883     | \$ | 849,883     |
| 8400                                      | 769632 | Homeland Security - Operating                       | \$ | 737,791     | \$ | 737,791     |
| 8410                                      | 764603 | Salvage and Exchange - Highway Patrol               | \$ | 1,339,399   | \$ | 1,339,399   |
| 8460                                      | 761625 | Motorcycle Safety Education                         | \$ | 3,185,013   | \$ | 3,280,563   |
| 8490                                      | 762627 | Automated Title Processing Board                    | \$ | 17,316,755  | \$ | 14,335,513  |
| TOTAL HSF State Highway Safety Fund Group |        |                                                     | \$ | 490,110,733 | \$ | 481,261,100 |
| <b>General Services Fund Group</b>        |        |                                                     |    |             |    |             |
| 4P60                                      | 768601 | Justice Program Services                            | \$ | 998,104     | \$ | 1,028,047   |
| 4S30                                      | 766661 | Hilltop Utility Reimbursement                       | \$ | 540,800     | \$ | 540,800     |
| 5ET0                                      | 768625 | Drug Law Enforcement                                | \$ | 3,780,000   | \$ | 3,893,400   |
| 5Y10                                      | 764695 | Highway Patrol Continuing Professional Training     | \$ | 170,000     | \$ | 170,000     |
| 5Y10                                      | 767696 | Investigative Unit Continuing Professional Training | \$ | 15,000      | \$ | 15,000      |
| TOTAL GSF General Services Fund Group     |        |                                                     | \$ | 5,503,904   | \$ | 5,647,247   |
| <b>Federal Special Revenue Fund Group</b> |        |                                                     |    |             |    |             |
| 3290                                      | 763645 | Federal Mitigation Program                          | \$ | 10,110,332  | \$ | 10,413,642  |
| 3370                                      | 763609 | Federal Disaster Relief                             | \$ | 27,707,636  | \$ | 27,707,636  |



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|                                              |        |                                                  |    |                                     |    |                                     |
|----------------------------------------------|--------|--------------------------------------------------|----|-------------------------------------|----|-------------------------------------|
| 3390                                         | 763647 | Emergency Management Assistance and Training     | \$ | 75,664,821                          | \$ | 77,934,765                          |
| 3CB0                                         | 768691 | Federal Justice Grants - FFY06                   | \$ | 200,000                             | \$ | 50,000                              |
| 3CC0                                         | 768609 | Justice Assistance Grants - FFY07                | \$ | 583,222                             | \$ | 310,000                             |
| 3CD0                                         | 768610 | Justice Assistance Grants - FFY08                | \$ | 310,000                             | \$ | 150,000                             |
| 3CE0                                         | 768611 | Justice Assistance Grants - FFY09                | \$ | 865,000                             | \$ | 1,200,000                           |
| 3CV0                                         | 768697 | Justice Assistance Grants Supplement - FFY08     | \$ | 2,000                               | \$ | 0                                   |
| 3DE0                                         | 768612 | Federal Stimulus - Justice Assistance Grants     | \$ | 1,015,000                           | \$ | 1,015,000                           |
| 3DH0                                         | 768613 | Federal Stimulus - Justice Programs              | \$ | 150,000                             | \$ | 150,000                             |
| 3DU0                                         | 762628 | BMV Grants                                       | \$ | 1,525,000                           | \$ | 1,580,000                           |
| 3EU0                                         | 768614 | Justice Assistance Grants - FFY10                | \$ | 650,000                             | \$ | 920,000                             |
| 3L50                                         | 768604 | Justice Program                                  | \$ | 11,400,000                          | \$ | 11,400,000                          |
| 3N50                                         | 763644 | U.S. Department of Energy Agreement              | \$ | 31,672                              | \$ | 31,672                              |
| TOTAL FED Federal Special Revenue Fund Group |        |                                                  | \$ | 130,214,683                         | \$ | 132,862,715                         |
| <b>State Special Revenue Fund Group</b>      |        |                                                  |    |                                     |    |                                     |
| 4V30                                         | 763662 | EMA Service and Reimbursement                    | \$ | 4,368,369                           | \$ | 4,499,420                           |
| 5390                                         | 762614 | Motor Vehicle Dealers Board                      | \$ | 180,000                             | \$ | 185,400                             |
| 5B90                                         | 766632 | Private Investigator and Security Guard Provider | \$ | 1,562,637                           | \$ | 1,562,637                           |
| 5BK0                                         | 768687 | Criminal Justice Services - Operating            | \$ | 400,000                             | \$ | 400,000                             |
| 5BK0                                         | 768689 | Family Violence Shelter Programs                 | \$ | 750,000                             | \$ | 750,000                             |
| 5CM0                                         | 767691 | Federal Investigative Seizure                    | \$ | 300,000                             | \$ | 300,000                             |
| 5DS0                                         | 769630 | Homeland Security                                | \$ | 1,414,384                           | \$ | 1,414,384                           |
| 5FF0                                         | 762621 | Indigent Interlock and Alcohol Monitoring        | \$ | 2,000,000                           | \$ | 2,000,000                           |
| 5FL0                                         | 769634 | Investigations                                   | \$ | 899,300                             | \$ | 899,300                             |
| 6220                                         | 767615 | Investigative Contraband and Forfeiture          | \$ | 375,000                             | \$ | 375,000                             |
| 6570                                         | 763652 | Utility Radiological Safety                      | \$ | 1,415,945                           | \$ | 1,415,945                           |
| 6810                                         | 763653 | SARA Title III HAZMAT Planning                   | \$ | 262,438                             | \$ | 262,438                             |
| 8500                                         | 767628 | Investigative Unit Salvage                       | \$ | 90,000                              | \$ | 92,700                              |
| TOTAL SSR State Special Revenue Fund Group   |        |                                                  | \$ | 14,018,073                          | \$ | 14,157,224                          |
| <b>Liquor Control Fund Group</b>             |        |                                                  |    |                                     |    |                                     |
| 7043                                         | 767321 | Liquor Enforcement - Operating                   | \$ | <del>11,897,178</del><br>11,000,000 | \$ | <del>11,897,178</del><br>11,000,000 |
| TOTAL LCF Liquor Control Fund Group          |        |                                                  | \$ | <del>11,897,178</del><br>11,000,000 | \$ | <del>11,897,178</del><br>11,000,000 |
| <b>Agency Fund Group</b>                     |        |                                                  |    |                                     |    |                                     |
| 5J90                                         | 761678 | Federal Salvage/GSA                              | \$ | 1,500,000                           | \$ | 1,500,000                           |

|                                                     |    |                        |    |                        |
|-----------------------------------------------------|----|------------------------|----|------------------------|
| TOTAL AGY Agency Fund Group                         | \$ | 1,500,000              | \$ | 1,500,000              |
| <b>Holding Account Redistribution Fund Group</b>    |    |                        |    |                        |
| R024 762619 Unidentified Motor Vehicle Receipts     | \$ | 1,885,000              | \$ | 1,885,000              |
| R052 762623 Security Deposits                       | \$ | 350,000                | \$ | 350,000                |
| TOTAL 090 Holding Account Redistribution Fund Group | \$ | 2,235,000              | \$ | 2,235,000              |
| TOTAL ALL BUDGET FUND GROUPS                        | \$ | <del>655,479,571</del> | \$ | <del>649,560,464</del> |
|                                                     |    | <u>654,582,393</u>     |    | <u>648,663,286</u>     |

#### MOTOR VEHICLE REGISTRATION

The Registrar of Motor Vehicles may deposit revenues to meet the cash needs of the State Bureau of Motor Vehicles Fund (Fund 4W40) established in section 4501.25 of the Revised Code, obtained under sections 4503.02 and 4504.02 of the Revised Code, less all other available cash. Revenue deposited pursuant to this paragraph shall support, in part, appropriations for operating expenses and defray the cost of manufacturing and distributing license plates and license plate stickers and enforcing the law relative to the operation and registration of motor vehicles. Notwithstanding section 4501.03 of the Revised Code, the revenues shall be paid into Fund 4W40 before any revenues obtained pursuant to sections 4503.02 and 4504.02 of the Revised Code are paid into any other fund. The deposit of revenues to meet the aforementioned cash needs shall be in approximately equal amounts on a monthly basis or as otherwise determined by the Director of Budget and Management pursuant to a plan submitted by the Registrar of Motor Vehicles.

#### CAPITAL PROJECTS

The Registrar of Motor Vehicles may transfer cash from the State Bureau of Motor Vehicles Fund (Fund 4W40) to the State Highway Safety Fund (Fund 7036) to meet its obligations for capital projects CIR-047, Department of Public Safety Office Building and CIR-049, Warehouse Facility.

#### OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS

The foregoing appropriation item 761401, Lease Rental Payments, shall be used for payments to the Ohio Building Authority for the period July 1, 2011, to June 30, 2013, under the primary leases and agreements for public safety related buildings financed by obligations issued under Chapter 152. of the Revised Code. Notwithstanding section 152.24 of the Revised Code, the Ohio Building Authority may, with approval of the Director of Budget and Management, lease capital facilities to the Department of Public Safety.

#### HILLTOP TRANSFER

The Director of Public Safety shall determine, per an agreement with the Director of Transportation, the share of each debt service payment made

out of appropriation item 761401, Lease Rental Payments, that relates to the Department of Transportation's portion of the Hilltop Building Project, and shall certify to the Director of Budget and Management the amounts of this share. The Director of Budget and Management shall transfer the amounts of such shares from the Highway Operating Fund (Fund 7002) to the State Highway Safety Fund (Fund 7036).

#### CASH TRANSFERS TO TRAUMA AND EMERGENCY MEDICAL SERVICES FUND

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unexpended and unencumbered cash balance in the Seat Belt Education Fund (Fund 8440) to the Trauma and Emergency Medical Services Fund (Fund 83M0). Upon completion of the transfer, Fund 8440 is abolished. The Director shall cancel any existing encumbrances against appropriation item 761613, Seat Belt Education Program, and reestablish them against appropriation item 765624, Operating Expense - Trauma and EMS. The reestablished encumbrance amounts are hereby appropriated.

#### CASH TRANSFERS BETWEEN FUNDS

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public Safety, may approve the transfer of cash between the following six funds: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Justice Program Services Fund (Fund 4P60), and the State Bureau of Motor Vehicles Fund (Fund 4W40).

#### CASH TRANSFERS TO SECURITY, INVESTIGATIONS, AND POLICING FUND

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public Safety, may approve the transfer of cash from the Continuing Professional Training Fund (Fund 5Y10), the State Highway Patrol Contraband, Forfeiture, and Other Fund (Fund 83C0), and the Highway Safety Salvage and Exchange Highway Patrol Fund (Fund 8410) to the Security, Investigations, and Policing Fund (Fund 8400).

#### CASH TRANSFERS OF SEAT BELT FINE REVENUES

Notwithstanding any provision of law to the contrary, the Controlling Board, upon request of the Director of Public Safety, may approve the transfer of cash between the following four funds that receive fine revenues from enforcement of the mandatory seat belt law: the Trauma and

Emergency Medical Services Fund (Fund 83M0), the Elementary School Program Fund (Fund 83N0), and the Trauma and Emergency Medical Services Grants Fund (Fund 83P0).

#### STATE DISASTER RELIEF

The State Disaster Relief Fund (Fund 5330) may accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency disaster response costs and disaster program management costs, and may also be used for the following purposes:

(A) To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for costs related to disasters;

(B) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments;

(C) To accept disaster related reimbursement from federal, state, and local governments. The Director of Budget and Management may transfer cash from reimbursements received by this fund to other funds of the state from which transfers were originally approved by the Controlling Board.

(D) To accept transfers of cash and appropriations from Controlling Board appropriation items 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.

#### JUSTICE ASSISTANCE GRANT FUND

The federal payments made to the state for the Byrne Justice Assistance Grants Program under Title II of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Justice Assistance Grant Fund (Fund 3DE0), which is hereby created in the state treasury. All investment earnings of the fund shall be credited to the fund.

#### FEDERAL STIMULUS – JUSTICE PROGRAMS

The federal payments made to the state for the Violence Against Women Formula Grant under Title II of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Federal Stimulus – Justice Programs Fund (Fund 3DH0).

#### TRANSFER FROM STATE FIRE MARSHAL FUND TO

**EMERGENCY MANAGEMENT AGENCY SERVICE AND REIMBURSEMENT FUND**

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$200,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit and other urban search and rescue programs around the state.

**FAMILY VIOLENCE PREVENTION FUND**

Notwithstanding any provision of law to the contrary, in each of fiscal years 2012 and 2013, the first \$750,000 received to the credit of the Family Violence Prevention Fund (Fund 5BK0) shall be appropriated to appropriation item 768689, Family Violence Shelter Programs, and the next \$400,000 received to the credit of Fund 5BK0 in each of those fiscal years shall be appropriated to appropriation item 768687, Criminal Justice Services - Operating. Any moneys received to the credit of Fund 5BK0 in excess of the aforementioned appropriated amounts in each fiscal year shall, upon the approval of the Controlling Board, be used to provide grants to family violence shelters in Ohio.

**SARA TITLE III HAZMAT PLANNING**

The SARA Title III HAZMAT Planning Fund (Fund 6810) is entitled to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under Chapter 3750. of the Revised Code.

**COLLECTIVE BARGAINING INCREASES**

Notwithstanding division (D) of section 127.14 and division (B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of the Director of Budget and Management, increase appropriations for any fund, as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.

**CASH BALANCE FUND REVIEW**

Not later than the first day of April in each fiscal year of the biennium, the Director of Budget and Management shall review the cash balances for each fund, except the State Highway Safety Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 4W40), in the State Highway Safety

Fund Group, and shall recommend to the Controlling Board an amount to be transferred to the credit of Fund 7036 or Fund 4W40, as appropriate.

SECTION 610.11. That existing Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly is hereby repealed.

SECTION 610.20. That Section 211 of Sub. H.B. 123 of the 129th General Assembly be amended to read as follows:

**Sec. 211. WCC WORKERS' COMPENSATION COUNCIL**

|                                          |                       |    |         |    |         |
|------------------------------------------|-----------------------|----|---------|----|---------|
| 5FV0 321600                              | Remuneration Expenses | \$ | 471,200 | \$ | 471,200 |
| TOTAL 5FV0 Workers' Compensation Council |                       | \$ | 471,200 | \$ | 471,200 |
| Remuneration Fund                        |                       |    |         |    |         |
| TOTAL ALL BUDGET FUND GROUPS             |                       | \$ | 471,200 | \$ | 471,200 |

**WORKERS' COMPENSATION COUNCIL**

~~The foregoing appropriation item 321600, Remuneration Expenses, shall be used to pay the payroll and fringe benefit costs for employees of the Workers' Compensation Council.~~

Upon the effective date of this section, or as soon as possible thereafter, the Workers' Compensation Council shall wind up its affairs. All of the records of the Council shall be transferred to the Legislative Service Commission, and all of its other assets and liabilities shall be transferred to the Bureau of Workers' Compensation. The Bureau of Workers' Compensation is thereupon and thereafter successor to, and assumes the obligations of, the Council.

Any business commenced, but not completed by the Council or the Director of the Council on the effective date of this section shall be completed by the Administrator of Workers' Compensation in the same manner, and with the same effect, as if completed by the Council or the Director of the Council. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the transfer required by this section and shall be administered by the Administrator.

All employees of the Council cease to hold their positions of employment on the effective date of this section, or as soon as possible thereafter.

Once the Workers' Compensation Council is abolished, the Director of Budget and Management shall transfer the unexpended and unencumbered cash balance in the Workers' Compensation Council Remuneration Fund (Fund 5FV0) to the State Insurance Fund (Fund 7023). Upon completion of the transfer, the Workers' Compensation Council Remuneration Fund is abolished. The Director shall cancel any existing encumbrances against



appropriation item 321600, Remuneration Expenses, and reestablish them against appropriation item 855409, Administrative Expenses. The amounts of the reestablished encumbrances are hereby appropriated.

Once the Workers' Compensation Council is abolished, the Treasurer of State shall transfer the unexpended and unencumbered cash balance in the Workers' Compensation Council Fund to the State Insurance Fund. Upon completion of the transfer, the fund is abolished.

Wherever the Director or the Council is referred to in any law, contract, or other document, the reference shall be deemed to refer to the Administrator or the Bureau of Workers' Compensation, whichever is appropriate.

No action or proceeding pending on the effective date of this section is affected by the transfer, and any such action or proceeding shall be prosecuted or defended in the name of the Administrator or the Bureau. In all such actions and proceedings, the Administrator or the Bureau, upon application to the court, shall be substituted as a party.

SECTION 610.21. That existing Section 211 of Sub. H.B. 123 of the 129th General Assembly is hereby repealed.

SECTION 610.30. That Section 5 of Am. Sub. S.B. 2 of the 129th General Assembly be amended to read as follows:

Sec. 5. The enactment by this act of sections 107.51 to 107.55 and 121.81 to 121.83 of the Revised Code ~~first~~ and the amendment by this act of section 119.032 of the Revised Code applies to a proposed rule, the original ~~and any revised~~ version of which is filed with the Joint Committee on Agency Rule Review on or after January 1, 2012, and to any rule that is ~~scheduled for~~ subjected to review under section 119.032 of the Revised Code on or after January 1, 2012. ~~If rule-making proceedings are commenced and completed before January 1, 2012, sections~~ The enactment of sections 107.51 to 107.55 and 121.81 to 121.83 of the Revised Code and the amendment by this act of section 119.032 of the Revised Code do not apply to the proceedings, and section 121.24 of the Revised Code applies to the proceedings instead. ~~If rule-making proceedings are commenced but not completed before January 1, 2012, section 121.24 of the Revised Code~~ applies to the original version of the proposed rule if it is filed with the Joint Committee before that date, and sections 107.51 to 107.55 and 121.81 to 121.83 of the Revised Code apply to any revised version of the a proposed rule that is filed pending on or after that date January 1, 2012.

~~Section Notwithstanding its repeal by this act, section 121.24 and sections 107.51 to 107.55 and 121.81 to 121.83 of the Revised Code do not continue to apply to a proposed rule that is deemed the original version of a proposed rule by the carry over provisions in division (1)(2) of section 119.03 of the Revised Code. Whether section 121.24 or sections 107.51 to 107.55 and 121.81 to 121.83 of the Revised Code applied to such a proposed rule before its carry over, the results of that application are carried over with the proposed rule pending on January 1, 2012, until the rule-making proceedings are completed.~~

SECTION 610.31. That existing Section 5 of Am. Sub. S.B. 2 of the 129th General Assembly is hereby repealed.

SECTION 620.10. That Section 125.10 of Am. Sub. H.B. 1 of the 128th General Assembly be amended to read as follows:

Sec. 125.10. Sections 5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.46, 5112.47, and 5112.48 of the Revised Code are hereby repealed, effective October 1, 2011 2013.

SECTION 620.11. That existing Section 125.10 of Am. Sub. H.B. 1 of the 128th General Assembly is hereby repealed.

SECTION 620.12. The seventh paragraph of Section 812.20 of Am. Sub. H.B. 1 of the 128th General Assembly, which refers to the taking effect of a repeal of sections 5112.40 to 5112.48 of the Revised Code, is repealed.

SECTION 620.13. The intent of Sections 620.10 to 620.12 of this act is to further delay the repeal of sections 5112.40, 5112.41, 5112.42, 5112.43, 5112.44, 5112.45, 5112.46, 5112.47, and 5112.48 of the Revised Code from October 1, 2011, until October 1, 2013.

SECTION 620.20. That Section 753.60 of Am. Sub. H.B. 1 of the 128th General Assembly be amended to read as follows:

Sec. 753.60. (A) The Governor is authorized to execute a Governor's Deed in the name of the state conveying to the Dayton Public School District/Dayton Board of Education, ("grantee"), and its successors and

assigns, all of the state's right, title, and interest in the following described real estate:

STATE OF OHIO TO BOARD OF EDUCATION 45.3599 Acres

Situated in Section 26, Township 2, Range 7 of the Miami River Survey, the City of Dayton, the County of Montgomery, the State of Ohio, being a 2.2361 acre portion of a 15 acres 30 rods tract conveyed to the State of Ohio as recorded in Deed Book U-2, Page 40, and being a 22.5673 acre portion of a 24.36 acre tract of land conveyed to the Trustees of the Southern Ohio Lunatic Asylum as recorded in Deed Book N-3, Page 233, being an 4.6813 acre portion of a 21.25 acre tract of land conveyed to the State of Ohio as recorded in Deed Book 169, Page 583, and being an 8.6742 acre portion of a 33.5 acre tract as conveyed to the State of Ohio as recorded in Deed Book 169, Page 585, being an 7.2010 acre portion of a 10.544 acre tract of land as conveyed to the State of Ohio as recorded in Deed Book 138, Page 125 and being a portion of City of Dayton Lot Number 61376 and all of Lot Number 61377 of the revised and consecutive numbers of lots on the plat of the City of Dayton and more particularly bounded and described as follows:

Beginning at a capped 5/8" Iron Pin found stamped "Woolpert" at the Southeast corner of a 2.881 acre tract being Parcel 2 of the Wilmington Woods Plat as recorded in Plat Book 134, Page 3A, said point also being the northeast corner of an 8.338 acre tract of land conveyed to the Barry K. Humphries as recorded in Microfiche 01-O590A04 and the TRUE POINT OF BEGINNING;

Thence with the east line of said 2.881 acre tract being Parcel 2 and the West line of a 24.36 acre tract of land conveyed to the Trustees of the Southern Ohio Lunatic Asylum as recorded in Deed Book N-3, Page 233, North 00°32' 15" East a distance of 459.39 feet to a RR Spike set in the centerline of Wayne Avenue, passing a 5/8 inch iron pin set at the northeast corner of said 2.881 acre tract and the south right of way of Wayne Avenue at 429.39 feet;

Thence with the centerline of Wayne Ave and the north lines of said 24.36 acre tract and said 21.25 acre tract, South 89°18'28" East a distance of 790.80 feet to a RR spike set at the northwest corner of a 1.056 acre tract of land conveyed to the City of Dayton as recorded in M.F. No. 90-424 EO9;

Thence with the west line of said 1.056 acre tract and the east line of said 21.25 acre tract, South 01°17'05" West a distance of 230.89 feet to a 5/8 inch iron pin stamped "Riancho", passing a 5/8 inch iron set at the south right of way of Wayne Avenue at 30.00 feet;

Thence with the south line of said 1.056 acre tract and the south line of

a 1.056 acre tract of land conveyed to the City of Dayton as recorded in M.F. No. 78-725 B08, South 89°27' 55" East a distance of 400.00 feet to a found 5/8" iron pin and passing a 5/8 inch iron pin found stamped "Riancho" at 200.00 feet;

Thence with the east line of said 1.056 acre tract and the west line of said 33.5 acre tract as conveyed to the State of Ohio as recorded in Deed Book 169 Page 585, North 1°17'05" East a distance of 229.79 feet to a RR spike set, passing a 5/8 inch iron pin set at the south right of way of Wayne Avenue at 199.79 feet;

Thence with the centerline of Wayne Avenue and the north line of said 33.5 acre tract, South 89°18'28" East a distance of 270.78 feet to a RR spike set at the Intersection of the centerlines of Watervliet Avenue and Wayne Avenue;

Thence with the centerline of Watervliet Avenue and with the northerly line of said 33.5 acre tract, South 55°21'16" East a distance of 231.10 feet to a RR spike set;

Thence with the east line of said 33.5 acre tract and the west line of a 13.00 acre tract conveyed to the Board of Education of the Dayton City School District as recorded in Deed Book 1522, Page 341, South 00°48' 28" West a distance of 709.51 feet to a 5/8 inch iron pin set;

Thence with a new division line, North 89°11'12" West, a distance of 468.08 feet to a 5/8 inch iron pin set, in the west line of said 33.5 acre tract and the east line of said 21.25 acre tract, to a 5/8 inch iron pin set;

Thence with the west line of said 33.5 acre tract and the east line of said 21.25 acre tract, North 01°07'55" East a distance of 141.74 feet to a 5/8 inch iron pin set;

Thence with a new division line, North 89°15'53" West, passing the west line of said 21.25 acre tract and the east line of said 24.36 acre tract conveyed to The Trustees of the Southern Ohio Lunatic Asylum as recorded in Deed Book N-3, Page 233 at a distance of 425.35 feet, for a total distance of 507.35 feet to a 5/8 inch iron pin set;

Thence with a new division line South 01°07'00" West passing the south line of 24.36 acre tract conveyed to The Trustees of the Southern Ohio Lunatic Asylum as recorded in Deed Book N-3, Page 233 and the north line of said 10.544 acre tract at a distance of 627.92 feet, for a total distance of 1,013.05 feet to a 5/8 inch iron pin set in the south line of said 10.544 acre tract;

Thence with the south line of said 10.544 acre tract and the north line a 20.3 acre tract conveyed to the State of Ohio Department of Public Works for the use of the Department of Public Welfare, Dayton State Hospital as

recorded in Deed Book 1326, Page 247, North 88°52'07" West a distance of 808.89 feet to a 5/8 inch iron pin set in the east line of a 11.579 acre tract of land conveyed to the Hospice of Dayton as recorded in Microfiche 94-0448C08;

Thence with the east line of said 11.579 acre tract of land, the east line of said 8.338 acre tract as conveyed to Barry K. Humphries as recorded in M.F. number 01-0590 A04, the west line of said 10.544 acre tract, and the west line of said 2.36 acre tract, North 03°24 '08" West a distance of 956.68 feet to a 5/8 inch iron pin set;

Thence with an easterly line of said 8.338 acre tract, the westerly line of said 24.36 acre tract, and the north line of said 2.36 acre tract, North 49°49'38" East a distance of 275.99 feet to a capped 5/8 inch Iron Pin found stamped "LJB";

Thence with the east line of said 8.338 acre tract and the west line of a 24.36 acre tract, North 00°32'15" East a distance of 108.09 feet to a capped 5/8" Iron Pin stamped "Woolpert" and the TRUE POINT OF BEGINNING, containing 45.3599 acres more or less. Subject to all easements, agreements and right of ways of record.

The basis of bearings for this description is the easterly line of Parcel 2, South 00°32'15" West, as recorded in the Wilmington Woods Plat as recorded in Plat Book 134, Page 3A;

All iron pins set in the above boundary description are 5/8" (O.D.) 30" long with a plastic cap stamped "LJB"

(B)(1) Consideration for conveyance of the real estate described in division (A) of this section is the transfer to the state at no cost of 8.9874 acres adjacent to the remaining Twin Valley Behavioral Healthcare/Dayton Campus, subject to the following conditions:

(a) Within one hundred eighty days after conveyance of the real estate described in division (A) of this section, grantee at its own cost shall complete construction of a new western extension off of Maplevue Avenue to provide a new entrance roadway to the remaining Twin Valley Behavioral Healthcare/Dayton Campus and provide an easement to the state for full utilization of the roadway for the benefit of the remaining Twin Valley Behavioral Healthcare/Dayton Campus until the property described in division (B)(1) of this section is transferred to the state.

(b) Within three hundred forty days after the occupancy of the New Belmont High School, grantee shall demolish and environmentally restore the 8.9874 acres being transferred to the state.

(2) In lieu of the transfer of the 8.9874 acres, if the Director of Mental Health determines that the grantee has insufficiently performed its

construction, demolition, and environmental restoration obligations specified in division (B)(1) of this section, the grantee, as consideration, shall pay a purchase price of \$1,175,000.00 to the state, which is the appraised value of the 45.3599 acres described in division (A) of the section less the cost of demolition, site, and utility work.

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

(D) Upon transfer of the 8.9874 acres to the state or payment of the purchase price, 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. The 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 deed for recording in the Office of the Montgomery County Recorder.

(E) The grantee shall pay all costs associated with conveyance of the real estate described in division (A) of this section, including recordation costs of the deed.

(F) If the payment of \$1,175,000.00 is made in lieu of the transfer of the 8.9874 acres to the state, the proceeds of the conveyance of the real estate described in division (A) of this section shall be deposited into the state treasury to the credit of the Department of Mental Health Trust Fund created by section 5119.18 of the Revised Code and the easement described in division (B)(1)(a) of this section shall become a permanent easement.

(G) The grantee shall not, during any period that any bonds issued by the state to finance or refinance all or a portion of the real estate described in division (A) of this section are outstanding, use any portion of the real estate for a private business use without the prior written consent of the state.

As used in this division:

"Private business use" means use, directly or indirectly, in a trade or business carried on by any private person other than use as a member of, and on the same basis as, the general public. Any activity carried on by a private person who is not a natural person shall be presumed to be a trade or business.

"Private person" means any natural person or any artificial person, including a corporation, partnership, limited liability company, trust, or other entity and including the United States or any agency or instrumentality of the United States, but excluding any state, territory, or possession of the United States, the District of Columbia, or any political subdivision thereof



that is referred to as a "State or local governmental unit" in Treasury Regulation § 1.103-1(a) and any person that is acting solely and directly as an officer or employee of or on behalf of any such governmental unit.

(H) This section expires ~~two years after its effective date~~ on October 16, 2013.

SECTION 620.21. That existing Section 753.60 of Am. Sub. H.B. 1 of the 128th General Assembly is hereby repealed.

SECTION 620.30. That Section 105.20 of Sub. H.B. 462 of the 128th General Assembly be amended to read as follows:

Sec. 105.20. 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     | \$ | 523,091,925 |
| C23005                                        | Exceptional Needs                      | \$ | 3,009,397   |
| C23010                                        | Vocation Facilities Assistance Program | \$ | 12,203,057  |
| C23011                                        | Corrective Action Grants               | \$ | 23,336,491  |
| C23012                                        | School for the Blind/Deaf              | \$ | 12,321,269  |
| Total School Facilities Commission            |                                        | \$ | 573,962,139 |
| TOTAL School Building Program Assistance Fund |                                        | \$ | 573,962,139 |

#### CONSTRUCTION OF NEW BLIND AND DEAF SCHOOLS

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 appropriated in C23012, School for the Blind/Deaf, 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. 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.

#### CORRECTIVE ACTION GRANTS

The foregoing appropriation item C23011, Corrective Action Grants, for fiscal year 2011, may be used to provide funding to bring facilities up to Ohio School Design Manual standards for a project funded pursuant to sections 3318.01 to 3318.20 or 3318.40 to 3318.45 of the Revised Code for the correction of work found during or after project close-out to be defective, or for the remediation of work found during or after project close-out to be omitted. Funding shall only be provided for work if the impacted school district notifies the Executive Director of the Ohio School Facilities Commission within five years of project close-out. The Commission may provide funding assistance necessary to take corrective measures after evaluating defective or omitted work. If the work to be corrected or remediated is part of a project not yet completed, the Commission may amend the project agreement to increase the project budget and use corrective action funding to provide the local share of the amendment. If the work to be corrected or remediated was part of a completed project and funds were retained or transferred pursuant to division (C) of section 3318.12 of the Revised Code, the Commission may enter into a new agreement to address the necessary corrective action. The Commission shall assess responsibility for the defective or omitted work and seek cost recovery from responsible parties, if applicable. Any funds recovered shall be deposited into the School Building Program Assistance Fund (Fund 7032).

The foregoing appropriation item C23011, Corrective Action Grants, for fiscal year 2012, may be used to provide funding to school districts under the Corrective Action Program in accordance with section 3318.49 of the Revised Code.

SECTION 620.31. That existing Section 105.20 of Sub. H.B. 462 of the 128th General Assembly is hereby repealed.

SECTION 620.40. That Section 105.45.70 of Sub. H.B. 462 of the 128th General Assembly, as amended by Am. Sub. H.B. 114 of the 129th General Assembly, be amended to read as follows:

Reappropriations

## Sec. 105.45.70. CCC CUYAHOGA COMMUNITY COLLEGE

|                                  |                                          |    |            |
|----------------------------------|------------------------------------------|----|------------|
| C37800                           | Basic Renovations                        | \$ | 4,406,772  |
| C37803                           | Technology Learning Center - Western     | \$ | 43,096     |
| C37807                           | Cleveland Art Museum - Improvements      | \$ | 3,100,000  |
| C37812                           | Building A Expansion Module - Western    | \$ | 124,332    |
| C37816                           | College-Wide Wayfinding Signage System   | \$ | 145,893    |
| C37817                           | College-Wide Asset Protection & Building | \$ | 631,205    |
| C37818                           | Healthcare Technology Building - Eastern | \$ | 13,464,866 |
| C37821                           | Hospitality Management Program           | \$ | 2,452,728  |
| C37822                           | Theater Renovations                      | \$ | 2,243,769  |
| C37824                           | Rock and Roll Hall of Fame Archive       | \$ | 18,000     |
| C37826                           | CW Roof Replacement                      | \$ | 190,735    |
| C37829                           | College of Podiatric Medicine            | \$ | 250,000    |
| C37830                           | Auto Lab Improvements                    | \$ | 240        |
| C37831                           | Visiting Nurse Association               | \$ | 150,000    |
| C37832                           | Western Reserve Hospice Center           | \$ | 1,500      |
| C37833                           | Cleveland Zoological Society             | \$ | 150,000    |
| C37834                           | Museum of Contemporary Art Cleveland     | \$ | 450,000    |
| C37835                           | Western Reserve Historical Society       | \$ | 2,800,000  |
| Total Cuyahoga Community College |                                          | \$ | 30,623,136 |

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall cancel ~~any~~ existing encumbrances against appropriation item C371A9, Western Reserve Historical Society, totaling \$2,800,000 and reestablish them against the foregoing appropriation item C37835, Western Reserve Historical Society.

SECTION 620.41. That existing Section 105.45.70 of Sub. H.B. 462 of the 128th General Assembly, as amended by Am. Sub. H.B. 114 of the 129th General Assembly, is hereby repealed.

SECTION 620.51. That Section 5 of Sub. S.B. 162 of the 128th General Assembly be amended to read as follows:

Sec. 5. (A) There is hereby created the Select Committee on Telecommunications Regulatory Reform consisting of the following members:

(1) The chairperson and ranking minority member of the committee in the Senate to which legislation pertaining to public utilities is referred;

(2) The chairperson and ranking minority member of the committee in the House of Representatives to which legislation pertaining to public utilities is referred;

(3) The chairperson of the Public Utilities Commission or an officer or employee of the Commission who shall serve as the chairperson's designee;

(4) The Consumers' Counsel or an officer or employee of the Office of the Consumers' Counsel who shall serve as the designee of the Consumers'

Counsel;

(5) One member appointed by the Governor, who is a member of the Governor's staff;

(6) One member appointed by the Governor who is a representative of the telecommunications industry.

(B) The Governor shall make appointments to the Committee not later than ~~sixty days after the effective date of this section~~ November 12, 2010. Vacancies on the Committee shall be filled in the manner provided for original appointments.

(C) The members who serve as chairpersons of the House and Senate committees to which public utility legislation is referred shall serve as co-chairpersons of the Select Committee on Telecommunications Regulatory Reform. The Committee shall meet at the call of the co-chairpersons who shall determine the time, meeting location, and agenda for each meeting of the Committee.

(D) The Committee shall study the impacts of Sub. S.B. 162 as enacted by the 128th General Assembly. The Committee's study shall include, but shall not be limited to, a review of both the economic benefits of the act and the act's impact on jobs, telephone company rates, telephone company quality of service, lifeline program customers, rural markets, rural broadband deployment, and carrier access to private property. ~~The Committee's study shall also include a report on the Community voicemail Service Pilot Program created in S.B. 162 of the 128th General Assembly.~~ The Public Utilities Commission shall cooperate with the Committee as it performs its duties and shall provide reports and any other information requested by the Committee.

(E) The Committee may request assistance from the Legislative Service Commission.

(F) Not later than ~~four years after the effective date of this section~~ September 13, 2014, the Committee shall submit a written report of its findings and recommendations to the General Assembly and the Governor. Upon submission of its report, the Committee shall cease to exist.

SECTION 620.52. That existing Section 5 of Sub. S.B. 162 of the 128th General Assembly is hereby repealed.

SECTION 620.53. That Section 6 of Sub. S.B. 162 of the 128th General Assembly is hereby repealed.

SECTION 630.10. That Section 5 of Sub. H.B. 125 of the 127th General Assembly, as most recently amended by Sub. H.B. 198 of the 128th General Assembly, be amended to read as follows:

Sec. 5. (A) As used in this section and Section 6 of Sub. H.B. 125 of the 127th General Assembly:

(1) "Most favored nation clause" means a provision in a health care contract that does any of the following:

(a) Prohibits, or grants a contracting entity an option to prohibit, the participating provider from contracting with another contracting entity to provide health care services at a lower price than the payment specified in the contract;

(b) Requires, or grants a contracting entity an option to require, the participating provider to accept a lower payment in the event the participating provider agrees to provide health care services to any other contracting entity at a lower price;

(c) Requires, or grants a contracting entity an option to require, termination or renegotiation of the existing health care contract in the event the participating provider agrees to provide health care services to any other contracting entity at a lower price;

(d) Requires the participating provider to disclose the participating provider's contractual reimbursement rates with other contracting entities.

(2) "Contracting entity," "health care contract," "health care services," "participating provider," and "provider" have the same meanings as in section 3963.01 of the Revised Code, as enacted by Sub. H.B. 125 of the 127th General Assembly.

~~(B) With respect to a contracting entity and a provider other than a hospital, no~~ No health care contract ~~that includes~~ shall contain a most favored nation clause ~~shall be entered into, and no health care contract at the instance of a contracting entity shall be amended or renewed to include a most favored nation clause, for a period of three years after the effective date of Sub. H.B. 125 of the 127th General Assembly.~~

~~(C) With respect to a contracting entity and a hospital, no health care contract that includes a most favored nation clause shall be entered into, and no health care contract at the instance of a contracting entity shall be amended or renewed to include a most favored nation clause, for a period of three years after the effective date of Sub. H.B. 125 of the 127th General Assembly, subject to extension as provided in Section 6 of Sub. H.B. 125 of the 127th General Assembly.~~

~~(D)~~ This section does not apply to and does not prohibit the continued

use of a most favored nation clause in a health care contract that is between a contracting entity and a hospital and that is in existence on the effective date of Sub. H.B. 125 of the 127th General Assembly ~~even if the health care contract is materially amended with respect to any provision of the health care contract other than the most favored nation clause during the two-year period specified in this section or during any extended period of time as provided in Section 6 of Sub. H.B. 125 of the 127th General Assembly. This section applies to such contract if that contract is amended, or to any extension or renewal of that contract.~~

SECTION 630.11. That existing Section 5 of Sub. H.B. 125 of the 127th General Assembly, as most recently amended by Sub. H.B. 198 of the 128th General Assembly, is hereby repealed.

SECTION 630.12. That Section 5 of Sub. H.B. 2 of the 127th General Assembly is hereby repealed.

SECTION 640.10. That Section 6 of Am. Sub. S.B. 124 of the 128th General Assembly be amended to read as follows:

Sec. 6. A prosecuting attorney or treasurer of a county with a population greater than eight hundred thousand but less than nine hundred thousand may determine that the amount of money appropriated to the respective office from the county Delinquent Tax and Assessment Collection Fund under division (A) of section 321.261 of the Revised Code exceeds the amount required to be used by that office as prescribed by division (A)(1) of that section. If a prosecuting attorney or treasurer of a county with that population makes such a determination, the prosecuting attorney or treasurer may expend up to fifty per cent of the excess so determined to pay the expenses of operating the respective office that otherwise would be payable from appropriations from the county general fund, notwithstanding section 321.261 of the Revised Code.

This section expires December 31, ~~2011~~ 2012.

SECTION 640.11. That existing Section 6 of Am. Sub. S.B. 124 of the 128th General Assembly is hereby repealed.

SECTION 690.10. That Section 153 of Am. Sub. H.B. 117 of the 121st



General Assembly, as most recently amended by Am. Sub. H.B. 1 of the 128th General Assembly, be amended to read as follows:

Sec. 153. (A) Sections 5112.01, 5112.03, 5112.04, 5112.05, 5112.06, 5112.07, 5112.08, 5112.09, 5112.10, 5112.11, 5112.18, 5112.19, 5112.21, and 5112.99 of the Revised Code are hereby repealed, effective October 16, ~~2011~~ 2013.

(B) Any money remaining in the Legislative Budget Services Fund on October 16, ~~2011~~ 2013, the date that section 5112.19 of the Revised Code is repealed by division (A) of this section, shall be used solely for the purposes stated in then former section 5112.19 of the Revised Code. When all money in the Legislative Budget Services Fund has been spent after then former section 5112.19 of the Revised Code is repealed under division (A) of this section, the fund shall cease to exist.

SECTION 690.11. That existing Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as most recently amended by Am. Sub. H.B. 1 of the 128th General Assembly, is hereby repealed.

SECTION 701.10. The Department of Administrative Services shall post on the Department's Internet web site the form for the contract documents that a public authority contracting for services with a construction manager at risk or a design-build firm must use on and after the date of the posting and until the rules adopted under section 153.503 of the Revised Code are implemented.

SECTION 701.13. (A) The Director of Administrative Services shall adopt rules in accordance with Chapter 119. of the Revised Code to establish guidelines for the provision of surety bonds by construction managers at risk, as required under section 9.333 of the Revised Code, and design-build firms, as required under section 153.70 of the Revised Code.

(B) Except as provided in division (C) of this section, the amendment or enactment of sections 9.33, 9.331, 9.332, 9.333, 9.334, 9.335, 123.011, 126.141, 153.01, 153.03, 153.07, 153.08, 153.50, 153.501, 153.502, 153.503, 153.51, 153.52, 153.53, 153.54, 153.55, 153.56, 153.581, 153.65, 153.66, 153.67, 153.69, 153.692, 153.693, 153.694, 153.70, 153.71, 153.72, 153.73, 153.80, 3313.46, 3353.04, 3354.16, 3357.16, 4113.61, 5540.03, and 6115.20 of the Revised Code and Section 701.10 of this act modifying the

laws governing the permissible methods of construction delivery for the construction of public improvements shall apply only to public improvement projects commencing on or after the date the rules adopted under division (A) of this section become effective.

(C) The provisions of the sections listed in division (B) of this section that are amended or enacted by this act that apply the provisions of section 7.16 of the Revised Code, as enacted by this act, are not subject to the delayed application provisions of that division.

SECTION 701.20. Not later than July 1, 2012, the Department of Administrative Services shall submit a report to the General Assembly, in accordance with section 101.68 of the Revised Code, on the feasibility of all of the following regarding health care plans to cover persons employed by political subdivisions, public school districts, as defined in section 9.901 of the Revised Code, and state institutions of higher education, as defined in section 3345.011 of the Revised Code:

(A) Designing multiple health care plans that achieve an optimal combination of coverage, cost, choice, and stability, which plans include both state and regional preferred provider plans, set employee and employer premiums, and set employee plan copayments, deductibles, exclusions, limitations, formularies, and other responsibilities;

(B) Maintaining reserves, reinsurance, and other measures to insure the long-term stability and solvency of the health care plans;

(C) Providing appropriate health care information, wellness programs, and other preventive health care measures to health care plan beneficiaries;

(D) Coordinating contracts for services related to the health care plans;

(E) Voluntary and mandatory participation by political subdivisions, public school districts, and institutions of higher education;

(F) The potential impacts of any changes to the existing purchasing structure on existing health care pooling and consortiums;

(G) Removing barriers to competition and access to health care pooling.

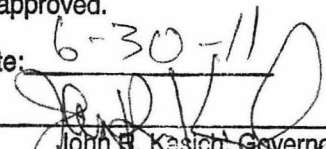
No action shall be taken regarding health care coverage for employees of political subdivisions, public school districts, and state institutions of higher education without the enactment of law by the General Assembly.

SECTION 701.30. EXEMPT EMPLOYEE CONSENT TO CERTAIN DUTIES

As used in this section, "appointing authority" has the same meaning as in section 124.01 of the Revised Code, and "exempt employee" has the same

The above boxed and initialed text was disapproved.

Date:

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meaning as in section 124.152 of the Revised Code.

Notwithstanding section 124.181 of the Revised Code, in cases where no vacancy exists, an appointing authority may, with the written consent of an exempt employee, assign duties of a higher classification to that exempt employee for a period of time not to exceed two years, and that exempt employee shall receive compensation at a rate commensurate with the duties of the higher classification.

SECTION 701.40. (A) There is hereby created the Ohio Housing Study Committee with the purpose of formulating a comprehensive review of the policies and results of the Ohio Housing Finance Agency, its programs and its working relationships to ensure that all Agency programs are evaluated by an objective process to ensure all Ohioans receive optimal and measurable benefits afforded to them through the authority of the Agency.

(B) The Committee shall do all of the following:

(1) Perform a comprehensive review of Chapter 175. of the Revised Code to determine the relevance of the chapter and determine whether it should be formally reviewed or amended by the General Assembly, up to and including appropriate legislative oversight and accountability;

(2) Review the Agency's relationships to ensure an equitable and level playing field regarding its single- and multi-family housing programs;

(3) Review the Agency's policy leadership and the measurable economic impact and other effects of its programs;

(4) Review the Agency's Qualified Allocation Plan development process and underlying policies to understand whether objective and measurable results are achieved to fulfill clearly articulated public policy goals;

(5) Create a quantitative report measuring the economic benefits of the Agency's single- and multi-family programming over the last ten years;

(6) Evaluate the possible efficiencies of combining existing Ohio Department of Development housing-related programming with those of the Agency.

The Chairperson of the Committee may include other relevant areas of study as necessary.

(C) The Committee shall commence on the effective date of this act and shall provide a report expressing its findings and financial, policy, or legislative recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate on or before March 31, 2012.

(D) The Committee shall be comprised of the Auditor of State, or the Auditor's designee, the Director of Commerce, or the Director's designee,

the Director of Development, or the Director's designee, and four members of the General Assembly. Two members shall be appointed by the Speaker of the House of Representatives and two members shall be appointed by the President of the Senate.

The Governor, Speaker of the House of Representatives, and the President of the Senate shall determine the chairperson of the Committee.

(E) The Committee shall meet on a reasonable basis at the discretion of the chairperson.

(F) All reasonable expenses incurred by the Committee in carrying out its responsibilities shall be paid by Ohio Housing Finance Agency funds. In addition to reasonable expenses, the Committee shall have the discretion to allocate Agency funds to contract with the Auditor of State for services rendered in relation to the Committee carrying out its responsibilities, including financial- and performance-based audits and other services. The Auditor of State may contract with an independent auditor.

The Committee may also contract with other independent entities for services rendered in relation to the Committee carrying out its responsibilities. Expenditures to pay for the services of the Auditor of State, independent auditor, or other services shall not exceed two hundred thousand dollars.

No entity contracting with the Committee for services rendered shall have a financial or vested interest in the Ohio Housing Finance Agency, its affiliates, or its nonprofit partners.

SECTION 701.50. (A) Except as otherwise provided in section 154.24 or 154.25 of the Revised Code, as enacted by this act, with respect to the functions of the Ohio Public Facilities Commission, the Treasurer of State shall, on the effective date of this section and as provided for in this section, supersede and replace the Ohio Building Authority (referred to in this section as the "Authority") as the issuing authority in all matters relating to the issuance of obligations for the financing of capital facilities for housing branches and agencies of state government as provided for in section 154.24 of the Revised Code or for community or technical colleges as provided for in section 154.25 of the Revised Code (together referred to in this section as "facilities for capital purposes"), as enacted by this act (all referred to in this section as "superseded matters").

(B)(1) With respect to superseded matters and facilities for capital purposes, the Treasurer of State shall:

(a) Succeed to and have and perform all of the duties, powers, obligations, and functions of the Authority and its members and officers

provided for by law or rule relating to the issuance of bonds, notes, or other obligations for the purpose of paying costs of facilities for capital purposes;

(b) Succeed to and have and perform all of the duties, powers, obligations, and functions, and have all of the rights of, the Authority and its members and officers provided for in or pursuant to resolutions, rules, agreements, trust agreements, and supplemental trust agreements (all referred to collectively in this section as "basic instruments"), and bonds, notes, and other obligations (all referred to collectively in this section as "financing obligations"), previously authorized, entered into, or issued by the Authority for facilities for capital purposes, which financing obligations shall be, or shall be deemed to be, obligations issued by and of the Treasurer of State; and

(c) Be bound by all agreements and covenants of the Authority, and basic instruments, relating to financing obligations.

(2) The transfer of superseded matters to the Treasurer of State pursuant to this section does not affect the validity of any agreement or covenant, basic instrument, or financing obligation, or any related document, authorized, entered into, or issued by the Authority under Chapter 152. of the Revised Code or other laws, and nothing in this section shall be applied or considered as impairing the obligations or rights under them.

(3) The Treasurer of State shall not issue any additional financing obligations pursuant to any basic instrument of the Authority, including financing obligations to refund financing obligations previously issued by the Authority.

(C) With respect to proceedings relating to superseded matters affected by this section:

(1) This section applies to any proceedings that are commenced after the effective date of this section, and to any proceedings that are pending, in progress, or completed on that date, notwithstanding the applicable law previously in effect or any provision to the contrary in a prior basic instrument, notice, or other proceeding.

(2) Any proceedings of the Authority that are pending on the effective date of this section shall be pursued and completed by and in the name of the Treasurer of State, and any financing obligations that are sold, issued, and delivered pursuant to those proceedings shall be deemed to have been authorized, sold, issued, and delivered in conformity with this section.

(3) Notwithstanding divisions (C)(1) and (2) of this section, the Authority may, subsequent to the effective date of this section, meet for the purpose of better accomplishing the transfer of superseded matters. At any such meeting the Authority may take necessary or appropriate actions to



effect an orderly transition relating to the issuance of financing obligations, such that all duties, powers, obligations, and functions of the Authority and its members and officers with respect to the superseded matters or under any leases and agreements between the Authority and a state agency for facilities for capital purposes shall terminate and be of no further force and effect as to the Authority.

(D) Notwithstanding any other provision of this section, this section shall not apply to the Authority's interests in or responsibilities for the operation and maintenance, or any lease or agreement relating to the operation and maintenance of, the James A. Rhodes State Office Tower (30 East Broad Street, Columbus), the Vern Riffe Center for Government and the Arts (77 South High Street, Columbus), the Frank J. Lausche State Office Building (615 West Superior Avenue, Cleveland), the Michael V. DiSalle Government Center (One Government Center, Toledo), the Oliver R. Ocasek Government Office Building (161 South High Street, Akron), and the State of Ohio Computer Center (1320 Arthur E. Adams Drive, Columbus).

(E) The Authority and the Treasurer of State shall prepare any necessary amendments of or supplements to documents or basic instruments pertaining to the duties, powers, obligations, functions, and rights relating to superseded matters to which the Treasurer of State succeeds pursuant to this section. The authorization by the Authority in its basic instruments relating to superseded matters for its officers to act in any manner on behalf of the Authority shall, on and after the effective date of this section, be authorization for the Treasurer of State, or the Treasurer of State's staff or employees to whom the Treasurer of State may delegate the function, to act in the circumstances, without necessity for amendment of or supplement to any such documents or basic instruments.

(F) No pending judicial or administrative action or proceeding in which the Authority, or its members or officers as such, are a party that pertains to superseded matters shall be affected by their transfer, but shall be prosecuted or defended in the name of the Treasurer of State and in any such action or proceeding the Treasurer of State, upon application to the court, shall be substituted as a party.

(G) In connection with the duties, powers, obligations, functions, and rights relating to superseded matters and provided for in this section, on the effective date of this section:

(1) Copies of all basic instruments, documents, books, papers, and records of the Authority shall be transferred to the Treasurer of State upon request, without necessity for assignment, conveyance, or other action by



the Authority.

(2) All appropriations previously made to or for the Authority for the purposes of the performance of the duties, powers, obligations, functions, and exercise of rights relating to superseded matters, to the extent of remaining unexpended or unencumbered balances, are hereby transferred to and made available for use and expenditure by the Treasurer of State for performing the same duties, powers, obligations, and functions and exercising the same rights for which originally appropriated, and payments for administrative expenses previously incurred in connection with them shall be made from the applicable administrative service fund on vouchers approved by the Treasurer of State.

(3) All leases and agreements between the Authority and a state agency for facilities for capital purposes made under Chapter 152. of the Revised Code shall, and shall be considered to, continue to bind that state agency. Nothing in this act shall be considered as impairing the obligations of any state agency under those leases and agreements.

(4) Any lease, grant, or conveyance made to the Authority pursuant to section 152.06 of the Revised Code shall be, and shall be deemed to be, made to the Ohio Public Facilities Commission pursuant to section 154.16 of the Revised Code, and the Ohio Public Facilities Commission shall succeed to and have and perform all of the duties, powers, obligations, and functions, and have all of the rights, of the Authority and its members and officers provided for in or pursuant to that lease, grant, or conveyance.

(H) Whenever the Authority, or any of its members or officers, is referred to in any contract or other document relating to those outstanding financing obligations, the reference shall be considered to be, as applicable, to the Ohio Public Facilities Commission or its appropriate officers or to the Treasurer of State or the appropriate staff of the Treasurer of State.

SECTION 701.60. Within thirty days after the effective date of this section, the Department of Administrative Services shall begin developing recommendations for a state government reorganization plan focused on increased efficiencies in the operation of state government and a reduced number of state agencies. The Department shall present its recommendations to the Speaker of the House of Representatives, the President of the Senate, the Minority Leader of the House of Representatives, and the Minority Leader of the Senate not later than June 30, 2013.

SECTION 701.63. Notwithstanding sections 124.14, 124.141, and 124.15 of the Revised Code, until January 1, 2014, the Director of Administrative Services may implement the provisions of sections 124.14, 124.141, and 124.15 of the Revised Code that otherwise would require the adoption of rules without adopting rules.

SECTION 715.10. (A) The Ohio Soil and Water Conservation Commission that is created in section 1515.02 of the Revised Code shall establish a Conservation Program Delivery Task Force to provide recommendations to the Director of Natural Resources regarding how soil and water conservation districts established under section 1515.03 of the Revised Code may advance effective and efficient operations while continuing to provide local program leadership. The Task Force shall examine methods for improving services and removing impediments to organizational management and explore opportunities for sharing services across all levels of government.

(B) The chairperson of the Commission in consultation with the Director shall appoint no more than nine members to the Task Force. The Task Force shall include members of the boards of supervisors of soil and water conservation districts and other individuals who represent diverse geographic areas of the state and may include members from the Ohio Federation of Soil and Water Conservation Districts, the Natural Resources Conservation Service in the United States Department of Agriculture, the County Commissioners' Association of Ohio, the Ohio Municipal League, and the Ohio Township Association. The Task Force may consult with those organizations and agencies.

(C) The chairperson of the Commission or another member of the Commission who is designated by the chairperson shall serve as chairperson of the Task Force.

(D) Members appointed to the Task Force shall serve without compensation and shall not be reimbursed for expenses. The Division of Soil and Water Resources shall provide technical and administrative support as needed by the Task Force.

(E) The Task Force shall hold its first meeting no later than September 1, 2011, and shall submit a final report of recommendations to the Director and the Commission no later than December 31, 2011. Upon submission of the final report, the Task Force shall cease to exist.

SECTION 733.10. (A) The Department of Education shall conduct and publicize a second Educational Choice Scholarship application period for the 2011-2012 school year to award for that year scholarships newly authorized by sections 3310.02 and 3310.03 of the Revised Code, as amended by this act. The second application period shall commence on the effective date of this section and shall end at the close of business on the first business day that is at least forty-five days after the effective date of this section.

(B) Not later than ten days after the effective date of this section, the Department shall do both of the following:

(1) Mail, to each person who applied for a scholarship during the first application period for the 2011-2012 school year but did not receive a scholarship, a notice announcing the second application period, the opportunity to re-apply, and the application deadline;

(2) Post prominently on its web site a list of school district-operated buildings that meet both of the following criteria:

(a) For at least two of the three school years from 2007-2008 through 2009-2010, ranked in the lowest ten per cent of school district buildings according to performance index score reported under section 3302.03 of the Revised Code;

(b) Were not declared to be excellent or effective under that section for the 2009-2010 school year.

Notwithstanding division (B)(1)(a) of section 3310.03 of the Revised Code, eligibility for scholarships for the 2011-2012 school year under division (B) of section 3310.03 of the Revised Code shall be based on a school building's performance index score rank among all other school district buildings for the requisite school years, as described in division (B)(2)(a) of this section, and shall not be based on a building's performance index score rank among all public school buildings for the requisite school years, as otherwise required under division (B)(1)(a) of section 3310.03 of the Revised Code.

(C) The Department shall award scholarships for the 2011-2012 school year from applications submitted during the second application period according to the order of priority listed in division (B) of section 3310.02 of the Revised Code, as amended by this act. The Department shall base its award determinations on the applicant students' status during the 2010-2011 school year.

(D) Notwithstanding any provision of sections 3310.01 to 3310.17 of the Revised Code, any rule of the State Board of Education, or any policy of

the Department to the contrary, the Department shall not deny a scholarship to a student for whom an application is submitted during the second application period solely because the student already has been admitted to a chartered nonpublic school for the 2011-2012 school year, if both of the following apply:

(1) A timely application was submitted on the student's behalf during the first application period for the 2011-2012 school year and the student was denied a scholarship solely because the number of applications exceeded the number of available scholarships.

(2) The student either:

(a) Was enrolled, through the final day of scheduled classes for the 2010-2011 school year, in the district school or community school indicated on the student's first application for the 2011-2012 school year;

(b) Is eligible to enroll in kindergarten for the 2011-2012 school year and was not enrolled in kindergarten in a nonpublic school in the 2010-2011 school year.

(E)(1) For purposes of determining eligibility under division (B) of section 3310.03 of the Revised Code for scholarships awarded for the 2012-2013 school year, the Department shall post prominently on its web site a list of school district buildings that meet both of the following criteria:

(a) For at least two of the three school years from 2008-2009 through 2010-2011, ranked in the lowest ten per cent of public school buildings according to performance index score;

(b) Were not declared to be excellent or effective under section 3302.03 of the Revised Code for the 2010-2011 school year.

(2) For purposes of determining eligibility under division (B) of section 3310.03 of the Revised Code for scholarships awarded for the 2013-2014 school year, the Department shall post prominently on its web site a list of school district buildings that meet both of the following criteria:

(a) For at least two of the three school years from 2009-2010 through 2011-2012, ranked in the lowest ten per cent of public school buildings according to performance index score;

(b) Were not declared to be excellent or effective under section 3302.03 of the Revised Code for the 2011-2012 school year.

(3) For purposes of determining eligibility under division (B) of section 3310.03 of the Revised Code for scholarships awarded for the 2014-2015 school year, the Department shall post prominently on its web site a list of school district buildings that meet both of the following criteria:

(a) For at least two of the three school years from 2010-2011 through 2012-2013, ranked in the lowest ten per cent of public school buildings

according to performance index score;

(b) Were not declared to be excellent or effective under section 3302.03 of the Revised Code for the 2012-2013 school year.

(F) As used in this section, "enrolled" has the same meaning as in division (E) of section 3317.03 of the Revised Code.

SECTION 733.20. (A)(1) Notwithstanding section 3305.03 of the Revised Code or any other provision of Chapter 3305. of the Revised Code, an alternative retirement plan established by a public institution of higher education prior to July 1, 2000, that is a qualified trust under section 401(a) of the Internal Revenue Code is hereby designated a provider for purposes of Chapter 3305. of the Revised Code.

(2) Other than the contributions required under division (D) of section 3305.06 of the Revised Code and interest on those contributions at a rate determined by the State Teachers Retirement Board, a public institution of higher education is not required to pay any contributions or interest due the State Teachers Retirement System for an employee who prior to July 1, 2000, made an election to participate in an alternative retirement plan designated under this section, from the date of the election as long as participation by the employee continues.

(B) Notwithstanding division (C) of section 3305.05 of the Revised Code, a public institution of higher education that failed to timely file with the State Teachers Retirement System a copy of an election of an employee described in division (A)(2) of this section may file the election not later than ninety days after the effective date of this section. The system shall accept the filing as though made in compliance with section 3305.05 of the Revised Code.

SECTION 733.30. Notwithstanding the dates prescribed by division (D) of section 3311.054 of the Revised Code, not later than July 1, 2012, the governing board of an educational service center established under that section shall redistrict the educational service center's territory into a number of subdistricts equal to the number of board members designated under division (B)(1) of that section, based on the results of the 2010 decennial census. At the regular municipal election held in November 2013, all elected governing board members shall again be elected from the subdistricts created under this section.

If a governing board fails to redistrict the territory of its educational service center in accordance with this section, the superintendent of public

instruction shall redistrict the service center not later than August 1, 2012.

SECTION 733.40. The amendment by this act of section 133.06 of the Revised Code applies to any proceedings commenced after the effective date of that section and, so far as the provisions of that section support the actions taken, also apply to any proceedings that on the effective date of that section are pending, in progress, or completed, and to any elections authorized, conducted, or certified and securities authorized or issued pursuant to those proceedings, notwithstanding any law, resolution, ordinance, order, advertisement, notice, or other proceeding in effect before that effective date. Any proceedings pending or in progress on, or completed by, that effective date, elections authorized, conducted, or certified, and securities sold, issued, and delivered, or validated, pursuant to those proceedings, are ratified with respect to, and shall be deemed to have been taken, authorized, conducted, certified, sold, issued, delivered, or validated in conformity with section 133.06 of the Revised Code so far as the provisions of that section support the actions taken. To the extent those proceedings are proper in all other respects, if the proceedings are filed with a board of elections in anticipation of the taking effect of the amendment of section 133.06 of the Revised Code and in a manner that would be valid if the amendment took effect on the date it became law, then that board of elections, so long as it received a confirmation stating an intention to proceed from or on behalf of the board of education within five business days after the effective date of the amendment shall accept the proceedings and take any actions or make any arrangements necessary for the submission of a question to the electors or otherwise required by the Revised Code.

SECTION 737.15. On the effective date of this section, the Public Health Council shall rescind all rules adopted under section 3733.22 of the Revised Code as that section existed prior to its repeal by this act.

SECTION 737.30. The authority provided in section 737.022 of the Revised Code as amended by this act is in addition and supplemental to provisions for the subject matter that may also be the subject of other laws, and is supplemental to and not in derogation of any similar authority provided by, derived from, or implied by, the Constitution of the state of Ohio or any other laws, including the law amended by this act, or any charter, order, resolution, or ordinance, and no inference shall be drawn to



negate the authority thereunder by reason of express provisions contained in section 737.022 of the Revised Code.

SECTION 747.40. (A) For members of the Residential Construction Advisory Committee serving terms beginning on July 1, 2011, such members' terms shall expire as follows:

(1) The terms of the members described in divisions (A)(3), (A)(6), and one of the members described in division (A)(1) of section 4740.14 of the Revised Code as amended by this act shall expire on June 30, 2012.

(2) The terms of the member described in division (A)(4), one of the members described in division (A)(1), and one of the members described in division (A)(2) of section 4740.14 of the Revised Code as amended by this act shall expire on June 30, 2013.

(3) The terms of the member described in division (A)(5), one of the members described in division (A)(1), and one of the members described in division (A)(2) of section 4740.14 of the Revised Code as amended by this act shall expire on June 30, 2014.

(B) The Director of Commerce shall determine which of the members appointed pursuant to division (A)(1) of section 4740.14 of the Revised Code as amended by this act will serve the term described in division (A)(1), which member will serve the term described in division (A)(2), and which member will serve the term described in division (A)(3) of this section, and shall determine which of the members appointed pursuant to division (A)(2) of section 4740.14 of the Revised Code as amended by this act will serve the term described in division (A)(2) and which member will serve the term described in division (A)(3) of this section.

(C) Upon the expiration of the terms described in division (A) of this section, all successive terms shall last for the period described in division (B) of section 4740.14 of the Revised Code as amended by this act.

SECTION 749.10. The Public Utilities Commission shall, on or before December 31, 2011, determine appropriate methods under which to ensure that the reduction in public utility assessments paid under section 4911.18 of the Revised Code for the Office of the Ohio Consumers' Counsel for fiscal year 2012 and fiscal year 2013 is distributed to the benefit of Ohio customers of those public utilities. The Commission shall implement its distribution methodology in a timely manner.

SECTION 753.10. (A) As used in this section, "contractor" and "facility" have the same meanings as in section 9.06 of the Revised Code, as amended by Sections 101.01 and 101.02 of this act.

(B)(1) The Director of Administrative Services and the Director of Rehabilitation and Correction are hereby authorized to award one or more contracts through requests for proposals for the operation and management by a contractor of one or more of the facilities described in divisions (C) to (G) of this section, pursuant to section 9.06 of the Revised Code, and for the transfer of the state's right, title, and interest in the real property on which the facility is situated and any surrounding land as described in those divisions.

(2) If the Director of Administrative Services and the Director of Rehabilitation and Correction award a contract of the type described in division (B)(1) of this section to a contractor regarding a facility described in division (C), (D), (E), (F), or (G) of this section, in addition to the requirements, statements, and authorizations that must be included in the contract pursuant to division (B) of section 9.06 of the Revised Code, the contract shall include all of the following regarding the facility that is the subject of the contract:

(a) An agreement for the sale to the contractor of the state's right, title, and interest in the facility, the land situated thereon, and specified surrounding land;

(b) A requirement that the contractor provide preferential hiring treatment to employees of the Department of Rehabilitation and Correction in order to retain staff displaced as a result of the transition of the operation and management of the facility and to meet the administrative, programmatic, maintenance, and security needs of the facility;

(c) Notwithstanding any provision of the Revised Code, authorization for the transfer to the contractor of any supplies, equipment, furnishings, fixtures, or other assets considered necessary by the Director of Rehabilitation and Correction and the Director of Administrative Services for the continued operation and management of the facility;

(d) A binding commitment that irrevocably grants to the state a right, upon the occurrence of any triggering event described in division (B)(2)(d)(i) or (ii) of this section and in accordance with the particular division, to repurchase the facility and the real property on which it is situated, any surrounding land that is to be transferred under the contract, or both the facility and real property on which it is situated plus the surrounding land that is to be transferred under the contract. The triggering

events and the procedures for a repurchase under the irrevocable grant described in this division are as follows:

JRK (i) Before the contractor, or the contractor's successor in title, may resell or otherwise transfer the facility and the real property on which it is situated, any surrounding land that is to be transferred under the contract, or both the facility and real property on which it is situated plus the surrounding land that is to be transferred under the contract, the contractor or successor first must offer the state the opportunity to repurchase the facility, real property, and surrounding land that is to be resold or transferred for a price not greater than the purchase price paid to the state for that facility, real property, or surrounding land, less depreciation from the time of the conveyance of that facility, real property, or surrounding land to the contractor, plus the depreciated value of any capital improvements to that facility, real property, or surrounding land that were made to it and funded by anyone other than the state subsequent to the conveyance to the contractor. The repurchase opportunity described in this division must be offered to the state at least one hundred twenty days before the contractor intends to resell or otherwise transfer the facility, real property, or surrounding land that is to be resold or transferred. After being offered the repurchase opportunity, the state has the right to repurchase the facility, real property, and surrounding land that is to be resold or otherwise transferred for the price described in this division. JRK

(ii) Upon the contractor's default of any financial agreement for the purchase of the facility and the real property on which it is situated, any surrounding land that is to be transferred under the contract, or both the facility and real property on which it is situated plus the surrounding land that is to be transferred under the contract, upon the contractor's default of any other term in the contract, or upon the contractor's financial insolvency or inability to meet its contractual obligations, the state has the right to repurchase the facility and real property, the surrounding land, or both the facility and real property and the surrounding land for a price not greater than the purchase price paid to the state for that facility, real property, or surrounding land, less depreciation from the time of the conveyance of that facility, real property, or surrounding land to the contractor, plus the depreciated value of any capital improvements to that facility, real property, or surrounding land that were made to it and funded by anyone other than the state subsequent to the conveyance to the contractor. JRK

(e) A requirement that if the operation and management portion of the contract is terminated the contractor's operation and management responsibilities be transferred to another contractor under the same terms and conditions and applied to the original contractor or to the Department of

The above boxed and initialed text was disapproved.

Date: 6-30-11

John R. Kasich, Governor

Rehabilitation and Correction and authorization for the Department or new contractor, whichever is applicable, to enter into an agreement with the terminated contractor to purchase the terminated contractor's equipment, supplies, furnishings, and consumables.

(3)(a) If the Director of Administrative Services and the Director of Rehabilitation and Correction award a contract of the type described in division (B)(1) of this section to a contractor regarding a facility described in division (C), (D), (E), (F), or (G) of this section, notwithstanding any provision of the Revised Code and subject to division (B)(3)(b) of this section, the state may transfer to the contractor in accordance with the contract any supplies, equipment, furnishings, fixtures, or other assets considered necessary by the Director of Rehabilitation and Correction and the Director of Administrative Services for the continued operation and management of the facility. For purposes of this paragraph and the transfer authorized under this paragraph, any such supplies, equipment, furnishings, fixtures, or other assets shall not be considered supplies, excess supplies, or surplus supplies as defined in section 125.12 of the Revised Code and may be disposed of as part of the transfer of the facility to the contractor.

(b) If the Director of Administrative Services and the Director of Rehabilitation and Correction award a contract of the type described in division (B)(1) of this section to a contractor regarding the facility described in division (D) of this section, the Director of Rehabilitation and Correction may transfer to another state correctional institution to be determined by the Director of Rehabilitation and Correction the Braille printing press and related accessories located at the facility described in division (D) of this section and all programs associated with the Braille printing press.

(4) Nothing in divisions (B)(1) to (3) or divisions (C) to (G) of this section restricts the department of rehabilitation and correction from contracting for only the private operation and management of any of the facilities described in divisions (C) to (G) of this section.

(C)(1) As used in division (C) of this section, "grantee" means an entity that has contracted under section 9.06 of the Revised Code to privately operate the Lake Erie Correctional Facility, if the contract includes the clauses described in division (B)(2) of this section for the purchase of that Facility.

(2) The Governor is authorized to execute a deed in the name of the state conveying to the grantee, its successors and assigns, all of the right, title, and interest of the state in the Lake Erie Correctional Facility, in the City of Conneaut, County of Ashtabula, State of Ohio, the land situated thereon, and any surrounding land, which totals approximately 119 acres.

In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the property in conformity with the actual bounds of the real estate.

(3) Consideration for conveyance of the real estate shall be set forth in the contract awarded to the grantee and shall be paid in accordance with the terms of the contract.

(4)(a) The deed may contain any restriction that the Director of Administrative Services and the Director of Rehabilitation and Correction determine is reasonably necessary to protect the state's interest in neighboring state-owned land.

(b) The deed also shall contain restrictions prohibiting the grantee from using, developing, or selling the real estate, or the correctional facility thereon, except in conformance with the restriction, or if the use, development, or sale will interfere with the quiet enjoyment of the neighboring state-owned land.

(5) The real estate shall be sold as an entire tract and not in parcels.

(6) Upon payment of the purchase price as set forth in the contract awarded to the grantee, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and restrictions 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 deed for recording in the Office of the Ashtabula County Recorder.

(7) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including recordation costs of the deed.

(8) The proceeds of the conveyance of the real estate shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund and shall be used to redeem or defease bonds in accordance with section 5120.092 of the Revised Code, and any remaining moneys after such redemption or defeasance shall be transferred in accordance with that section to the General Revenue Fund.

(9) Division (C) of this section does not restrict the Department of Rehabilitation and Correction from contracting, not for the sale of, but only for the private operation and management of the Lake Erie Correctional Facility.

(10) Division (C) of this section expires two years after its effective date.

(D)(1) As used in division (D) of this section, "grantee" means an entity that has contracted under section 9.06 of the Revised Code to privately



operate the Grafton Correctional Institution, if the contract includes the clauses described in division (B)(2) of this section for the purchase of that Institution.

(2) The Governor is authorized to execute a deed in the name of the state conveying to the grantee, its successors and assigns, all of the right, title, and interest of the state in the Grafton Correctional Institution, in the City of Grafton, County of Lorain, State of Ohio, the land situated thereon, and any surrounding land, which totals approximately 148 acres.

In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the property in conformity with the actual bounds of the real estate.

(3) Consideration for conveyance of the real estate shall be set forth in the contract awarded to the grantee and shall be paid in accordance with the terms of the contract.

(4)(a) The deed may contain any restriction that the Director of Administrative Services and the Director of Rehabilitation and Correction determine is reasonably necessary to protect the state's interest in neighboring state-owned land.

(b) The deed also shall contain restrictions prohibiting the grantee from using, developing, or selling the real estate, or the correctional facility thereon, except in conformance with the restriction, or if the use, development, or sale will interfere with the quiet enjoyment of the neighboring state-owned land.

(5) The real estate shall be sold as an entire tract and not in parcels.

(6) Upon payment of the purchase price as set forth in the contract awarded to the grantee, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and restrictions 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 deed for recording in the Office of the Lorain County Recorder.

(7) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including recordation costs of the deed.

(8) The proceeds of the conveyance of the real estate shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund and shall be used to redeem or defease bonds in accordance with section 5120.092 of the Revised Code, and any remaining moneys after such redemption or defeasance shall be transferred in accordance with that section to the General Revenue Fund.



(9) Division (D) of this section does not restrict the Department of Rehabilitation and Correction from contracting, not for the sale of, but only for the private operation and management of the Grafton Correctional Institution.

(10) Division (D) of this section expires two years after its effective date.

(E)(1) As used in division (E) of this section, "grantee" means an entity that has contracted under section 9.06 of the Revised Code to privately operate the North Coast Correctional Treatment Facility, if the contract includes the clauses described in division (B)(2) of this section for the purchase of that Facility.

(2) The Governor is authorized to execute a deed in the name of the state conveying to the grantee, its successors and assigns, all of the right, title, and interest of the state in the North Coast Correctional Treatment Facility, in the City of Grafton, County of Lorain, State of Ohio, the land situated thereon, and any surrounding land, which totals approximately 171 acres.

In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the property in conformity with the actual bounds of the real estate.

(3) Consideration for conveyance of the real estate shall be set forth in the contract awarded to the grantee and shall be paid in accordance with the terms of the contract.

(4)(a) The deed may contain any restriction that the Director of Administrative Services and the Director of Rehabilitation and Correction determine is reasonably necessary to protect the state's interest in neighboring state-owned land.

(b) The deed also shall contain restrictions prohibiting the grantee from using, developing, or selling the real estate, or the correctional facility thereon, except in conformance with the restriction, or if the use, development, or sale will interfere with the quiet enjoyment of the neighboring state-owned land.

(5) The real estate shall be sold as an entire tract and not in parcels.

(6) Upon payment of the purchase price as set forth in the contract awarded to the grantee, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and restrictions 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

deed for recording in the Office of the Lorain County Recorder.

(7) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including recordation costs of the deed.

(8) The proceeds of the conveyance of the real estate shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund and shall be used to redeem or defease bonds in accordance with section 5120.092 of the Revised Code, and any remaining moneys after such redemption or defeasance shall be transferred in accordance with that section to the General Revenue Fund.

(9) Division (E) of this section does not restrict the Department of Rehabilitation and Correction from contracting, not for the sale of, but only for the private operation and management of the North Coast Correctional Treatment Facility.

(10) Division (E) of this section expires two years after its effective date.

(F)(1) As used in division (F) of this section, "grantee" means an entity that has contracted under section 9.06 of the Revised Code to privately operate the North Central Correctional Institution, if the contract includes the clauses described in division (B)(2) of this section for the purchase of that Institution.

(2) The Governor is authorized to execute a deed in the name of the state conveying to the grantee, its successors and assigns, all of the right, title, and interest of the state in the North Central Correctional Institution, in the City of Marion, County of Marion, State of Ohio, the land situated thereon, and any surrounding land, which totals approximately 152 acres.

In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the property in conformity with the actual bounds of the real estate.

(3) Consideration for conveyance of the real estate shall be set forth in the contract awarded to the grantee and shall be paid in accordance with the terms of the contract.

(4)(a) The deed may contain any restriction that the Director of Administrative Services and the Director of Rehabilitation and Correction determine is reasonably necessary to protect the state's interest in neighboring state-owned land.

(b) The deed also shall contain restrictions prohibiting the grantee from using, developing, or selling the real estate, or the correctional facility thereon, except in conformance with the restriction, or if the use, development, or sale will interfere with the quiet enjoyment of the neighboring state-owned land.

(5) The real estate shall be sold as an entire tract and not in parcels.

(6) Upon payment of the purchase price as set forth in the contract awarded to the grantee, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and restrictions 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 deed for recording in the Office of the Marion County Recorder.

(7) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including recordation costs of the deed.

(8) The proceeds of the conveyance of the real estate shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund and shall be used to redeem or defease bonds in accordance with section 5120.092 of the Revised Code, and any remaining moneys after such redemption or defeasance shall be transferred in accordance with that section to the General Revenue Fund.

(9) Division (F) of this section does not restrict the Department of Rehabilitation and Correction from contracting, not for the sale of, but only for the private operation and management of the North Central Correctional Institution.

(10) Division (F) of this section expires two years after its effective date.

(G)(1)(a) As used in division (G) of this section, "grantee" means an entity that has contracted under section 9.06 of the Revised Code to privately operate a facility at the North Central Correctional Institution Camp, if the contract includes the clauses described in division (B)(2) of this section for the purchase of that facility.

(b) Jurisdiction of the facility described in division (G)(1)(a) of this section, which is a vacated facility previously operated by the Department of Youth Services adjacent to the North Central Correctional Institution, is hereby transferred from the Department of Youth Services to the Department of Rehabilitation and Correction. The transfer of jurisdiction of that facility is hereby ratified and approved.

(2) The Governor is authorized to execute a deed in the name of the state conveying to the grantee, its successors and assigns, all of the right, title, and interest of the state in the North Central Correctional Institution Camp, in the City of Marion, County of Marion, State of Ohio, the land situated thereon, and any surrounding land, which totals approximately 106 acres.

In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the property in conformity with the actual bounds of the real estate.

(3) Consideration for conveyance of the real estate shall be set forth in the contract awarded to the grantee and shall be paid in accordance with the terms of the contract.

(4)(a) The deed may contain any restriction that the Director of Administrative Services and the Director of Rehabilitation and Correction determine is reasonably necessary to protect the state's interest in neighboring state-owned land.

(b) The deed also shall contain restrictions prohibiting the grantee from using, developing, or selling the real estate, or the correctional facility thereon, except in conformance with the restriction, or if the use, development, or sale will interfere with the quiet enjoyment of the neighboring state-owned land.

(5) The real estate shall be sold as an entire tract and not in parcels.

(6) Upon payment of the purchase price as set forth in the contract awarded to the grantee, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and restrictions 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 deed for recording in the Office of the Marion County Recorder.

(7) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including recordation costs of the deed.

(8) The proceeds of the conveyance of the real estate shall be deposited into the state treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund and shall be used to redeem or defease bonds in accordance with section 5120.092 of the Revised Code, and any remaining moneys after such redemption or defeasance shall be transferred in accordance with that section to the General Revenue Fund.

(9) Division (G) of this section does not restrict the Department of Rehabilitation and Correction from contracting, not for the sale of, but only for the private operation and management of the North Central Correctional Institution Camp.

(10) Division (G) of this section expires two years after its effective date.

SECTION 753.20. (A) The Governor is authorized to execute a deed in

the name of the state conveying to the Ripley Union Lewis Huntington School District, its successors and assigns, all of the state's right, title, and interest in the following described real estate:

## I

Starting at a 5/8" iron pin found on the southerly right-of-way line of Outer Drive, the northeasterly line of Edward and Eva K. Farnbach and Michael S. Pfeffer, Trustee at the northwesterly corner of L.J. Germann's Addition as recorded in Plat Book C-3, page 204, slide 213 in the Brown County, Ohio Recorder's Office;

Thence with the southerly right-of-way line of said Outer Drive and with the northerly line of said Farnbach and Pfeffer for the next four (4) courses;

South 63 degrees 34 minutes 18 seconds West a distance of 24.20 feet;

South 79 degrees 33 minutes 23 seconds West a distance of 92.60 feet;

South 75 degrees 58 minutes 20 seconds West a distance of 347.02 feet;

South 84 degrees 53 minutes 30 seconds West a distance of 10.54 feet;

Thence with a line through the land of said Farnbach and Pfeffer for the next two (2) courses:

South 21 degrees 11 minutes 23 seconds West a distance of 43.58 feet;

South 0 degrees 25 minutes 20 seconds West a distance of 586.49 feet to a point on the southerly line of said Farnbach and Pfeffer and on the northerly line of Michael Ray Schwallie;

Thence with a line through the land of said Schwallie for the next two (2) courses:

South 0 degrees 25 minutes 20 seconds West a distance of 227.62 feet;

South 35 degrees 47 minutes 10 seconds East a distance of 523.46 feet to a point on the southerly line of said Schwallie and on the northerly line of the State of Ohio;

Thence with a line through the land of said State of Ohio three (3) courses:

South 35 degrees 47 minutes 10 seconds East a distance of 29.17 feet;

South 6 degrees 22 minutes 58 seconds West a distance of 29.21 feet;

South 51 degrees 22 minutes 58 seconds West a distance of 583.46 feet and *the true point of beginning*;

Thence from said *true point of beginning* and through the land of said State of Ohio for the next five (5) courses:

On a curve to the left having a radius of 300.00 feet, an interior angle of 37 degrees 00 minutes 54 seconds, an arc length of 193.81 feet, a chord bearing of South 76 degrees 58 minutes 37 seconds East for a chord length

of 190.46 feet;

South 58 degrees 28 minutes 11 seconds East a distance of 284.98 feet;

On a curve to the left having a radius of 300.00 feet, an interior angle of 180 degrees 00 minutes 00 seconds, an arc length of 942.48 feet, a chord bearing of South 31 degrees 31 minutes 49 seconds West for a chord length of 600.00 feet;

North 58 degrees 28 minutes 11 seconds West a distance of 284.98 feet;

On a curve to the right having a radius of 300.00 feet, an interior angle of 142 degrees 59 minutes 08 seconds, an arc length of 748.67 feet, a chord bearing of North 13 degrees 01 minutes 23 seconds East for a chord length of 568.97 feet and CONTAINING 3.925 Acres

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 16 October 2009.

## II

Starting at 5/8" iron pin found on the southerly right-of-way line of Outer Drive, the northeasterly corner of Edward and Eva K. Farnbach and Michael S. Pfeffer, Trustee at the northwesterly corner of L.J. Germann's Addition as recorded in Plat Book C-3, page 204, slide 213 in the Brown County, Ohio Recorder's Office;

Thence with the southerly right-of-way line of Outer Drive and with the northerly line of Edward and Eva K. Farnbach, etal for the next three (3) courses:

South 63 degrees 34 minutes 18 seconds West a distance of 24.20 feet;

South 79 degrees 33 minutes 23 seconds West a distance of 92.60 feet;

South 75 degrees 58 minutes 20 seconds West a distance of 340.45 feet;

Thence through the land of said Farnbach for the next two (2) courses:

South 21 degrees 11 minutes 23 seconds West a distance of 49.42 feet;

South 0 degrees 25 minutes 20 seconds West a distance of 571.70 feet to a point on the southerly line of said Farnbach and on the northerly line of Michael Ray Schwallie;

Thence through the land of said Schwallie for the next two (2) courses:

South 0 degrees 25 minutes 20 seconds West a distance of 234.76 feet;

South 35 degrees 47 minutes 10 seconds East a distance of 518.08 feet to a point on the southerly line of said Schwallie and on the northerly line of the State of Ohio and *the true point of beginning*; said point being on the easterly line of said real estate;

Thence from said *the true point of beginning* and with a line through the land of said State of Ohio seven (7) courses:

South 35 degrees 47 minutes 10 seconds East a distance of 35.43 feet;

South 6 degrees 22 minutes 58 seconds West a distance of 41.21 feet;



South 51 degrees 22 minutes 58 seconds West a distance of 568.72 feet;  
On a curve to the left having a radius of 300.00 feet, an interior angle of 20 degrees 37 minutes 27 seconds, an arc length of 107.99 feet, a chord bearing of South 79 degrees 07 minutes 37 seconds West for a chord length of 107.41 feet;

North 51 degrees 22 minutes 58 seconds East a distance of 643.06 feet;

North 6 degrees 22 minutes 57 seconds East a distance of 1.22 feet;

North 35 degrees 47 minutes 10 seconds West a distance of 14.58 feet to a point on the southerly line of said Schwallie and on the northerly line of said State of Ohio;

Thence with the southerly line of said Schwallie and on the northerly line of said State of Ohio North 52 degrees 24 minutes 43 seconds East a distance of 50.02 feet to the place of beginning and CONTAINING 0.740 Acres.

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 16 October 2009.

### III

Starting at a 5/8" iron pin found on the southerly right-of-way line of Outer Drive, the northeasterly corner of Edward and Eva K. Farnbach and Michael S. Pfeffer, Trustee at the northwesterly corner of L.J. Germann's Addition as recorded in Plat Book C-3, page 204, slide 213 in the Brown County, Ohio Recorder's Office;

Thence with the southerly right-of-way line of said Outer Drive and with the northerly line of said Farnbach and Pfeffer for the next four (4) courses:

South 63 degrees 34 minutes 18 seconds West a distance of 24.20 feet;

South 79 degrees 33 minutes 23 seconds West a distance of 92.60 feet;

South 75 degrees 58 minutes 20 seconds West a distance of 347.02 feet;

South 84 degrees 53 minutes 30 seconds West a distance of 10.54 feet;

Thence with a line through the land of said Farnbach and Pfeffer for the next two (2) courses:

South 21 degrees 11 minutes 23 seconds West a distance of 43.58 feet;

South 0 degrees 25 minutes 20 seconds West a distance of 586.49 feet to a point on the southerly line of said Farnbach Pfeffer and on the northerly line of Michael Ray Schwallie;

Thence with a line through the land of said Schwallie for the next two (2) courses:

South 0 degrees 25 minutes 20 seconds West a distance of 227.62 feet;

South 35 degrees 47 minutes 10 seconds East a distance of 523.46 feet to a point on the southerly line of said Schwallie and on the northerly line of

the State of Ohio and *the true point of beginning*, said beginning point being on the easterly line of said real estate;

Thence from said *the true point of beginning* and with a line through the land of said State of Ohio seven (7) courses:

South 35 degrees 47 minutes 10 seconds East a distance of 29.17 feet;

South 6 degrees 22 minutes 58 seconds West a distance of 29.21 feet;

South 51 degrees 22 minutes 58 seconds West a distance of 583.46 feet;

On a curve to the left having a radius of 300.00 feet, an interior angle of 7 degrees 49 minutes 53 seconds, an arc length of 41.01 feet, a chord bearing of South 80 degrees 35 minutes 59 seconds West for a chord length of 40.97 feet;

North 51 degrees 22 minutes 58 seconds East a distance of 610.94 feet;

North 6 degrees 22 minutes 58 seconds East a distance of 13.22 feet;

North 35 degrees 47 minutes 10 seconds West a distance of 20.83 feet to a point on the southerly line of said Schwallie and on the northerly line of said State of Ohio;

Thence with the southerly line of said Schwallie and on the northerly line of said State of Ohio North 52 degrees 24 minutes 43 seconds East a distance of 20.01 feet to the place of beginning and CONTAINING 0.295 Acres.

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 16 October 2009.

#### IV

Starting at a spike found in the centerline of U.S. Route No. 52, 62 & 68, at the southeasterly corner of Surgical Appliance Industries, Inc.'s 2.00 Acre tract as recorded in Deed Book 164, page 778 in the Brown County, Ohio Recorder's Office;

Thence with the line of said Surgical Appliance Industries, Inc. South 52 degrees 38 minutes 52 seconds West a distance of 80.00 feet to a point on the on the southerly right-of-way line of said U.S. Route No. 52, 62 & 68;

Thence with the southerly right-of-way line of said U.S. Route No. 52, 62 & 68 South 36 degrees 23 minutes 01 seconds East a distance of 19.72 feet to *the true point of beginning*;

South 52 degrees 41 minutes 03 seconds West a distance of 260.37 feet;

South 49 degrees 59 minutes 41 seconds West a distance of 179.65 feet;

On a curve to the left having a radius of 200.00 feet, an interior angle of 43 degrees 45 minutes 50 seconds, an arc length of 152.76 feet, a chord bearing of South 28 degrees 06 minutes 46 seconds West for a chord length of 149.08 feet;

South 6 degrees 13 minutes 51 seconds West a distance of 204.40 feet;

On a curve to the left having a radius of 100.00 feet, an interior angle of 44 degrees 44 minutes 55 seconds, an arc length of 78.10 feet, a chord bearing of South 16 degrees 08 minutes 36 seconds East for a chord length of 76.13 feet;

South 38 degrees 31 minutes 04 seconds East a distance of 266.21 feet;

On a curve to the left having a radius of 50.00 feet, an interior angle of 53 degrees 35 minutes 34 seconds, an arc length of 46.77 feet, a chord bearing of South 65 degrees 18 minutes 51 seconds East for a chord length of 45.08 feet;

North 87 degrees 53 minutes 23 seconds East a distance of 6.15 feet;

On a curve to the right having a radius of 12.50 feet, an interior angle of 143 degrees 13 minutes 01 seconds, an arc length of 31.25 feet, a chord bearing of South 20 degrees 30 minutes 07 seconds East for a chord length of 23.72;

South 51 degrees 40 minutes 10 seconds West a distance of 345.58 feet;

On a curve to the left having a radius of 125.00 feet, an interior angle of 43 degrees 33 minutes 25 seconds, an arc length of 95.03 feet, a chord bearing of South 29 degrees 53 minutes 28 seconds West for a chord length of 92.75 feet;

South 8 degrees 06 minutes 45 seconds West a distance of 65.53 feet;

On a curve to the right have a radius of 63.00 feet, an interior angle of 91 degrees 48 minutes 38 seconds, an arc length of 100.95 feet, a chord bearing of South 54 degrees 01 minutes 04 seconds West for a chord length of 90.49 feet;

North 80 degrees 04 minutes 37 seconds West a distance of 579.25 feet;

On a curve to the right having a radius of 150.00 feet, an interior angle of 26 degrees 20 minutes 16 seconds, an arc length of 68.95 feet, a chord bearing of North 66 degrees 54 minutes 29 seconds West for a chord length of 68.35 feet;

North 53 degrees 44 minutes 21 seconds West a distance of 229.52 feet;

North 46 degrees 10 minutes 36 seconds West a distance of 25.00 feet;

North 52 degrees 49 minutes 16 seconds West a distance of 55.12 feet;

On a curve to the left having a radius of 205.00 feet, an interior angle of 75 degrees 47 minutes 45 seconds, an arc length of 271.19 feet, a chord bearing of South 89 degrees 16 minutes 52 seconds West for a chord length of 251.85 feet;

South 51 degrees 22 minutes 58 seconds West a distance of 139.29 feet;

On a curve to the left having a radius of 55.00 feet, an interior angle of 105 degrees 02 minutes 01 seconds, an arc length of 100.83 feet, a chord

bearing of South 01 degrees 08 minutes 03 seconds East for a chord length of 87.29 feet;

South 53 degrees 39 minutes 03 seconds East a distance of 447.62 feet;

North 53 degrees 39 minutes 03 seconds West a distance of 447.62 feet;

On a curve to the right having a radius of 55.00 feet, an interior angle of 105 degrees 02 minutes 01 seconds, an arc length of 100.83 feet, a chord bearing of North 01 degrees 08 minutes 03 seconds West for a chord length of 87.29 feet;

North 51 degrees 22 minutes 58 seconds East a distance of 139.29 feet;

On a curve to the right having a radius of 205.00 feet, an interior angle of 75 degrees 47 minutes 45 seconds, an arc length of 271.19 feet, a chord bearing of North 89 degrees 16 minutes 52 seconds East for a chord length of 251.85 feet;

South 52 degrees 49 minutes 16 seconds East a distance of 55.12 feet;

South 46 degrees 10 minutes 36 seconds East a distance of 25.00 feet;

South 53 degrees 44 minutes 21 seconds East a distance of 229.52 feet;

On a curve to the left having a radius of 150.00 feet, an interior angle of 26 degrees 20 minutes 16 seconds, an arc length of 68.95 feet, a chord bearing of South 66 degrees 54 minutes 29 seconds East for a chord length of 68.35 feet;

South 80 degrees 04 minutes 37 seconds East a distance of 579.25 feet;

On a curve to the left having a radius of 63.00 feet, an interior angle of 91 degrees 48 minutes 38 seconds, an arc length of 100.95 feet, a chord bearing of North 54 degrees 01 minutes 04 seconds East for a chord length of 90.49 feet;

North 8 degrees 06 minutes 45 seconds East a distance of 65.53 feet;

On a curve to the right having a radius of 125.00 feet, an interior angle of 43 degrees 33 minutes 25 seconds, an arc length of 95.03 feet, a chord bearing of North 29 degrees 53 minutes 28 seconds East for a chord length of 92.75 feet;

North 51 degrees 40 minutes 10 seconds East a distance of 345.58 feet;

North 51 degrees 06 minutes 24 seconds East a distance of 242.53 feet;

On a curve to the left having a radius of 75.00 feet, an interior angle of 89 degrees 40 minutes 16 seconds, an arc length of 117.38 feet, a chord bearing of North 06 degrees 16 minutes 16 seconds East for a chord length of 105.76 feet;

North 38 degrees 33 minutes 52 seconds West a distance of 100.75 feet;

North 53 degrees 36 minutes 14 seconds East a distance of 396.32 feet.

This description was prepared by Christopher S. Renshaw, P.S., Ohio Registration No. 8319 on 16 October 2009.

(B) Consideration for conveyance of the real estate is the mutual benefit accruing to the state and the Ripley Union Lewis Huntington School District from the use of the real estate so that a water well may be constructed and operated.

(C) The Ripley Union Lewis Huntington School District shall use the real estate to construct and operate a water well. If the Ripley Union Lewis Huntington School District ceases to use the real estate to construct and operate a water well, all right, title, and interest in the real estate immediately reverts to the state without the need for any further action by the state.

(D) The Ripley Union Lewis Huntington School District shall pay the costs of the conveyance.

(E) Within thirty days after the effective date of this section, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and the condition. 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 Ripley Union Lewis Huntington School District. The Ripley Union Lewis Huntington School District shall present the deed for recording in the office of the Brown County Recorder.

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

SECTION 753.23. (A) The Governor is authorized to execute a deed in the name of the state (Kent State University) conveying to the Board of Township Trustees of Jackson Township in Stark County and its successors and assigns all of the state's right, title, and interest in the following described real estate:

Known as and being a part of the Southeast and Southwest Quarters of Section 13, Township 11 (Jackson) R-9, County of Stark, State of Ohio. Also being a part of tracts of land conveyed to the state of Ohio as recorded in Deed Volume 3109, Page 573 of the records of Stark County and being more fully bounded and described as follows:

Commencing at a hex head iron bar in a monument box (JAC 080), being the southeast corner of said Southwest Quarter of Section 13 and also being an angle point on the centerline of Dressler Road (C.R. 224) (Variable Width) as recorded in file 106 of the Stark County Engineers Office;

Thence, along the centerline of Dressler Road, N 1803'31" E a distance of 223.09 feet to the True Place of beginning for the parcel herein described;

1. Thence N 56°56'23" W a distance of 241.46 feet to a 5/8" rebar set,

said line passes over a 5/8" rebar set at 41.41 feet;

2. Thence N 01°44'30" W a distance of 230.40 feet to a 5/8" rebar set;

3. Thence N 67°27'21" E a distance of 150.00 feet to a 5/8" rebar set;

4. Thence S 63°25'06" E a distance of 199.60 feet to a point in the centerline of Dressler Road, said line passes over a 5/8" rebar set at 159.15 feet;

5. Thence, along the centerline of Dressler Road, S 18°03'31" W a distance of 347.32 feet to the true place of beginning and containing 2.025 acres of land, more or less of which 0.970 acres are located in the Southeast Quarter of Section 13 and 1.055 acres are located in the Southwest Quarter of Section 13.

The above described area is contained within the Stark County Auditor's Permanent Parcel Numbers 1680061 and 1680066.

The basis of bearings in this description is based on the Ohio North Zone, State Plane Coordinates NAD 83 (86).

The statement of "5/8" rebar Set" refers to a 5/8" x 30" Dia. Rebar set with a plastic i.d. cap stamped "SCE".

This description was prepared and reviewed by Daniel J. Houck, Professional Surveyor No. 7851 in March of 2010, of the Stark County Engineer's Office. This description is based on a survey made by the Stark County Engineer's Office in March of 2010, under the direction and supervision of Keith A. Bennett, Professional Surveyor No. 7615. (Attachment A)

(B) Consideration for conveyance of the real estate is the mutual benefit accruing to the state from Jackson Township's use of the real estate for a fire station.

(C) If the use of the real estate as a fire station is discontinued, the real estate reverts to Kent State University, and Jackson Township shall raze the building currently on the real estate and remove from the real estate any contaminants relating to the building's use as a fire station.

(D) The Board of Township Trustees of Jackson Township in Stark County shall pay the costs of the conveyance.

(E) The Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and the reverter. 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 Board of Township Trustees of Jackson Township in Stark County. The Board of Township Trustees of Jackson Township in Stark County shall present the deed for recording in the Office of the Stark



County Recorder.

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

SECTION 753.25. (A) The Governor is authorized to execute a deed in the name of the state conveying to the Board of County Hospital Trustees of The MetroHealth System ("MetroHealth"), in the name of the County of Cuyahoga, State of Ohio, its successors and assigns, all of the state's right, title, and interest in the following listed parcels of real estate located in the County of Cuyahoga, State of Ohio: 00821- 008, 00821-009, 00821-010, 00821-011, 00821-012, 00821-013, 00821-014, 00821-015, 00821-016, and 00821-017.

In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the real estate in conformity with the actual bounds of the real estate.

(B) Consideration for conveyance of the real estate shall be ten dollars.

(C) The state shall convey the real estate described in division (A) of this section together with the building situated upon it, along with the amount of \$3,400,000 to demolish the building. Notwithstanding any provision of law to the contrary, the Director of Mental Health shall disburse \$3,400,000 from appropriation item C58010, Campus Consolidation, as set forth in Sub. H.B. 462 of the 128th General Assembly, to the grantee within thirty days after the conveyance of the real estate. After the disbursement, the state shall, within four months, complete a physical inventory of assets, relocate assets that are to be removed from the building, and itemize assets that are to remain with the transferred real estate and building.

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

(E) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including costs of any surveys and recordation costs of the deed.

(F) The grantee shall not, during any period that any bonds issued by the state to finance or refinance all or a portion of the real estate described in division (A) of this section are outstanding, use any portion of the real estate for a private business use without the prior written consent of the state. As used in this division:

(1) "Private business use" means use, directly or indirectly, in a trade or business carried on by any private person other than use as a member of, and on the same basis as, the general public. Any activity carried on by a private person who is not a natural person shall be presumed to be a trade or business.

(2) "Private person" means any natural person or any artificial person, including a corporation, partnership, limited liability company, trust, or other entity and including the United States or any agency or instrumentality of the United States, but excluding any state, territory, or possession of the United States, the District of Columbia, or any political subdivision thereof that is referred to as a "state or local governmental unit" in Treasury Regulation 1.103-1(a) and any person that is acting solely and directly as an officer or employee of or on behalf of such a governmental unit.

(G) The grantee shall not sell, convey, or transfer ownership of the real estate described in division (A) of this section before December 1, 2019, or before receiving written confirmation from the state that all of the state's bonded capital indebtedness associated with any of the buildings located on the real estate has been fully satisfied.

(H) The Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and the conditions and restrictions 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 deed for recording in the Office of the Cuyahoga County Recorder.

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

SECTION 753.27. (A) The Governor is authorized to execute a deed in the name of the state, on behalf of Cleveland State University, conveying to a purchaser as yet to be determined (hereinafter the "grantee"), its heirs and assigns or its successors and assigns, all of the state's right, title, and interest in the real estate located at 21425 Shelburne Road, City of Shaker Heights, County of Cuyahoga, State of Ohio, such real estate consisting of the building formerly used as the residence for the President of Cleveland State University, and the land on which it is situated.

(B) In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the real estate in conformity with the actual bounds of the real estate.

(C) Consideration for conveyance of the real estate shall be as is agreed upon by Cleveland State University and the grantee.

(D) The deed may contain any condition or restriction that the Governor or Cleveland State University determines is reasonably necessary to protect the state's interests.

(E) The grantee shall pay all costs associated with the conveyance, including recordation costs of the deed.

(F) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and any conditions or restrictions 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 deed for recording in the Office of the Cuyahoga County Recorder.

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

SECTION 753.30. (A) The Governor is authorized to execute a deed in the name of the state conveying to a buyer or buyers to be determined in the manner provided in division (B) of this section all of the state's right, title, and interest in the real property of any facility under the management and control of the Department of Youth Services following the closure of that facility that the Director of Administrative Services determines is no longer required for state purposes. This section applies only to facilities that are closed before January 1, 2012.

(B)(1) The Director of Administrative Services shall offer the real estate, improvements and chattels of a facility sold pursuant to division (A) of this section for sale "as is" in its present condition according to the following process:

The real estate of the facility shall be sold as an entire parcel and not subdivided.

The Director of Administrative Services shall conduct a sealed bid sale and the real property of the facility shall be sold to the highest bidder at a price acceptable to both the Director of Administrative Services and the Director of Youth Services.

(2) The contract for sale of a facility pursuant to this section shall include a condition that requires the purchaser to provide preferential hiring treatment to employees or former employees of the Department of Youth Services in order to retain or rehire staff displaced as a result of the closure of the facility located on the property, to the extent the purchaser's use of the facility requires employees in the same or similar positions as those displaced as a result of the closure.

The contract for sale also shall include a binding commitment that irrevocably grants to the state a right, upon the occurrence of any triggering event described in division (B)(2)(a) or (b) of this section and in accordance with the particular division, to repurchase the facility and the real property on which it is situated, any surrounding land that is to be transferred under

the contract, or both the facility and real property on which it is situated plus the surrounding land that is to be transferred under the contract. The triggering events and the procedures for a repurchase under the irrevocable grant described in this division are as follows:

(a) Before the purchaser, or the purchaser's successor in title, may resell or otherwise transfer the facility and the real property on which it is situated, any surrounding land that is to be transferred under the contract, or both the facility and real property on which it is situated plus the surrounding land that is to be transferred under the contract, the purchaser or successor first must offer the state the opportunity to repurchase the facility, real property, and surrounding land that is to be resold or transferred for a price not greater than the purchase price paid to the state for that facility, real property, or surrounding land, less depreciation from the time of the conveyance of that facility, real property, or surrounding land to the purchaser, plus the depreciated value of any capital improvements to that facility, real property, or surrounding land that were made to it and funded by anyone other than the state subsequent to the conveyance to the purchaser. The repurchase opportunity described in this division must be offered to the state at least one hundred twenty days before the purchaser intends to resell or otherwise transfer the facility, real property, or surrounding land that is to be resold or transferred. After being offered the repurchase opportunity, the state has the right to repurchase the facility, real property, and surrounding land that is to be resold or otherwise transferred for the price described in this division.

(b) Upon the purchaser's default of any financial agreement for the purchase of the facility and the real property on which it is situated, any surrounding land that is to be transferred under the contract, or both the facility and real property on which it is situated plus the surrounding land that is to be transferred under the contract, upon the purchaser's default of any other term in the contract, or upon the purchaser's financial insolvency or inability to meet its contractual obligations, the state has the right to repurchase the facility and real property, the surrounding land, or both the facility and real property and the surrounding land, for a price not greater than the purchase price paid to the state for that facility, real property, or surrounding land, less depreciation from the time of the conveyance of that facility, real property, or surrounding land to the purchaser, plus the depreciated value of any capital improvements to that facility, real property, or surrounding land that were made to it and funded by anyone other than the state subsequent to the conveyance to the purchaser.

(3) The Director of Administrative Services shall advertise the sealed bid sale in a newspaper of general circulation within Scioto County once a

week for three consecutive weeks prior to the date of the sealed bid sale. The Director of Administrative Services may reject any and all bids from the sealed bid sale. The terms of sale shall be ten per cent of the purchase price in cash, bank draft, or certified check payable within five business days following written notification of the acceptance of the bid by the Director of Administrative Services, with the balance payable within sixty days after the date of the written notification of the acceptance of the bid by the Director of Administrative Services. A purchaser who does not complete the conditions of the sale as prescribed in this division shall forfeit the ten per cent of the purchase price paid to the state as liquidated damages. Should a purchaser not complete the conditions of sale as described in this division, the Director of Administrative Services is authorized to accept the next highest bid by collecting ten per cent of the revised purchase price from that bidder and to proceed to close the sale, provided that the secondary bid meets all other criteria provided for in this section. If the Director of Administrative Services rejects all bids from the sealed bid sale, the Director may repeat the sealed bid process described in this section or may use an alternate sale process acceptable to the Director of Youth Services.

Advertising costs and any other costs incident to the sale of a facility pursuant to this section shall be paid by the Department of Youth Services.

Upon notice from the Director of Administrative Services, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the facility to the purchaser identified by the Director of Administrative Services. The deed shall be executed by the Governor, countersigned by the Secretary of State, presented in the Office of the Auditor of State for recording, and delivered to the grantee at closing and upon the grantee's payment of the balance of the purchase price. The grantee shall present the deed for recording in the office of the recorder of the county in which the facility is located.

The grantee shall pay all costs associated with the purchase and conveyance of the facility, including the costs of recording the deed.

The net proceeds of the conveyance of the facility shall be deposited into the State Treasury to the credit of the Adult and Juvenile Correctional Facilities Bond Retirement Fund and shall be used to offset bond indebtedness on state bonds issued for the facility that has been sold. The Director of Budget and Management may direct that any moneys remaining in the fund after the redemption or defeasance of the bonds issued for that facility be transferred to the General Revenue Fund.

(C) This section expires two years after its effective date.



SECTION 755.10. The Director of Transportation may enter into agreements as provided in this section with the United States or any department or agency of the United States, including, but not limited to, the United States Army Corps of Engineers, the United States Forest Service, the United States Environmental Protection Agency, and the United States Fish and Wildlife Service. An agreement entered into pursuant to this section shall be solely for the purpose of dedicating staff to the expeditious and timely review of environmentally related documents submitted by the Director of Transportation, as necessary for the approval of federal permits. The agreements may include provisions for advance payment by the Director of Transportation for labor and all other identifiable costs of the United States or any department or agency of the United States providing the services, as may be estimated by the United States, or the department or agency of the United States. The Director shall submit a request to the Controlling Board indicating the amount of the agreement, the services to be performed by the United States or the department or agency of the United States, and the circumstances giving rise to the agreement.

SECTION 755.20. (A) Until December 31, 2011, a transportation improvement district and any one or more governmental agencies may enter into an agreement providing for the joint financing, construction, acquisition, or improvement of any project. Any such agreement shall be approved by resolution or ordinance passed by the legislative authority of each of the parties to the agreement. The resolution or ordinance shall authorize the execution of the agreement by a designated official or officials of such party, and the agreement, when so approved and executed, shall be in full force and effect.

(B)(1) Subject to division (B)(2) of this section, any municipal corporation, county, or township that is a party to such an agreement may issue securities pursuant to Chapter 133. or other applicable provisions of the Revised Code to provide for the payment of its portion of the cost of the project and, notwithstanding any other provision of the Revised Code, a district may purchase directly from the municipal corporation, county, or township those securities as an investment or to provide for the payment of bond service charges on bonds issued by a district.

(2) For any project undertaken pursuant to an agreement entered into under this section for which a district purchases securities under division (A)(1) of this section, more than half of the property necessary for the



project shall be located within the territory of the district.

(C) Any term used in this section has the same meaning as in Chapter 5540. of the Revised Code unless the context clearly requires another meaning.

SECTION 755.30. The Ohio Public Transit Association, in consultation with the Ohio Municipal League, the County Commissioners Association of Ohio, and the Ohio Township Association, shall study regional transit authority expansion outside territorial boundaries and, not later than December 31, 2011, shall provide the General Assembly and the Governor a report that includes all of the following:

(A) A list of best practices on proper notification to political subdivisions outside the regional transit authority's territorial boundaries;

(B) A list of best practices on engaging community leaders to discuss common agreement and differences of opinion on service extensions outside territorial boundaries;

(C) A list of best practices on resolving areas of disagreement and dispute on extension of service outside territorial boundaries by a regional transit authority.

#### SECTION 757.10. ADJUSTMENT TO LOCAL GOVERNMENT DISTRIBUTIONS

(A) On or before the tenth day of each month of the period beginning August 1, 2011, and ending June 30, 2013, the Tax Commissioner shall determine and certify to the Director of Budget and Management the amount to be credited during that month to the Local Government Fund and Public Library Fund pursuant to divisions (B) to (D) of this section.

(B) Notwithstanding any provision of section 131.51 of the Revised Code to the contrary, for each month in the period beginning August 1, 2011, and ending June 30, 2013:

(1) The amount credited first to the Local Government Fund shall be as provided in division (C) of this section;

(2) The amount credited next to the Public Library Fund shall be according to the schedule in division (D) of this section.

(C) Pursuant to division (B)(1) of this section, amounts shall be credited from revenue arising from the personal income tax levied under Chapter 5747. of the Revised Code to the Local Government Fund as follows:

(1)(a) In August 2011, seventy-five per cent of the amount credited in August 2010; in August 2012, fifty per cent of the amount credited in

August 2010;

(b) In September 2011, seventy-five per cent of the amount credited in September 2010; in September 2012, fifty per cent of the amount credited in September 2010;

(c) In October 2011, seventy-five per cent of the amount credited in October 2010; in October 2012, fifty per cent of the amount credited in October 2010;

(d) In November 2011, seventy-five per cent of the amount credited in November 2010; in November 2012, fifty per cent of the amount credited in November 2010;

(e) In December 2011, seventy-five per cent of the amount credited in December 2010; in December 2012, fifty per cent of the amount credited in December 2010;

(f) In January 2012, seventy-five per cent of the amount credited in January 2011; in January 2013, fifty per cent of the amount credited in January 2011;

(g) In February 2012, seventy-five per cent of the amount credited in February 2011; in February 2013, fifty per cent of the amount credited in February 2011;

(h) In March 2012, seventy-five per cent of the amount credited in March 2011; in March 2013, fifty per cent of the amount credited in March 2011;

(i) In April 2012, seventy-five per cent of the amount credited in April 2011; in April 2013, fifty per cent of the amount credited in April 2011;

(j) In May 2012, seventy-five per cent of the amount credited in May 2011; in May 2013, fifty per cent of the amount credited in May 2011;

(k) In June 2012, seventy-five per cent of the amount credited in June 2011; in June 2013, fifty per cent of the amount credited in June 2011;

(l) In July 2012, fifty per cent of the amount credited in July 2010.

(2) For each month in the period beginning August 1, 2011, and ending June 30, 2013, an amount sufficient to make the distributions required for that month under divisions (E)(2)(a), (b), and (c) of this section.

(3) For each month in the period beginning August 1, 2011, and ending June 30, 2012, an amount equal to one-eleventh of forty-nine million two hundred seventy thousand dollars.

(D) Pursuant to division (B)(2) of this section, amounts shall be credited from revenue arising from the kilowatt-hour tax and sales tax levied under section 5727.81 or 5739.02 of the Revised Code, respectively, to the Public Library Fund as follows:

(1) In August 2011 and in August 2012, ninety-five per cent of the

amount credited in August 2010;

(2) In September 2011 and in September 2012, ninety-five per cent of the amount credited in September 2010;

(3) In October 2011 and in October 2012, ninety-five per cent of the amount credited in October 2010;

(4) In November 2011 and in November 2012, ninety-five per cent of the amount credited in November 2010;

(5) In December 2011 and in December 2012, ninety-five per cent of the amount credited in December 2010;

(6) In January 2012 and in January 2013, ninety-five per cent of the amount credited in January 2011;

(7) In February 2012 and in February 2013, ninety-five per cent of the amount credited in February 2011;

(8) In March 2012 and in March 2013, ninety-five per cent of the amount credited in March 2011;

(9) In April 2012 and in April 2013, ninety-five per cent of the amount credited in April 2011;

(10) In May 2012 and in May 2013, ninety-five per cent of the amount credited in May 2011;

(11) In June 2012 and in June 2013, ninety-five per cent of the amount credited in June 2011;

(12) In July 2012, ninety-five per cent of the amount credited in July 2010.

(E) Notwithstanding any other provision of the Revised Code to the contrary, the total amount credited to the Local Government Fund in each month shall be distributed by the tenth day of that month in the following manner:

(1) The total amount credited to the Local Government Fund in each month for the period beginning August 1, 2011, and ending June 30, 2013, pursuant to division (C)(1) of this section shall be distributed as follows:

(a) Each county undivided local government fund shall receive a distribution from the Local Government Fund based on its proportionate share of the total amount received from the fund in that respective month in fiscal year 2011. As used in this section, "total amount received" does not include payments received in fiscal year 2011 under division (C) of section 5725.24 of the Revised Code.

(b) Each municipal corporation that received a direct distribution in fiscal year 2011 from the Local Government Fund under division (C) of section 5747.50 of the Revised Code shall receive a distribution based on its proportionate share of the total amount of direct distributions made to

municipal corporations from the fund in that respective month in fiscal year 2011.

(2) The total amount credited to the Local Government Fund in each month for the period beginning August 1, 2011, and ending June 30, 2013, pursuant to division (C)(2) of this section shall be distributed as follows:

(a) If a county undivided local government fund's total distribution in fiscal year 2011 was equal to or less than seven hundred fifty thousand dollars, the fund shall receive a distribution equal to the difference between the amount distributed to the fund in that respective month in fiscal year 2011 and the amount allocated to the fund for the month under divisions (E)(1)(a) and (3) of this section during fiscal year 2012, and division (E)(1)(a) of this section during fiscal year 2013.

(b) For each month in the period beginning August 1, 2011, and ending June 30, 2012, if a county undivided local government fund's total distribution in fiscal year 2011 exceeded seven hundred fifty thousand dollars and if the sum of the amount allocated to the fund in July 2011 and the amounts to be allocated to the fund between August 1, 2011, and June 30, 2012, under divisions (E)(1)(a) and (3) of this section is less than seven hundred fifty thousand dollars, the fund shall receive a distribution equal to one-eleventh of the difference between seven hundred fifty thousand dollars and that sum.

(c) For each month in the period beginning July 1, 2012, and ending June 30, 2013, if a county undivided local government fund's total distribution in fiscal year 2011 exceeded seven hundred fifty thousand dollars and if the total amount to be allocated to the fund in fiscal year 2013 under division (E)(1)(a) of this section is less than seven hundred fifty thousand dollars, the fund shall receive a distribution equal to one-twelfth of the difference between seven hundred fifty thousand dollars and the total amount to be allocated to the fund in fiscal year 2013 under division (E)(1)(a) of this section.

(3) The total amount credited to the Local Government Fund in each month for the period beginning August 1, 2011, and ending June 30, 2012, pursuant to division (C)(3) of this section shall be distributed to each county undivided local government fund based on each fund's proportionate share of the total amount received from the Local Government Fund in that respective month in fiscal year 2011. As used in this section, "total amount received" does not include payments received in fiscal year 2011 under division (C) of section 5725.24 of the Revised Code.

(F) Notwithstanding any other provision of the Revised Code to the contrary, by the tenth day of each month of the period beginning July 1,

2011, and ending December 31, 2011, each county undivided public library fund shall receive a distribution from the Public Library Fund equal to the product derived by multiplying the following amounts:

- (1) The total amount credited to the Public Library Fund in that month;
- (2) A percentage calculated by multiplying one hundred by the quotient obtained by dividing the sum of the county's distributions from the Public Library Fund during calendar year 2010 by the sum of distributions made to all counties from the Public Library Fund during calendar year 2010.

(G) Notwithstanding any other provision of the Revised Code to the contrary, by the tenth day of each month of the period beginning January 1, 2012, and ending June 30, 2013, each county undivided public library fund shall receive a distribution from the Public Library Fund equal to the product derived by multiplying the following amounts:

- (1) The total amount credited to the Public Library Fund in that month;
- (2) A percentage calculated by multiplying one hundred by the quotient obtained by dividing the sum of the county's distributions from the Public Library Fund during calendar year 2011 by the sum of distributions made to all counties from the Public Library Fund during calendar year 2011.

(H) For the 2012 and 2013 distribution years, the Tax Commissioner is not required to issue the certifications otherwise required by sections 5747.47, 5747.501, and 5747.51 of the Revised Code, but shall provide to each county auditor by July 20, 2011, and July 20, 2012, an estimate of the amounts to be received by the county in the ensuing year from the Public Library Fund and the Local Government Fund pursuant to this section and any other section of the Revised Code. The Tax Commissioner may report to each county auditor additional revised estimates of the 2011, 2012, or 2013 distributions at any time during fiscal years 2012 and 2013.

SECTION 757.20. A school district, joint vocational school district, or local taxing unit may appeal a levy classification or any amount used in the calculation of total resources as defined under division (A) of section 5727.84 or division (A) of section 5751.20 of the Revised Code. Such an appeal shall be filed in writing, including via electronic mail, with the Tax Commissioner. Upon receiving such an appeal, the Tax Commissioner shall make a determination of the merits of the appeal and, if the appeal is upheld, make necessary changes within the classifications or calculations. The determination of the Tax Commissioner is final and not subject to appeal. After June 30, 2013, no changes shall be made in the classifications or calculations.

SECTION 757.30. The Tax Commissioner shall conduct a review of the operations of the Board of Tax Appeals, and, not later than November 15, 2011, shall submit a written report to the Governor, Speaker of the House of Representatives, and President of the Senate providing an assessment of the Board's operations and recommendations for improvement. The Tax Commissioner's review shall include consultation with persons who have participated in or have had matters before the Board and are familiar with the Board's operations and procedures. The report shall include recommendations for improving the appeals process, internal operations, and other operational matters the Commissioner deems advisable. The Commissioner may designate an employee of the Department of Taxation to conduct the review.

SECTION 757.40. (A) As used in this section:

(1) "Qualifying delinquent taxes" means any tax levied under Chapters 5731., 5733., 5735., 5739., 5743., 5747., 5748., and 5751. of the Revised Code, including the taxes levied under sections 5707.03, 5727.24, 5733.41, and 5747.41 of the Revised Code, taxes required to be withheld under Chapters 5747. and 5748. of the Revised Code, and taxes required to be paid by a seller levied under Chapter 5741. of the Revised Code, which were due and payable from any person as of May 1, 2011, were unreported or underreported, and remain unpaid.

(2) "Qualifying delinquent taxes" does not include any tax for which a notice of assessment or audit has been issued, for which a bill has been issued, which relates to a tax period that ends after the effective date of this section, or for which an audit has been conducted or is currently being conducted.

(3) "Seller" has the same meaning as defined in section 5741.01 of the Revised Code.

(B) The Tax Commissioner shall establish and administer a tax amnesty program with respect to qualifying delinquent taxes. The program shall commence on May 1, 2012, and shall conclude on June 15, 2012. The Tax Commissioner shall issue forms and instructions and take other actions necessary to implement the program. The Tax Commissioner shall publicize the program so as to maximize public awareness and participation in the program. The Commissioner may contract with such parties as the Commissioner deems necessary for promotion, computer support, or administration of the program.



(C) During the program, if a person pays the full amount of qualifying delinquent taxes owed by that person and one-half of any interest that has accrued as a result of the person failing to pay those taxes in a timely fashion, the Tax Commissioner shall waive or abate all applicable penalties and one-half of any interest that accrued on the qualifying delinquent taxes.

(D) The Tax Commissioner may require a person participating in the program to file returns or reports, including amended returns and reports, in connection with the person's payment of qualifying delinquent taxes.

(E) A person who participates in the program and pays in full any outstanding qualifying delinquent tax and the interest payable on such tax in accordance with this section shall not be subject to any criminal prosecution or any civil action with respect to that tax, and no assessment shall thereafter be issued against that person with respect to that tax.

(F) Taxes and interest collected under the program shall be credited to the General Revenue Fund, except that:

(1) Qualifying delinquent taxes levied under section 5739.021, 5739.023, or 5739.026 of the Revised Code shall be distributed to the appropriate counties and transit authorities in accordance with section 5739.21 of the Revised Code during the next distribution required under that section;

(2) Qualifying delinquent taxes levied under section 5741.021, 5741.022, or 5741.023 of the Revised Code shall be distributed to the appropriate counties and transit authorities in accordance with section 5741.03 of the Revised Code during the next distribution required under that section;

(3) Qualifying delinquent taxes levied under Chapter 5748. of the Revised Code shall be credited to the school district income tax fund and then paid to the appropriate school district with the next payment required under division (D) of section 5747.03 of the Revised Code;

(4) Qualifying delinquent taxes levied under Chapter 5731. of the Revised Code shall be divided between the General Revenue Fund and the municipal corporation or township in which the tax originates in accordance with section 5731.48 of the Revised Code;

(5) Qualifying delinquent taxes levied under Chapter 5735. of the Revised Code shall be distributed according to the requirements of sections 5735.23, 5735.26, 5735.27, 5735.291, and 5735.30 of the Revised Code; and

(6) Qualifying delinquent taxes levied under section 5743.021, 5743.024, 5743.026, 5743.321, 5743.323, or 5743.324 of the Revised Code shall be distributed as required under sections 5743.021, 5743.024, and

5743.026 of the Revised Code.

SECTION 757.41. Section 757.40 of this act is hereby repealed, effective June 16, 2012. The repeal of Section 757.40 of this act does not affect, after the effective date of the repeal, the rights, remedies, or actions authorized under that section.

SECTION 757.42. (A) For the purposes of this section:

(1) "Use tax" means a tax levied under Chapter 5741. of the Revised Code.

(2) "Consumer" has the same meaning as defined in section 5741.01 of the Revised Code.

(3) "Audit" has the same meaning as defined in section 5703.50 of the Revised Code.

(B) The Tax Commissioner shall establish and administer a consumer use tax amnesty program independently from the amnesty program established in Section 757.40 of this act with respect to delinquent use taxes that are qualifying delinquent consumer taxes under that section. The program established under this section shall commence on October 1, 2011, and shall conclude on May 1, 2013. The Commissioner shall issue forms and instructions and take other actions necessary to implement the program and may adopt rules to administer the program. The Commissioner may contract with such parties as the Commissioner deems necessary for promotion, computer support, or administration of the program.

(C) If, during the program, a consumer pays the full amount of use tax for which the consumer has outstanding liability on or after January 1, 2009, that has accrued as a result of the consumer failing to pay those taxes in a timely fashion or a failure of the taxes to be remitted in a timely fashion, the Commissioner shall waive or abate all delinquent use tax owed by the consumer before January 1, 2009, and all applicable penalties and interest accrued before and after January 1, 2009. For any consumer that does not participate in the use tax amnesty program under this section, the Commissioner may audit and make an assessment against the consumer for all delinquent use tax due from that consumer on or after January 1, 2008, plus all applicable penalties and interest, as permitted by section 5703.58 of the Revised Code.

(D) As soon as practical after the effective date of this section, the Tax Commissioner shall implement and adopt rules to administer a payment plan program. Upon application by a consumer that participates in the use tax

amnesty program under this section, the Commissioner may enter into a payment plan with the consumer allowing the participant to pay the amount of use tax owed by the consumer over a time period of up to seven years. If the consumer fails to remit the unpaid use tax or fails to comply with the terms of a payment plan, the consumer is liable for interest, computed at the rate per annum prescribed by section 5703.47 of the Revised Code, on the amount of use tax owed by the consumer and payable under the payment plan, and the Commissioner shall certify to the Attorney General any remaining unpaid amount, including the interest charge, in accordance with section 131.02 of the Revised Code.

(E) A consumer against which the Tax Commissioner has issued an assessment on or before the effective date of this section is not eligible to participate in the use tax amnesty program established under this section.

(F) The Tax Commissioner shall not waive any interest or penalties due on use tax paid as allowed under the amnesty program authorized by this section by a consumer that registered with the Commissioner for the use tax on or before June 1, 2011.

(G) A person who participates in the program and pays the required outstanding delinquent tax in accordance with this section shall not be subject to any criminal prosecution or any civil action with respect to that tax, and no assessment shall thereafter be issued against that person with respect to that tax.

(H) Taxes and interest collected under the program shall be credited to the General Revenue Fund, except that delinquent taxes levied under section 5741.021, 5741.022, or 5741.023 of the Revised Code shall be distributed to the appropriate counties and transit authorities in accordance with section 5741.03 of the Revised Code during the next distribution required under that section.

SECTION 757.50. All inheritance tax files that still remain open under temporary order, or otherwise, for which the "ultimate succession" pursuant to former sections 5731.28 and 5731.29 of the Revised Code as those sections existed before their repeal by S.B. 326 of the 107th General Assembly (effective July 1, 1968), relating to the inheritance tax, has not been finalized and have not been submitted to the Department of Taxation as explained below, shall be considered to be closed as of January 1, 2013.

Notwithstanding the former sections of the Revised Code constituting the Ohio Inheritance Tax as those sections existed before their repeal by that act, all claims and inquiries must be received by the Department of Taxation, or postmarked on or before, December 31, 2012.

SECTION 757.60. The amendment by this act of division (OO) of section 5739.01 of the Revised Code is to clarify the General Assembly's intent of that section when enacted.

SECTION 757.80. The amendment by this act of section 5709.07 of the Revised Code applies to tax years 2011 and thereafter.

SECTION 757.90. For the purposes of this section, "proceedings" and "securities" have the same meaning as in section 133.01 of the Revised Code.

The amendment or enactment by this act of sections 145.56, 319.301, 3305.08, 3307.41, 3309.66, 3316.041, 3316.06, 3316.08, 3317.08, 5505.22, 5705.214, 5705.29, 5748.01, 5748.05, 5748.081, and 5748.09 of the Revised Code apply to any proceedings commenced after the effective date of sections 145.56, 3305.08, 3307.41, 3309.66, 3316.08, 5505.22, 5705.214, 5705.29, 5748.01, 5748.05, 5748.081, and 5748.09 of the Revised Code and, so far as their provisions support the actions taken, also apply to any proceedings that on that effective date are pending, in progress, or completed, and to any elections authorized, conducted, or certified and securities authorized or issued pursuant to those proceedings, notwithstanding any law, resolution, ordinance, order, advertisement, notice, or other proceeding in effect before that effective date. Any proceedings pending or in progress on, or completed by, that effective date, elections authorized, conducted, or certified, and securities sold, issued, and delivered, or validated, pursuant to those proceedings, are ratified with respect to, and shall be deemed to have been taken, authorized, conducted, certified, sold, issued, delivered, or validated in conformity with section 5748.09 of the Revised Code and the amended sections so far as their provisions support the actions taken. To the extent those proceedings are proper in all other respects, if the proceedings are filed with a board of elections in anticipation of the taking effect of those amendments and enactments and in a manner that would be valid if the amendments and enactments took effect on the date they became law, then that board of elections, so long as it received a confirmation stating an intention to proceed from or on behalf of the board of education within five business days after the effective date of the amendments and enactments shall accept the proceedings and take any actions or make any arrangements necessary

for the submission of a question to the electors or otherwise required by the Revised Code.

The amendment or enactment by this act of sections 145.56, 319.301, 3305.08, 3307.41, 3309.66, 3316.041, 3316.06, 3316.08, 3317.08, 5505.22, 5705.214, 5705.29, 5748.01, 5748.05, 5748.081, and 5748.09 of the Revised Code provide additional or supplemental provisions for subject matter that may also be the subject of other laws, and are intended to be supplemental to, and not in derogation of, any similar authority provided by, derived from, or implied by the Ohio Constitution, or any other law, including laws amended by this act, or any charter, order, resolution, or ordinance; and those amendments and enactments shall not be interpreted to negate the authority provided by, derived from, or implied by such constitution, laws, charters, orders, resolutions, or ordinances.

SECTION 757.93. The amendment by this act of division (C) of section 5733.351 of the Revised Code is intended to clarify the law as it existed before the enactment of this act and shall be construed accordingly.

SECTION 757.95. Section 5709.084 of the Revised Code, as amended by this act, is remedial in nature and applies to the tax years at issue in any application for exemption from taxation or any appeal from such an application pending before the Tax Commissioner, the Board of Tax Appeals, any Court of Appeals, or the Supreme Court on the effective date of this act and to the property that is the subject of any such application or appeal.

SECTION 801.20. As used in the uncodified law of this act, "American Recovery and Reinvestment Act of 2009" means the "American Recovery and Reinvestment Act of 2009," Pub. L. No. 111-5, 123 Stat. 115.

SECTION 801.30. REVENUE GENERATED BY TRANSFER OF LIQUOR ENTERPRISE TO JOBSOHIO

The revenue estimates for fiscal year 2012 assume receipt of \$500,000,000 in cash from JobsOhio pursuant to section 4313.02 of the Revised Code, as enacted by this act, and the transfer of the enterprise acquisition project authorized therein.

SECTION 803.40. Sections 121.40, 121.401 to 121.404, 1501.40, 3301.70, 3333.043, and 4503.93 of the Revised Code continue to operate the same as they did before their amendment by this act, except for the name of the Ohio Community Service Council being changed to the Ohio Commission on Service and Volunteerism.

SECTION 803.60. Section 3903.301 of the Revised Code shall apply only to formal delinquency proceedings that commence under sections 3903.01 to 3903.59 of the Revised Code on or after the effective date of this act.

SECTION 803.70. The amendment by this act to section 119.032 of the Revised Code does not accelerate the taking effect of the amendment to that section by S.B. 2 of the 129th General Assembly, which takes effect January 1, 2012.

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 of law or application.

SECTION 809.10. An item of law, other than an amending, enacting, or repealing clause, that composes the whole or part of an uncodified section contained in this act has no effect after June 30, 2013, unless its context clearly indicates otherwise.

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 therefore takes effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified below, on that date.

The amendment or repeal of sections 9.231, 9.24, 127.16, 1751.01, 1751.04, 1751.11, 1751.111, 1751.12, 1751.13, 1751.15, 1751.17, 1751.20, 1751.31, 1751.34, 1751.60, 2744.05, 3111.04, 3113.06, 3119.54, 3901.3814,



3923.281, 3963.01, 4731.65, 4731.71, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.5216, 5101.571, 5101.58, 5111.0112, and 5111.941 of the Revised Code takes effect October 1, 2011.

The amendment, enactment, or repeal of sections 120.40, 123.10, 154.11, 154.24, 154.25, 4731.15, 4731.16, 4731.17, 4731.171, 4731.18, 4731.19, 4731.222, 5120.105, 5707.031, 5725.151, 5725.24, and 5751.011 of the Revised Code and Section 701.50 of this act takes effect January 1, 2012.

The amendment of sections 131.44 and 131.51 of the Revised Code takes effect June 1, 2013.

SECTION 812.20. The amendment, enactment, or repeal by this act of the sections listed below is exempt from the referendum under Ohio Constitution, Article II, section 1d and section 1.471 of the Revised Code and therefore takes effect immediately when this act becomes law or, if a later effective date is specified below, on that date.

Sections 9.06, 9.833, 9.90, 9.901, 101.532, 101.82, 111.12, 111.16, 111.18, 111.181, 111.28, 111.29, 117.13, 121.37, 124.09, 124.23, 124.231, 124.25, 124.26, 124.27, 124.31, 125.15, 125.18, 125.213, 125.28, 125.89, 126.04, 126.12, 126.24, 127.14, 149.091, 149.11, 149.311, 187.02, 187.03, 189.01, 189.02, 189.03, 189.04, 189.05, 189.06, 189.07, 189.08, 189.09, 189.10, 305.171, 306.35, 319.301, 505.60, 505.601, 505.603, 901.09, 924.52, 927.69, 1309.528, 1327.46, 1327.50, 1327.501, 1327.51, 1327.511, 1327.54, 1327.57, 1327.62, 1327.99, 1329.04, 1329.42, 1332.24, 1501.031, 1515.14, 1545.071, 1551.311, 1551.32, 1551.35, 1555.02, 1555.03, 1555.04, 1555.05, 1555.06, 1555.08, 1555.17, 1701.07, 1702.59, 1703.031, 1703.07, 1776.83, 1785.06, 3301.07, 3301.16, 3301.162, 3301.82, 3302.031, 3302.05, 3302.07, 3306.01, 3306.011, 3306.012, 3306.02, 3306.03, 3306.04, 3306.05, 3306.051, 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 3306.12 (3317.0212), 3306.13, 3306.19, 3306.191, 3306.192, 3306.21, 3306.22, 3306.29, 3306.291, 3306.292, 3307.31, 3307.64, 3309.41, 3309.48, 3309.51, 3310.02, 3310.03, 3310.05, 3310.08, 3310.41, 3311.05, 3311.059, 3311.0510, 3311.06, 3311.19, 3311.21, 3311.29, 3311.52, 3311.76, 3313.411, 3313.55, 3313.64, 3313.6410, 3313.843, 3313.88, 3313.978, 3313.981, 3314.012, 3314.08, 3314.085, 3314.087, 3314.088, 3314.091, 3314.102, 3314.11, 3314.111, 3314.13, 3314.35, 3315.01, 3316.041, 3316.06, 3316.20, 3317.011, 3317.013, 3317.014, 3317.016, 3317.017, 3317.018, 3317.02, 3317.021, 3317.022, 3317.023, 3317.024, 3317.025, 3317.0210, 3317.0211, 3317.0216, 3317.03, 3317.031, 3317.04, 3317.05, 3317.051, 3317.053, 3317.061, 3317.07,

3317.08, 3317.081, 3317.082, 3317.09, 3317.11, 3317.12, 3317.16, 3317.17, 3317.18, 3317.19, 3317.20, 3317.201, 3318.011, 3318.051, 3318.36, 3318.37, 3318.371, 3319.19, 3319.39, 3319.57, 3319.62, 3323.091, 3323.14, 3323.142, 3323.31, 3324.05, 3326.33, 3326.39, 3327.02, 3327.04, 3327.05, 3329.16, 3345.14, 3345.81, 3349.242, 3353.15, 3365.01, 3365.08, 3506.05, 3701.0211, 3704.06, 3704.14, 3734.901, 3745.015, 3745.016, 3793.04, 3793.21, 4115.101, 4121.03, 4121.12, 4121.121, 4121.125, 4121.128, 4121.44, 4121.75, 4121.76, 4121.77, 4121.78, 4121.79, 4123.341, 4123.342, 4123.35, 4141.08, 4141.11, 4301.43, 4511.191, 4725.34, 4731.054, 4733.15, 4733.151, 5111.0122, 5111.0213, 5111.0215, 5111.83, 5111.945, 5112.99, 5112.991, 5120.092, 5123.0419, 5126.0511, 5126.11, 5126.18, 5126.24, 5703.05, 5705.211, 5715.26, 5727.84, 5727.85, 5727.86, 5747.46, 5747.51, 5751.20, 5751.21, 5751.22, 5751.23, 5919.34, 5919.341, and 6109.21.

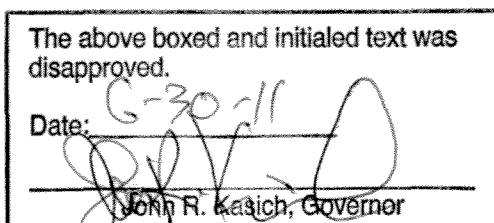
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The amendment, enactment, or repeal of sections 109.572, 173.21, 173.35 (5119.69), 173.351 (5119.691), 173.36 (5119.692), 340.03, 340.05, 340.08, 340.091, 340.11, 2317.02, 2317.422, 2903.33, 3306.12 (3317.0212), 3313.65, 3318.49, 3326.11, 3701.07, 3701.74, 3721.02, 3721.50, 3721.51, 3721.511, 3721.512, 3721.513, 3721.52, 3721.53, 3721.531, 3721.532, 3721.533, 3721.55, 3721.56, 3721.561 (3721.56), 3721.58, 3722.01 (5119.70), 3722.011 (5119.701), 3722.021 (5119.711), 3722.022 (5119.712), 3722.03 (5119.72), 3722.04 (5119.73), 3722.041 (5119.731), 3722.05 (5119.74), 3722.06 (5119.75), 3722.07 (5119.76), 3722.08 (5119.77), 3722.09 (5119.78), 3722.10 (5119.79), 3722.11 (5119.80), 3722.12 (5119.81), 3722.13 (5119.82), 3722.14 (5119.83), 3722.15 (5119.84), 3722.151 (5119.85), 3722.16 (5119.86), 3722.17 (5119.87), 3722.18 (5119.88), 3722.99, 3737.83, 3737.841, 3769.08, 3769.20, 3769.26, 3781.183, 3791.043, 5101.35, 5101.60, 5101.61, 5111.023, 5111.025, 5111.113, 5111.222, 5111.231, 5111.24, 5111.244, 5111.25, 5111.254, 5111.911, 5111.912, 5111.913, 5112.30, 5112.31, 5112.37, 5112.371, 5112.39, 5119.18, 5119.61, 5119.613 (5119.614), 5119.62, 5119.621, 5119.622, 5119.623, 5119.693, 5119.99, 5122.15, 5701.13, and 5731.39 of the Revised Code takes effect July 1, 2011.

The amendment of sections 5112.40, 5112.41, and 5112.46 of the Revised Code takes effect October 1, 2011.

The repeal of section 5111.243 of the Revised Code takes effect July 1, 2012.

Sections of this act prefixed with section numbers in the 200's, 300's, 400's, 500's, and 600's, except for Sections 309.30.40, 501.10, 503.95, 515.20, 690.10, and 690.11 of this act and except for the amendment of Section 105.45.70 of Sub. H.B. 462 of the 128th General Assembly.



*JK* Sections **701.20**, 733.10, 749.10, 753.10, 757.10, 757.20, and 757.30 of this act.

Sections 801.20, 812.10, 812.20, and 812.30 of this act.

SECTION 812.30. The sections that are listed in the left-hand column of the following table combine amendments by this act that are and that 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 to the listed sections that are subject to the referendum under Ohio Constitution, Article II, section 1c and therefore take effect on the ninety-first day after this act is filed with the Secretary of State or, if a later effective date is specified, on that date.

The right-hand column identifies the amendments to the listed sections that are exempt from the referendum under Ohio Constitution, Article II, section 1d and section 1.471 of the Revised Code and therefore take effect immediately when this act becomes law or, if a later effective date is specified, on that date.

| Section of law | Amendments subject to referendum                            | Amendments exempt from referendum                                                                             |
|----------------|-------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------|
| 102.02         | All amendments except as described in the right-hand column | The amendment in division (A) striking through "the director appointed by the workers' compensation council;" |
| 109.57         | All amendments except as described in the right-hand column | The amendment to division (G) takes effect July 1, 2011                                                       |
| 173.14         | All amendments except as described in the right-hand column | The amendments to divisions (A)(1)(d) and (f) take effect July 1, 2011                                        |
| 173.26         | All amendments except as described in the right-hand column | The amendment to division (A)(4) takes effect July 1, 2011                                                    |
| 173.40         | All amendments except as described in the right-hand column | The amendment inserting division (D)                                                                          |
| 173.42         | All amendments except as described in the right-hand        | The amendment to division (I)(3) takes                                                                        |

The above boxed and initialed text was disapproved.

Date: 6-30-11

*[Signature]*  
John R. Kasich, Governor

|          |                                                                                                                          |                                                                                                                                                          |
|----------|--------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------|
|          | column                                                                                                                   | effect July 1, 2011                                                                                                                                      |
| 187.01   | The amendment to division (I)                                                                                            | All amendments except as described in the middle column                                                                                                  |
| 1551.33  | The amendment in division (C) striking through "1551.13,"                                                                | All amendments except as described in the middle column                                                                                                  |
| 3313.29  | The amendment striking "149.41" and inserting "149.381"                                                                  | The amendment striking "(I)" and inserting "(E)"                                                                                                         |
| 3314.10  | The amendments to division (B)(1)                                                                                        | The amendments to division (B)(2)                                                                                                                        |
| 3314.19  | All amendments except amendments to division (A)                                                                         | Amendments to division (A)                                                                                                                               |
| 3314.22  | All amendments except as described in the right-hand column                                                              | The amendments to division (A)(3) and (4) striking references to the office of community schools and inserting references to the department of education |
| 3317.01  | The amendment striking division (C)                                                                                      | All amendments except as described in the middle column                                                                                                  |
| 3317.06  | The amendments to divisions (A)(2), (K), and (L) and the addition of division (O)                                        | All amendments except as described in the middle column                                                                                                  |
| 3318.032 | The amendment inserting "subject to a new project scope and estimated costs under section 3318.054 of the Revised Code," | 1. The amendment striking "one-year" and inserting "thirteen-month" 2. The amendment striking "year" and inserting "period"                              |
| 3318.05  | The amendment inserting ", subject to section 3318.054 of the Revised Code"                                              | The amendment striking "one year" and inserting "thirteen months"                                                                                        |

|                             |                                                                                                                |                                                                                                                                                                     |
|-----------------------------|----------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 3318.41                     | The amendments to divisions (D)(2) and (H)                                                                     | The amendment to division (D)(1)(b)                                                                                                                                 |
| 3319.17                     | All amendments except as described in the right-hand column                                                    | Amendment to division (A)                                                                                                                                           |
| 3721.01                     | All amendments except as described in the right-hand column                                                    | The amendment to division (A)(1)(c)(iv) takes effect July 1, 2011                                                                                                   |
| 3734.57                     | All amendments except amendments to division (A)                                                               | Amendments to division (A)                                                                                                                                          |
| 3745.11                     | The amendment inserting division (S)(3) and amendments in division (S)(1) relating thereto                     | All amendments except as described in the middle column                                                                                                             |
| 4115.10                     | All amendments except as described in the right-hand column                                                    | The amendment in division (A) striking "penalty enforcement" and inserting " <u>labor operating</u> " and striking ", which is hereby created in the state treasury |
| 5111.873                    | 1. The amendment to division (A) that inserts "subject to division (D) of this section" 2. All of division (D) | All amendments except as described in the middle column                                                                                                             |
| 5119.22                     | All amendments except as described in the right-hand column                                                    | The amendments to division (A)(1)(a) and the paragraph following division (A)(1)(d)(iii) take effect July 1, 2011                                                   |
| 5123.19 (In Section 101.01) | All amendments except as described in the right-hand column                                                    | The amendment to division (B) takes effect July 1, 2011                                                                                                             |
| 5126.05                     | The amendment to division (D)                                                                                  | The amendment to division (A)(4)                                                                                                                                    |
| Section 515.40 of           | All provisions except as described in the right-hand                                                           | Division (H) takes effect July 1, 2011                                                                                                                              |

this act        column take effect January 1,  
2012

SECTION 812.40. The amendments to section 5101.26 of the Revised Code are subject to the referendum under Ohio Constitution, Article II, Section 1c and section 1.471 of the Revised Code, and therefore take effect on the ninety-first day after this act is filed with the Secretary of State. However:

In section 5101.26 of the Revised Code, the amendment striking "and 5101.5211 to 5101.5216" takes effect on October 1, 2011.

SECTION 815.20. 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 following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 9.06 of the Revised Code as amended by Am. Sub. H.B. 130 of the 127th General Assembly and Am. Sub. H.B. 1 of the 128th General Assembly.

Section 121.37 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 123.01 of the Revised Code as amended by both Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 124.23 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 124.27 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 124.34 of the Revised Code as amended by Am. Sub. H.B. 1 and Am. Sub. H.B. 16 of the 128th General Assembly.

Section 127.16 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 505.49 of the Revised Code as amended by both Am. Sub. H.B. 490 and Am. H.B. 515 of the 124th General Assembly.

Section 1533.111 of the Revised Code as amended by Am. Sub. H.B. 66 and H.B. 296 of the 126th General Assembly.

Section 1901.02 of the Revised Code as amended by both Am. Sub. H.B. 238 and Sub. H.B. 338 of the 128th General Assembly.

Section 2903.33 of the Revised Code as amended by Am. Sub. H.B. 1



and Sub. S.B. 79 of the 128th General Assembly.

Section 3301.07 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3311.054 as amended by Am. Sub. H.B. 601 and Am. Sub. S.B. 230 of the 121st General Assembly.

Section 3313.65 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3317.02 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3317.024 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3317.03 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3317.20 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3323.091 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3323.142 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3721.01 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 3722.01 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 4115.04 of the Revised Code as amended by Sub. H.B. 443 and Am. Sub. H.B. 699 of the 126th General Assembly.

Section 4517.01 of the Revised Code as amended by Am. H.B. 9 and Am. Sub. H.B. 114 of the 129th General Assembly.

Section 5111.211 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5112.30 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5112.37 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5123.0412 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5123.0413 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5123.0417 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5123.19 of the Revised Code as amended by Am. Sub. H.B. 1

and Sub. S.B. 79 of the 128th General Assembly.

Section 5126.05 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5126.054 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5126.0512 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5126.24 of the Revised Code as amended by Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 5705.19 of the Revised Code as amended by Am. Sub. H.B. 48 and Sub. H.B. 313 of the 128th General Assembly.

Section 5723.05 of the Revised Code as amended by Am. Sub. H.B. 387 and Am. Sub. H.B. 576 of the 118th General Assembly.

Section 5739.02 of the Revised Code as amended by Am. Sub. S.B. 181 and Am. Sub. S.B. 232 of the 128th General Assembly.



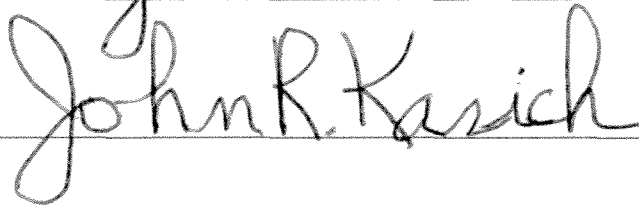
Speaker \_\_\_\_\_ of the House of Representatives.



President \_\_\_\_\_ of the Senate.

Passed June 29, 2011

Approved June 30, 2011



Governor.

Am. Sub. H. B. No. 153

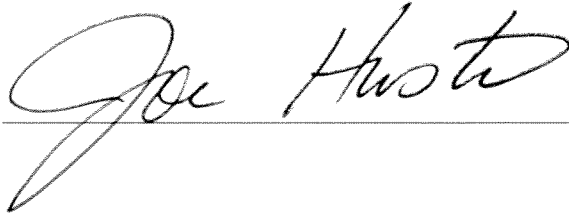
129th G.A.

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



*Director, Legislative Service Commission.*

Filed in the office of the Secretary of State at Columbus, Ohio, on the  
30th day of June, A. D. 2011.



*Secretary of State.*

File No. 28

Effective Date Some sections eff. 6/30/11  
Some sections eff. 9/29/11  
Some sections eff. on  
specific dates provided in  
the bill

## AN ACT

To amend sections 7.10, 7.11, 7.12, 9.06, 9.231, 9.24, 9.33, 9.331, 9.332, 9.333, 9.82, 9.823, 9.833, 9.90, 9.901, 101.532, 101.82, 102.02, 105.41, 107.09, 109.36, 109.43, 109.57, 109.572, 109.64, 109.71, 109.801, 111.12, 111.16, 111.18, 117.101, 117.13, 118.023, 118.04, 118.05, 118.06, 118.12, 118.17, 118.99, 119.032, 120.40, 121.03, 121.04, 121.22, 121.37, 121.40, 121.401, 121.402, 121.403, 121.404, 122.121, 122.171, 122.76, 122.861, 123.01, 123.011, 123.10, 124.09, 124.23, 124.231, 124.24, 124.25, 124.26, 124.27, 124.31, 124.34, 124.393, 124.85, 125.021, 125.15, 125.18, 125.28, 125.89, 126.11, 126.12, 126.21, 126.24, 126.45, 126.46, 126.50, 127.14, 127.16, 131.02, 131.23, 131.44, 131.51, 133.01, 133.06, 133.09, 133.18, 133.20, 133.55, 135.05, 135.61, 135.65, 135.66, 145.27, 145.56, 149.01, 149.091, 149.11, 149.311, 149.351, 149.38, 149.39, 149.41, 149.411, 149.412, 149.42, 149.43, 153.01, 153.02, 153.03, 153.07, 153.08, 153.50, 153.51, 153.52, 153.54, 153.56, 153.581, 153.65, 153.66, 153.67, 153.69, 153.70, 153.71, 153.80, 154.02, 154.07, 154.11, 166.02, 173.14, 173.21, 173.26, 173.35, 173.351, 173.36, 173.391, 173.40, 173.401, 173.403, 173.404, 173.42, 173.45, 173.46, 173.47, 173.48, 173.501, 183.30, 183.51, 185.01, 185.03, 185.06, 185.10, 187.01, 187.02, 187.03, 187.09, 301.02, 301.15, 301.28, 305.171, 306.35, 306.43, 306.70, 307.022, 307.041, 307.10, 307.12, 307.676, 307.70, 307.79, 307.791, 307.80, 307.801, 307.802, 307.803, 307.806, 307.81, 307.82, 307.83, 307.84, 307.842, 307.843, 307.846, 307.86, 308.13, 311.29, 311.31, 317.20, 319.11, 319.301, 319.54, 321.18, 321.261, 322.02, 322.021, 323.08, 323.73, 323.75, 324.02, 324.021, 325.20, 340.02, 340.03, 340.05, 340.091, 340.11, 341.192, 343.08, 345.03, 349.03, 501.07, 503.05, 503.162, 503.41, 504.02, 504.03, 504.12, 504.16, 504.21, 505.101, 505.105, 505.106, 505.107, 505.108, 505.109, 505.17, 505.172, 505.24, 505.264, 505.267, 505.28, 505.373, 505.43, 505.48, 505.481, 505.49, 505.491, 505.492, 505.493, 505.494, 505.495, 505.50, 505.51, 505.511, 505.52, 505.53, 505.54, 505.541, 505.55, 505.60, 505.601, 505.603, 505.61, 505.67, 505.73, 507.09, 509.15, 511.01, 511.12, 511.23, 511.235, 511.236, 511.25, 511.28, 511.34, 513.14, 515.01, 515.04, 515.07, 517.06, 517.12, 517.22, 521.03, 521.05, 705.16, 709.43, 709.44, 711.35, 715.011, 715.47, 718.01, 718.09, 718.10, 719.012, 719.05, 721.03, 721.15, 721.20, 723.07, 727.011, 727.012, 727.08, 727.14, 727.46, 729.08, 729.11, 731.14, 731.141, 731.20, 731.21, 731.211, 731.22, 731.23, 731.24, 731.25, 735.05, 735.20, 737.022, 737.04, 737.041, 737.32, 737.40, 742.41, 745.07, 747.05, 747.11,

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523.06, 523.07, 709.451, 709.452, 1327.501, 1505.05, 1509.022, 1571.012, 1571.013, 1571.014, 1702.461, 1702.462, 2151.429, 2335.061, 3123.591, 3302.042, 3302.06, 3302.061, 3302.062, 3302.063, 3302.064, 3302.065, 3302.066, 3302.067, 3302.068, 3302.12, 3302.20, 3302.21, 3302.22, 3302.25, 3302.30, 3310.51, 3310.52, 3310.521, 3310.522, 3310.53, 3310.54, 3310.55, 3310.56, 3310.57, 3310.58, 3310.59, 3310.60, 3310.61, 3310.62, 3310.63, 3310.64, 3311.0510, 3313.411, 3313.538, 3313.617, 3313.846, 3313.88, 3314.029, 3314.102, 3314.23, 3317.141, 3318.054, 3318.371, 3318.48, 3318.49, 3318.60, 3318.70, 3319.0810, 3319.228, 3319.229, 3319.58, 3323.052, 3324.08, 3326.111, 3328.01 to 3328.04, 3328.11 to 3328.15, 3328.17 to 3328.19, 3328.191, 3328.192, 3328.193, 3328.20 to 3328.26, 3328.31 to 3328.36, 3328.41, 3328.45, 3328.50, 3328.99, 3333.0411, 3333.43, 3345.023, 3345.54, 3345.55, 3345.81, 3353.15, 3701.0211, 3701.032, 3702.523, 3709.341, 3721.531, 3721.532, 3721.533, 3734.577, 3745.016, 3770.031, 3793.061, 3901.56, 3903.301, 4313.01, 4313.02, 4729.50, 4911.021, 5101.57, 5111.0122, 5111.0123, 5111.0124, 5111.0125, 5111.0212, 5111.0213, 5111.0214, 5111.0215, 5111.035, 5111.051, 5111.052, 5111.053, 5111.054, 5111.063, 5111.086, 5111.161, 5111.1711, 5111.212, 5111.224, 5111.225, 5111.226, 5111.259, 5111.271, 5111.331, 5111.511, 5111.83, 5111.862, 5111.863, 5111.864, 5111.865, 5111.944, 5111.945, 5111.981, 5112.991, 5119.012, 5119.013, 5119.622, 5119.623, 5119.693, 5120.092, 5122.341, 5123.0418, 5123.0419, 5703.059, 5725.34, 5729.17, 5747.81, 5748.09, 6115.321, and 6119.061; and to repeal sections 7.14, 122.0818, 122.452, 126.04, 126.501, 126.502, 126.507, 165.031, 179.01, 179.02, 179.03, 179.04, 181.22, 181.23, 181.24, 181.25, 340.08, 701.04, 1501.031, 1551.13, 3123.52, 3123.61, 3123.612, 3123.613, 3123.614, 3301.82, 3301.922, 3306.01, 3306.011, 3306.012, 3306.02, 3306.03, 3306.04, 3306.05, 3306.051, 3306.052, 3306.06, 3306.07, 3306.08, 3306.09, 3306.091, 3306.10, 3306.11, 3306.13, 3306.19, 3306.191, 3306.192, 3306.21, 3306.22, 3306.29, 3306.291, 3306.292, 3306.50, 3306.51, 3306.52, 3306.53, 3306.54, 3306.55, 3306.56, 3306.57, 3306.58, 3306.59, 3311.059, 3313.674, 3314.014, 3314.016, 3314.017, 3314.025, 3314.082, 3314.085, 3314.11, 3314.111, 3317.011, 3317.016, 3317.017, 3317.0216, 3317.04, 3317.17, 3319.112, 3319.62, 3329.16, 3335.45, 3349.242, 3706.042, 3721.56, 3722.99, 3733.21, 3733.22, 3733.23, 3733.24, 3733.25, 3733.26, 3733.27, 3733.28, 3733.29, 3733.30, 3923.90, 3923.91, 4115.032, 4121.75, 4121.76, 4121.77, 4121.78, 4121.79, 4582.37, 4731.18, 4981.23, 5101.5211, 5101.5212, 5101.5213, 5101.5214, 5101.5215, 5101.5216, 5111.243, 5111.34, 5111.861, 5111.893, 5111.971, 5122.36, 5123.172, 5123.181, 5123.193, 5123.211, 5126.18, and 5126.19 of the Revised Code; to amend Section



File # 28

5 of Am. Sub. H.B. 1 of the 129th General Assembly, Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, Section 211 of Sub. H.B. 123 of the 129th General Assembly, Section 5 of Am. Sub. S.B. 2 of the 129th General Assembly, Sections 125.10 and 753.60 of Am. Sub. H.B. 1 of the 128th General Assembly, Section 105.20 of Sub. H.B. 462 of the 128th General Assembly, Section 105.45.70 of Sub. H.B. 462 of the 128th General Assembly, as subsequently amended, Section 6 of Am. Sub. S.B. 124 of the 128th General Assembly, Section 5 of Sub. S.B. 162 of the 128th General Assembly, Section 5 of Sub. H.B. 125 of the 127th General Assembly, as subsequently amended, and Section 153 of Am. Sub. H.B. 117 of the 121st General Assembly, as subsequently amended; to repeal Section 6 of Sub. S.B. 162 of the 128th General Assembly and Section 5 of Sub. H.B. 2 of the 127th General Assembly; to amend the versions of sections 3721.16, 5122.01, 5122.31, 5123.19, 5123.191, and 5123.60 of the Revised Code that result from Section 101.01 of this act and to amend sections 5111.709, 5119.221, 5122.02, 5122.27, 5122.271, 5122.29, 5122.32, 5123.092, 5123.35, 5123.61, 5123.63, 5123.64, 5123.69, 5123.701, 5123.86, 5123.99, and 5126.33, to amend section 5123.60 (5123.601) for the purpose of adopting a new section number as indicated in parentheses, to enact new sections 5123.60 and 5123.602, and to repeal sections 5123.601, 5123.602, 5123.603, 5123.604, and 5123.605 of the Revised Code on October 1, 2012; to make operating appropriations for the biennium beginning July 1, 2011, and ending June 30, 2013; and to provide authorization and conditions for the operation of programs, including reforms for the efficient and effective operation of state and local government.

*Introduced by*

Representative Amstutz

Cosponsors: Representatives Adams, J., Beck, Blair, Blessing, Boose, Buchy, Burke, Combs, Dovilla, Duffey, Grossman, Hackett, Hall, Hollington, Maag, McClain, Newbold, Rosenberger, Ruhl, Slaby, Sprague, Stebelton, Uecker Speaker Batchelder  
Senators Bacon, Beagle, Coley, Daniels, Faber, Gillmor, Hite, Jones, LaRose, Lehner, Manning, Niehaus, Schaffer, Wagoner, Widener

*Passed by the House of Representatives,*

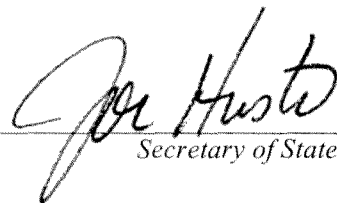
May 5, 2011

*Passed by the Senate,*

June 8, 2011

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

30<sup>th</sup> day of June, A. D. 2011

  
Secretary of State.

House agreed to report  
of conference  
June 29, 2011.