

STATE OF OHIO
Executive Department

OFFICE OF THE GOVERNOR

Columbus

VETO MESSAGES

**STATEMENT OF THE REASONS FOR THE VETO OF ITEMS IN
AMENDED SUBSTITUTE HOUSE BILL 487**

JUNE 11, 2012

Pursuant to Article II, Section 16 of the Ohio Constitution, which states that the Governor may disapprove any items in a bill making an appropriation of money, I hereby disapprove the following items contained in Amended Substitute House Bill 487 and set forth below the reasons for so doing. The text I am disapproving is identified in this message by reference to the corresponding page and boxed text of the bill.

ITEM NUMBER 1

On page 559, delete the boxed text, beginning with "The Ohio school facilities...".

Ohio School Facilities Commission – Rule Making Authority

This item would place a duplicative administrative burden on the Commission by requiring rules for the administering programs to be promulgated under Chapter 111.15 as well as under Chapter 119. This item is burdensome, inefficient and would create unnecessary confusion in the promulgation of rules for the Commission. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 2

On page 2, delete the following boxed text "3318.36".

On page 10, delete the following boxed text "3318.36".

On page 559, delete the boxed text, beginning with "Sec. 3318.36(A)(1)...".

On page 560, delete the boxed text.

On page 561, delete the boxed text.

On page 562, delete the boxed text.
On page 563, delete the boxed text.
On page 564, delete the boxed text.
On page 565, delete the boxed text.
On page 566, delete the boxed text.
On page 1585, delete the following boxed text "3318.36".

Local Share for Expedited Local Partnership Program School Districts

Under this provision, school districts that have previously signed agreements with the School Facilities Commission under the Expedited Local Partnership Program to lock-in their local percentage shares of construction projects in exchange for faster consideration and approval by the Commission, now would be able to unilaterally change their agreements and reduce their agreed-upon percentage and, therefore their costs. This provision increases costs to the state and reduces funds that the state has available to assist other school districts still waiting to participate in the program. Additionally, the current order in which districts would receive funds for their projects would change, with some districts getting to jump ahead of others, and other districts falling behind. The changes to this program, while beneficial to select districts, increase cost to taxpayers, have adverse impacts on others, and therefore, this veto is in the public interest.

ITEM NUMBER 3

On page 1571, delete the boxed text.

Aerospace Research and Development Sales Tax Exemption

Aerospace is a valued industry in Ohio but there is no justification for granting this specific industry such a broad tax exemption for its research and development efforts. Other industries conducting research and development in Ohio may claim sales tax exemptions only for purchases of capitalized equipment and it would be inconsistent to go beyond that in such a broad way for one particular industry and not others. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 4

On page 5, delete the following boxed text "5709.73".
On page 11, delete the following boxed text "5709.73".
On page 1513, delete the boxed text.
On page 1514, delete the boxed text.
On page 1515, delete the boxed text.
On page 1516, delete the boxed text.
On page 1517, delete the boxed text.
On page 1518, delete the boxed text.
On page 1519, delete the boxed text.
On page 1520, delete the boxed text.
On page 1521, delete the boxed text.

On page 1522, delete the boxed text.

On page 1587, delete the following boxed text “5709.73”.

Township Tax Increment Financing “TIF” Provision

The item specifies that the classification of residential property for purposes of exempting the property under a township TIF will follow the Ohio Department of Taxation’s administrative rules. Although this is a codification of current practice for all TIFs, by failing to add similar language to the other TIF sections, the provision implies that the same treatment does not apply to TIFs created by counties and municipalities. The Administration will seek future legislation to address this issue in a consistent manner to avoid confusion, therefore this provision is unnecessary. As a result, this veto is in the public interest.

ITEM NUMBER 5

On page 1634, delete the boxed text, beginning with “BIOMETRIC ENROLLMENT...”.

On page 1635, delete the boxed text.

On page 1758, delete the boxed text.

On page 1759, delete the boxed text.

Biometric Enrollment and Verification System Pilot Program

This item establishes the Biometric Enrollment and Verification System Pilot Project for the purposes of reducing drug diversion and “doctor shopping” in one or more Southeast Ohio counties. This pilot project is in line with the governor’s initiative to end Ohio’s opiate epidemic, but the funding source and the timeframe of the pilot project are problematic. Seeing the value in this project—not only in the fight against opiate addiction but also for job creation efforts in Southeast Ohio—the Office of Health Transformation has committed \$500,000 from the Health Transformation Fund for the pilot project. Therefore, a statutory change is no longer needed to implement the pilot project since the funds will be transferred in early July, and accordingly this veto is in the public interest.

ITEM NUMBER 6

On page 8, delete the following boxed text “215.20”.

On page 1608, delete the boxed text.

On page 1609, delete the boxed text, beginning with “amount so determined,...”.

On page 1622, delete the following boxed text “215.20”.

On page 1633, delete the boxed text.

On page 1634, delete the boxed text, beginning with “with the Department...”.

On page 1635, delete the boxed text.

On page 1734, delete the following boxed text “215.20”.

On page 1765, delete the boxed text.

On page 1766, delete the boxed text.

On page 1767, delete the boxed text.

Pilot Program for Opioid and Alcohol Dependent Offenders

Governor Kasich expanded access to Medication Assisted Treatment by issuing Executive Order 2011-06K. Effective July 1, 2012, medical services associated with the administration of all FDA medications and ongoing medical monitoring will be covered by Medicaid when provided by ODADAS certified treatment programs. This item would establish a pilot program earmarking a specific amount of funds, including \$1,000,000 to the Statewide Treatment and Prevention Fund (Fund 4750), to be used for one medication to treat opiate addiction. Combating opiate abuse is a priority of this administration and the Governor's Cabinet Opiate Action Team meets regularly to help advance multiple initiatives across agency lines that seek to combat Ohio's opiate epidemic. The language authorizing this pilot program works against the administration's "all strategies forward" approach by advancing one medication manufactured by a single company at the expense of other addiction treatment strategies and protocols that the administration and treatment providers could pursue. Therefore, this veto is in the public interest.

ITEM NUMBER 7

On page 8, delete the following boxed text "209.30".
On page 1608, delete the boxed text.
On page 1609, delete the boxed text, beginning with "the Long-Term Care...".
On page 1622, delete the following boxed text "209.30".
On page 1628, delete the boxed text.
On page 1629, delete the boxed text.
On page 1630, delete the boxed text.
On page 1734, delete the following boxed text "209.30".
On page 1774, delete the boxed text.
On page 1775, delete the boxed text.
On page 1776, delete the boxed text.
On page 1784, delete the following boxed text "209.30".

Aging in Place Pilot Project

This item would create the Aging in Place Pilot Project to fund housing improvements for eligible individuals in order to allow them to remain in their homes instead of having to move into a nursing facility. This item includes a cash amount of \$1,500,000 to the Long-Term Care Ombudsman Program Fund (Fund 4C40). The intention of this program is laudable and in line with Administration policy. It duplicates existing programs, however, as nearly \$18 million is currently spent statewide annually on such efforts. Additionally, the pilot project presents implementation problems and is an earmark for a specific provider. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 8

On page 8, delete the following boxed text “309.30.10”.
On page 1622, delete the following boxed text “309.30.10”.
On page 1686, delete the boxed text.
On page 1735, delete the following boxed text “309.30.10”.
On page 1770, delete the boxed text.
On page 1771, delete the boxed text.
On page 1772, delete the boxed text.

Payments to Nursing Facilities

The General Assembly established the FY 2012-13 reimbursement methodology and related level of funding for nursing facility services in H.B. 153. This provision would modify that methodology and increase payments to nursing facilities, while no new data has been presented to justify those changes, demonstrate a need, or explain the rationale for this specific amount. Furthermore, significant implementation problems exist since the information necessary to make payments by July 31, 2012, as required by this provision, will not be available in time to meet that deadline. The Nursing Facility Reimbursement Subcommittee of the Unified Long Term Services and Supports Advisory Work Group established in H.B. 153 is the appropriate venue for considering modifications to the nursing facility reimbursement formula. This veto maintains current funding levels for nursing facility services and is therefore in the public interest.

ITEM NUMBER 9

On page 175, delete the boxed text.

Design Build and Construction Management Contracts

Reforms initiated last year by the General Assembly to reduce the cost of public construction were predicated on the selection of construction managers-at-risk and design-build contractors by way of a “best value” determination as opposed to strictly a “low bid” approach. The creation of new authority that could, at the eleventh hour, undo proceedings leading up to a contract award would unnecessarily erode the intent and benefits of these construction reforms—namely their cost and time savings—before those reforms are barely a year old. Additionally, because the proposed Ohio Facilities Construction Commission combines the development authority of the State Architect Office with the Ohio School Facilities Commission, the authority for school building projects would shift to the Attorney General – an authority the office has never had in the past. This result, though perhaps unintentional, is incongruent with the Attorney General’s duties as prescribed by the Ohio Constitution and existing law. Therefore, it is not considered to be desirable or of additional value to the project delivery process and this veto is in the public interest.

ITEM NUMBER 10

On page 83, delete the boxed text.

Ohio Facilities Construction Commission – Existing Capital Construction Authority of the Department of Public Safety and Ohio State Highway Patrol

The construction reforms authorized by the General Assembly last year consolidated and streamlined processes and allowed for new delivery methods that realize cost and time savings for agencies and taxpayers. Separating one agency's facility construction needs from this reform process to give it separate authority goes against the spirit and intent of these reforms. Specifically, it creates unnecessary and burdensome duplicative processes and denies that agency, its employees, and the Ohioans with whom it works the benefits of those reforms' time and cost savings. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 11

On page 1651, delete the boxed text.

Appropriation Rollover Authorization for Incumbent Workforce Training Vouchers

This provision would automatically reappropriate the unexpended, unencumbered portion of appropriation line item 195526, Incumbent Workforce Training Vouchers, from fiscal year 2012 to fiscal year 2013. This is not necessary because the program supported by the appropriation has not yet commenced and sufficient appropriation authority already exists in fiscal year 2013. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 12

On page 1710, delete the boxed text.

Appropriation Rollover Authorization for Co-op Internship Program

This provision would automatically reappropriate the unexpended, unencumbered portion of appropriation line item 235649, Co-op Internship Program, from fiscal year 2012 to fiscal year 2013. This is not necessary because the program supported by the appropriation has not yet commenced and sufficient appropriation authority already exists in fiscal year 2013. Therefore, the veto of this item is in the public interest.

ITEM NUMBER 13

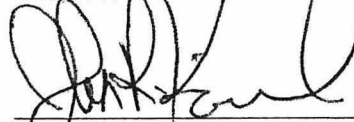
On page 6, delete the following boxed text "127.163, 127.164,".
On page 12, delete the following boxed text "127.163, 127.164,".
On page 114, delete the boxed text.
On page 115, delete the boxed text.

Controlling Board Requests for Purchases from Out-of-State Suppliers

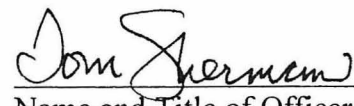
Section 127.163 requires an agency to gather information from vendors that is already gathered on existing Controlling Board request forms and available through the Electronic Controlling Board System. Section 127.164 requires agencies to collect additional information from businesses located in Ohio who may or may not be interested in pursuing contracts with the agency. These provisions are unnecessarily burdensome to state agencies and businesses, create inefficiencies, and may increase cost of purchases by the state by deterring agencies from pursuing qualified vendors. Therefore, this veto is in the public interest.



IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed at Columbus this 11th day of June, Two Thousand Twelve.


John R. Kasich, Governor

This will acknowledge the receipt of a copy of this veto Message of Amended Substitute House Bill 487 that was disapproved in part by Governor John R. Kasich on June 11, 2012.

 Deputy Clerk
Name and Title of Officer

June 11, 2012 3:35 p.m.
Date and Time of Receipt

2301.18, 2301.20, 2301.21, 2301.22, 2301.23, 2301.24,
2301.25, 2301.26, 2301.27, 2301.271, 2301.571, 2305.01,
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2743.10, 2743.48, 2746.01, 2746.03, 2746.04, 2901.01,
2903.33, 2907.29, 2909.21, 2909.28, 2927.023, 2929.01,
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2945.39, 2945.40, 2945.401, 2961.22, 2967.03, 2967.05,
2967.14, 2967.19, 2967.191, 2967.26, 2967.28, 2981.11,
2981.14, 3109.14, 3125.41, 3301.55, 3304.14, 3304.16,
3304.181, 3304.182, 3305.01, 3305.02, 3305.03, 3305.04,
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3703.99, 3704.035, 3705.24, 3705.242, 3705.30, 3706.19,
3709.03, 3709.04, 3709.06, 3709.085, 3709.09, 3709.092,

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The above boxed and initialed text was
disapproved.

Date: JUNE 11 2012

[Signature]

John A. Kasich, Governor

5120.036, 5120.105, 5120.132, 5120.66, 5122.31, 5123.01, 5123.033, 5123.042, 5123.044, 5123.0412, 5123.0414, 5123.0415, 5123.081, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, 5123.166, 5123.169, 5123.171, 5123.19, 5123.31, 5123.38, 5123.41, 5123.50, 5123.51, 5123.542, 5123.61, 5123.89, 5126.023, 5126.0220, 5126.0221, 5126.043, 5126.046, 5126.055, 5126.13, 5126.15, 5126.20, 5126.21, 5126.22, 5126.25, 5126.251, 5126.51, 5139.41, 5139.43, 5149.311, 5155.14, 5501.04, 5501.07, 5502.01, 5502.011, 5503.02, 5503.04, 5503.21, 5503.22, 5503.23, 5503.34, 5701.13, 5703.05, 5705.08, 5705.19, 5705.25, 5705.28, 5705.30, 5705.34, 5705.35, 5705.38, 5709.084, 5709.12, 5709.121, 5709.212, 5709.62, 5709.63, 5709.632, 5709.73, 5713.03, 5719.13, 5725.14, 5725.15, 5725.16, 5725.17, 5725.22, 5725.221, 5731.39, 5733.064, 5739.01, 5739.02, 5743.03, 5743.031, 5751.033, 5751.12, 5753.03, 6109.21, 6111.46, 6117.39, and 6119.11; to amend, for the purpose of adopting new section numbers as indicated in parentheses, sections 123.011 (123.22), 123.024 (123.06), 123.04 (123.02), 123.07 (123.03), 123.08 (123.18), 123.09 (123.04), 123.10 (123.05), 123.101 (123.27), 123.11 (123.07), 123.13 (123.08), 123.14 (123.09), 123.15 (123.10), 123.17 (123.24), 123.21 (123.11), 123.46 (123.12), 123.47 (123.13), 123.48 (123.14), 123.49 (123.15), 123.77 (123.17), 185.01 (3701.92), 185.02 (3701.923), 185.03 (3701.924), 185.05 (3701.925), 185.06 (3701.926), 185.07 (3701.927), 185.09 (3701.928), 185.12 (3701.929), 1502.01 (3736.01), 1502.02 (3736.03), 1502.03 (3736.02), 1502.04 (3736.04), 1502.05 (3736.05), 1502.06 (3736.06), 1502.07 (3736.07), 1502.12 (3734.822),

JRK

The above boxed and initialed text was disapproved.

Date:

JUNE 11 2012

[Signature]

 State Representative

1502.99 (3736.99), 3702.522 (3702.521), 3702.523 (3702.522), 3702.524 (3702.523), 3702.525 (3702.524), 3702.526 (3702.525), 3733.02 (4781.26), 3733.021 (4781.31), 3733.022 (4781.32), 3733.024 (4781.33), 3733.025 (4781.34), 3733.03 (4781.27), 3733.04 (4781.28), 3733.05 (4781.29), 3733.06 (4781.30), 3733.07 (4781.301), 3733.08 (4781.35), 3733.09 (4781.36), 3733.091 (4781.37), 3733.10 (4781.38), 3733.101 (4781.39), 3733.11 (4781.40), 3733.12 (4781.41), 3733.121 (4781.42), 3733.122 (4781.43), 3733.123 (4781.44), 3733.13 (4781.45), 3733.14 (4781.46), 3733.15 (4781.47), 3733.16 (4781.48), 3733.17 (4781.49), 3733.18 (4781.50), 3733.19 (4781.51), 3733.20 (4781.52), 5123.169 (5123.1610), 5503.21 (5502.05), 5503.22 (5502.06), and 5503.23 (5502.07); to enact new sections 123.21, 3701.33, 3701.34, 3702.526, 4905.80, 4905.81, 4921.01, 4921.03, 4921.05, 4921.07, 4921.09, 4921.11, 4921.13, 4921.15, 4921.16, 4921.19, 4921.25, 4921.30, 4921.32, 4921.36, 4921.38, 4923.01, 4923.02, 4923.04, 4923.06, 4923.07, 4923.09, 4923.11, 4923.99, 5123.169, and 5123.192 and sections 101.312, 121.35, 122.862, 123.20, 123.201, 123.23, 123.26, 127.163, 127.164, 166.35, 191.01, 191.02, 191.04, 191.06, 505.59, 901.53, 1533.081, 3302.043, 3305.031, 3305.032, 3356.10, 3366.05, 3375.405, 3701.77, 3701.771, 3701.772, 3701.773, 3701.774, 3701.775, 3701.921, 3701.922, 3701.93, 3701.931, 3701.932, 3701.933, 3701.934, 3701.935, 3701.936, 3701.937, 3701.938, 3701.9310, 3701.9311, 3701.9312, 3701.9314, 3702.511, 3702.527, 3793.041, 3798.01, 3798.02, 3798.03, 3798.04, 3798.06, 3798.07, 3798.08, 3798.10, 3798.12, 3798.13, 3798.14, 3798.15,

JRK

The above boxed and initialed text was disapproved.

Date: JUNE 11 2012

[Signature]
John R. Kasich Governor

Am. Sub. H.B. 114 of the 129th General Assembly, as subsequently amended, Section 201 of Sub. H.B. 123 of the 129th General Assembly, Section 1 of H.B. 124 of the 129th General Assembly, Sections 205.10, 207.10, 207.10.80, 207.20.10, 207.20.30, 207.20.90, 209.10, 209.20, 209.30, 211.10, 215.10, 215.20, 223.10, 229.10, 243.10, 245.10, 261.10.40, 261.10.70, 261.20.40, 261.20.50, 261.20.60, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.60, 261.30.70, 261.30.80, 261.30.90, 261.40.10, 263.10, 263.10.30, 263.10.90, 263.20.40, 263.20.70, 267.10, 267.10.10, 267.10.20, 267.10.40, 267.30.20, 267.30.40, 267.40.40, 279.10, 283.10, 285.10, 287.10, 291.10, 305.10, 307.10, 309.10, 309.30.10, 309.30.30, 309.30.33, 309.30.53, 309.30.73, 309.35.73, 309.60.20, 313.10, 315.10, 323.10, 327.10, 337.10, 343.10, 343.40, 365.10, 367.10, 369.10, 371.10, 371.30.30, 371.50.61, 371.50.65, 371.60.80, 373.10, 375.10, 379.10, 387.10, 403.10, 411.10, 415.10, 503.50, 521.70, 701.40, and 753.25 of Am. Sub. H.B. 153 of the 129th General Assembly, Sections 247.10, 261.10, and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly, as subsequently amended, Section 8 of Sub. H.B. 369 of the 129th General Assembly, Section 205.80 of Sub. H.B. 482 of the 129th General Assembly, Section 4 of Sub. S.B. 171 of the 129th General Assembly, Section 3 of Am. Sub. S.B. 160 of the 121st General Assembly, and Section 3 of Am. Sub. S.B. 38 of the 120th General Assembly; to repeal Sections 261.10.10, 261.10.20, 261.10.30, 261.10.50, 261.10.60, 261.10.80, 261.10.90, 261.20.10, 261.20.20, 261.20.70, 261.30.50, and 263.10.80 of Am. Sub. H.B. 153 of the 129th General Assembly; and Section 2 of Am. Sub. S.B. 63 of the

JRK

JRK

The above boxed and initialed text was disapproved.

Date: JUNE 11 2012

[Signature]
 Hon. B. B. B. Governor

3109.14, 3125.41, 3301.55, 3304.14, 3304.16, 3304.181, 3304.182, 3305.01, 3305.02, 3305.03, 3305.04, 3305.05, 3305.053, 3305.06, 3313.65, 3313.71, 3313.976, 3313.978, 3313.979, 3318.034, 3318.08, 3318.10, 3318.30, 3318.31, 3318.36, 3318.37, 3318.70, 3333.04, 3333.041, 3333.123, 3333.21, 3333.60, 3333.61, 3333.71, 3333.72, 3334.08, 3345.16, 3345.28, 3345.50, 3345.51, 3345.54, 3345.69, 3345.692, 3347.03, 3383.02, 3383.07, 3517.20, 3701.021, 3701.023, 3701.024, 3701.025, 3701.03, 3701.05, 3701.07, 3701.072, 3701.11, 3701.132, 3701.146, 3701.161, 3701.20, 3701.201, 3701.21, 3701.221, 3701.23, 3701.232, 3701.24, 3701.241, 3701.242, 3701.248, 3701.341, 3701.342, 3701.343, 3701.344, 3701.345, 3701.347, 3701.352, 3701.40, 3701.503, 3701.507, 3701.508, 3701.509, 3701.57, 3701.63, 3701.74, 3701.87, 3701.881, 3702.141, 3702.31, 3702.51, 3702.52, 3702.522, 3702.523, 3702.524, 3702.525, 3702.526, 3702.53, 3702.531, 3702.54, 3702.55, 3702.56, 3702.57, 3702.59, 3702.592, 3702.593, 3702.594, 3702.60, 3702.62, 3703.01, 3703.03, 3703.04, 3703.05, 3703.06, 3703.07, 3703.08, 3703.10, 3703.21, 3703.99, 3704.035, 3705.24, 3705.242, 3705.30, 3706.19, 3709.03, 3709.04, 3709.06, 3709.085, 3709.09, 3709.092, 3709.32, 3709.35, 3710.01, 3710.02, 3710.04, 3710.05, 3710.051, 3710.06, 3710.07, 3710.08, 3710.09, 3710.10, 3710.12, 3710.13, 3710.17, 3711.04, 3711.06, 3711.08, 3711.12, 3711.21, 3712.03, 3712.04, 3712.09, 3713.01, 3713.02, 3713.03, 3713.04, 3713.05, 3713.06, 3713.07, 3713.08, 3713.09, 3713.10, 3714.073, 3715.01, 3715.025, 3715.60, 3715.61, 3715.62, 3715.68, 3715.87, 3716.01, 3716.03, 3717.01, 3717.04, 3717.05, 3717.07, 3717.45, 3717.51, 3718.02, 3718.021, 3718.022, 3718.05, 3718.06, 3718.07, 3718.09, 3721.01, 3721.011, 3721.02, 3721.03, 3721.032, 3721.04, 3721.07, 3721.071, 3721.121, 3721.13, 3721.21, 3721.28, 3721.29, 3721.50, 3721.51, 3723.06, 3723.07, 3723.09, 3725.02, 3727.01, 3727.42, 3729.01, 3729.02, 3729.03, 3729.04, 3729.07, 3729.08, 3730.10, 3733.02, 3733.021, 3733.022, 3733.024, 3733.025, 3733.03, 3733.04, 3733.05, 3733.06, 3733.07, 3733.08, 3733.09, 3733.091, 3733.10, 3733.101, 3733.11, 3733.12, 3733.121, 3733.122, 3733.123, 3733.13, 3733.14, 3733.15, 3733.17, 3733.18, 3733.19, 3733.20, 3733.41, 3733.42, 3734.01, 3734.131, 3734.15, 3734.51, 3734.55, 3734.79, 3734.82, 3735.37, 3737.83, 3737.841, 3742.01, 3742.02, 3742.03, 3742.04, 3742.05, 3742.30, 3742.31, 3742.32, 3742.47, 3742.50, 3743.04, 3743.06, 3743.19, 3743.25, 3745.01, 3745.05, 3745.11, 3745.112, 3748.04, 3748.05, 3748.07, 3748.10, 3748.12, 3748.13, 3748.15, 3748.20, 3749.02, 3749.03, 3749.04, 3752.06, 3770.06, 3781.03, 3781.06, 3781.102, 3781.11, 3781.112, 3783.05, 3791.02, 3791.04, 3791.05, 3791.07, 3791.11, 3791.12, 3793.04, 3793.09, 3905.36, 4104.01, 4104.02, 4104.06, 4104.07, 4104.08,

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4104.09, 4104.10, 4104.101, 4104.12, 4104.15, 4104.16, 4104.17, 4104.18, 4104.19, 4104.21, 4104.33, 4104.42, 4104.43, 4104.44, 4104.48, 4105.01, 4105.02, 4105.03, 4105.04, 4105.05, 4105.06, 4105.09, 4105.11, 4105.12, 4105.13, 4105.15, 4105.16, 4105.17, 4105.191, 4105.20, 4105.21, 4115.10, 4115.101, 4121.123, 4121.30, 4123.20, 4123.35, 4123.54, 4123.57, 4141.35, 4163.07, 4169.02, 4169.03, 4169.04, 4171.04, 4301.30, 4303.181, 4303.22, 4313.02, 4501.01, 4501.06, 4501.271, 4503.031, 4503.061, 4503.062, 4503.81, 4506.01, 4506.03, 4506.22, 4506.25, 4507.01, 4507.011, 4507.12, 4507.51, 4508.02, 4510.037, 4510.038, 4511.191, 4511.78, 4511.98, 4513.18, 4513.263, 4513.50, 4712.01, 4723.481, 4730.42, 4731.052, 4731.22, 4735.01, 4735.02, 4735.052, 4735.10, 4735.13, 4735.14, 4735.141, 4735.142, 4735.74, 4736.01, 4740.03, 4740.11, 4740.14, 4743.05, 4763.05, 4765.07, 4773.08, 4781.01, 4781.02, 4781.04, 4781.07, 4781.09, 4781.14, 4781.15, 4781.16, 4781.99, 4905.01, 4905.02, 4905.03, 4905.05, 4905.06, 4905.402, 4905.54, 4905.57, 4905.58, 4905.84, 4905.90, 4907.01, 4907.02, 4907.04, 4907.08, 4907.19, 4907.28, 4907.35, 4907.37, 4907.43, 4907.49, 4907.57, 4907.59, 4907.60, 4907.61, 4907.62, 4909.01, 4909.02, 4909.03, 4909.17, 4909.22, 4909.24, 4909.28, 4911.01, 4927.01, 4929.01, 4929.02, 4929.041, 4933.18, 4933.19, 4939.01, 4953.04, 4961.03, 4965.54, 5101.01, 5101.46, 5101.60, 5101.61, 5104.012, 5104.013, 5104.051, 5104.09, 5104.37, 5107.05, 5107.16, 5107.17, 5111.01, 5111.013, 5111.014, 5111.0115, 5111.0120, 5111.031, 5111.032, 5111.033, 5111.034, 5111.06, 5111.091, 5111.113, 5111.16, 5111.161, 5111.171, 5111.20, 5111.222, 5111.23, 5111.242, 5111.254, 5111.862, 5111.874, 5111.877, 5111.878, 5111.89, 5111.894, 5111.941, 5111.97, 5112.31, 5112.33, 5112.341, 5112.37, 5112.371, 5112.39, 5119.22, 5119.61, 5119.69, 5119.691, 5119.99, 5120.036, 5120.105, 5120.132, 5120.66, 5122.31, 5123.01, 5123.033, 5123.042, 5123.044, 5123.0412, 5123.0414, 5123.0415, 5123.081, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, 5123.166, 5123.169, 5123.171, 5123.19, 5123.31, 5123.38, 5123.41, 5123.50, 5123.51, 5123.542, 5123.61, 5123.89, 5126.023, 5126.0220, 5126.0221, 5126.043, 5126.046, 5126.055, 5126.13, 5126.15, 5126.20, 5126.21, 5126.22, 5126.25, 5126.251, 5126.51, 5139.41, 5139.43, 5149.311, 5155.14, 5501.04, 5501.07, 5502.01, 5502.011, 5503.02, 5503.04, 5503.21, 5503.22, 5503.23, 5503.34, 5701.13, 5703.05, 5705.08, 5705.19, 5705.25, 5705.28, 5705.30, 5705.34, 5705.35, 5705.38, 5709.084, 5709.12, 5709.121, 5709.212, 5709.62, 5709.63, 5709.632, 5709.73, 5713.03, 5719.13, 5725.14, 5725.15, 5725.16, 5725.17, 5725.22, 5725.221, 5731.39, 5733.064, 5739.01, 5739.02, 5743.03, 5743.031, 5751.033, 5751.12, 5753.03, 6109.21, 6111.46, 6117.39, and 6119.11 be

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amended; sections 123.011 (123.22), 123.024 (123.06), 123.04 (123.02), 123.07 (123.03), 123.08 (123.18), 123.09 (123.04), 123.10 (123.05), 123.101 (123.27), 123.11 (123.07), 123.13 (123.08), 123.14 (123.09), 123.15 (123.10), 123.17 (123.24), 123.21 (123.11), 123.46 (123.12), 123.47 (123.13), 123.48 (123.14), 123.49 (123.15), 123.77 (123.17), 185.01 (3701.92), 185.02 (3701.923), 185.03 (3701.924), 185.05 (3701.925), 185.06 (3701.926), 185.07 (3701.927), 185.09 (3701.928), 185.12 (3701.929), 1502.01 (3736.01), 1502.02 (3736.03), 1502.03 (3736.02), 1502.04 (3736.04), 1502.05 (3736.05), 1502.06 (3736.06), 1502.07 (3736.07), 1502.12 (3734.822), 1502.99 (3736.99), 3702.522 (3702.521), 3702.523 (3702.522), 3702.524 (3702.523), 3702.525 (3702.524), 3702.526 (3702.525), 3733.02 (4781.26), 3733.021 (4781.31), 3733.022 (4781.32), 3733.024 (4781.33), 3733.025 (4781.34), 3733.03 (4781.27), 3733.04 (4781.28), 3733.05 (4781.29), 3733.06 (4781.30), 3733.07 (4781.301), 3733.08 (4781.35), 3733.09 (4781.36), 3733.091 (4781.37), 3733.10 (4781.38), 3733.101 (4781.39), 3733.11 (4781.40), 3733.12 (4781.41), 3733.121 (4781.42), 3733.122 (4781.43), 3733.123 (4781.44), 3733.13 (4781.45), 3733.14 (4781.46), 3733.15 (4781.47), 3733.16 (4781.48), 3733.17 (4781.49), 3733.18 (4781.50), 3733.19 (4781.51), 3733.20 (4781.52), 5123.169 (5123.1610), 5503.21 (5502.05), 5503.22 (5502.06), and 5503.23 (5502.07) be amended for the purpose of adopting new section numbers as indicated in parentheses; and new sections 123.21, 3701.33, 3701.34, 3702.526, 4905.80, 4905.81, 4921.01, 4921.03, 4921.05, 4921.07, 4921.09, 4921.11, 4921.13, 4921.15, 4921.16, 4921.19, 4921.25, 4921.30, 4921.32, 4921.36, 4921.38, 4923.01, 4923.02, 4923.04, 4923.06, 4923.07, 4923.09, 4923.11, 4923.99, 5123.169, and 5123.192 and sections 101.312, 121.35, 122.862, 123.20, 123.201, 123.23, 123.26, 127.163, 127.164, 166.35, 191.01, 191.02, 191.04, 191.06, 505.59, 901.53, 1533.081, 3302.043, 3305.031, 3305.032, 3356.10, 3366.05, 3375.405, 3701.77, 3701.771, 3701.772, 3701.773, 3701.774, 3701.775, 3701.921, 3701.922, 3701.93, 3701.931, 3701.932, 3701.933, 3701.934, 3701.935, 3701.936, 3701.937, 3701.938, 3701.9310, 3701.9311, 3701.9312, 3701.9314, 3702.511, 3702.527, 3793.041, 3798.01, 3798.02, 3798.03, 3798.04, 3798.06, 3798.07, 3798.08, 3798.10, 3798.12, 3798.13, 3798.14, 3798.15, 3798.16, 4731.297, 4781.121, 4781.54, 4921.21, 4921.34, 4923.15, 4929.042, 5111.246, 5111.946, 5111.96, 5112.331, 5139.511, 5705.252, 5705.72, and 5713.012 of the Revised Code be enacted to read as follows:

Sec. 7.10. For the publication of advertisements, notices, and proclamations, except those relating to proposed amendments to the Ohio

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member's successor takes office, whichever period is shorter.

(D) The commission shall file an annual report of its activities and finances with the governor, speaker of the house of representatives, president of the senate, and chairpersons of the house and senate finance committees.

(E) The commission shall be exempt from the requirements of sections 101.82 to 101.87 of the Revised Code.

Sec. 123.201. There is hereby created in the state treasury the Ohio facilities construction commission fund, consisting of transfers of moneys authorized by the general assembly and revenues received by the Ohio facilities construction commission under section 123.21 of the Revised Code. Investment earnings on moneys in the fund shall be credited to the fund. Moneys in the fund may be used by the commission, in performing its duties under this chapter, to pay personnel and other administrative expenses, to pay the cost of preparing building design specifications, to pay the cost of providing project management services, and for other purposes determined by the commission to be necessary to fulfill its duties under this chapter.

Sec. 123.21. (A) The Ohio facilities construction commission may perform any act and ensure the performance of any function necessary or appropriate to carry out the purposes of, and exercise the powers granted under this chapter or any other provision of the Revised Code, including any of the following:

(1) Prepare, or contract to be prepared, by licensed engineers or architects, surveys, general and detailed plans, specifications, bills of materials, and estimates of cost for any projects, improvements, or public buildings to be constructed by state agencies that may be authorized by legislative appropriations or any other funds made available therefor, provided that the construction of the projects, improvements, or public buildings is a statutory duty of the commission. This section does not require the independent employment of an architect or engineer as provided by section 153.01 of the Revised Code in the cases to which section 153.01 of the Revised Code applies. This section does not affect or alter the existing powers of the director of transportation, the director of public safety, or the superintendent of the state highway patrol.

(2) Have general supervision over the construction of any projects, improvements, or public buildings constructed for a state agency and over the inspection of materials prior to their incorporation into those projects, improvements, or buildings.

(3) Make contracts for and supervise the design and construction of any

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may approve the release of money appropriated for specific projects in accordance with the requirements of this section and except that the director of budget and management may approve the release of unencumbered capital balances, for a project to repair, remove, or prevent a public exigency declared to exist by the director of administrative services under section ~~123.15~~ 123.10 of the Revised Code, or by the executive director of the Ohio facilities construction commission under section 123.23 of the Revised Code, in the amount designated in that declaration.

Within sixty days after the effective date of any act appropriating money for capital projects, the director shall determine which appropriations are for general projects and which are for specific projects. Specific projects may include specific higher education projects that are to be funded from general purpose appropriations from the higher education improvement fund or the higher education improvement taxable fund created in section 154.21 of the Revised Code. Upon determining which projects are general and which are specific, the director shall submit to the controlling board a list that includes a brief description of and the estimated expenditures for each specific project. The release of money for any specific higher education projects that are to be funded from general purpose appropriations from the higher education improvement fund or the higher education improvement taxable fund but that are not included on the list, and the release of money for any specific higher education projects included on the list that will exceed the estimated expenditures by more than ten per cent, are subject to the approval of the controlling board.

The director may create new appropriation items and make transfers of appropriations to them for specific higher education projects included on the list that are to be funded from general purpose appropriations for basic renovations that are made from the higher education improvement fund or the higher education improvement taxable fund.

Sec. 127.163. At the time an agency submits a request to the controlling board to approve the making of a purchase, if the requested purchase is to be made from a supplier who is not headquartered in this state but has a presence in this state, the agency shall include in the request the following information:

(A) The address or addresses of the supplier's places of business in this state;

(B) The total number of employees the supplier employs in each of its places of business in this state;

(C) The percentage of the requested purchase to be completed by employees of the supplier located in this state;

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(D) A list of any suppliers, subcontractors, or other entities the supplier intends to use to fulfill the requested purchase that includes all of the following:

(1) The address or addresses of the places of business in this state of each potential supplier, subcontractor, or entity;

(2) The number of employees that each potential supplier, subcontractor, or entity employs in each of its places of business in this state;

(3) The percentage of the requested purchase to be completed by employees of the potential supplier, subcontractor, or entity located in this state.

Sec. 127.164. (A) Prior to submitting a request to approve the making of a purchase to the controlling board, an agency shall contact any entity headquartered in this state that the agency approached related to the proposed purchase or to whom the agency sent a request for proposals but who did not respond to the request for proposals and ascertain why the entity did not respond.

(B) At the time an agency submits a request to the controlling board to approve the making of a purchase, the agency shall submit to the board, as part of the request, the information that the agency collected under division (A) of this section.

Sec. 135.35. (A) The investing authority shall deposit or invest any part or all of the county's inactive moneys and shall invest all of the money in the county public library fund when required by section 135.352 of the Revised Code. The following classifications of securities and obligations are eligible for such deposit or investment:

(1) United States treasury bills, notes, bonds, or any other obligation or security issued by the United States treasury, any other obligation guaranteed as to principal or interest by the United States, or any book entry, zero-coupon United States treasury security that is a direct obligation of the United States.

Nothing in the classification of eligible securities and obligations set forth in divisions (A)(2) to (11) of this section shall be construed to authorize any investment in stripped principal or interest obligations of such eligible securities and obligations.

(2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality, including, but not limited to, the federal national mortgage association, federal home loan bank, federal farm credit bank, federal home loan mortgage corporation, government national mortgage association, and student loan marketing

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for all other purposes. No such lease need be recorded or recordable for purposes of determining its validity or legal sufficiency.

Sec. 153.01. (A) Whenever any building or structure for the use of the state or any institution supported in whole or in part by the state or in or upon the public works of the state that is administered by the ~~director of administrative services~~ Ohio facilities construction commission or by any other state officer or state agency authorized by law to administer a project, including an educational institution listed in section 3345.50 of the Revised Code, is to be erected or constructed, whenever additions, alterations, or structural or other improvements are to be made, or whenever heating, cooling, or ventilating plants or other equipment is to be installed or material supplied therefor, the estimated cost of which amounts to two hundred thousand dollars or more, or the amount determined pursuant to section 153.53 of the Revised Code or more, each officer, board, or other authority upon which devolves the duty of constructing, erecting, altering, or installing the same, referred to in sections 153.01 to 153.60 of the Revised Code as the public authority, shall cause to be made, by an architect or engineer whose contract of employment shall be prepared and approved by the attorney general, the following:

(1) Full and accurate plans, suitable for the use of mechanics and other builders in the construction, improvement, addition, alteration, or installation;

(2) Details to scale and full-sized, so drawn and represented as to be easily understood;

(3) Definite and complete specifications of the work to be performed, together with directions that will enable a competent mechanic or other builder to carry them out and afford bidders all needful information;

(4) A full and accurate estimate of each item of expense and the aggregate cost of those items of expense;

(5) A life-cycle cost analysis;

(6) Further data as may be required by the ~~department of administrative services~~ Ohio facilities construction commission.

(B) Division (A) of this section shall not be required with respect to a construction management contract entered into with a construction manager at risk as described in section 9.334 of the Revised Code or a design-build contract entered into with a design-build firm as described in section 153.693 of the Revised Code. No such construction management contract or design-build contract shall be entered into until the contract and bond, if any, are submitted to the attorney general and the attorney general's approval certified thereon.

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(4) Make and enter into all contracts, commitments, and agreements, and execute all instruments, necessary or incidental to the performance of its duties and the execution of its rights and powers under Chapter 3318. of the Revised Code, or authorize the executive director to perform such powers and duties.

(5) Request the ~~director of administrative services~~ Ohio facilities construction commission to debar a contractor as provided in section 153.02 of the Revised Code.

(B) The Ohio school facilities commission shall appoint and fix the compensation of an executive director who shall serve at the pleasure of the Ohio school facilities commission. The executive director shall exercise all powers that the Ohio school facilities commission possesses, supervise the operations of the Ohio school facilities commission and perform such other duties as delegated by the Ohio school facilities commission. The executive director also shall employ and fix the compensation of such employees as will facilitate the activities and purposes of the Ohio school facilities commission, who shall serve at the pleasure of the executive director. The employees of the Ohio school facilities commission shall be exempt from Chapter 4117. of the Revised Code and shall not be public employees as defined in section 4117.01 of the Revised Code. Any agreement entered into prior to July 1, 2012, between the office of collective bargaining and the exclusive representative for employees of the commission is binding and shall continue to have effect.

(C) The Ohio school facilities commission may adopt, amend, and rescind rules pertaining to the administration of the construction of school facilities of the state under Chapter 119. of the Revised Code.

(D) The attorney general shall serve as the legal representative for the Ohio school facilities commission and may appoint other counsel as necessary for that purpose in accordance with section 109.07 of the Revised Code.

Sec. 3318.36. (A)(1) As used in this section:

(a) "Ohio school facilities commission," "classroom facilities," "school district," "school district board," "net bonded indebtedness," "required percentage of the basic project costs," "basic project cost," "valuation," and "percentile" have the same meanings as in section 3318.01 of the Revised Code.

(b) "Required level of indebtedness" means five per cent of the school district's valuation for the year preceding the year in which the commission and school district enter into an agreement under division (B) of this section, plus [two one-hundredths of one per cent multiplied by (the percentile in

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which the district ranks minus one)].

(c) "Local resources" means any moneys generated in any manner permitted for a school district board to raise the school district portion of a project undertaken with assistance under sections 3318.01 to 3318.20 of the Revised Code.

(d) "Tangible personal property phase-out impacted district" means a school district for which the taxable value of its tangible personal property certified under division (A)(2) of section 3317.021 of the Revised Code for tax year 2005, excluding the taxable value of public utility personal property, made up eighteen per cent or more of its total taxable value for tax year 2005 as certified under that section.

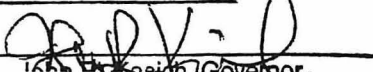
(2) For purposes of determining the required level of indebtedness, the required percentage of the basic project costs under division (C)(1) of this section, and priority for assistance under sections 3318.01 to 3318.20 of the Revised Code, the percentile ranking of a school district with which the commission has entered into an agreement under this section between the first day of July and the thirty-first day of August in each fiscal year is the percentile ranking calculated for that district for the immediately preceding fiscal year, and the percentile ranking of a school district with which the commission has entered into such agreement between the first day of September and the thirtieth day of June in each fiscal year is the percentile ranking calculated for that district for the current fiscal year. However, in the case of a tangible personal property phase-out impacted district, the district's priority for assistance under sections 3318.01 to 3318.20 of the Revised Code and its portion of the basic project cost under those sections shall be determined in the manner prescribed, respectively, in divisions (B)(3)(b) and (E)(1)(b) of this section.

(B)(1) There is hereby established the school building assistance expedited local partnership program. Under the program, the Ohio school facilities commission may enter into an agreement with the school district board of any school district under which the school district board may proceed with the new construction or major repairs of a part of the school district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code, through the expenditure of local resources prior to the school district's eligibility for state assistance under those sections and may apply that expenditure toward meeting the school district's portion of the basic project cost of the total of the school district's classroom facilities needs, as determined under sections 3318.01 to 3318.20 of the Revised Code and as recalculated under division (E) of this section, that are eligible for state assistance under sections 3318.01 to 3318.20 of the

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Revised Code when the school district becomes eligible for that assistance. Any school district that is reasonably expected to receive assistance under sections 3318.01 to 3318.20 of the Revised Code within two fiscal years from the date the school district adopts its resolution under division (B) of this section shall not be eligible to participate in the program established under this section.

(2) To participate in the program, a school district board shall first adopt a resolution certifying to the commission the board's intent to participate in the program.

The resolution shall specify the approximate date that the board intends to seek elector approval of any bond or tax measures or to apply other local resources to use to pay the cost of classroom facilities to be constructed under this section. The resolution may specify the application of local resources or elector-approved bond or tax measures after the resolution is adopted by the board, and in such case the board may proceed with a discrete portion of its project under this section as soon as the commission and the controlling board have approved the basic project cost of the district's classroom facilities needs as specified in division (D) of this section. The board shall submit its resolution to the commission not later than ten days after the date the resolution is adopted by the board.

The commission shall not consider any resolution that is submitted pursuant to division (B)(2) of this section, as amended by this amendment, sooner than September 14, 2000.

(3) For purposes of determining when a district that enters into an agreement under this section becomes eligible for assistance under sections 3318.01 to 3318.20 of the Revised Code, the commission shall use one of the following as applicable:

(a) Except for a tangible personal property phase-out impacted district, the district's percentile ranking determined at the time the district entered into the agreement under this section, as prescribed by division (A)(2) of this section;

(b) For a tangible personal property phase-out impacted district, the lesser of: (i) the district's percentile ranking determined at the time the district entered into the agreement under this section, as prescribed by division (A)(2) of this section, or (ii) the district's current percentile ranking under section 3318.011 of the Revised Code.

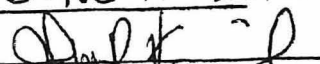
(4) Any project under this section shall comply with section 3318.03 of the Revised Code and with any specifications for plans and materials for classroom facilities adopted by the commission under section 3318.04 of the Revised Code.

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John F. Kasich, Governor

(5) If a school district that enters into an agreement under this section has not begun a project applying local resources as provided for under that agreement at the time the district is notified by the commission that it is eligible to receive state assistance under sections 3318.01 to 3318.20 of the Revised Code, all assessment and agreement documents entered into under this section are void.

(6) Only construction of or repairs to classroom facilities that have been approved by the commission and have been therefore included as part of a district's basic project cost qualify for application of local resources under this section.

(C) Based on the results of on-site visits and assessment, the commission shall determine the basic project cost of the school district's classroom facilities needs. The commission shall determine the school district's portion of such basic project cost, which shall be the greater of:

(1) The required percentage of the basic project costs, determined based on the school district's percentile ranking;

(2) An amount necessary to raise the school district's net bonded indebtedness, as of the fiscal year the commission and the school district enter into the agreement under division (B) of this section, to within five thousand dollars of the required level of indebtedness.

(D)(1) When the commission determines the basic project cost of the classroom facilities needs of a school district and the school district's portion of that basic project cost under division (C) of this section, the project shall be conditionally approved. Such conditional approval shall be submitted to the controlling board for approval thereof. The controlling board shall forthwith approve or reject the commission's determination, conditional approval, and the amount of the state's portion of the basic project cost; however, no state funds shall be encumbered under this section. Upon approval by the controlling board, the school district board may identify a discrete part of its classroom facilities needs, which shall include only new construction of or additions or major repairs to a particular building, to address with local resources. Upon identifying a part of the school district's basic project cost to address with local resources, the school district board may allocate any available school district moneys to pay the cost of that identified part, including the proceeds of an issuance of bonds if approved by the electors of the school district.

All local resources utilized under this division shall first be deposited in the project construction account required under section 3318.08 of the Revised Code.

(2) Unless the school district board exercises its option under division

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John R. Kasich, Governor

(D)(3) of this section, for a school district to qualify for participation in the program authorized under this section, one of the following conditions shall be satisfied:

(a) The electors of the school district by a majority vote shall approve the levy of taxes outside the ten-mill limitation for a period of twenty-three years at the rate of not less than one-half mill for each dollar of valuation to be used to pay the cost of maintaining the classroom facilities included in the basic project cost as determined by the commission. The form of the ballot to be used to submit the question whether to approve the tax required under this division to the electors of the school district shall be the form for an additional levy of taxes prescribed in section 3318.361 of the Revised Code, which may be combined in a single ballot question with the questions prescribed under section 5705.218 of the Revised Code.

(b) As authorized under division (C) of section 3318.05 of the Revised Code, the school district board shall earmark from the proceeds of a permanent improvement tax levied under section 5705.21 of the Revised Code, an amount equivalent to the additional tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(c) As authorized under section 3318.051 of the Revised Code, the school district board shall, if approved by the commission, annually transfer into the maintenance fund required under section 3318.05 of the Revised Code the amount prescribed in section 3318.051 of the Revised Code in lieu of the tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(d) If the school district board has rescinded the agreement to make transfers under section 3318.051 of the Revised Code, as provided under division (F) of that section, the electors of the school district, in accordance with section 3318.063 of the Revised Code, first shall approve the levy of taxes outside the ten-mill limitation for the period specified in that section at a rate of not less than one-half mill for each dollar of valuation.

(e) The school district board shall apply the proceeds of a tax to leverage bonds as authorized under section 3318.052 of the Revised Code or dedicate a local donated contribution in the manner described in division (B) of section 3318.084 of the Revised Code in an amount equivalent to the additional tax otherwise required under division (D)(2)(a) of this section for the maintenance of the classroom facilities included in the basic project cost as determined by the commission.

(3) A school district board may opt to delay taking any of the actions

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described in division (D)(2) of this section until the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code. In order to exercise this option, the board shall certify to the commission a resolution indicating the board's intent to do so prior to entering into an agreement under division (B) of this section.

(4) If pursuant to division (D)(3) of this section a district board opts to delay levying an additional tax until the district becomes eligible for state assistance, it shall submit the question of levying that tax to the district electors as follows:

(a) In accordance with section 3318.06 of the Revised Code if it will also be necessary pursuant to division (E) of this section to submit a proposal for approval of a bond issue;

(b) In accordance with section 3318.361 of the Revised Code if it is not necessary to also submit a proposal for approval of a bond issue pursuant to division (E) of this section.

(5) No state assistance under sections 3318.01 to 3318.20 of the Revised Code shall be released until a school district board that adopts and certifies a resolution under division (D) of this section also demonstrates to the satisfaction of the commission compliance with the provisions of division (D)(2) of this section.

Any amount required for maintenance under division (D)(2) of this section shall be deposited into a separate fund as specified in division (B) of section 3318.05 of the Revised Code.

(E)(1) If the school district becomes eligible for state assistance under sections 3318.01 to 3318.20 of the Revised Code based on its percentile ranking under division (B)(3) of this section, the commission shall conduct a new assessment of the school district's classroom facilities needs and shall recalculate the basic project cost based on this new assessment. The basic project cost recalculated under this division shall include the amount of expenditures made by the school district board under division (D)(1) of this section. The commission shall then recalculate the school district's portion of the new basic project cost, which shall be one of the following as applicable:

(a) Except for a tangible personal property phase-out impacted district, the percentage of the original basic project cost assigned to the school district as its portion under division (C) of this section;

(b) For a tangible personal property phase-out impacted district, the lesser of (i) the percentage of the original basic project cost assigned to the school district as its portion under division (C) of this section, or (ii) the percentage of the new basic project cost determined under section 3318.032

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of the Revised Code using the district's current percentile ranking under section 3318.011 of the Revised Code. The

The commission shall deduct the expenditure of school district moneys made under division (D)(1) of this section from the school district's portion of the basic project cost as recalculated under this division. If the amount of school district resources applied by the school district board to the school district's portion of the basic project cost under this section is less than the total amount of such portion as recalculated under this division, the school district board by a majority vote of all of its members shall, if it desires to seek state assistance under sections 3318.01 to 3318.20 of the Revised Code, adopt a resolution as specified in section 3318.06 of the Revised Code to submit to the electors of the school district the question of approval of a bond issue in order to pay any additional amount of school district portion required for state assistance. Any tax levy approved under division (D) of this section satisfies the requirements to levy the additional tax under section 3318.06 of the Revised Code.

(2) If the amount of school district resources applied by the school district board to the school district's portion of the basic project cost under this section is more than the total amount of such portion as recalculated under ~~this division~~ (E)(1) of this section, within one year after the school district's portion is so recalculated ~~under division (E)(1) of this section~~ the commission may grant to the school district the difference between the two calculated portions, but at no time shall the commission expend any state funds on a project in an amount greater than the state's portion of the basic project cost as recalculated under ~~this division~~ (E)(1) of this section.

Any reimbursement under this division shall be only for local resources the school district has applied toward construction cost expenditures for the classroom facilities approved by the commission, which shall not include any financing costs associated with that construction.

The school district board shall use any moneys reimbursed to the district under this division to pay off any debt service the district owes for classroom facilities constructed under its project under this section before such moneys are applied to any other purpose. However, the district board first may deposit moneys reimbursed under this division into the district's general fund or a permanent improvement fund to replace local resources the district withdrew from those funds, as long as, and to the extent that, those local resources were used by the district for constructing classroom facilities included in the district's basic project cost.

(3) A tangible personal property phase-out impacted district shall receive credit under division (E) of this section for the expenditure of local

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resources pursuant to any prior agreement authorized by this section, notwithstanding any recalculation of its average taxable value.

Sec. 3318.37. (A)(1) As used in this section:

(a) "Full maintenance amount" has the same meaning as in section 3318.034 of the Revised Code.

(b) "Large land area school district" means a school district with a territory of greater than three hundred square miles in any percentile as determined under section 3318.011 of the Revised Code.

~~(b)~~(c) "Low wealth school district" means a school district in the first through seventy-fifth percentiles as determined under section 3318.011 of the Revised Code.

~~(e)~~(d) A "school district with an exceptional need for immediate classroom facilities assistance" means a low wealth or large land area school district with an exceptional need for new facilities in order to protect the health and safety of all or a portion of its students.

(2) No school district that participates in the school building assistance expedited local partnership program under section 3318.36 of the Revised Code shall receive assistance under the program established under this section unless the following conditions are satisfied:

(a) The district board adopted a resolution certifying its intent to participate in the school building assistance expedited local partnership program under section 3318.36 of the Revised Code prior to September 14, 2000.

(b) The district was selected by the Ohio school facilities commission for participation in the school building assistance expedited local partnership program under section 3318.36 of the Revised Code in the manner prescribed by the commission under that section as it existed prior to September 14, 2000.

(B)(1) There is hereby established the exceptional needs school facilities assistance program. Under the program, the Ohio school facilities commission may set aside from the moneys annually appropriated to it for classroom facilities assistance projects up to twenty-five per cent for assistance to school districts with exceptional needs for immediate classroom facilities assistance.

(2)(a) After consulting with education and construction experts, the commission shall adopt guidelines for identifying school districts with an exceptional need for immediate classroom facilities assistance.

(b) The guidelines shall include application forms and instructions for school districts to use in applying for assistance under this section.

(3) The commission shall evaluate the classroom facilities, and the need

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 Governor

the Revised Code, those terms also shall be forwarded in writing to the director of development along with the copy of the agreement forwarded under this division.

(H) After an agreement is entered into, the enterprise shall file with each personal property tax return required to be filed while the agreement is in effect, an informational return, on a form prescribed by the tax commissioner for that purpose, setting forth separately the property, and related costs and values, exempted from taxation under the agreement.

(I) An agreement entered into under this section may include a provision requiring the enterprise to create one or more temporary internship positions for students enrolled in a course of study at a school or other educational institution in the vicinity, and to create a scholarship or provide another form of educational financial assistance for students holding such a position in exchange for the student's commitment to work for the enterprise at the completion of the internship.

Sec. 5709.73. (A) As used in this section and section 5709.74. of the Revised Code:

(1) "Business day" means a day of the week excluding Saturday, Sunday, and a legal holiday as defined in section 1.14 of the Revised Code.

(2) "Further improvements" or "improvements" means the increase in the assessed value of real property that would first appear on the tax list and duplicate of real and public utility property after the effective date of a resolution adopted under this section were it not for the exemption granted by that resolution. For purposes of division (B) of this section, "improvements" do not include any property used or to be used for residential purposes.

(3) "Housing renovation" means a project carried out for residential purposes.

(4) "Incentive district" has the same meaning as in section 5709.40 of the Revised Code, except that a blighted area is in the unincorporated area of a township.

(5) "Project" and "public infrastructure improvement" have the same meanings as in section 5709.40 of the Revised Code.

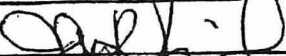
(B) A board of township trustees may, by unanimous vote, adopt a resolution that declares to be a public purpose any public infrastructure improvements made that are necessary for the development of certain parcels of land located in the unincorporated area of the township. Except with the approval under division (D) of this section of the board of education of each city, local, or exempted village school district within which the improvements are located, the resolution may exempt from real

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Date:

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John R. Kasich Governor

property taxation not more than seventy-five per cent of further improvements to a parcel of land that directly benefits from the public infrastructure improvements, for a period of not more than ten years. The resolution shall specify the percentage of the further improvements to be exempted and the life of the exemption.

(C)(1) A board of township trustees may adopt, by unanimous vote, a resolution creating an incentive district and declaring improvements to parcels within the district to be a public purpose and, except as provided in division (F) of this section, exempt from taxation as provided in this section, but no board of township trustees of a township that has a population that exceeds twenty-five thousand, as shown by the most recent federal decennial census, shall adopt a resolution that creates an incentive district if the sum of the taxable value of real property in the proposed district for the preceding tax year and the taxable value of all real property in the township that would have been taxable in the preceding year were it not for the fact that the property was in an existing incentive district and therefore exempt from taxation exceeds twenty-five per cent of the taxable value of real property in the township for the preceding tax year. The district shall be located within the unincorporated area of the township and shall not include any territory that is included within a district created under division (B) of section 5709.78 of the Revised Code. The resolution shall delineate the boundary of the district and specifically identify each parcel within the district. A district may not include any parcel that is or has been exempted from taxation under division (B) of this section or that is or has been within another district created under this division. A resolution may create more than one district, and more than one resolution may be adopted under division (C)(1) of this section.

(2) Not later than thirty days prior to adopting a resolution under division (C)(1) of this section, if the township intends to apply for exemptions from taxation under section 5709.911 of the Revised Code on behalf of owners of real property located within the proposed incentive district, the board shall conduct a public hearing on the proposed resolution. Not later than thirty days prior to the public hearing, the board shall give notice of the public hearing and the proposed resolution by first class mail to every real property owner whose property is located within the boundaries of the proposed incentive district that is the subject of the proposed resolution.

(3)(a) A resolution adopted under division (C)(1) of this section shall specify the life of the incentive district and the percentage of the improvements to be exempted, shall designate the public infrastructure

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improvements made, to be made, or in the process of being made, that benefit or serve, or, once made, will benefit or serve parcels in the district. The resolution also shall identify one or more specific projects being, or to be, undertaken in the district that place additional demand on the public infrastructure improvements designated in the resolution. The project identified may, but need not be, the project under division (C)(3)(b) of this section that places real property in use for commercial or industrial purposes.

A resolution adopted under division (C)(1) of this section on or after March 30, 2006, shall not designate police or fire equipment as public infrastructure improvements, and no service payment provided for in section 5709.74 of the Revised Code and received by the township under the resolution shall be used for police or fire equipment.

(b) A resolution adopted under division (C)(1) of this section may authorize the use of service payments provided for in section 5709.74 of the Revised Code for the purpose of housing renovations within the incentive district, provided that the resolution also designates public infrastructure improvements that benefit or serve the district, and that a project within the district places real property in use for commercial or industrial purposes. Service payments may be used to finance or support loans, deferred loans, and grants to persons for the purpose of housing renovations within the district. The resolution shall designate the parcels within the district that are eligible for housing renovations. The resolution shall state separately the amount or the percentages of the expected aggregate service payments that are designated for each public infrastructure improvement and for the purpose of housing renovations.

(4) Except with the approval of the board of education of each city, local, or exempted village school district within the territory of which the incentive district is or will be located, and subject to division (E) of this section, the life of an incentive district shall not exceed ten years, and the percentage of improvements to be exempted shall not exceed seventy-five per cent. With approval of the board of education, the life of a district may be not more than thirty years, and the percentage of improvements to be exempted may be not more than one hundred per cent. The approval of a board of education shall be obtained in the manner provided in division (D) of this section.

(D) Improvements with respect to a parcel may be exempted from taxation under division (B) of this section, and improvements to parcels within an incentive district may be exempted from taxation under division (C) of this section, for up to ten years or, with the approval of the board of

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education of the city, local, or exempted village school district within which the parcel or district is located, for up to thirty years. The percentage of the improvements exempted from taxation may, with such approval, exceed seventy-five per cent, but shall not exceed one hundred per cent. Not later than forty-five business days prior to adopting a resolution under this section declaring improvements to be a public purpose that is subject to approval by a board of education under this division, the board of township trustees shall deliver to the board of education a notice stating its intent to adopt a resolution making that declaration. The notice regarding improvements with respect to a parcel under division (B) of this section shall identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period for which the improvements would be exempted from taxation and the percentage of the improvements that would be exempted, and indicate the date on which the board of township trustees intends to adopt the resolution. The notice regarding improvements made under division (C) of this section to parcels within an incentive district shall delineate the boundaries of the district, specifically identify each parcel within the district, identify each anticipated improvement in the district, provide an estimate of the true value in money of each such improvement, specify the life of the district and the percentage of improvements that would be exempted, and indicate the date on which the board of township trustees intends to adopt the resolution. The board of education, by resolution adopted by a majority of the board, may approve the exemption for the period or for the exemption percentage specified in the notice; may disapprove the exemption for the number of years in excess of ten, may disapprove the exemption for the percentage of the improvements to be exempted in excess of seventy-five per cent, or both; or may approve the exemption on the condition that the board of township trustees and the board of education negotiate an agreement providing for compensation to the school district equal in value to a percentage of the amount of taxes exempted in the eleventh and subsequent years of the exemption period or, in the case of exemption percentages in excess of seventy-five per cent, compensation equal in value to a percentage of the taxes that would be payable on the portion of the improvements in excess of seventy-five per cent were that portion to be subject to taxation, or other mutually agreeable compensation.

The board of education shall certify its resolution to the board of township trustees not later than fourteen days prior to the date the board of township trustees intends to adopt the resolution as indicated in the notice. If the board of education and the board of township trustees negotiate a

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mutually acceptable compensation agreement, the resolution may declare the improvements a public purpose for the number of years specified in the resolution or, in the case of exemption percentages in excess of seventy-five per cent, for the exemption percentage specified in the resolution. In either case, if the board of education and the board of township trustees fail to negotiate a mutually acceptable compensation agreement, the resolution may declare the improvements a public purpose for not more than ten years, and shall not exempt more than seventy-five per cent of the improvements from taxation. If the board of education fails to certify a resolution to the board of township trustees within the time prescribed by this section, the board of township trustees thereupon may adopt the resolution and may declare the improvements a public purpose for up to thirty years or, in the case of exemption percentages proposed in excess of seventy-five per cent, for the exemption percentage specified in the resolution. The board of township trustees may adopt the resolution at any time after the board of education certifies its resolution approving the exemption to the board of township trustees, or, if the board of education approves the exemption on the condition that a mutually acceptable compensation agreement be negotiated, at any time after the compensation agreement is agreed to by the board of education and the board of township trustees. If a mutually acceptable compensation agreement is negotiated between the board of township trustees and the board of education, including agreements for payments in lieu of taxes under section 5709.74 of the Revised Code, the board of township trustees shall compensate the joint vocational school district within which the parcel or district is located at the same rate and under the same terms received by the city, local, or exempted village school district.

If a board of education has adopted a resolution waiving its right to approve exemptions from taxation under this section and the resolution remains in effect, approval of such exemptions by the board of education is not required under division (D) of this section. If a board of education has adopted a resolution allowing a board of township trustees to deliver the notice required under division (D) of this section fewer than forty-five business days prior to adoption of the resolution by the board of township trustees, the board of township trustees shall deliver the notice to the board of education not later than the number of days prior to the adoption as prescribed by the board of education in its resolution. If a board of education adopts a resolution waiving its right to approve exemptions or shortening the notification period, the board of education shall certify a copy of the resolution to the board of township trustees. If the board of education

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Date: JUNE 11 2012

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rescinds the resolution, it shall certify notice of the rescission to the board of township trustees.

If the board of township trustees is not required by division (D) of this section to notify the board of education of the board of township trustees' intent to declare improvements to be a public purpose, the board of township trustees shall comply with the notice requirements imposed under section 5709.83 of the Revised Code before taking formal action to adopt the resolution making that declaration, unless the board of education has adopted a resolution under that section waiving its right to receive the notice.

(E)(1) If a proposed resolution under division (C)(1) of this section exempts improvements with respect to a parcel within an incentive district for more than ten years, or the percentage of the improvement exempted from taxation exceeds seventy-five per cent, not later than forty-five business days prior to adopting the resolution the board of township trustees shall deliver to the board of county commissioners of the county within which the incentive district is or will be located a notice that states its intent to adopt a resolution creating an incentive district. The notice shall include a copy of the proposed resolution, identify the parcels for which improvements are to be exempted from taxation, provide an estimate of the true value in money of the improvements, specify the period of time for which the improvements would be exempted from taxation, specify the percentage of the improvements that would be exempted from taxation, and indicate the date on which the board of township trustees intends to adopt the resolution.

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(2) The board of county commissioners, by resolution adopted by a majority of the board, may object to the exemption for the number of years in excess of ten, may object to the exemption for the percentage of the improvement to be exempted in excess of seventy-five per cent, or both. If the board of county commissioners objects, the board may negotiate a mutually acceptable compensation agreement with the board of township trustees. In no case shall the compensation provided to the board of county commissioners exceed the property taxes foregone due to the exemption. If the board of county commissioners objects, and the board of county commissioners and board of township trustees fail to negotiate a mutually acceptable compensation agreement, the resolution adopted under division (C)(1) of this section shall provide to the board of county commissioners compensation in the eleventh and subsequent years of the exemption period equal in value to not more than fifty per cent of the taxes that would be payable to the county or, if the board of county commissioner's objection

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David L. Joyce
Governor

includes an objection to an exemption percentage in excess of seventy-five per cent, compensation equal in value to not more than fifty per cent of the taxes that would be payable to the county, on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation. The board of county commissioners shall certify its resolution to the board of township trustees not later than thirty days after receipt of the notice.

(3) If the board of county commissioners does not object or fails to certify its resolution objecting to an exemption within thirty days after receipt of the notice, the board of township trustees may adopt its resolution, and no compensation shall be provided to the board of county commissioners. If the board of county commissioners timely certifies its resolution objecting to the trustees' resolution, the board of township trustees may adopt its resolution at any time after a mutually acceptable compensation agreement is agreed to by the board of county commissioners and the board of township trustees, or, if no compensation agreement is negotiated, at any time after the board of township trustees agrees in the proposed resolution to provide compensation to the board of county commissioners of fifty per cent of the taxes that would be payable to the county in the eleventh and subsequent years of the exemption period or on the portion of the improvement in excess of seventy-five per cent, were that portion to be subject to taxation.

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(F) Service payments in lieu of taxes that are attributable to any amount by which the effective tax rate of either a renewal levy with an increase or a replacement levy exceeds the effective tax rate of the levy renewed or replaced, or that are attributable to an additional levy, for a levy authorized by the voters for any of the following purposes on or after January 1, 2006, and which are provided pursuant to a resolution creating an incentive district under division (C)(1) of this section that is adopted on or after January 1, 2006, shall be distributed to the appropriate taxing authority as required under division (C) of section 5709.74 of the Revised Code in an amount equal to the amount of taxes from that additional levy or from the increase in the effective tax rate of such renewal or replacement levy that would have been payable to that taxing authority from the following levies were it not for the exemption authorized under division (C) of this section:

(1) A tax levied under division (L) of section 5705.19 or section 5705.191 of the Revised Code for community mental retardation and developmental disabilities programs and services pursuant to Chapter 5126. of the Revised Code;

(2) A tax levied under division (Y) of section 5705.19 of the Revised

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JOHN R. KASICH, Governor

Code for providing or maintaining senior citizens services or facilities;

(3) A tax levied under section 5705.22 of the Revised Code for county hospitals;

(4) A tax levied by a joint-county district or by a county under section 5705.19, 5705.191, or 5705.221 of the Revised Code for alcohol, drug addiction, and mental health services or families;

(5) A tax levied under section 5705.23 of the Revised Code for library purposes;

(6) A tax levied under section 5705.24 of the Revised Code for the support of children services and the placement and care of children;

(7) A tax levied under division (Z) of section 5705.19 of the Revised Code for the provision and maintenance of zoological park services and facilities under section 307.76 of the Revised Code;

(8) A tax levied under section 511.27 or division (H) of section 5705.19 of the Revised Code for the support of township park districts;

(9) A tax levied under division (A), (F), or (H) of section 5705.19 of the Revised Code for parks and recreational purposes of a joint recreation district organized pursuant to division (B) of section 755.14 of the Revised Code;

(10) A tax levied under section 1545.20 or 1545.21 of the Revised Code for park district purposes;

(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;

(12) A tax levied under section 3709.29 of the Revised Code for a general health district program.

(G) An exemption from taxation granted under this section commences with the tax year specified in the resolution so long as the year specified in the resolution commences after the effective date of the resolution. If the resolution specifies a year commencing before the effective date of the resolution or specifies no year whatsoever, the exemption commences with the tax year in which an exempted improvement first appears on the tax list and duplicate of real and public utility property and that commences after the effective date of the resolution. Except as otherwise provided in this division, the exemption ends on the date specified in the resolution as the date the improvement ceases to be a public purpose or the incentive district expires, or ends on the date on which the public infrastructure improvements and housing renovations are paid in full from the township public improvement tax increment equivalent fund established under section

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John R. Kasich, Governor

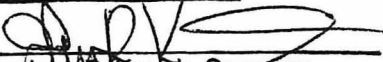
5709.75 of the Revised Code, whichever occurs first. The exemption of an improvement with respect to a parcel or within an incentive district may end on a later date, as specified in the resolution, if the board of township trustees and the board of education of the city, local, or exempted village school district within which the parcel or district is located have entered into a compensation agreement under section 5709.82 of the Revised Code with respect to the improvement and the board of education has approved the term of the exemption under division (D) of this section, but in no case shall the improvement be exempted from taxation for more than thirty years. The board of township trustees may, by majority vote, adopt a resolution permitting the township to enter into such agreements as the board finds necessary or appropriate to provide for the construction or undertaking of public infrastructure improvements and housing renovations. Any exemption shall be claimed and allowed in the same or a similar manner as in the case of other real property exemptions. If an exemption status changes during a tax year, the procedure for the apportionment of the taxes for that year is the same as in the case of other changes in tax exemption status during the year.

(H) The board of township trustees may issue the notes of the township to finance all costs pertaining to the construction or undertaking of public infrastructure improvements and housing renovations made pursuant to this section. The notes shall be signed by the board and attested by the signature of the township fiscal officer, shall bear interest not to exceed the rate provided in section 9.95 of the Revised Code, and are not subject to Chapter 133. of the Revised Code. The resolution authorizing the issuance of the notes shall pledge the funds of the township public improvement tax increment equivalent fund established pursuant to section 5709.75 of the Revised Code to pay the interest on and principal of the notes. The notes, which may contain a clause permitting prepayment at the option of the board, shall be offered for sale on the open market or given to the vendor or contractor if no sale is made.

(I) The township, not later than fifteen days after the adoption of a resolution under this section, shall submit to the director of development a copy of the resolution. On or before the thirty-first day of March of each year, the township shall submit a status report to the director of development. The report shall indicate, in the manner prescribed by the director, the progress of the project during each year that the exemption remains in effect, including a summary of the receipts from service payments in lieu of taxes; expenditures of money from the fund created under section 5709.75 of the Revised Code; a description of the public

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Date: JUNE 11 2012


JOHN R. KASICH, Governor

infrastructure improvements and housing renovations financed with the expenditures; and a quantitative summary of changes in private investment resulting from each project.

(J) Nothing in this section shall be construed to prohibit a board of township trustees from declaring to be a public purpose improvements with respect to more than one parcel.

(K) A board of township trustees that adopted a resolution under this section prior to July 21, 1994, may amend that resolution to include any additional public infrastructure improvement. A board of township trustees that seeks by the amendment to utilize money from its township public improvement tax increment equivalent fund for land acquisition in aid of industry, commerce, distribution, or research, demolition on private property, or stormwater and flood remediation projects may do so provided that the board currently is a party to a hold-harmless agreement with the board of education of the city, local, or exempted village school district within the territory of which are located the parcels that are subject to an exemption. For the purposes of this division, a "hold-harmless agreement" means an agreement under which the board of township trustees agrees to compensate the school district for one hundred per cent of the tax revenue that the school district would have received from further improvements to parcels designated in the resolution were it not for the exemption granted by the resolution.

JRK

(L) With respect to improvements resulting from projects, for which construction commences on or after April 1, 2012, and on or before December 31, 2013, and for which an exemption has been or will be sought pursuant to a resolution adopted under this section before December 14, 2001, "property used or to be used for residential purposes," as used in division (A)(2) of this section, means only that property that, as improved, the tax commissioner would classify as residential land and improvements pursuant to rules adopted by the tax commissioner under section 5713.041 of the Revised Code.

Sec. 5713.012. (A) For purposes of this section:

(1) "Mass appraisal project" means any sexennial reappraisal, triennial update, or other revaluation of all real property or the valuation of newly constructed real property in accordance with section 5713.01 of the Revised Code.

(2) "Qualified project manager" means a person who plans, manages, coordinates, and controls the execution of a mass appraisal project under the direction of the county auditor and who has all of the following qualifications:

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Date:

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[Signature]
John R. Kasich, Governor

sellers at the time the entity enters into a tax credit agreement with the tax credit authority pursuant to section 122.17 of the Revised Code, provided that the agreement was entered into on or after January 1, 2007. Neither contingencies relevant to the granting of, nor later developments with respect to, the tax credit shall impair the status of the qualified direct selling entity under division (B)(48) of this section after execution of the tax credit agreement by the tax credit authority.

(c) Division (B)(48) of this section is limited to machinery, equipment, and software first stored, used, or consumed in this state within the period commencing June 24, 2008, and ending on the date that is five years after that date.

JRX (49)(a) Sales of materials, parts, equipment, or engines used in the repair or maintenance of aircraft or avionics systems of such aircraft, and sales of repair, remodeling, replacement, or maintenance services in this state performed on aircraft or on an aircraft's avionics, engine, or component materials or parts. As used in division (B)(49)(a) of this section, "aircraft" means aircraft of more than six thousand pounds maximum certified takeoff weight or used exclusively in general aviation. JRK

JRX (b) Sales of tangible personal property, including materials, parts, equipment, software, supplies, tools, fuel, catalysts, oil, acids, and other consumables, or services used or consumed in performing research and development activities with respect to aerospace vehicles, the parts, avionics systems, control systems, engines, software, component materials, or component parts of such aerospace vehicles, and human performance equipment and technology associated with operating and testing aerospace vehicles. As used in division (B)(49)(b) of this section, "aerospace vehicles" means any manned or unmanned aviation device including, but not limited to, aircraft, airplanes, helicopters, missiles, rockets, and space vehicles.

(50) Sales of full flight simulators that are used for pilot or flight-crew training, sales of repair or replacement parts or components, and sales of repair or maintenance services for such full flight simulators. "Full flight simulator" means a replica of a specific type, or make, model, and series of aircraft cockpit. It includes the assemblage of equipment and computer programs necessary to represent aircraft operations in ground and flight conditions, a visual system providing an out-of-the-cockpit view, and a system that provides cues at least equivalent to those of a three-degree-of-freedom motion system, and has the full range of capabilities of the systems installed in the device as described in appendices A and B of part 60 of chapter 1 of title 14 of the Code of Federal Regulations.

The above boxed and initialed text was disapproved.

Date: 6/11/12

John F. Kasick, Governor

SECTION 101.02. That existing sections 7.10, 7.16, 9.34, 102.02, 103.05, 105.41, 109.57, 109.572, 109.801, 119.032, 121.04, 121.08, 121.083, 121.084, 122.07, 123.01, 123.011, 123.024, 123.04, 123.07, 123.08, 123.09, 123.10, 123.101, 123.11, 123.13, 123.14, 123.15, 123.152, 123.17, 123.21, 123.46, 123.47, 123.48, 123.49, 123.77, 124.04, 124.06, 124.11, 124.12, 124.14, 124.231, 124.241, 124.25, 124.26, 124.27, 124.30, 124.31, 125.082, 125.14, 126.14, 135.35, 140.01, 140.03, 140.05, 140.08, 145.01, 145.012, 149.43, 151.01, 152.18, 152.24, 153.01, 153.011, 153.013, 153.02, 153.04, 153.06, 153.07, 153.08, 153.09, 153.11, 153.12, 153.14, 153.16, 153.17, 153.502, 153.503, 153.53, 154.01, 167.04, 173.14, 173.21, 173.23, 173.26, 173.27, 173.391, 173.394, 173.40, 173.42, 173.45, 173.46, 185.01, 185.02, 185.03, 185.05, 185.06, 185.07, 185.09, 185.12, 306.04, 306.36, 306.55, 313.121, 313.122, 313.16, 329.01, 329.40, 329.41, 329.42, 329.43, 329.44, 329.45, 329.46, 330.04, 339.091, 340.03, 340.05, 340.091, 705.18, 749.04, 749.05, 749.18, 901.54, 924.51, 955.16, 955.26, 991.02, 1121.23, 1155.03, 1163.05, 1315.141, 1317.05, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1345.05, 1501.04, 1502.01, 1502.02, 1502.03, 1502.04, 1502.05, 1502.06, 1502.07, 1502.12, 1502.99, 1503.012, 1503.43, 1506.42, 1509.071, 1509.36, 1533.10, 1541.26, 1551.33, 1555.02, 1555.03, 1555.04, 1555.05, 1555.06, 1571.14, 1707.08, 1707.391, 1724.03, 1733.47, 1751.01, 1751.02, 1751.13, 1761.26, 1901.06, 1901.18, 1907.13, 1909.11, 1923.01, 1923.02, 1923.061, 1923.15, 2151.33, 2151.412, 2151.86, 2152.121, 2152.22, 2301.01, 2301.03, 2301.18, 2301.20, 2301.21, 2301.22, 2301.23, 2301.24, 2301.25, 2301.26, 2301.27, 2301.271, 2301.571, 2305.01, 2305.02, 2307.89, 2317.02, 2317.422, 2317.56, 2319.27, 2501.02, 2501.16, 2501.17, 2503.01, 2743.02, 2743.09, 2743.10, 2743.48, 2746.01, 2746.03, 2746.04, 2901.01, 2903.33, 2907.29, 2909.21, 2909.28, 2927.023, 2929.01, 2929.19, 2935.01, 2935.03, 2939.11, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 2961.22, 2967.03, 2967.05, 2967.14, 2967.19, 2967.191, 2967.26, 2967.28, 2981.11, 2981.14, 3109.14, 3125.41, 3301.55, 3304.14, 3304.16, 3304.181, 3304.182, 3305.01, 3305.02, 3305.03, 3305.04, 3305.05, 3305.053, 3305.06, 3313.65, 3313.71, 3313.976, 3313.978, 3313.979, 3318.034, 3318.08, 3318.10, 3318.30, 3318.31, 3318.36, 3318.37, 3318.70, 3333.04, 3333.041, 3333.123, 3333.21, 3333.60, 3333.61, 3333.71, 3333.72, 3334.08, 3345.16, 3345.28, 3345.50, 3345.51, 3345.54, 3345.69, 3345.692, 3347.03, 3383.02, 3383.07, 3517.20, 3701.021, 3701.023, 3701.024, 3701.025, 3701.03, 3701.05, 3701.07, 3701.072, 3701.11, 3701.132, 3701.146, 3701.161, 3701.20, 3701.201, 3701.21, 3701.221, 3701.23, 3701.232, 3701.24, 3701.241, 3701.242, 3701.248, 3701.341, 3701.342, 3701.343, 3701.344, 3701.345,

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Date: 6-11-12

[Signature]
 John B. Keesler, Governor

4731.052, 4731.22, 4735.01, 4735.02, 4735.052, 4735.10, 4735.13, 4735.14, 4735.141, 4735.142, 4735.74, 4736.01, 4740.03, 4740.11, 4740.14, 4743.05, 4763.05, 4765.07, 4773.08, 4781.01, 4781.02, 4781.04, 4781.07, 4781.09, 4781.14, 4781.15, 4781.16, 4781.99, 4905.01, 4905.02, 4905.03, 4905.05, 4905.06, 4905.402, 4905.54, 4905.57, 4905.58, 4905.84, 4905.90, 4907.01, 4907.02, 4907.04, 4907.08, 4907.19, 4907.28, 4907.35, 4907.37, 4907.43, 4907.49, 4907.57, 4907.59, 4907.60, 4907.61, 4907.62, 4909.01, 4909.02, 4909.03, 4909.17, 4909.22, 4909.24, 4909.28, 4911.01, 4927.01, 4929.01, 4929.02, 4929.041, 4933.18, 4933.19, 4939.01, 4953.04, 4961.03, 4965.54, 5101.01, 5101.46, 5101.60, 5101.61, 5104.012, 5104.013, 5104.051, 5104.09, 5104.37, 5107.05, 5107.16, 5107.17, 5111.01, 5111.013, 5111.014, 5111.0115, 5111.0120, 5111.031, 5111.032, 5111.033, 5111.034, 5111.06, 5111.091, 5111.113, 5111.16, 5111.161, 5111.171, 5111.20, 5111.222, 5111.23, 5111.242, 5111.254, 5111.862, 5111.874, 5111.877, 5111.878, 5111.89, 5111.894, 5111.941, 5111.97, 5112.31, 5112.33, 5112.341, 5112.37, 5112.371, 5112.39, 5119.22, 5119.61, 5119.69, 5119.691, 5119.99, 5120.036, 5120.105, 5120.132, 5120.66, 5122.31, 5123.01, 5123.033, 5123.042, 5123.044, 5123.0412, 5123.0414, 5123.0415, 5123.081, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, 5123.166, 5123.169, 5123.171, 5123.19, 5123.31, 5123.38, 5123.41, 5123.50, 5123.51, 5123.542, 5123.61, 5123.89, 5126.023, 5126.0220, 5126.0221, 5126.043, 5126.046, 5126.055, 5126.13, 5126.15, 5126.20, 5126.21, 5126.22, 5126.25, 5126.251, 5126.51, 5139.41, 5139.43, 5149.311, 5155.14, 5501.04, 5501.07, 5502.01, 5502.011, 5503.02, 5503.04, 5503.21, 5503.22, 5503.23, 5503.34, 5701.13, 5703.05, 5705.08, 5705.19, 5705.25, 5705.28, 5705.30, 5705.34, 5705.35, 5705.38, 5709.084, 5709.12, 5709.121, 5709.212, 5709.62, 5709.63, 5709.632, **5709.73**, 5713.03, 5719.13, 5725.14, 5725.15, 5725.16, 5725.17, 5725.22, 5725.221, 5731.39, 5733.064, 5739.01, 5739.02, 5743.03, 5743.031, 5751.033, 5751.12, 5753.03, 6109.21, 6111.46, 6117.39, and 6119.11 of the Revised Code are hereby repealed.

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SECTION 105.01. That sections 185.04, 185.08, 185.10, 185.11, 2301.19, 2909.32, 2909.33, 2909.34, 3301.68, 3333.049, 3333.0411, 3333.33, 3333.70, 3333.80, 3334.111, 3354.23, 3701.02, 3701.032, 3701.12, 3701.33, 3701.34, 3701.35, 3702.521, 3702.5210, 3702.5211, 3702.5212, 3702.5213, 3702.58, 3702.591, 3733.01, 3733.031, 3745.111, 3781.183, 3791.043, 4113.11, 4121.18, 4905.80, 4905.801, 4905.81, 4905.82, 4905.83, 4919.75, 4919.76, 4919.77, 4919.78, 4919.79, 4919.99, 4921.01, 4921.02, 4921.03,

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appropriations from the Clean Ohio Conservation Fund (Fund 7056) to the Public Works Commission shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

SECTION 301.15. The capital improvements for which appropriations are made in this act from the Clean Ohio Conservation Fund (Fund 7056) and the Clean Ohio Agricultural Easement Fund (Fund 7057) are determined to be capital improvements and capital facilities for conservation purposes under the Clean Ohio Program and are designated as capital facilities to which proceeds of obligations issued under Chapter 151. of the Revised Code are to be applied. The release and expenditure of funds from the Clean Ohio Conservation Fund (Fund 7056) and the Clean Ohio Agricultural Easement Fund (Fund 7057) shall be subject to the requirements of Section 509.90 of Sub. H.B. 482 of the 129th General Assembly.

SECTION 301.21. The items set forth in this section are hereby appropriated out of any moneys in the state treasury to the credit of the Clean Ohio Revitalization Fund (Fund 7003) that are not otherwise appropriated.

		Appropriations	
DEV DEVELOPMENT SERVICES AGENCY			
C19500	Clean Ohio Revitalization	\$	12,000,000
C19501	Clean Ohio Assistance	\$	3,000,000
Total Development Services Agency		\$	15,000,000
TOTAL Clean Ohio Revitalization Fund		\$	15,000,000

The foregoing appropriation items C19500, Clean Ohio Revitalization, and C19501, Clean Ohio Assistance, shall be used in accordance with sections 122.65 to 122.658 of the Revised Code, and are subject to all provisions of Am. Sub. H.B. 482 of the 129th General Assembly that are generally applicable to such appropriations.

SECTION 503.10. FISCAL YEAR 2012 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, 2012, 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

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Date: 6-11-12

[Signature]
Governor

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JRK amount so determined, to the Statewide Treatment and Prevention Fund (Fund 4750), a cash amount of \$1,000,000 and to the Long-Term Care Ombudsman Program Fund (Fund 4C40), a cash amount of \$1,500,000. J

SECTION 506.10. OHP HEALTH CARE GRANTS FUND

For fiscal year 2012 and fiscal year 2013, the Department of Job and Family Services may deposit into the OHP Health Care Grants Fund (Fund 3FA0) federal grants for the administration of health care programs that the Department receives under the "Patient Protection and Affordable Care Act," Public Law 111-148, and the "Health Care and Education Reconciliation Act of 2010," Public Law 111-152. The Department shall use the money in the fund to pay for expenses incurred in carrying out duties the Department assumes by accepting such federal grants, including expenses for the administration of health care programs.

SECTION 512.10. TRANSFER OF FUNDS FOR CASINO CONTROL COMMISSION OPERATIONS

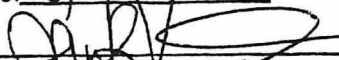
During fiscal year 2013, the Director of Budget and Management may, in consultation with the Executive Director of the Casino Control Commission, transfer cash as necessary for operating expenses and casino investigations. The transfer shall be made from the General Revenue Fund to the Casino Control Commission Operating Fund (Fund 5HS0). Once funds from upfront license application fees and gross casino revenue taxes have been accumulated to sustain operations, the Director of Budget and Management, in consultation with the Executive Director of the Casino Control Commission, shall establish a repayment schedule for transfers to the General Revenue Fund from the Casino Control Commission Operating Fund (Fund 5HS0).

SECTION 512.20. PRE-SECURITIZATION TOBACCO PAYMENTS

The Pre-Securitization Tobacco Payments Fund (Fund 5LS0) is hereby created in the state treasury. All moneys received by the state in connection with releases from disputed payment accounts or amounts previously withheld under the Tobacco Master Settlement Agreement that do not constitute pledged receipts for the Buckeye Tobacco Settlement Financing Authority Tobacco Settlement Bonds, Series 2007, shall be credited to the fund and used by the Director of Budget and Management as authorized in this section.

The above boxed and Initialed text was disapproved.

Date: 6/11/12


John R. Kasich, Governor

occupied by the Industrial Commission in the William Green Building.

SECTION 601.31. That existing Section 1 of H.B. 124 of the 129th General Assembly is hereby repealed.

SECTION 601.40. That Sections 205.10, 207.10, 207.10.80, 207.20.10, 207.20.30, 207.20.90, 209.10, 209.20, 209.30, 211.10, 215.10, 215.20, 223.10, 229.10, 243.10, 245.10, 261.10.40, 261.10.70, 261.20.40, 261.20.50, 261.20.60, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.60, 261.30.70, 261.30.80, 261.30.90, 261.40.10, 263.10, 263.10.30, 263.10.90, 263.20.40, 263.20.70, 267.10, 267.10.10, 267.10.20, 267.10.40, 267.30.20, 267.30.40, 267.40.40, 279.10, 283.10, 285.10, 287.10, 291.10, 305.10, 307.10, 309.10, 309.30.10, 309.30.30, 309.30.33, 309.30.53, 309.30.73, 309.35.73, 309.60.20, 313.10, 315.10, 323.10, 327.10, 337.10, 343.10, 343.40, 365.10, 367.10, 369.10, 371.10, 371.30.30, 371.50.61, 371.50.65, 371.60.80, 373.10, 375.10, 379.10, 387.10, 403.10, 411.10, 415.10, 503.50, 521.70, 701.40, and 753.25 of Am. Sub. H.B. 153 of the 129th General Assembly be amended to read as follows:

Sec. 205.10. ADJ ADJUTANT GENERAL

General Revenue Fund

GRF 745401	Ohio Military Reserve	\$	12,308	\$	12,308
GRF 745404	Air National Guard	\$	1,810,606	\$	1,810,606
GRF 745407	National Guard Benefits	\$	400,000	\$	400,000
GRF 745409	Central Administration	\$	2,692,098	\$	<u>2,692,098</u>
					<u>2,682,098</u>
GRF 745499	Army National Guard	\$	3,687,888	\$	3,689,871
TOTAL GRF General Revenue Fund		\$	8,602,900	\$	<u>8,604,883</u>
					<u>8,594,883</u>

General Services Fund Group

5340 745612	Property Operations Management	\$	534,304	\$	534,304
5360 745605	Marksmanship Activities	\$	128,600	\$	128,600
5360 745620	Camp Perry and Buckeye Inn Operations	\$	1,178,311	\$	978,846
5370 745604	Ohio National Guard Facilities Maintenance	\$	62,000	\$	62,000
TOTAL GSF General Services Fund Group		\$	1,903,215	\$	1,703,750

Federal Special Revenue Fund Group

3410 745615	Air National Guard Base Security	\$	2,977,692	\$	2,977,692
3420 745616	Army National Guard Service Agreement	\$	10,970,050	\$	10,970,050
3E80 745628	Air National Guard Operations and Maintenance	\$	16,958,595	\$	16,958,595
3R80 745603	Counter Drug Operations	\$	25,000	\$	25,000

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Date: 6-11-12

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the 128th General Assembly. Any portion of appropriation item 100617, Major IT Purchases, that is unencumbered and unexpended at the end of fiscal year 2012 is hereby reappropriated for fiscal year 2013.

Sec. 209.10. AGE DEPARTMENT OF AGING

General Revenue Fund

GRF 490321	Operating Expenses	\$	1,501,616	\$	1,502,442 1,487,418
GRF 490410	Long-Term Care Ombudsman	\$	482,271	\$	482,271 477,448
GRF 490411	Senior Community Services	\$	7,130,952	\$	7,131,236 7,060,844
GRF 490414	Alzheimer's Respite	\$	1,917,740	\$	1,917,757 1,895,245
GRF 490423	Long-Term Care Budget - State	\$	3,419,250	\$	3,419,250 3,385,057
GRF 490506	National Senior Service Corps	\$	241,413	\$	241,413
TOTAL GRF General Revenue Fund		\$	14,693,242	\$	14,694,369 14,547,425

General Services Fund Group

4800 490606	Senior Community Outreach and Education	\$	372,518	\$	372,523
TOTAL GSF General Services Fund Group		\$	372,518	\$	372,523

Federal Special Revenue Fund Group

3220 490618	Federal Aging Grants	\$	14,000,000	\$	14,000,000
3C40 490623	Long-Term Care Budget	\$	3,525,000	\$	3,525,000
3M40 490612	Federal Independence Services	\$	63,655,080	\$	63,655,080
TOTAL FED Federal Special Revenue Fund Group		\$	81,180,080	\$	81,180,080

State Special Revenue Fund Group

4C40 490609	Regional Long-Term Care Ombudsman Program	\$	935,000	\$	935,000 2,435,000
5BA0 490620	Ombudsman Support	\$	750,000	\$	750,000
5K90 490613	Long-Term Care Consumers Guide	\$	1,059,400	\$	1,059,400
5W10 490616	Resident Services Coordinator Program	\$	344,692	\$	344,700
TOTAL SSR State Special Revenue Fund Group		\$	3,089,092	\$	3,089,100 4,589,100
TOTAL ALL BUDGET FUND GROUPS		\$	99,334,932	\$	99,336,072 100,689,128

Sec. 209.20. LONG-TERM CARE

Pursuant to an interagency agreement, the Department of Job and Family Services ~~shall~~ may designate the Department of Aging to perform assessments under section 5111.204 of the Revised Code. The Department of Aging shall provide long-term care consultations under section 173.42 of the Revised Code to assist individuals in planning for their long-term health

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Date: 6/10/13

John R. Kasich, Governor

care needs.

The Department of Aging shall administer the Medicaid waiver-funded PASSPORT Home Care Program, the Choices Program, the Assisted Living Program, and the PACE Program as delegated by the Department of Job and Family Services in an interagency agreement. The foregoing appropriation items 490423, Long-Term Care Budget - State, and 490623, Long-Term Care Budget, may be used to support the Department of Aging's administrative costs associated with operating the PASSPORT, Choices, Assisted Living, and PACE programs.

Sec. 209.30. LONG-TERM CARE OMBUDSMAN

The foregoing appropriation item 490410, Long-Term Care Ombudsman, shall be used for a program to fund ombudsman program activities as authorized in sections 173.14 to 173.27 and section 173.99 of the Revised Code.

SENIOR COMMUNITY SERVICES

The foregoing appropriation item 490411, Senior Community Services, shall be used for services designated by the Department of Aging, including, but not limited to, home-delivered and congregate meals, transportation services, personal care services, respite services, adult day services, home repair, care coordination, and decision support systems. Service priority shall be given to low income, frail, and cognitively impaired persons 60 years of age and over. The department shall promote cost sharing by service recipients for those services funded with senior community services funds, including, when possible, sliding-fee scale payment systems based on the income of service recipients.

ALZHEIMER'S RESPITE

The foregoing appropriation item 490414, Alzheimer's Respite, shall be used to fund only Alzheimer's disease services under section 173.04 of the Revised Code.

SENIOR COMMUNITY OUTREACH AND EDUCATION

The foregoing appropriation item 490606, Senior Community Outreach and Education, may be used to provide training to workers in the field of aging pursuant to division (G) of section 173.02 of the Revised Code.

TRANSFER OF APPROPRIATIONS - FEDERAL INDEPENDENCE SERVICES AND FEDERAL AGING GRANTS

At the request of the Director of Aging, the Director of Budget and Management may transfer appropriation between appropriation items 490612, Federal Independence Services, and 490618, Federal Aging Grants. The amounts transferred shall not exceed 30 per cent of the appropriation from which the transfer is made. Any transfers shall be reported by the

JRK

The above boxed and initialed text was disapproved.

Date:

6-11-12


Governor

Department of Aging to the Controlling Board at the next scheduled meeting of the board.

REGIONAL LONG-TERM CARE OMBUDSMAN PROGRAM

The Of the foregoing appropriation item 490609, Regional Long-Term Care Ombudsman Program, \$935,000 in each fiscal year shall be used to pay the costs of operating the regional long-term care ombudsman programs designated by the Long-Term Care Ombudsman.

Notwithstanding division (B) of section 173.26 of the Revised Code, of the foregoing appropriation item 490609, Regional Long-Term Care Ombudsman Program, \$1,500,000 in fiscal year 2013 shall be used for costs associated with the Aging in Place Pilot Program.

TRANSFER OF RESIDENT PROTECTION FUNDS

In each fiscal year, the Director of Budget and Management may transfer up to \$750,000 cash from the Resident Protection Fund (Fund 4E30), which is used by the Department of Job and Family Services, to the Ombudsman Support Fund (Fund 5BA0), which is used by the Department of Aging. The moneys in the Ombudsman Support Fund may be used by the state office of the Long-Term Care Ombudsman Program and by regional ombudsman programs to promote person-centered care in nursing homes.

On July 1, 2011, or as soon as possible thereafter, the Department of Aging shall certify to the Director of Budget and Management the amount of the cash balance in the Ombudsman Support Fund at the end of fiscal year 2011.

LONG-TERM CARE CONSUMERS GUIDE

The foregoing appropriation item 490613, Long-Term Care Consumers Guide, shall be used to conduct annual customer satisfaction surveys and to pay for other administrative expenses related to the publication of the Ohio Long-Term Care Consumer Guide.

During fiscal year 2012 and fiscal year 2013, the Department of Aging shall identify methods and tools for assessing consumer satisfaction with adult care facilities and with the providers of home and community-based services. The Department shall also consider the development of a provider fee structure to support the inclusion of information about adult care facilities and providers of home and community-based services among the types of providers reviewed in the Ohio Long-Term Care Consumer Guide.

Sec. 211.10. AGR DEPARTMENT OF AGRICULTURE

General Revenue Fund

GRF 700401	Animal Disease Control	\$	3,936,687	\$	3,936,687
GRF 700403	Dairy Division	\$	1,088,115	\$	1,088,115
GRF 700404	Ohio Proud	\$	50,000	\$	50,000
GRF 700406	Consumer Analytical Lab	\$	1,287,556	\$	1,287,556
GRF 700407	Food Safety	\$	848,792	\$	848,792

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Date: 6-11-12

[Signature]

Of the foregoing appropriation item 700648, Plant Pest Program, up to \$2,000,000 in FY 2012 shall be used for reforestation and the eradication of the Asian Longhorned Beetle. Any portion of this transfer that remains unexpended and unencumbered in FY 2012 is hereby reappropriated for the same purpose in FY 2013.

CLEAN OHIO AGRICULTURAL EASEMENT

The foregoing appropriation item 700632, Clean Ohio Agricultural Easement, shall be used by the Department of Agriculture in administering Ohio Agricultural Easement Fund (Fund 7057) projects pursuant to sections 901.21, 901.22, and 5301.67 to 5301.70 of the Revised Code.

Sec. 215.10. ADA DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES

General Revenue Fund

GRF 038401	Treatment Services	\$	11,225,590	\$	7,020,974
GRF 038404	Prevention Services	\$	868,659	\$	868,659
GRF 038501	Medicaid Match	\$	23,959,113	\$	0
TOTAL GRF General Revenue Fund		\$	36,053,362	\$	7,889,633

General Services Fund

5T90 038616	Problem Gambling Services	\$	335,000	\$	335,000
TOTAL GSF General Services Fund Group		\$	335,000	\$	335,000

Federal Special Revenue Fund Group

3G40 038614	Substance Abuse Block Grant	\$	69,000,000	\$	69,000,000
3H80 038609	Demonstration Grants	\$	8,675,580	\$	8,675,580
3J80 038610	Medicaid	\$	69,200,000	\$	0
3N80 038611	Administrative Reimbursement	\$	300,000	\$	300,000

TOTAL FED Federal Special Revenue Fund Group

		\$	147,175,580	\$	77,975,580
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State Special Revenue Fund Group

4750 038621	Statewide Treatment and Prevention	\$	16,000,000	\$	14,000,000
					15,500,000

5JL0 038629	Problem Casino Gambling and Addictions Fund	\$	226,612	\$	2,446,364
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5JW0 038615	Board Match Reimbursement	\$	3,000,000	\$	3,000,000
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6890 038604	Education and Conferences	\$	75,000	\$	75,000
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TOTAL SSR State Special Revenue Fund Group

		\$	19,301,612	\$	24,021,364
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TOTAL ALL BUDGET FUND GROUPS		\$	202,638,942	\$	103,275,213
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			202,865,554		110,221,577
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Sec. 215.20. ALCOHOL AND DRUG ADDICTION MEDICAID MATCH

(A) As used in this section, "community alcohol and drug addiction Medicaid services" means services provided under the component, or aspect of the component, of the Medicaid program that the Department of Alcohol and Drug Addiction Services administers pursuant to a contract entered into

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[Signature]
Governor

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 038501, Medicaid Match, shall be used by the Department of Alcohol and Drug Addiction Services to make payments for community alcohol and drug addiction Medicaid services.

(C) For state fiscal year 2012, the Department shall allocate foregoing appropriation item 038501, Medicaid Match, and a portion of appropriation item 038621, Statewide Treatment and Prevention, 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 5111.913 of the Revised Code, the boards shall use the funds allocated to them under this section to pay claims for community alcohol and drug addiction Medicaid services provided during fiscal year 2012. The boards shall use all federal financial participation that the Department receives for claims paid for community alcohol and drug addiction Medicaid services provided during fiscal year 2012 as the first payment source to pay claims for community alcohol and drug addiction 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 alcohol and drug addiction 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 alcohol and drug addiction 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 alcohol and drug addiction Medicaid services that were provided before July 1, 2011, and paid by the board.

STATEWIDE TREATMENT AND PREVENTION

Of the foregoing appropriation item 038621, Statewide Treatment and Prevention, up to \$1,000,000 in fiscal year 2013 shall be used to fund the pilot program for opioid- and alcohol-dependent offenders established under Section 737.70 of H.B. 487 of the 129th General Assembly.

BIOMETRIC ENROLLMENT AND VERIFICATION SYSTEM PILOT PROJECT

Of the foregoing appropriation item 038621, Statewide Treatment and Prevention, \$500,000 in fiscal year 2013 shall be used to fund the Biometric

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Enrollment and Verification System Pilot Project established under Section 729.20 of H.B. 487 of the 129th General Assembly.

CASH TRANSFER FROM GENERAL REIMBURSEMENT FUND
TO STATEWIDE TREATMENT AND PREVENTION FUND

JRK On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management, upon the request of the Director of Alcohol and Drug Addiction Services, shall transfer \$500,000 cash from the General Reimbursement Fund (Fund 1060) to the Statewide Treatment and Prevention Fund (Fund 4750).

Sec. 223.10. AGO ATTORNEY GENERAL

General Revenue Fund

GRF 055321	Operating Expenses	\$	42,514,169	\$	42,514,169
GRF 055405	Law-Related Education	\$	100,000	\$	100,000
GRF 055411	County Sheriffs' Pay Supplement	\$	757,921	\$	757,921
GRF 055415	County Prosecutors' Pay Supplement	\$	831,499	\$	831,499
TOTAL GRF General Revenue Fund		\$	44,203,589	\$	44,203,589

General Services Fund Group

1060 055612	General Reimbursement	\$	43,357,968	\$	43,011,277 43,361,277
1950 055660	Workers' Compensation Section	\$	8,415,504	\$	8,415,504
4180 055615	Charitable Foundations	\$	7,286,000	\$	7,286,000
4200 055603	Attorney General Antitrust	\$	1,871,674	\$	1,839,074
4210 055617	Police Officers' Training Academy Fee	\$	2,124,942	\$	2,088,805
4Z20 055609	BCI Asset Forfeiture and Cost Reimbursement	\$	1,529,685	\$	1,521,731
5900 055633	Peace Officer Private Security Fund	\$	98,370	\$	98,370
5A90 055618	Telemarketing Fraud Enforcement	\$	7,500	\$	7,500
5L50 055619	Law Enforcement Assistance Program	\$	300,222	\$	0
<u>5LR0 055655</u>	<u>Peace Officer Training - Casino</u>	<u>\$</u>	<u>192,620</u>	<u>\$</u>	<u>4,629,409</u>
6310 055637	Consumer Protection Enforcement	\$	3,799,115	\$	3,718,973
TOTAL GSF General Services Fund Group		\$	68,790,980 68,983,600	\$	67,987,234 72,966,643

Federal Special Revenue Fund Group

3060 055620	Medicaid Fraud Control	\$	4,211,235	\$	4,122,399
3810 055611	Civil Rights Legal Service	\$	402,540	\$	402,540
3830 055634	Crime Victims Assistance	\$	13,000,000	\$	13,000,000
3E50 055638	Attorney General	\$	1,223,606	\$	1,222,172

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Business Bonding Program has been used for that purpose. Moneys transferred by the Director of Budget and Management from the Department of Commerce for this purpose may be moneys in custodial funds held by the Treasurer of State. If expenditures are required for payment of losses arising from the Minority Business Bonding Program, such expenditures shall be made from appropriation item 195623, Minority Business Bonding Contingency in the Minority Business Bonding Fund, and such amounts are hereby appropriated.

Sec. 261.20.90. ~~OHIO~~ INCUMBENT WORKFORCE TRAINING VOUCHERS

(A) On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer up to \$20,000,000 cash from the Economic Development Programs Fund (Fund 5JC0) used by the Board of Regents to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) used by the ~~Department of Development~~ Services Agency.

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer up to \$30,000,000 cash from the Economic Development Programs Fund (Fund 5JC0) used by the Board of Regents to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0) used by the ~~Department of Development~~ Services Agency.

(B) Of the foregoing appropriation item 195526, Ohio Incumbent Workforce Job Training Vouchers, up to \$20,000,000 in fiscal year 2012 and up to \$30,000,000 in fiscal year 2013 shall be used to support the Ohio Incumbent Workforce Training Voucher Program. The Director of Development Services and the Chief Investment Officer of JobsOhio may enter into an agreement to operate the program pursuant to the contract between the ~~Department of Development~~ Services Agency and JobsOhio under section 187.04 of the Revised Code. The agreement may include a provision for granting, loaning, or transferring funds from appropriation item 195526, Ohio Incumbent Workforce Job Training Vouchers, to JobsOhio to provide training for incumbent workers

JK Any unexpended and unencumbered portion of the foregoing appropriation item 195526, Incumbent Workforce Training Vouchers, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

(C) Regardless of any agreement between the Director and the Chief Investment Officer under division (B) of this section, the Ohio Incumbent Workforce Training Voucher Program shall conform to guidelines for the operation of the program, including, but not limited to, the following:

(1) A requirement that a training voucher under the program shall not

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Date: 6-11-12

[Signature]

Governor

\$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~~ mentoring program of the Ohio Center for the Advancement of Women in Public Service at the 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.

JRK Any unexpended and unencumbered portion of the foregoing appropriation item 235649, Co-op Internship Program, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

Sec. 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.

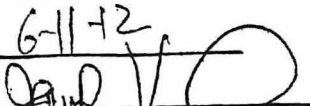
Any unexpended and unencumbered portion of the foregoing appropriation item 235668, Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

Sec. 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

The above boxed and initialed text was disapproved.

Date: 6-11-12


Dennis R. Kasich, Governor

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 601.41. That existing Sections 205.10, 207.10, 207.10.80, 207.20.10, 207.20.30, 207.20.90, 209.10, 209.20, 209.30, 211.10, 215.10, 215.20, 223.10, 229.10, 243.10, 245.10, 261.10.40, 261.10.70, 261.20.40, 261.20.50, 261.20.60, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.60, 261.30.70, 261.30.80, 261.30.90, 261.40.10, 263.10, 263.10.30, 263.10.90, 263.20.40, 263.20.70, 267.10,

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Date: 6-11-12

[Signature]
Governor

267.10.10, 267.10.20, 267.10.40, 267.30.20, 267.30.40, 267.40.40, 279.10, 283.10, 285.10, 287.10, 291.10, 305.10, 307.10, 309.10, 309.30.10, 309.30.30, 309.30.33, 309.30.53, 309.30.73, 309.35.73, 309.60.20, 313.10, 315.10, 323.10, 327.10, 337.10, 343.10, 343.40, 365.10, 367.10, 369.10, 371.10, 371.30.30, 371.50.61, 371.50.65, 371.60.80, 373.10, 375.10, 379.10, 387.10, 403.10, 411.10, 415.10, 503.50, 521.70, 701.40, and 753.25 of Am. Sub. H.B. 153 of the 129th General Assembly are hereby repealed.

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SECTION 601.43. That Section 247.10 of Am. Sub. H.B. 153 of the 129th General Assembly, as amended by Sub. H.B. 319 of the 129th General Assembly, be amended to read as follows:

Sec. 247.10. CEB CONTROLLING BOARD

General Revenue Fund

GRF 911404	Mandate Assistance	\$	2,750,000	\$	0
GRF 911441	Ballot Advertising Costs	\$	475,000	\$	475,000
TOTAL GRF General Revenue Fund		\$	3,225,000	\$	475,000

General Services Fund Group

5KM0911614	CB Emergency Purposes	\$	10,000,000	\$	10,000,000
TOTAL GSF General Services Fund Group		\$	10,000,000	\$	10,000,000
TOTAL ALL BUDGET FUND GROUPS		\$	13,225,000	\$	10,475,000

FEDERAL SHARE

In transferring appropriations to or from appropriation items that have federal shares identified in this act, the Controlling Board shall add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in this act. Such changes are hereby appropriated.

REDISTRICTING IMPLEMENTATION

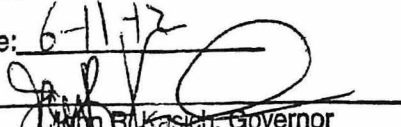
The foregoing appropriation item 911404, Mandate Assistance, shall be used in a method prescribed by the Secretary of State and transferred by the Director of Budget and Management to implement this act, which includes remapping and reprecincting counties, and reprogramming database systems and voting machines. At the end of fiscal year 2012, an amount equal to the unexpended, unencumbered portion of appropriation item 911404, Mandate Assistance, is hereby reappropriated in fiscal year 2013 for the same purpose.

DISASTER SERVICES

Pursuant to requests submitted by the Department of Public Safety, the Controlling Board may approve transfers from the Disaster Services Fund (5E20) to a fund and appropriation item used by the Department of Public

The above boxed and initialed text was disapproved.

Date: 6-11-12


John R. Kasich, Governor

Representatives.

As used in this section, "political subdivision" means a county, township, municipal corporation, or any other body corporate and politic that is responsible for government activities in a geographic area smaller than that of the state.

SECTION 701.151. Upon the effective date of this act, all references to the Development Services Agency or Director of Development Services in uncodified sections of law in this act shall be deemed to refer to the Department of Development or the Director of Development, respectively.

SECTION 707.10. For fiscal years 2013 and 2014, the legislative authority of a municipal corporation in a county, with a population between three hundred seventy-five thousand and four hundred thousand according to the most recent federal decennial census, may conduct a pilot program whereby the legislative authority may use up to five per cent of the aggregate amount of money deposited in the municipal corporation's sewer fund and up to five per cent of the aggregate amount of money deposited in a fund created by the municipal corporation for water-works for the purpose of extending the municipal corporation's water or sewerage system, as applicable, if both of the following apply:

(A) The water or sewerage system is being extended to areas for economic development purposes.

(B) The areas into which the water or sewerage system is being extended are the subject of a cooperative economic development agreement entered into by the municipal corporation under section 701.07 of the Revised Code.

With regard to either fund, the legislative authority shall not exceed the five per cent limit established in this section.

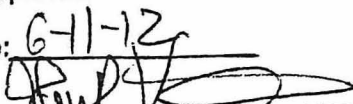
SECTION 709.11. Upon the expiration of the term of a member who is serving on the Ohio Grape Industries Committee created in section 924.51 of the Revised Code immediately prior to the effective date of this act, the Director of Agriculture shall appoint a member for a new term in accordance with that section as amended by this act.

SECTION 729.20. BIOMETRIC ENROLLMENT AND VERIFICATION
SYSTEM PILOT PROJECT

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The above boxed and initialed text was
disapproved.

Date: 6-11-12



(A) As used in this section, "dangerous drug" and "prescriber" have the same meanings as in section 4729.01 of the Revised Code.

(B) For the purpose of reducing the occurrence of activities known as "drug diversion" and "doctor shopping," there is hereby established the Biometric Enrollment and Verification System Pilot Project. Contracts for the pilot project shall be entered into as follows: (1) Not later than June 1, 2012, the Department of Alcohol and Drug Addiction Services shall enter into a contract with a hospital in Gallia County to administer the project.

(2) Not later than June 27, 2012, the hospital shall enter into a contract with a vendor to implement the project.

(C) Not later than July 1, 2012, the vendor under contract for the pilot project shall implement the project in one or more counties selected by the vendor from among the following: Athens, Gallia, Jackson, Lawrence, Meigs, Scioto, and Vinton counties.

In the selected counties, the vendor shall develop a system under which a prescriber of dangerous drugs may use biometric authentication to compare health records from multiple sources to confirm the eligibility of a patient to receive a prescription for a dangerous drug. In developing the system, the vendor shall establish a real-time patient registration and verification process that includes unique identifiers, including photographic images of individuals and images of their fingerprints. The system shall be developed in such a manner that a prescriber is able to compare the identity of a patient who is seeking a prescription with the unique identifiers included in the system.

(D) Not later than December 31, 2012, the vendor under contract to implement the pilot project shall prepare a report and submit copies to the Governor, Department of Alcohol and Drug Addiction Services, and, in accordance with section 101.68 of the Revised Code, the General Assembly. The report shall include an analysis of the efficacy of the pilot project and recommendations for the establishment of a Medicaid billing code for use in a statewide system based on the system used in the pilot project.

The pilot project shall cease to exist on submission of the report.

SECTION 733.05. Not later than ninety days after the effective date of this section, the Ohio Board of Regents shall complete a review of each entity that held the Department of Insurance's designation under section 3305.03 of the Revised Code immediately prior to the effective date of this act. In conducting the review, the Board shall comply with the applicable requirements of sections 3305.03 and 3305.031 of the Revised Code, as amended and enacted by this act.

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comprehensive and coordinated response by state and federal governments with involvement of the health care provider, patient, and public health communities.

(B) The purpose of sections 3701.77 to 3701.775 of the Revised Code, as enacted by this act, is to create a multi-pronged, statewide program to promote public and health professional awareness and increase knowledge concerning the causes and consequences of lupus, the importance of early diagnosis and appropriate management, and effective treatment and management strategies by all of the following:

(1) Conducting educational and training programs for health professionals on lupus diagnosis and management;

(2) Developing and disseminating educational materials and information to patients and health professionals on lupus research results and health care services available;

(3) Designing and implementing a statewide public education campaign aimed at heightening public awareness of lupus;

(4) Leveraging educational and training resources and services previously developed by organizations with appropriate expertise and knowledge of lupus.

SECTION 737.70. PILOT PROGRAM FOR OPIOID- AND ALCOHOL-DEPENDENT OFFENDERS

(A) The Department of Alcohol and Drug Addiction Services shall conduct a pilot program to provide to certain opioid-dependent, alcohol-dependent, or opioid- and alcohol-dependent offenders within the criminal justice system treatment to prevent relapse into dependency, including medication-assisted treatment. The medication-assisted treatment shall be provided by using one or more drugs that constitute long-acting antagonist therapy and meet all of the following conditions:

(1) There is no potential for abuse of the drugs by the person to whom they are given or through diversion of the drugs to others.

(2) There is no potential for a person to become addicted to or otherwise dependent on the drugs.

(3) The drugs have been approved by the United States Food and Drug Administration to prevent relapse into opioid dependency, alcohol dependency, or opioid and alcohol dependency.

(B) The Department shall conduct the program in Franklin County and Scioto County and may conduct the program in any one or more other counties the Department selects. In conducting the program, the Department shall collaborate with the boards of alcohol, drug addiction, and mental

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health services that serve the counties included in the program. The Department also shall collaborate with the Departments of Mental Health, Job and Family Services, and Health and with any other state agency that the Department determines may be of assistance in accomplishing the objectives of the program.

(C) The program shall serve not more than one hundred fifty opioid-dependent or alcohol-dependent offenders selected by the Department, each of whom meets all of the following criteria:

(1) Is either being released from a community-based correctional facility or being diverted from prosecution under section 2935.36 of the Revised Code by a county drug court or municipal court;

(2) Is transitioning to community-based programs as prescribed by the court;

(3) Was opioid dependent, alcohol dependent, or opioid and alcohol dependent at the time of committing the offense for which the offender was most recently sentenced;

(4) Resides in this state and in the offender's own court-approved residence or court-approved transitional housing.

(D) A program participant shall do both of the following:

(1) Commit to participate in the program for twelve months and comply with all requirements established by the program, sentencing court, and treatment providers, including testing, counseling, medication therapies, and reporting requirements;

(2) Attend any on-site programming specified by the sentencing court or treatment provider.

(E) Treatment under the program shall be provided by an alcohol and drug addiction program certified by the Department under section 3793.06 of the Revised Code. Treatment shall be based on an integrated service delivery model. The treatment provider shall do all of the following:

(1) Conduct a professional, comprehensive substance abuse and mental health diagnostic assessment of each person who is a potential program participant to determine whether the person is opioid dependent, alcohol dependent, or opioid and alcohol dependent and would benefit from substance abuse treatment and monitoring to address the dependency;

(2) Determine treatment needs for each program participant based on the diagnostic assessment;

(3) Develop individualized goals and objectives for each program participant that follow guidelines provided by the Department;

(4) Provide initial treatment to each program participant by persons professionally qualified to provide substance abuse counseling or treatment;

The above boxed and initialed text was disapproved.

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(5) Provide substance abuse and co-occurring disorder treatment that includes psychosocial therapies and monthly medication-assisted treatment;

(6) Provide access to long-acting antagonist therapies to the same extent that access may be provided to any other medication-assisted treatment approved by the United States Food and Drug Administration;

(7) Monitor program compliance through regular urinalysis drug testing.

(F) Not later than three months after the program has ended, Kent State University shall prepare a report of the findings obtained from the program, along with its recommendations, if any. The University shall include in the report data derived from the drug testing performed under the program. In preparing the report, the University shall obtain assistance from the Department of Alcohol and Drug Addition Services. When the report is complete, the University shall submit the report to the Governor; President of the Senate; Speaker of the House of Representatives; Departments of Mental Health, Job and Family Services, and Health; and any other agency the Department collaborates with in conducting the program.

SECTION 737.91. It is expected that the Futures Committee of the Ohio Association of Health Commissioners will release a report in June 2012 on the future of local public health in Ohio. The Legislative Committee on Public Health Futures shall review the Future Committee's report, and, on the basis of its review, recommend legislative and fiscal policies that would improve local public health services in Ohio. The Legislative Committee, not later than October 31, 2012, shall prepare a report that describes its review of the Future Committee's report, and that states, and provides explanations of, its policy recommendations. The Legislative Committee shall transmit a copy of its report to the Governor, the President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives for consideration as part of the operating budget for fiscal years 2014 and 2015. Upon transmitting its report, the Legislative Committee ceases to exist.

There is the Legislative Committee on Public Health Futures. Each of the following associations shall appoint one individual to the Legislative Committee: the County Commissioners Association of Ohio, the Ohio Township Association, the Department of Health, the Ohio Public Health Association, the Ohio Environmental Health Association, the Ohio Boards of Health Association, the Ohio Municipal League, and the Ohio Hospital Association. The Association of Ohio Health Commissioners shall appoint two individuals to the Legislative Committee. The President and Minority Leader of the Senate each shall appoint two members to the Legislative

The above boxed and initialed text was disapproved.

Date: 6-11-12

John R. Kasich, Governor

HEALTH INSURANCE PROGRAM

(A) Notwithstanding the amendments made by this act to section 5111.01 of the Revised Code:

(1) The Office of Medical Assistance shall not replace the Department of Job and Family Services as the single state agency to supervise the administration of Medicaid until the replacement is approved by the United States Centers for Medicare and Medicaid Services if such approval is needed.

(2) A contract regarding Medicaid or the Children's Health Insurance Program that is in effect on the effective date of this section shall continue to be operated in accordance with the contract's terms until the contract is amended, expires, or is terminated.

(B) Subject to division (A)(1) of this section:

(1) The Office of Medical Assistance is responsible for entering into contracts regarding Medicaid and the Children's Health Insurance Program on or after the effective date of this section.

(2) Any rules of the Department of Job and Family Services regarding Medicaid or the Children's Health Insurance Program that are in effect on the effective date of this section are hereby rules of the Office of Medical Assistance and the Medical Assistance Director may amend or rescind the rules in a manner consistent with the statutes that authorize the rules.

(C) The Director of Job and Family Services and Medical Assistance Director shall collaborate as necessary to provide for the Office of Medical Assistance to assume the Department of Job and Family Services' duties and authorities regarding Medicaid and the Children's Health Insurance Program.

(D) It is the General Assembly's intent to amend the laws governing Medicaid and the Children's Health Insurance Program to replace references to the Director of Job and Family Services with references to the Medical Assistance Director and to replace references to the Department of Job and Family Services with references to the Office of Medical Assistance as appropriate in the context of transferring authority for those programs from the Department of Job and Family Services to the Office of Medical Assistance.

SECTION 751.05. FISCAL YEAR 2013 QUALITY BONUS
PAYMENTS TO NURSING FACILITIES

(A) As used in this section:

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The above boxed and initialed text was
disapproved.

Date: 6-11-13

Gov. Kasich Governor

(1) "Medicaid days," "nursing facility," and "provider" have the same meanings as in section 5111.20 of the Revised Code.

(2) "Point days" means the product of the following:

(a) A qualifying nursing facility's quality bonus points for fiscal year 2013;

(b) The number of the qualifying nursing facility's Medicaid days in fiscal year 2012.

(3) "Qualifying nursing facility" means a nursing facility that qualifies for a quality bonus for fiscal year 2013 as determined under division (C) of this section.

(4) "Quality bonus points" means the amount determined by subtracting five from the number of points awarded to a qualifying nursing facility under division (C) of section 5111.244 of the Revised Code for fiscal year 2013.

(B) In addition to the quality bonuses, if any, to be paid to nursing facilities in accordance with section 5111.245 of the Revised Code for fiscal year 2013, quality bonuses also shall be paid to nursing facilities in accordance with this section for fiscal year 2013.

(C) Not later than July 31, 2012, the Department of Job and Family Services shall pay a nursing facility provider a quality bonus for fiscal year 2013 if the provider's nursing facility is awarded more than five points under division (C) of section 5111.244 of the Revised Code for fiscal year 2013 and at least one of the points is awarded to the nursing facility pursuant to division (C)(10), (11), (12), (13), or (14) of that section.

(D) The total quality bonus to be paid to the provider of a qualifying nursing facility for fiscal year 2013 shall equal the product of the following:

(1) The quality bonus per Medicaid day for the fiscal year determined for the provider's qualifying nursing facility under division (E) of this section;

(2) The number of the qualifying nursing facility's Medicaid days in fiscal year 2012.

(E) A qualifying nursing facility's quality bonus per Medicaid day for fiscal year 2013 shall be the product of the following:

(1) The nursing facility's quality bonus points for fiscal year 2013;

(2) The quality bonus per point for fiscal year 2013 determined under division (F) of this section.

(F) The quality bonus per point for fiscal year 2013 shall be determined as follows:

(1) Determine the number of each qualifying nursing facility's point days for fiscal year 2013.

VRX

The above boxed and initialed text was disapproved.

Date: 6-11-12


John D. Kasich, Governor

(2) Determine the sum of all qualifying nursing facilities' point days for fiscal year 2013.

(3) Divide thirty million dollars by the sum determined under division (F)(2) of this section.

JRK (G) The calculation of a qualifying nursing facility's bonus payment is not subject to appeal under Chapter 119. of the Revised Code.

(H) The Director of Job and Family Services may adopt rules under section 5111.02 of the Revised Code as necessary to implement this section.

SECTION 751.10. LICENSURE OF ICFs/MR AS RESIDENTIAL FACILITIES

(A) Until July 1, 2013, a person or government agency that, on the effective date of this section, operates an intermediate care facility for the mentally retarded pursuant to a nursing home license issued under Chapter 3721. of the Revised Code shall not be subject to a penalty under section 5123.99 of the Revised Code for operating the facility without a license issued under section 5123.19 of the Revised Code notwithstanding sections 5123.20 and 5123.99 of the Revised Code.

(B) Notwithstanding the amendments by this act to sections 3702.62, 3721.01, and 5123.19 of the Revised Code and the repeal by this act of section 5123.192 of the Revised Code, an intermediate care facility for the mentally retarded that is licensed as a nursing home under Chapter 3721. of the Revised Code on the effective date of this section shall continue to be a nursing home for the purposes for which it is considered to be a nursing home under the law in effect on the day immediately preceding the effective date of those amendments and that repeal until the earliest of the following:

(1) The date that the facility's nursing home license is revoked or voided under section 3721.07 of the Revised Code;

(2) The date that a residential facility license is obtained for the facility under section 5123.19 of the Revised Code;

(3) July 1, 2013.

(C) Notwithstanding the amendment by this act to section 3721.21 of the Revised Code, a nursing home or part of a nursing home certified as an intermediate care facility for the mentally retarded on the effective date of this section shall continue to be excluded from the definition of "long-term care facility" in that section for as long as it is certified as an intermediate care facility for the mentally retarded.

(D) Notwithstanding the amendment by this act to section 3721.50 of the Revised Code, a nursing home or part of a nursing home licensed under section 3721.02 or 3721.09 of the Revised Code that is certified as an

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Date: 6-11-12

the Director converts the certification or issues an order denying the conversion, the adult foster home's certification is deemed to be a residential facility license. All rules, orders, and determinations pertaining to the adult foster home's certification continue in effect as rules, orders, and determinations pertaining to the residential facility license.

SECTION 751.15. AGING IN PLACE PILOT PROGRAM

(A) As used in this section:

(1) "Aging in Place administrator" means the organization that contracts with the Department of Aging pursuant to division (E) of this section to administer the Aging in Place pilot program.

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

(3) "Residential facility" means a residential facility as defined in section 5119.22 or a residential facility as defined in section 5123.19 of the Revised Code.

(4) "Veteran" means either of the following:

(a) A former member of the armed forces of the United States who served on active military duty and received an honorable discharge or honorable separation;

(b) A member of the United States army transport service or the United States naval transport service who has an honorable report of separation from the active duty military service, form DD214 or DD215.

(B) The Department of Aging shall establish the Aging in Place pilot program in Butler, Clermont, Hamilton, and Warren counties. Up to one hundred eighty eligible individuals may enroll in the pilot program to receive home repairs and modifications that are covered by the pilot program. The pilot program shall be operated for two years.

(C) To be eligible to enroll in the Aging in Place pilot program, an individual must meet all of the following requirements:

(1) The individual must be at least fifty years of age or a veteran of any age.

(2) The individual must be a resident of one of the counties in which the pilot program is established.

(3) The individual must reside in a private residence that is not a nursing home, residential care facility, residential facility, or other facility that may not operate legally without a license, certificate, or other authority issued by an agency of this state or a political subdivision of this state.

(4) The individual or a member of the individual's household must own the private residence in which the individual resides.

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Date: 6-11-12

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(5) The individual must be at risk of moving to a nursing home or residential care facility due to a medical condition.

(6) The private residence in which the individual resides must be in need of a repair or modification covered by the pilot program.

(7) The individual must meet any other requirements specified in rules adopted under this section.

(D) The Aging in Place pilot program shall cover home repairs and modifications specified in rules adopted under this section.

(E) The Department of Aging shall contract with an organization that meets all of the following requirements to administer the Aging in Place pilot program:

(1) It must have been founded not later than 1975.

(2) It must provide professional and critical home repair and modification services to individuals who reside in the counties in which the pilot program is established and have low incomes or are elderly or disabled.

(3) It must be exempt from federal income taxation under section 501(a) and described in section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 501, as amended.

(F) The Aging in Place administrator may help coordinate the home repairs and modifications provided under the Aging in Place pilot program with home health services that individuals enrolled in the pilot program receive under the Medicaid program or other programs.

(G) The Aging in Place administrator shall seek nongovernmental funds to help pay the costs of the Aging in Place pilot program.

(H) The Department of Job and Family Services shall apply to the United States Secretary of Health and Human Services for a federal Medicaid waiver to make the Aging in Place pilot program a component of the Medicaid program. If the waiver is granted, the Department of Job and Family Services shall enter into an interagency agreement with the Department of Aging under section 5111.91 of the Revised Code regarding the Department of Aging's duties under this section and the Department of Aging shall establish the pilot program as a Medicaid component. If the waiver is not granted, the Department of Aging shall establish the pilot program as a non-Medicaid program.

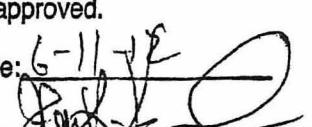
(I) The Director of Aging shall adopt rules in accordance with Chapter 119. of the Revised Code as necessary to implement this section. If the Aging in Place pilot program is established as a Medicaid component, the Director of Job and Family Services shall adopt any rules that are necessary for the Director of Aging to be able to adopt the rules for the pilot program.

(J) Not later than ninety days after the termination of the Aging in Place

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The above boxed and initialed text was disapproved.

Date: 6-11-78



pilot program, the Department of Aging shall prepare a report regarding the pilot program. On completion of the report, the Department shall submit it to the Governor and, in accordance with section 101.68 of the Revised Code, the General Assembly. The report shall include the Department's conclusions regarding all of the following:

(1) The number of individuals in the state who would benefit from the services covered by the pilot program if the services were made available statewide;

(2) How governmental and nongovernmental resources can be leveraged most efficiently to make the services available statewide;

(3) The costs, if any, that the Medicaid program and other governmental health care programs would incur if the services were available statewide;

(4) The impact that the services would have on the quality of patient care and treatment;

(5) The impact that the services would have on the communities in which they would be provided;

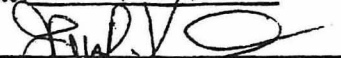
(6) The overall costs and benefits to the state that the services would have.

SECTION 751.20. The amendments by this act to Section 3 of Am. Sub. S.B. 38 of the 120th General Assembly eliminate the exemptions from the requirements of sections 3701.881 and 5126.28 of the Revised Code that Section 3 of that act gave to persons who, before October 29, 1993, were employed or had applied for employment in positions covered by sections 3701.881 and 5126.28 of the Revised Code. The amendments by this act to Section 3 of Am. Sub. S.B. 160 of the 121st General Assembly eliminate the exemptions from the requirements of sections 173.41 (as subsequently renumbered as 173.394) and 3701.881 of the Revised Code that Section 3 of that act gave to persons who, before January 27, 1997, were employed or had applied for employment in positions covered by sections 173.41 (173.394) and 3701.881 of the Revised Code. The exemptions are eliminated in conjunction with this act's amendments to sections 173.394, 3701.881, and 5123.081 of the Revised Code and the repeal of section 5126.28 of the Revised Code so that the Directors of Aging, Health, and Developmental Disabilities may adopt rules under those amended sections to make persons formerly exempt from the requirements of sections 173.394, 3701.881, and 5126.28 of the Revised Code subject to the requirements of sections 173.394, 3701.881, and 5123.081 of the Revised Code.

The above boxed and initialed text was disapproved.

Date:

6-11-12


John R. Kasich, Governor

5502.01, 5503.02, 5503.34, 5743.031, 5751.033, and 5753.03 of the Revised Code.

Section 205.10 of Am. Sub. H.B. 114 of the 129th General Assembly, as amended by Am. Sub. H.B. 153 of the 129th General Assembly.

Section 201 of Sub. H.B. 123 of the 129th General Assembly.

Section 1 of H.B. 124 of the 129th General Assembly.

JR
Sections 205.10, 207.10, 207.10.80, 207.20.10, 207.20.30, 207.20.90, 209.10, 209.30, 211.10, 215.10, 223.10, 229.10, 243.10, 245.10, 261.10.10, 261.10.20, 261.10.30, 261.10.40, 261.10.50, 261.10.60, 261.10.70, 261.10.80, 261.10.90, 261.20.10, 261.20.20, 261.20.40, 261.20.50, 261.20.60, 261.20.70, 261.20.80, 261.20.90, 261.30.10, 261.30.20, 261.30.30, 261.30.40, 261.30.50, 261.30.60, 261.30.70, 261.30.80, 261.30.90, 261.40.10, 263.10, 263.10.30, 263.10.90, 263.20.40, 263.20.70, 267.10, 267.10.20, 267.10.40, 267.30.40, 267.40.40, 279.10, 283.10, 285.10, 287.10, 291.10, 305.10, 307.10, 309.10, 313.10, 315.10, 323.10, 327.10, 337.10, 343.10, 343.40, 365.10, 367.10, 369.10, 371.10, 371.30.30, 371.50.61, 371.50.65, 371.60.80, 373.10, 375.10, 379.10, 387.10, 403.10, 411.10, 415.10, 503.50, 521.70, 701.40, and 753.25 of Am. Sub. H.B. 153 of the 129th General Assembly.

Section 247.10 of Am. Sub. H.B. 153 of the 129th General Assembly, as amended by Sub. H.B. 319 of the 129th General Assembly.

Sections 261.10 and 261.20.93 of Am. Sub. H.B. 153 of the 129th General Assembly, as amended by Sub. H.B. 371 of the 129th General Assembly.

Sections 701.70.10, 701.80, 701.151, 733.10, and 733.15 of this act.

Sections 812.20 and 812.21 of this act.

Section 812.30 of this act insofar as it refers to parts of sections that are exempt from the referendum.

SECTION 812.21. Sections exempt from the referendum: special effective date. The amendment by this act of sections 3313.976, 3313.978, and 3313.979 of the Revised Code is exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code and is therefore entitled to take effect immediately when this act becomes law. However, the amendment of those sections takes effect on July 1, 2012, or the date this act becomes law, whichever is later.

SECTION 812.30. Mixed sections: general effective dates. The sections listed in the left-hand column of the following table combine amendments

The above boxed and initialed text was disapproved.

Date: 6-1-12

