

one hundred per cent, of the assessed value of tangible personal property used in business at the project site as a result of the agreement, or of the assessed valuation of real property constituting the project site, or both.

(D)(1) Notwithstanding divisions (C)(1)(a) and (b) of this section, the portion of the assessed value of tangible personal property or of the increase in the assessed valuation of real property exempted from taxation under those divisions may exceed seventy-five per cent in any year for which that portion is exempted if the average percentage exempted for all years in which the agreement is in effect does not exceed sixty per cent, or if the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves a percentage in excess of seventy-five per cent.

(2) Notwithstanding any provision of the Revised Code to the contrary, the exemptions described in divisions (C)(1)(a), (b), and (c), (C)(2)(a), (b), and (c), and (C)(3) of this section may be for up to fifteen years if the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves a number of years in excess of ten.

(3) For the purpose of obtaining the approval of a city, local, or exempted village school district under division (D)(1) or (2) of this section, the legislative authority shall deliver to the board of education a notice not later than forty-five days prior to approving the agreement, excluding Saturdays, Sundays, and legal holidays as defined in section 1.14 of the Revised Code. The notice shall state the percentage to be exempted, an estimate of the true value of the property to be exempted, and the number of years the property is to be exempted. The board of education, by resolution adopted by a majority of the board, shall approve or disapprove the agreement and certify a copy of the resolution to the legislative authority not later than fourteen days prior to the date stipulated by the legislative authority as the date upon which approval of the agreement is to be formally considered by the legislative authority. The board of education may include in the resolution conditions under which the board would approve the agreement, including the execution of an agreement to compensate the school district under division (B) of section 5709.82 of the Revised Code. The legislative authority may approve the agreement at any time after the board of education certifies its resolution approving the agreement to the legislative authority, or, if the board approves the agreement conditionally, at any time after the conditions are agreed to by the board and the legislative authority.

If a board of education has adopted a resolution waiving its right to

approve agreements and the resolution remains in effect, approval of an agreement by the board is not required under this division. If a board of education has adopted a resolution allowing a legislative authority to deliver the notice required under this division fewer than forty-five business days prior to the legislative authority's approval of the agreement, the legislative authority shall deliver the notice to the board not later than the number of days prior to such approval as prescribed by the board in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board shall certify a copy of the resolution to the legislative authority. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the legislative authority.

(4) The legislative authority shall comply with section 5709.83 of the Revised Code unless the board of education has adopted a resolution under that section waiving its right to receive such notice.

(E) This division applies to zones certified by the director of development under this section prior to July 22, 1994.

On or before October 15, ~~2012~~ 2013, the legislative authority that designated a zone to which this division applies may enter into an agreement with an enterprise if the legislative authority finds that the enterprise satisfies one of the criteria described in divisions (E)(1) to (5) of this section:

(1) The enterprise currently has no operations in this state and, subject to approval of the agreement, intends to establish operations in the zone;

(2) The enterprise currently has operations in this state and, subject to approval of the agreement, intends to establish operations at a new location in the zone that would not result in a reduction in the number of employee positions at any of the enterprise's other locations in this state;

(3) The enterprise, subject to approval of the agreement, intends to relocate operations, currently located in another state, to the zone;

(4) The enterprise, subject to approval of the agreement, intends to expand operations at an existing site in the zone that the enterprise currently operates;

(5) The enterprise, subject to approval of the agreement, intends to relocate operations, currently located in this state, to the zone, and the director of development has issued a waiver for the enterprise under division (B) of section 5709.633 of the Revised Code.

The agreement shall require the enterprise to agree to establish, expand, renovate, or occupy a facility in the zone and hire new employees, or preserve employment opportunities for existing employees, in return for one

or more of the incentives described in division (C) of this section.

(F) All agreements entered into under this section shall be in the form prescribed under section 5709.631 of the Revised Code. After an agreement is entered into under this section, if the legislative authority revokes its designation of a zone, or if the director of development revokes a zone's certification, any entitlements granted under the agreement shall continue for the number of years specified in the agreement.

(G) Except as otherwise provided in this division, an agreement entered into under this section shall require that the enterprise pay an annual fee equal to the greater of one per cent of the dollar value of incentives offered under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority and shall be used by the legislative authority exclusively for the purpose of complying with section 5709.68 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority may waive or reduce the amount of the fee charged against an enterprise, but such a waiver or reduction does not affect the obligations of the legislative authority or the tax incentive review council to comply with section 5709.68 or 5709.85 of the Revised Code.

(H) When an agreement is entered into pursuant to this section, the legislative authority authorizing the agreement shall forward a copy of the agreement to the director of development and to the tax commissioner within fifteen days after the agreement is entered into. If any agreement includes terms not provided for in section 5709.631 of the Revised Code affecting the revenue of a city, local, or exempted village school district or causing revenue to be forgone by the district, including any compensation to be paid to the school district pursuant to section 5709.82 of 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.

(I) After an agreement is entered into, the enterprise shall file with each personal property tax return required to be filed, or annual report required to be filed under section 5727.08 of the Revised Code, 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.

(J) Enterprises may agree to give preference to residents of the zone within which the agreement applies relative to residents of this state who do not reside in the zone when hiring new employees under the agreement.

(K) 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.

(L) The tax commissioner's authority in determining the accuracy of any exemption granted by an agreement entered into under this section is limited to divisions (C)(1)(a) and (b), (C)(2)(a), (b), and (c), (C)(3), (D), and (I) of this section and divisions (B)(1) to (10) of section 5709.631 of the Revised Code and, as authorized by law, to enforcing any modification to, or revocation of, that agreement by the legislative authority of a municipal corporation or the director of development.

Sec. 5709.63. (A) With the consent of the legislative authority of each affected municipal corporation or of a board of township trustees, a board of county commissioners may, in the manner set forth in section 5709.62 of the Revised Code, designate one or more areas in one or more municipal corporations or in unincorporated areas of the county as proposed enterprise zones. A board of county commissioners may designate no more than one area within a township, or within adjacent townships, as a proposed enterprise zone. The board shall petition the director of development for certification of the area as having the characteristics set forth in division (A)(1) or (2) of section 5709.61 of the Revised Code as amended by Substitute Senate Bill No. 19 of the 120th general assembly. Except as otherwise provided in division (D) of this section, on and after July 1, 1994, boards of county commissioners shall not enter into agreements under this section unless the board has petitioned the director and the director has certified the zone under this section as amended by that act; however, all agreements entered into under this section as it existed prior to July 1, 1994, and the incentives granted under those agreements shall remain in effect for the period agreed to under those agreements. The director shall make the determination in the manner provided under section 5709.62 of the Revised Code.

Any enterprise wishing to enter into an agreement with the board under

division (B) or (D) of this section shall submit a proposal to the board on the form and accompanied by the application fee prescribed under division (B) of section 5709.62 of the Revised Code. The enterprise shall review and update the estimates and listings required by the form in the manner required under that division. The board may, on a separate form and at any time, require any additional information necessary to determine whether an enterprise is in compliance with an agreement and to collect the information required to be reported under section 5709.68 of the Revised Code.

(B) If the board of county commissioners finds that an enterprise submitting a proposal is qualified by financial responsibility and business experience to create and preserve employment opportunities in the zone and to improve the economic climate of the municipal corporation or municipal corporations or the unincorporated areas in which the zone is located and to which the proposal applies, the board, on or before October 15, ~~2012~~ 2013, and with the consent of the legislative authority of each affected municipal corporation or of the board of township trustees may do either of the following:

(1) Enter into an agreement with the enterprise under which the enterprise agrees to establish, expand, renovate, or occupy a facility in the zone and hire new employees, or preserve employment opportunities for existing employees, in return for the following incentives:

(a) When the facility is located in a municipal corporation, the board may enter into an agreement for one or more of the incentives provided in division (C) of section 5709.62 of the Revised Code, subject to division (D) of that section;

(b) When the facility is located in an unincorporated area, the board may enter into an agreement for one or more of the following incentives:

(i) Exemption for a specified number of years, not to exceed fifteen, of a specified portion, up to sixty per cent, of the assessed value of tangible personal property first used in business at a project site as a result of the agreement. If an exemption for inventory is specifically granted in the agreement pursuant to this division, the exemption applies to inventory required to be listed pursuant to sections 5711.15 and 5711.16 of the Revised Code, except, in the instance of an expansion or other situations in which an enterprise was in business at the facility prior to the establishment of the zone, the inventory that is exempt is that amount or value of inventory in excess of the amount or value of inventory required to be listed in the personal property tax return of the enterprise in the return for the tax year in which the agreement is entered into.

(ii) Exemption for a specified number of years, not to exceed fifteen, of

a specified portion, up to sixty per cent, of the increase in the assessed valuation of real property constituting the project site subsequent to formal approval of the agreement by the board;

(iii) Provision for a specified number of years, not to exceed fifteen, of any optional services or assistance the board is authorized to provide with regard to the project site;

(iv) The incentive described in division (C)(2) of section 5709.62 of the Revised Code.

(2) Enter into an agreement with an enterprise that plans to purchase and operate a large manufacturing facility that has ceased operation or has announced its intention to cease operation, in return for exemption for a specified number of years, not to exceed fifteen, of a specified portion, up to one hundred per cent, of tangible personal property used in business at the project site as a result of the agreement, or of real property constituting the project site, or both.

(C)(1)(a) Notwithstanding divisions (B)(1)(b)(i) and (ii) of this section, the portion of the assessed value of tangible personal property or of the increase in the assessed valuation of real property exempted from taxation under those divisions may exceed sixty per cent in any year for which that portion is exempted if the average percentage exempted for all years in which the agreement is in effect does not exceed fifty per cent, or if the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves a percentage in excess of sixty per cent.

(b) Notwithstanding any provision of the Revised Code to the contrary, the exemptions described in divisions (B)(1)(b)(i), (ii), (iii), and (iv) and (B)(2) of this section may be for up to fifteen years if the board of education of the city, local, or exempted village school district within the territory of which the property is or will be located approves a number of years in excess of ten.

(c) For the purpose of obtaining the approval of a city, local, or exempted village school district under division (C)(1)(a) or (b) of this section, the board of county commissioners shall deliver to the board of education a notice not later than forty-five days prior to approving the agreement, excluding Saturdays, Sundays, and legal holidays as defined in section 1.14 of the Revised Code. The notice shall state the percentage to be exempted, an estimate of the true value of the property to be exempted, and the number of years the property is to be exempted. The board of education, by resolution adopted by a majority of the board, shall approve or disapprove the agreement and certify a copy of the resolution to the board of

county commissioners not later than fourteen days prior to the date stipulated by the board of county commissioners as the date upon which approval of the agreement is to be formally considered by the board of county commissioners. The board of education may include in the resolution conditions under which the board would approve the agreement, including the execution of an agreement to compensate the school district under division (B) of section 5709.82 of the Revised Code. The board of county commissioners may approve the agreement at any time after the board of education certifies its resolution approving the agreement to the board of county commissioners, or, if the board of education approves the agreement conditionally, at any time after the conditions are agreed to by the board of education and the board of county commissioners.

If a board of education has adopted a resolution waiving its right to approve agreements and the resolution remains in effect, approval of an agreement by the board of education is not required under division (C) of this section. If a board of education has adopted a resolution allowing a board of county commissioners to deliver the notice required under this division fewer than forty-five business days prior to approval of the agreement by the board of county commissioners, the board of county commissioners shall deliver the notice to the board of education not later than the number of days prior to such approval as prescribed by the board of education in its resolution. If a board of education adopts a resolution waiving its right to approve agreements or shortening the notification period, the board of education shall certify a copy of the resolution to the board of county commissioners. If the board of education rescinds such a resolution, it shall certify notice of the rescission to the board of county commissioners.

(2) The board of county commissioners shall comply with section 5709.83 of the Revised Code unless the board of education has adopted a resolution under that section waiving its right to receive such notice.

(D) This division applies to zones certified by the director of development under this section prior to July 22, 1994.

On or before October 15, ~~2012~~ 2013, and with the consent of the legislative authority of each affected municipal corporation or board of township trustees of each affected township, the board of county commissioners that designated a zone to which this division applies may enter into an agreement with an enterprise if the board finds that the enterprise satisfies one of the criteria described in divisions (D)(1) to (5) of this section:

(1) The enterprise currently has no operations in this state and, subject

to approval of the agreement, intends to establish operations in the zone;

(2) The enterprise currently has operations in this state and, subject to approval of the agreement, intends to establish operations at a new location in the zone that would not result in a reduction in the number of employee positions at any of the enterprise's other locations in this state;

(3) The enterprise, subject to approval of the agreement, intends to relocate operations, currently located in another state, to the zone;

(4) The enterprise, subject to approval of the agreement, intends to expand operations at an existing site in the zone that the enterprise currently operates;

(5) The enterprise, subject to approval of the agreement, intends to relocate operations, currently located in this state, to the zone, and the director of development has issued a waiver for the enterprise under division (B) of section 5709.633 of the Revised Code.

The agreement shall require the enterprise to agree to establish, expand, renovate, or occupy a facility in the zone and hire new employees, or preserve employment opportunities for existing employees, in return for one or more of the incentives described in division (B) of this section.

(E) All agreements entered into under this section shall be in the form prescribed under section 5709.631 of the Revised Code. After an agreement under this section is entered into, if the board of county commissioners revokes its designation of a zone, or if the director of development revokes a zone's certification, any entitlements granted under the agreement shall continue for the number of years specified in the agreement.

(F) Except as otherwise provided in this division, an agreement entered into under this section shall require that the enterprise pay an annual fee equal to the greater of one per cent of the dollar value of incentives offered under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the board of county commissioners once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the board and shall be used by the board exclusively for the purpose of complying with section 5709.68 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The board may waive or reduce the amount of the fee charged against an enterprise, but such waiver or reduction does not affect the obligations of the board or the tax incentive review council to comply with

section 5709.68 or 5709.85 of the Revised Code, respectively.

(G) With the approval of the legislative authority of a municipal corporation or the board of township trustees of a township in which a zone is designated under division (A) of this section, the board of county commissioners may delegate to that legislative authority or board any powers and duties of the board of county commissioners to negotiate and administer agreements with regard to that zone under this section.

(H) When an agreement is entered into pursuant to this section, the board of county commissioners authorizing the agreement or the legislative authority or board of township trustees that negotiates and administers the agreement shall forward a copy of the agreement to the director of development and to the tax commissioner within fifteen days after the agreement is entered into. If any agreement includes terms not provided for in section 5709.631 of the Revised Code affecting the revenue of a city, local, or exempted village school district or causing revenue to be foregone by the district, including any compensation to be paid to the school district pursuant to section 5709.82 of 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.

(I) After an agreement is entered into, the enterprise shall file with each personal property tax return required to be filed, or annual report that is required to be filed under section 5727.08 of the Revised Code, 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.

(J) Enterprises may agree to give preference to residents of the zone within which the agreement applies relative to residents of this state who do not reside in the zone when hiring new employees under the agreement.

(K) 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.

(L) The tax commissioner's authority in determining the accuracy of any exemption granted by an agreement entered into under this section is limited to divisions (B)(1)(b)(i) and (ii), (B)(2), (C), and (I) of this section, division (B)(1)(b)(iv) of this section as it pertains to divisions (C)(2)(a), (b), and (c) of section 5709.62 of the Revised Code, and divisions (B)(1) to (10) of

section 5709.631 of the Revised Code and, as authorized by law, to enforcing any modification to, or revocation of, that agreement by the board of county commissioners or the director of development or, if the board's powers and duties are delegated under division (G) of this section, by the legislative authority of a municipal corporation or board of township trustees.

Sec. 5709.632. (A)(1) The legislative authority of a municipal corporation defined by the United States office of management and budget as a principal city of a metropolitan statistical area may, in the manner set forth in section 5709.62 of the Revised Code, designate one or more areas in the municipal corporation as a proposed enterprise zone.

(2) With the consent of the legislative authority of each affected municipal corporation or of a board of township trustees, a board of county commissioners may, in the manner set forth in section 5709.62 of the Revised Code, designate one or more areas in one or more municipal corporations or in unincorporated areas of the county as proposed urban jobs and enterprise zones, except that a board of county commissioners may designate no more than one area within a township, or within adjacent townships, as a proposed urban jobs and enterprise zone.

(3) The legislative authority or board of county commissioners may petition the director of development for certification of the area as having the characteristics set forth in division (A)(3) of section 5709.61 of the Revised Code. Within sixty days after receiving such a petition, the director shall determine whether the area has the characteristics set forth in that division and forward the findings to the legislative authority or board of county commissioners. If the director certifies the area as having those characteristics and thereby certifies it as a zone, the legislative authority or board may enter into agreements with enterprises under division (B) of this section. Any enterprise wishing to enter into an agreement with a legislative authority or board of county commissioners under this section and satisfying one of the criteria described in divisions (B)(1) to (5) of this section shall submit a proposal to the legislative authority or board on the form prescribed under division (B) of section 5709.62 of the Revised Code and shall review and update the estimates and listings required by the form in the manner required under that division. The legislative authority or board may, on a separate form and at any time, require any additional information necessary to determine whether an enterprise is in compliance with an agreement and to collect the information required to be reported under section 5709.68 of the Revised Code.

(B) Prior to entering into an agreement with an enterprise, the legislative

authority or board of county commissioners shall determine whether the enterprise submitting the proposal is qualified by financial responsibility and business experience to create and preserve employment opportunities in the zone and to improve the economic climate of the municipal corporation or municipal corporations or the unincorporated areas in which the zone is located and to which the proposal applies, and whether the enterprise satisfies one of the following criteria:

(1) The enterprise currently has no operations in this state and, subject to approval of the agreement, intends to establish operations in the zone;

(2) The enterprise currently has operations in this state and, subject to approval of the agreement, intends to establish operations at a new location in the zone that would not result in a reduction in the number of employee positions at any of the enterprise's other locations in this state;

(3) The enterprise, subject to approval of the agreement, intends to relocate operations, currently located in another state, to the zone;

(4) The enterprise, subject to approval of the agreement, intends to expand operations at an existing site in the zone that the enterprise currently operates;

(5) The enterprise, subject to approval of the agreement, intends to relocate operations, currently located in this state, to the zone, and the director of development has issued a waiver for the enterprise under division (B) of section 5709.633 of the Revised Code.

(C) If the legislative authority or board determines that the enterprise is so qualified and satisfies one of the criteria described in divisions (B)(1) to (5) of this section, the legislative authority or board may, after complying with section 5709.83 of the Revised Code and on or before October 15, ~~2012~~ 2013, and, in the case of a board of commissioners, with the consent of the legislative authority of each affected municipal corporation or of the board of township trustees, enter into an agreement with the enterprise under which the enterprise agrees to establish, expand, renovate, or occupy a facility in the zone and hire new employees, or preserve employment opportunities for existing employees, in return for the following incentives:

(1) When the facility is located in a municipal corporation, a legislative authority or board of commissioners may enter into an agreement for one or more of the incentives provided in division (C) of section 5709.62 of the Revised Code, subject to division (D) of that section;

(2) When the facility is located in an unincorporated area, a board of commissioners may enter into an agreement for one or more of the incentives provided in divisions (B)(1)(b), (B)(2), and (B)(3) of section 5709.63 of the Revised Code, subject to division (C) of that section.

(D) All agreements entered into under this section shall be in the form prescribed under section 5709.631 of the Revised Code. After an agreement under this section is entered into, if the legislative authority or board of county commissioners revokes its designation of the zone, or if the director of development revokes the zone's certification, any entitlements granted under the agreement shall continue for the number of years specified in the agreement.

(E) Except as otherwise provided in this division, an agreement entered into under this section shall require that the enterprise pay an annual fee equal to the greater of one per cent of the dollar value of incentives offered under the agreement or five hundred dollars; provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars. The fee shall be payable to the legislative authority or board of commissioners once per year for each year the agreement is effective on the days and in the form specified in the agreement. Fees paid shall be deposited in a special fund created for such purpose by the legislative authority or board and shall be used by the legislative authority or board exclusively for the purpose of complying with section 5709.68 of the Revised Code and by the tax incentive review council created under section 5709.85 of the Revised Code exclusively for the purposes of performing the duties prescribed under that section. The legislative authority or board may waive or reduce the amount of the fee charged against an enterprise, but such waiver or reduction does not affect the obligations of the legislative authority or board or the tax incentive review council to comply with section 5709.68 or 5709.85 of the Revised Code, respectively.

(F) With the approval of the legislative authority of a municipal corporation or the board of township trustees of a township in which a zone is designated under division (A)(2) of this section, the board of county commissioners may delegate to that legislative authority or board any powers and duties of the board to negotiate and administer agreements with regard to that zone under this section.

(G) When an agreement is entered into pursuant to this section, the legislative authority or board of commissioners authorizing the agreement shall forward a copy of the agreement to the director of development and to the tax commissioner within fifteen days after the agreement is entered into. If any agreement includes terms not provided for in section 5709.631 of the Revised Code affecting the revenue of a city, local, or exempted village school district or causing revenue to be forgone by the district, including any compensation to be paid to the school district pursuant to section 5709.82 of

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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The above boxed and initialed text was disapproved.

Date: JUNE 11, 2012
[Signature]
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.

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(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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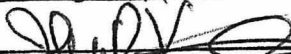
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education of the city, local, or exempted village school district within which the parcel or district is located, for up to thirty years. The percentage of the improvements exempted from taxation may, with such approval, exceed seventy-five per cent, 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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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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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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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;

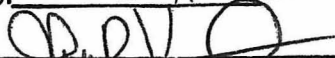
(11) A tax levied under section 5705.191 of the Revised Code for the purpose of making appropriations for public assistance; human or social services; public relief; public welfare; public health and hospitalization; and support of general hospitals;

(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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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.

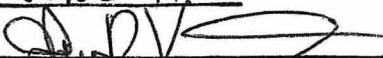
(H) The board of township trustees may issue the notes of the township to finance all costs pertaining to the construction or undertaking of public infrastructure improvements and housing renovations made pursuant to this section. The notes shall be signed by the board and attested by the signature of 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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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.

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(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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(a) Has passed a comprehensive final examination that corresponds to a course, approved by the superintendent of real estate and professional licensing, that consists of at least thirty hours of instruction, quizzes, and learning aids. The superintendent shall not approve a course under this division that does not address the following topics in both the instruction and the examination:

(i) Concepts and principles of mass appraisal as they relate to the assessment of real property for the purposes of ad valorem taxation;

(ii) Methods of data collection and data management relative to parcels of real property, including modern alternative data collection methods and currently utilized computer-assisted mass appraisal systems;

(iii) Assessment sales-ratio study including various measures of central tendency, the various measures of dispersion of data about the mean, median, and dollar-weighted mean, and the advantages and disadvantages of various analysis techniques;

(iv) Traditional approaches of property valuation, including the cost approach, the sales comparison approach, and the income approach, as they are implemented in a mass appraisal project;

(v) Methods and systems for model building and model calibration as related to mass appraisal of real property;

(vi) Methods of production management and project analysis such as Gantt charts, program evaluation and review technique (PERT) charts, frequency distribution charts, line graphs, bar charts, and scatter diagrams, as they are utilized in the mass appraisal area.

(b) Has completed at least seven hours of continuing education courses in mass appraisal during the two-year period immediately succeeding the year in which the person passed the examination required in division (A)(2)(a) of this section, and during each two-year period thereafter.

(B)(1) The county auditor, in acting as the assessor of all real property in the auditor's county for taxation purposes in accordance with section 5713.01 of the Revised Code, shall involve at least one qualified project manager in each mass assessment project that originates more than two years after the effective date of the enactment of this section by H.B. 487 of the 129th general assembly.

(2) The tax commissioner, beginning two years after the effective date of the enactment of this section by H.B. 487 of the 129th general assembly, shall not approve any contract entered into by the auditor under division (E) of section 5713.01 of the Revised Code, with a person to do all or any part of the work necessary to the performance of the auditor's duties as assessor unless that person designates an officer or employee of that person, with the

appropriate credentials, to act as a qualified project manager.

(3) The tax commissioner, beginning two years after the effective date of the enactment of this section by H.B. 487 of the 129th general assembly, shall not include any person that has not designated an officer or employee, with the appropriate credentials, to act as a qualified project manager on a list generated by the commissioner for either of the following purposes:

(a) To assist county auditors in selecting a person to do all or any part of the work necessary to the performance of the auditor's duties as assessor of all real property under section 5713.01 of the Revised Code;

(b) To assist the commissioner in the consideration of whether to approve or disapprove the auditor's application requesting authority to employ an appraisal firm or individual appraiser.

Sec. 5713.03. The county auditor, from the best sources of information available, shall determine, as nearly as practicable, the true value of the fee simple estate, as if unencumbered, of each separate tract, lot, or parcel of real property and of buildings, structures, and improvements located thereon and the current agricultural use value of land valued for tax purposes in accordance with section 5713.31 of the Revised Code, in every district, according to the rules prescribed by this chapter and section 5715.01 of the Revised Code, and in accordance with the uniform rules and methods of valuing and assessing real property as adopted, prescribed, and promulgated by the tax commissioner. ~~He~~ The auditor shall determine the taxable value of all real property by reducing its true or current agricultural use value by the percentage ordered by the commissioner. In determining the true value of any tract, lot, or parcel of real estate under this section, if such tract, lot, or parcel has been the subject of an arm's length sale between a willing seller and a willing buyer within a reasonable length of time, either before or after the tax lien date, the auditor ~~shall~~ may consider the sale price of such tract, lot, or parcel to be the true value for taxation purposes. However, the sale price in an arm's length transaction between a willing seller and a willing buyer shall not be considered the true value of the property sold if subsequent to the sale:

(A) The tract, lot, or parcel of real estate loses value due to some casualty;

(B) An improvement is added to the property. Nothing in this section or section 5713.01 of the Revised Code and no rule adopted under section 5715.01 of the Revised Code shall require the county auditor to change the true value in money of any property in any year except a year in which the tax commissioner is required to determine under section 5715.24 of the Revised Code whether the property has been assessed as required by law.

The county auditor shall adopt and use a real property record approved by the commissioner for each tract, lot, or parcel of real property, setting forth the true and taxable value of land and, in the case of land valued in accordance with section 5713.31 of the Revised Code, its current agricultural use value, the number of acres of arable land, permanent pasture land, woodland, and wasteland in each tract, lot, or parcel. ~~He~~ The auditor shall record pertinent information and the true and taxable value of each building, structure, or improvement to land, which value shall be included as a separate part of the total value of each tract, lot, or parcel of real property.

Sec. 5719.13. Taxes assessed on the shares of stock of a dealer in intangibles shall be a lien on such shares from the first day of January in each year until they are paid. Each dealer in intangibles shall collect the taxes due from the owners of such shares and ~~pay~~ remit the same to the tax commissioner, who shall accept the remittance on behalf of the treasurer of state. The remittance shall be made payable to the treasurer of state and shall be made in the form prescribed by the commissioner. Any dealer in intangibles who fails to pay said taxes as provided in this section shall be liable by way of penalty for the gross amount of the taxes due from all the owners of shares, and for an additional amount of one hundred dollars for each day of delay in the payment of said taxes.

A dealer in intangibles who pays ~~to the treasurer of state~~ the taxes assessed upon its shares in the hands of its shareholders, as provided in this section, may deduct the amount thereof from dividends or distributions that are due or thereafter become due on such shares, and shall have a lien on the shares of stock and all funds belonging to such shareholders in its possession, or which come into its possession, for reimbursement of such tax paid on account of the shareholders, with legal interest. Such lien may be enforced in any appropriate manner.

Sec. 5725.14. (A) As used in this section and section 5725.15 of the Revised Code:

(1) "Billing address" of a customer means one of the following:

(a) The customer's address as set forth in any notice, statement, bill, or similar acknowledgment shall be presumed to be the address where the customer is located with respect to the transaction for which the dealer issued the notice, statement, bill, or acknowledgment.

(b) If the dealer issues any notice, statement, bill, or similar acknowledgment electronically to an address other than a street address or post office box address or if the dealer does not issue such a notice, statement, bill, or acknowledgment, the customer's street address as set forth in the records of the dealer at the time of the transaction shall be presumed

to be the address where the customer is located.

(2) "Commissions" includes but is not limited to brokerage commissions, asset management fees, and similar fees charged in the regular course of business to a customer for the maintenance and management of the customer's account.

(3) "Gross receipts" means one of the following:

(a) In the case of a dealer in intangibles principally engaged in the business of lending money or discounting loans, the aggregate amount of loans effected or discounted;

(b) In the case of a dealer in intangibles principally engaged in the business of selling or buying stocks, bonds, or other similar securities either on the dealer's own account or as agent for another, the aggregate amount of all commissions charged.

(B) Each dealer in intangibles shall return to the tax commissioner between the first and second Mondays of March, annually, a report exhibiting in detail, and under appropriate heads, the dealer's resources and liabilities at the close of business on the thirty-first day of December next preceding, together with remittance made payable to the treasurer of state of the tax levied under division (D) of section 5707.03 of the Revised Code. In the case of an unincorporated dealer in intangibles, such report shall also exhibit the amount or value as of the date of conversion of all property within the year preceding the date of listing, and on or after the first day of November converted into bonds or other securities not taxed to the extent such nontaxable bonds or securities may be shown in the dealer's resources on such date, without deduction for indebtedness created in the purchase of such nontaxable bonds or securities.

If a dealer in intangibles maintains separate business offices, whether within this state only or within and without this state, the report shall also show the gross receipts from business done at each such office during the year ending on the thirty-first day of December next preceding.

For the purposes of this section and section 5725.15 of the Revised Code, business is considered done at an office when it originates at such office, but the receipts from business originating at one office and consummated at another office shall be divided equitably between such offices.

(C) For the purposes of this section and section 5725.15 of the Revised Code, in the case of a dealer in intangibles principally engaged in the business of selling or buying stocks, bonds, or other similar securities either on the dealer's own account or as agent for another, the dealer's capital, surplus, and undivided profits employed in this state shall bear the same

ratio to the dealer's total capital, surplus, and undivided profits employed everywhere as the amount described in division (C)(1) of this section bears to the amount described in division (C)(2) of this section:

(1) The sum of the commissions earned during the year covered by the ~~report~~ return from transactions with respect to brokerage accounts owned by customers having billing addresses in this state;

(2) The sum of the commissions earned during that year from transactions with respect to brokerage accounts owned by all of the dealer's customers.

(D) An incorporated dealer in intangibles which owns or controls fifty-one per cent or more of the common stock of another incorporated dealer in intangibles may, under uniform regulations prescribed by the tax commissioner, make a consolidated return for the purpose of sections 5725.01 to 5725.26, ~~inclusive~~, of the Revised Code. In such case the parent corporation making such return is not required to include in its resources any of the stocks, securities, or other obligations of its subsidiary dealers, nor permitted to include in its liabilities any of its own securities or other obligations belonging to its subsidiaries.

Sec. 5725.15. ~~Upon receiving the~~ The report required by section 5725.14 of the Revised Code, ~~the tax commissioner shall ascertain and assess~~ include as taxable property all the shares of ~~such dealers~~ the dealer in intangibles, the capital stock of which is divided into shares, representing capital employed in this state, and the value of the property representing the capital, not divided into shares, employed in this state by such dealer in intangibles, according to the aggregate fair value of the capital, surplus, and undivided profits as shown in such report, including in the case of an unincorporated dealer, the value of property converted into nontaxable bonds or securities within the preceding year, without deduction for indebtedness created in the purchase of such nontaxable bonds or securities.

The filing by a dealer of the report required by section 5725.14 of the Revised Code shall be the preliminary assessment of the shares and property listed therein.

If a dealer has separate offices, whether within this state only or within and without this state, the ~~commissioner~~ dealer shall ~~find~~ list the amount of capital employed in each office in this state, which shall bear the same ratio to the entire capital of such dealer, wherever employed, as the gross receipts of such office bears to the entire gross receipts of such dealer, wherever arising.

The aggregate book value of the capital, surplus, and undivided profits of a dealer in intangibles as shown in such report shall be taken as the fair

value thereof for the purpose of the assessment required by this section, unless the commissioner finds that such book value is greater or less than the then fair value of said capital, surplus, and undivided profits. Claim for any deduction from book value of capital, surplus, and undivided profits must be made in writing by the dealer in intangibles at the time of making ~~his~~ the dealer's return.

Whenever the commissioner assesses the fair value of the capital, surplus, and undivided profits of a dealer in intangibles at an amount in excess of the book value thereof as shown by its report, ~~or disallows any claim for deduction from book value of such capital, surplus, and undivided profits listed in the dealer's report, or assesses the shares or property of a dealer that fails to file a return, he~~ the commissioner shall give notice and proceed as provided in section 5711.31 of the Revised Code.

Sec. 5725.16. On or before the first Monday of May, annually, the tax commissioner shall certify to the treasurer of state the assessment of the shares or property representing capital, or apportionment of either, of each dealer in intangibles doing business in the state, showing separately the amount representing capital employed in each county.

The treasurer of state shall place the amounts certified on the intangible property tax list in ~~his~~ the treasurer of state's office in the names of the dealers represented by those certificates.

~~Any certificate of abatement issued pursuant to section 5703.05 of the Revised Code for the overpayment of the tax on shares or property representing capital of a~~ The commissioner shall collect, on behalf of the treasurer, the taxes due on the assessments certified pursuant to this section, together with any applicable penalties or interest, in the manner prescribed by section 5725.22 of the Revised Code. The commissioner shall immediately forward to the treasurer any payments received under this section or section 5719.13 of the Revised Code. The treasurer shall credit all such payments against the appropriate amounts on the intangible property tax list in the treasurer's office.

~~A dealer in intangibles may be tendered by the payee or transferee thereof to the treasurer of state as payment for any taxes allocable to the county in which the claim for a refund of any overpayment arose of the tax levied under division (D) of section 5707.03 of the Revised Code by filing an application for final assessment in accordance with section 5711.26 of the Revised Code.~~

Sec. 5725.17. (A) In addition to any other penalty imposed by this chapter or Chapter 5703. of the Revised Code, the following penalties shall apply:

(1) If a dealer in intangibles fails to make and furnish to the tax commissioner the report required by section 5725.14 of the Revised Code, within the time fixed by that section, a penalty shall be imposed equal to the greater of fifty dollars per month or fraction of a month, not to exceed five hundred dollars, or five per cent per month or fraction of a month, not to exceed fifty per cent, of the tax required to be shown on the report, for each month or fraction of a month elapsing between the due date, including extensions of the due date, and the date on which the report is filed.

(2) If a dealer in intangibles fails to pay any amounts of the tax levied by division (D) of section 5707.03 of the Revised Code by the dates prescribed for payment, a penalty shall be imposed equal to the greater of the penalty due under division ~~(C)~~(F) of section 5725.22 of the Revised Code, for which this penalty shall be a substitute, or two times the interest charged under section 5725.221 of the Revised Code for the delinquent payment.

(3) If a dealer in intangibles submits a report required by section 5725.14 of the Revised Code that is marked, defaced, or otherwise designed by the dealer to be a frivolous protest or an attempt to delay or impede the administration of the tax levied by division (D) of section 5707.03 of the Revised Code, a penalty shall be imposed equal to the greater of one hundred dollars or twenty-five per cent of the tax required to be shown on the report.

(4) If a dealer in intangibles makes a fraudulent attempt to evade the reporting or payment of the tax levied by division (D) of section 5707.03 of the Revised Code, a penalty shall be imposed equal to the greater of one thousand dollars or one hundred per cent of the tax required to be shown on the report required by section 5725.14 of the Revised Code.

(5) If any person makes a false or fraudulent claim for abatement or refund of the tax levied by division (D) of section 5707.03 of the Revised Code, a penalty shall be imposed equal to the greater of one thousand dollars or one hundred per cent of the claim. The penalty imposed by this division, any abatement or refund on the claim, and interest on any refund from the date of the refund, may be assessed under section 5725.15 of the Revised Code or added by the ~~treasurer of state~~ tax commissioner as tax, penalty, and interest due from the tax levied by division (D) of section 5707.03 of the Revised Code, without regard to whether the person making the claim is otherwise subject to the tax, and without regard to any time limitation for assessment.

(B) Each penalty imposed under division (A) of this section shall be in addition to any other penalty imposed under that division. All or part of any

penalty imposed under division (A) of this section may be abated by the commissioner ~~or the treasurer of state, as appropriate.~~

Sec. 5725.22. (A) The treasurer of state shall maintain an intangible property tax list of taxes levied by section 5707.03 of the Revised Code and certified by the tax commissioner pursuant to sections 5711.13, 5725.08, 5725.16, and 5727.15 of the Revised Code, and a separate list of taxes levied by section 5725.18 of the Revised Code and certified by the superintendent of insurance pursuant to section 5725.20 of the Revised Code. ~~Upon receipt of any assessment certified to him~~

(B)(1) With respect to taxes levied under section 5725.18 of the Revised Code, the treasurer of state, upon receipt of an assessment, shall compute the taxes at the rates prescribed by law and enter the taxes on the proper tax list. He The treasurer shall collect, and the taxpayer shall pay, all such taxes and any interest applicable thereto. Payments may be made by mail, in person, or by any other means authorized by the treasurer of state. The treasurer of state shall render a daily itemized statement to the tax commissioner superintendent of insurance of the amount of taxes collected and the name of the domestic insurance company or assessment certificate number of the person from whom collected. The treasurer of state may adopt rules concerning the methods and timeliness of payment payments under this division.

(2) With respect to taxes levied under section 5707.03 of the Revised Code, any assessment certified to the treasurer of state shall reflect the taxes computed at the rates prescribed by law. Upon receipt of such an assessment, the treasurer shall enter the taxes on the proper tax list. The tax commissioner shall collect, and the taxpayer shall pay, all such taxes and any interest applicable thereto. Payments may be made by mail, in person, or by any other means authorized by the commissioner. The commissioner shall immediately forward to the treasurer any payments received under this division, together with any information necessary for the treasurer to properly credit such payments. The commissioner may adopt rules concerning the method and timeliness of payments under this division.

(C) Each tax bill issued pursuant to this section shall separately reflect the taxes due, interest, if any, due date, and any other information considered necessary. The last day on which payment may be made without penalty shall be at least twenty but not more than thirty days from the date of mailing the tax bill. The treasurer of state or tax commissioner, as appropriate, shall mail the tax bill, and the mailing thereof shall be prima-facie evidence of receipt thereof by the taxpayer.

The treasurer of state or commissioner, as appropriate, shall refund

taxes as provided in this section, but no refund shall be made to a taxpayer having a delinquent claim certified pursuant to this section that remains unpaid. The treasurer ~~of state~~ or commissioner may consult the attorney general regarding such claims. Refunds shall be paid from the tax refund fund created by section 5703.052 of the Revised Code.

~~(A)(D)(1)~~ Within twenty days after receipt of any preliminary assessment ~~certified to him~~ of taxes levied under section 5725.18 of the Revised Code, the treasurer of state shall issue a tax bill, but if such preliminary assessment reflects a late filed tax return, the treasurer of state shall add interest as provided in division (A) of section 5725.221 of the Revised Code and issue a tax bill.

~~(B)(2)~~ Within twenty days after receipt of any amended or final assessment ~~certified to him~~ of taxes levied under section 5725.18 of the Revised Code, the treasurer of state shall ascertain the difference between the total taxes computed on such assessment and the total taxes computed on the most recent assessment certified for the same tax year. If the difference is a deficiency, the treasurer of state shall add interest as provided in division (B)(1) of section 5725.221 of the Revised Code and issue a tax bill. If the difference is an excess, the treasurer of state shall add interest as provided in division (B)(2) of section 5725.221 of the Revised Code and certify the name of the taxpayer and the amount to be refunded to the director of budget and management for payment to the taxpayer. If the taxpayer has a deficiency for one tax year and an excess for another tax year, or any combination thereof for more than two tax years, the treasurer of state may determine the net result after adding interest, if applicable, and, depending on such result, proceed to mail a tax bill or certify a refund.

~~(C)(E)(1)~~ Except as provided in division (E)(2) of this section, within twenty days after certifying to the treasurer of state an amended or final assessment, or a preliminary assessment of a dealer in intangibles that has failed to file a report or disclose taxable property, the tax commissioner shall ascertain the difference between the total taxes computed on such assessment and the total taxes computed on the most recent assessment certified for the same tax year, if any. If the difference is a deficiency, the commissioner shall add interest as provided in division (B)(1) of section 5725.221 of the Revised Code and issue a tax bill. If the difference is an excess, the commissioner shall add interest as provided in division (B)(2) of section 5725.221 of the Revised Code and certify the name of the taxpayer and the amount to be refunded to the director of budget and management for payment to the taxpayer. If the taxpayer has a deficiency for one tax year and excess for another tax year, or any combination thereof for more than

two tax years, the commissioner may determine the net result after adding interest, if applicable, and, depending on such result, proceed to mail a tax bill or certify a refund.

(2) The tax commissioner may issue a tax bill for any deficiency resulting from an assessment at the time the commissioner issues the assessment.

(F) If a taxpayer fails to pay all taxes and interest, if any, on or before the due date shown on the tax bill but makes payment within ten calendar days of such date, the treasurer of state or tax commissioner, as appropriate, shall add a penalty equal to five per cent of the taxes due. If payment is not made within ten days of such date, the treasurer ~~of state~~ or commissioner shall add a penalty equal to ten per cent of the taxes due. The treasurer ~~of state~~ or commissioner shall prepare a delinquent claim for each tax bill on which penalties were added and certify such claims to the attorney general for collection. The attorney general shall transmit a copy of each claim certified by the treasurer to the ~~tax commissioner or the~~ superintendent of insurance ~~and~~. For each claim certified by the treasurer or commissioner, the attorney general shall proceed to collect the delinquent taxes, penalties, and interest thereon in the manner prescribed by law.

Sec. 5725.221. For the purposes of this section, interest shall be computed at a rate per calendar month, rounded to the nearest one-hundredth of one per cent, equal to one-twelfth of the rate per annum prescribed by section 5703.47 of the Revised Code for the calendar year that includes the month for which the interest accrues.

(A) When taxes levied by section 3737.71, 5707.03, or 5725.18 of the Revised Code are assessed as the result of a tax return being filed late, the treasurer of state or tax commissioner, as appropriate, shall add interest to the taxes due. The interest shall accrue from the first day of the month following the last day on which such taxes were required to be paid, had the assessment been certified by the date prescribed, to the last day of the month preceding the date on which the assessment was certified, and shall be computed on the taxes due.

(B) If an assessment has been certified pursuant to section 5711.13, 5725.08, 5725.16, 5725.20, or 5725.222 of the Revised Code and an amended or final assessment is certified for the same taxpayer and the same tax year, the treasurer of state or tax commissioner, as appropriate, shall add interest to the deficiency or excess. The interest shall be computed on the excess or deficiency, and shall be accrued in the following manner:

(1) On a deficiency, interest shall accrue from the first day of the month following the last day on which the previous assessment was required to be

paid, to the last day of the month preceding the date on which the amended or final assessment is certified;

(2) On an excess, interest shall be allowed from the first day of the month following the date of payment of the previous assessment, to the last day of the month preceding the date on which the amended or final assessment is certified.

Sec. 5731.39. (A) No corporation organized or existing under the laws of this state shall transfer on its books or issue a new certificate for any share of its capital stock registered in the name of a decedent, or in trust for a decedent, or in the name of a decedent and another person or persons, without the written consent of the tax commissioner.

(B) No safe deposit company, trust company, financial institution as defined in division (A) of section 5725.01 of the Revised Code or other corporation or person, having in possession, control, or custody a deposit standing in the name of a decedent, or in trust for a decedent, or in the name of a decedent and another person or persons, shall deliver or transfer an amount in excess of three-fourths of the total value of such deposit, including accrued interest and dividends, as of the date of decedent's death, without the written consent of the tax commissioner. The written consent of the tax commissioner need not be obtained prior to the delivery or transfer of amounts having a value of three-fourths or less of said total value.

(C) No life insurance company shall pay the proceeds of an annuity or matured endowment contract, or of a life insurance contract payable to the estate of a decedent, or of any other insurance contract taxable under Chapter 5731. of the Revised Code, without the written consent of the tax commissioner. Any life insurance company may pay the proceeds of any insurance contract not specified in this division (C) without the written consent of the tax commissioner.

(D) No trust company or other corporation or person shall pay the proceeds of any death benefit, retirement, pension or profit sharing plan in excess of two thousand dollars, without the written consent of the tax commissioner. Such trust company or other corporation or person, however, may pay the proceeds of any death benefit, retirement, pension, or profit-sharing plan which consists of insurance on the life of the decedent payable to a beneficiary other than the estate of the insured without the written consent of the tax commissioner.

(E) No safe deposit company, trust company, financial institution as defined in division (A) of section 5725.01 of the Revised Code, or other corporation or person, having in possession, control, or custody securities, assets, or other property (including the shares of the capital stock of, or other

interest in, such safe deposit company, trust company, financial institution as defined in division (A) of section 5725.01 of the Revised Code, or other corporation), standing in the name of a decedent, or in trust for a decedent, or in the name of a decedent and another person or persons, and the transfer of which is taxable under Chapter 5731. of the Revised Code, shall deliver or transfer any such securities, assets, or other property which have a value as of the date of decedent's death in excess of three-fourths of the total value thereof, without the written consent of the tax commissioner. The written consent of the tax commissioner need not be obtained prior to the delivery or transfer of any such securities, assets, or other property having a value of three-fourths or less of said total value.

(F) No safe deposit company, financial institution as defined in division (A) of section 5725.01 of the Revised Code, or other corporation or person having possession or control of a safe deposit box or similar receptacle standing in the name of a decedent or in the name of the decedent and another person or persons, or to which the decedent had a right of access, except when such safe deposit box or other receptacle stands in the name of a corporation or partnership, or in the name of the decedent as guardian or executor, shall deliver any of the contents thereof unless the safe deposit box or similar receptacle has been opened and inventoried in the presence of the tax commissioner or the commissioner's agent, and a written consent to transfer issued; provided, however, that a safe deposit company, financial institution, or other corporation or person having possession or control of a safe deposit box may deliver wills, deeds to burial lots, and insurance policies to a representative of the decedent, but that a representative of the safe deposit company, financial institution, or other corporation or person must supervise the opening of the box and make a written record of the wills, deeds, and policies removed. Such written record shall be included in the tax commissioner's inventory records.

(G) Notwithstanding any provision of this section:

(1) The tax commissioner may authorize any delivery or transfer or waive any of the foregoing requirements under such terms and conditions as the commissioner may prescribe;

(2) ~~An adult care facility, as defined in section 5119.70 of the Revised Code, or a~~ A home, as defined in section 3721.10 of the Revised Code, or a residential facility licensed under section 5119.22 of the Revised Code that provides accommodations, supervision, and personal care services for three to sixteen unrelated adults, may transfer or use the money in a personal needs allowance account in accordance with section 5111.113 of the Revised Code without the written consent of the tax commissioner, and

without the account having been opened and inventoried in the presence of the commissioner or the commissioner's agent.

Failure to comply with this section shall render such safe deposit company, trust company, life insurance company, financial institution as defined in division (A) of section 5725.01 of the Revised Code, or other corporation or person liable for the amount of the taxes and interest due under the provisions of Chapter 5731. of the Revised Code on the transfer of such stock, deposit, proceeds of an annuity or matured endowment contract or of a life insurance contract payable to the estate of a decedent, or other insurance contract taxable under Chapter 5731. of the Revised Code, proceeds of any death benefit, retirement, pension, or profit sharing plan in excess of two thousand dollars, or securities, assets, or other property of any resident decedent, and in addition thereto, to a penalty of not less than five hundred or more than five thousand dollars.

Sec. 5733.064. There is hereby allowed a credit against the tax imposed under sections 5733.06, 5733.065, and 5733.066 of the Revised Code. The credit shall equal the lesser of fifty per cent of any cash donations made during the taxable year by the taxpayer to an Ohio corporation organized prior to January 1, 1987, whose sole purpose is to promote and encourage recycling and that has been determined by the internal revenue service to be a nonprofit corporation regardless of whether the nonprofit corporation received a grant under section ~~4502.05~~ 3736.05 of the Revised Code, or to municipal corporations, counties, townships, park districts, and boards of education that received grants pursuant to that section, or one-half of the amount of the taxpayer's additional tax liability for the tax year resulting from the additional rates imposed by sections 5733.065 and 5733.066 of the Revised Code to provide funding for ~~the division of~~ recycling and litter prevention under Chapter ~~4502.~~ 3736. of the Revised Code. The taxpayer shall claim the nonrefundable credit in the order required under section 5733.98 of the Revised Code.

The tax commissioner may require the taxpayer to furnish such information as is necessary to support a claim for a credit under this section, and no credit shall be allowed unless the information is provided.

Sec. 5739.01. As used in this chapter:

(A) "Person" includes individuals, receivers, assignees, trustees in bankruptcy, estates, firms, partnerships, associations, joint-stock companies, joint ventures, clubs, societies, corporations, the state and its political subdivisions, and combinations of individuals of any form.

(B) "Sale" and "selling" include all of the following transactions for a consideration in any manner, whether absolutely or conditionally, whether

for a price or rental, in money or by exchange, and by any means whatsoever:

(1) All transactions by which title or possession, or both, of tangible personal property, is or is to be transferred, or a license to use or consume tangible personal property is or is to be granted;

(2) All transactions by which lodging by a hotel is or is to be furnished to transient guests;

(3) All transactions by which:

(a) An item of tangible personal property is or is to be repaired, except property, the purchase of which would not be subject to the tax imposed by section 5739.02 of the Revised Code;

(b) An item of tangible personal property is or is to be installed, except property, the purchase of which would not be subject to the tax imposed by section 5739.02 of the Revised Code or property that is or is to be incorporated into and will become a part of a production, transmission, transportation, or distribution system for the delivery of a public utility service;

(c) The service of washing, cleaning, waxing, polishing, or painting a motor vehicle is or is to be furnished;

(d) Until August 1, 2003, industrial laundry cleaning services are or are to be provided and, on and after August 1, 2003, laundry and dry cleaning services are or are to be provided;

(e) Automatic data processing, computer services, or electronic information services are or are to be provided for use in business when the true object of the transaction is the receipt by the consumer of automatic data processing, computer services, or electronic information services rather than the receipt of personal or professional services to which automatic data processing, computer services, or electronic information services are incidental or supplemental. Notwithstanding any other provision of this chapter, such transactions that occur between members of an affiliated group are not sales. An "affiliated group" means two or more persons related in such a way that one person owns or controls the business operation of another member of the group. In the case of corporations with stock, one corporation owns or controls another if it owns more than fifty per cent of the other corporation's common stock with voting rights.

(f) Telecommunications service, including prepaid calling service, prepaid wireless calling service, or ancillary service, is or is to be provided, but not including coin-operated telephone service;

(g) Landscaping and lawn care service is or is to be provided;

(h) Private investigation and security service is or is to be provided;

(i) Information services or tangible personal property is provided or ordered by means of a nine hundred telephone call;

(j) Building maintenance and janitorial service is or is to be provided;

(k) Employment service is or is to be provided;

(l) Employment placement service is or is to be provided;

(m) Exterminating service is or is to be provided;

(n) Physical fitness facility service is or is to be provided;

(o) Recreation and sports club service is or is to be provided;

(p) On and after August 1, 2003, satellite broadcasting service is or is to be provided;

(q) On and after August 1, 2003, personal care service is or is to be provided to an individual. As used in this division, "personal care service" includes skin care, the application of cosmetics, manicuring, pedicuring, hair removal, tattooing, body piercing, tanning, massage, and other similar services. "Personal care service" does not include a service provided by or on the order of a licensed physician or licensed chiropractor, or the cutting, coloring, or styling of an individual's hair.

(r) On and after August 1, 2003, the transportation of persons by motor vehicle or aircraft is or is to be provided, when the transportation is entirely within this state, except for transportation provided by an ambulance service, by a transit bus, as defined in section 5735.01 of the Revised Code, and transportation provided by a citizen of the United States holding a certificate of public convenience and necessity issued under 49 U.S.C. 41102;

(s) On and after August 1, 2003, motor vehicle towing service is or is to be provided. As used in this division, "motor vehicle towing service" means the towing or conveyance of a wrecked, disabled, or illegally parked motor vehicle.

(t) On and after August 1, 2003, snow removal service is or is to be provided. As used in this division, "snow removal service" means the removal of snow by any mechanized means, but does not include the providing of such service by a person that has less than five thousand dollars in sales of such service during the calendar year.

(u) Electronic publishing service is or is to be provided to a consumer for use in business, except that such transactions occurring between members of an affiliated group, as defined in division (B)(3)(e) of this section, are not sales.

(4) All transactions by which printed, imprinted, overprinted, lithographic, multilithic, blueprinted, photostatic, or other productions or reproductions of written or graphic matter are or are to be furnished or

transferred;

(5) The production or fabrication of tangible personal property for a consideration for consumers who furnish either directly or indirectly the materials used in the production of fabrication work; and include the furnishing, preparing, or serving for a consideration of any tangible personal property consumed on the premises of the person furnishing, preparing, or serving such tangible personal property. Except as provided in section 5739.03 of the Revised Code, a construction contract pursuant to which tangible personal property is or is to be incorporated into a structure or improvement on and becoming a part of real property is not a sale of such tangible personal property. The construction contractor is the consumer of such tangible personal property, provided that the sale and installation of carpeting, the sale and installation of agricultural land tile, the sale and erection or installation of portable grain bins, or the provision of landscaping and lawn care service and the transfer of property as part of such service is never a construction contract.

As used in division (B)(5) of this section:

(a) "Agricultural land tile" means fired clay or concrete tile, or flexible or rigid perforated plastic pipe or tubing, incorporated or to be incorporated into a subsurface drainage system appurtenant to land used or to be used primarily in production by farming, agriculture, horticulture, or floriculture. The term does not include such materials when they are or are to be incorporated into a drainage system appurtenant to a building or structure even if the building or structure is used or to be used in such production.

(b) "Portable grain bin" means a structure that is used or to be used by a person engaged in farming or agriculture to shelter the person's grain and that is designed to be disassembled without significant damage to its component parts.

(6) All transactions in which all of the shares of stock of a closely held corporation are transferred, if the corporation is not engaging in business and its entire assets consist of boats, planes, motor vehicles, or other tangible personal property operated primarily for the use and enjoyment of the shareholders;

(7) All transactions in which a warranty, maintenance or service contract, or similar agreement by which the vendor of the warranty, contract, or agreement agrees to repair or maintain the tangible personal property of the consumer is or is to be provided;

(8) The transfer of copyrighted motion picture films used solely for advertising purposes, except that the transfer of such films for exhibition purposes is not a sale;

(9) On and after August 1, 2003, all transactions by which tangible personal property is or is to be stored, except such property that the consumer of the storage holds for sale in the regular course of business;

(10) All transactions in which "guaranteed auto protection" is provided whereby a person promises to pay to the consumer the difference between the amount the consumer receives from motor vehicle insurance and the amount the consumer owes to a person holding title to or a lien on the consumer's motor vehicle in the event the consumer's motor vehicle suffers a total loss under the terms of the motor vehicle insurance policy or is stolen and not recovered, if the protection and its price are included in the purchase or lease agreement;

(11)(a) Except as provided in division (B)(11)(b) of this section, on and after October 1, 2009, all transactions by which health care services are paid for, reimbursed, provided, delivered, arranged for, or otherwise made available by a medicaid health insuring corporation pursuant to the corporation's contract with the state.

(b) If the centers for medicare and medicaid services of the United States department of health and human services determines that the taxation of transactions described in division (B)(11)(a) of this section constitutes an impermissible health care-related tax under section 1903(w) of the "Social Security Act," 49 Stat. 620 (1935), 42 U.S.C. 1396b(w), as amended, and regulations adopted thereunder, the director of job and family services shall notify the tax commissioner of that determination. Beginning with the first day of the month following that notification, the transactions described in division (B)(11)(a) of this section are not sales for the purposes of this chapter or Chapter 5741. of the Revised Code. The tax commissioner shall order that the collection of taxes under sections 5739.02, 5739.021, 5739.023, 5739.026, 5741.02, 5741.021, 5741.022, and 5741.023 of the Revised Code shall cease for transactions occurring on or after that date.

Except as provided in this section, "sale" and "selling" do not include transfers of interest in leased property where the original lessee and the terms of the original lease agreement remain unchanged, or professional, insurance, or personal service transactions that involve the transfer of tangible personal property as an inconsequential element, for which no separate charges are made.

(C) "Vendor" means the person providing the service or by whom the transfer effected or license given by a sale is or is to be made or given and, for sales described in division (B)(3)(i) of this section, the telecommunications service vendor that provides the nine hundred telephone service; if two or more persons are engaged in business at the same place of

business under a single trade name in which all collections on account of sales by each are made, such persons shall constitute a single vendor.

Physicians, dentists, hospitals, and veterinarians who are engaged in selling tangible personal property as received from others, such as eyeglasses, mouthwashes, dentifrices, or similar articles, are vendors. Veterinarians who are engaged in transferring to others for a consideration drugs, the dispensing of which does not require an order of a licensed veterinarian or physician under federal law, are vendors.

(D)(1) "Consumer" means the person for whom the service is provided, to whom the transfer effected or license given by a sale is or is to be made or given, to whom the service described in division (B)(3)(f) or (i) of this section is charged, or to whom the admission is granted.

(2) Physicians, dentists, hospitals, and blood banks operated by nonprofit institutions and persons licensed to practice veterinary medicine, surgery, and dentistry are consumers of all tangible personal property and services purchased by them in connection with the practice of medicine, dentistry, the rendition of hospital or blood bank service, or the practice of veterinary medicine, surgery, and dentistry. In addition to being consumers of drugs administered by them or by their assistants according to their direction, veterinarians also are consumers of drugs that under federal law may be dispensed only by or upon the order of a licensed veterinarian or physician, when transferred by them to others for a consideration to provide treatment to animals as directed by the veterinarian.

(3) A person who performs a facility management, or similar service contract for a contractee is a consumer of all tangible personal property and services purchased for use in connection with the performance of such contract, regardless of whether title to any such property vests in the contractee. The purchase of such property and services is not subject to the exception for resale under division (E)(1) of this section.

(4)(a) In the case of a person who purchases printed matter for the purpose of distributing it or having it distributed to the public or to a designated segment of the public, free of charge, that person is the consumer of that printed matter, and the purchase of that printed matter for that purpose is a sale.

(b) In the case of a person who produces, rather than purchases, printed matter for the purpose of distributing it or having it distributed to the public or to a designated segment of the public, free of charge, that person is the consumer of all tangible personal property and services purchased for use or consumption in the production of that printed matter. That person is not entitled to claim exemption under division (B)(42)(f) of section 5739.02 of

the Revised Code for any material incorporated into the printed matter or any equipment, supplies, or services primarily used to produce the printed matter.

(c) The distribution of printed matter to the public or to a designated segment of the public, free of charge, is not a sale to the members of the public to whom the printed matter is distributed or to any persons who purchase space in the printed matter for advertising or other purposes.

(5) A person who makes sales of any of the services listed in division (B)(3) of this section is the consumer of any tangible personal property used in performing the service. The purchase of that property is not subject to the resale exception under division (E)(1) of this section.

(6) A person who engages in highway transportation for hire is the consumer of all packaging materials purchased by that person and used in performing the service, except for packaging materials sold by such person in a transaction separate from the service.

(7) In the case of a transaction for health care services under division (B)(11) of this section, a medicaid health insuring corporation is the consumer of such services. The purchase of such services by a medicaid health insuring corporation is not subject to the exception for resale under division (E)(1) of this section or to the exemptions provided under divisions (B)(12), (18), (19), and (22) of section 5739.02 of the Revised Code.

(E) "Retail sale" and "sales at retail" include all sales, except those in which the purpose of the consumer is to resell the thing transferred or benefit of the service provided, by a person engaging in business, in the form in which the same is, or is to be, received by the person.

(F) "Business" includes any activity engaged in by any person with the object of gain, benefit, or advantage, either direct or indirect. "Business" does not include the activity of a person in managing and investing the person's own funds.

(G) "Engaging in business" means commencing, conducting, or continuing in business, and liquidating a business when the liquidator thereof holds itself out to the public as conducting such business. Making a casual sale is not engaging in business.

(H)(1)(a) "Price," except as provided in divisions (H)(2), (3), and (4) of this section, means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property or services are sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for any of the following:

- (i) The vendor's cost of the property sold;
- (ii) The cost of materials used, labor or service costs, interest, losses, all

costs of transportation to the vendor, all taxes imposed on the vendor, including the tax imposed under Chapter 5751. of the Revised Code, and any other expense of the vendor;

(iii) Charges by the vendor for any services necessary to complete the sale;

(iv) On and after August 1, 2003, delivery charges. As used in this division, "delivery charges" means charges by the vendor for preparation and delivery to a location designated by the consumer of tangible personal property or a service, including transportation, shipping, postage, handling, crating, and packing.

(v) Installation charges;

(vi) Credit for any trade-in.

(b) "Price" includes consideration received by the vendor from a third party, if the vendor actually receives the consideration from a party other than the consumer, and the consideration is directly related to a price reduction or discount on the sale; the vendor has an obligation to pass the price reduction or discount through to the consumer; the amount of the consideration attributable to the sale is fixed and determinable by the vendor at the time of the sale of the item to the consumer; and one of the following criteria is met:

(i) The consumer presents a coupon, certificate, or other document to the vendor to claim a price reduction or discount where the coupon, certificate, or document is authorized, distributed, or granted by a third party with the understanding that the third party will reimburse any vendor to whom the coupon, certificate, or document is presented;

(ii) The consumer identifies the consumer's self to the seller as a member of a group or organization entitled to a price reduction or discount. A preferred customer card that is available to any patron does not constitute membership in such a group or organization.

(iii) The price reduction or discount is identified as a third party price reduction or discount on the invoice received by the consumer, or on a coupon, certificate, or other document presented by the consumer.

(c) "Price" does not include any of the following:

(i) Discounts, including cash, term, or coupons that are not reimbursed by a third party that are allowed by a vendor and taken by a consumer on a sale;

(ii) Interest, financing, and carrying charges from credit extended on the sale of tangible personal property or services, if the amount is separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(iii) Any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale, or similar document given to the consumer. For the purpose of this division, the tax imposed under Chapter 5751. of the Revised Code is not a tax directly on the consumer, even if the tax or a portion thereof is separately stated.

(iv) Notwithstanding divisions (H)(1)(b)(i) to (iii) of this section, any discount allowed by an automobile manufacturer to its employee, or to the employee of a supplier, on the purchase of a new motor vehicle from a new motor vehicle dealer in this state.

(v) The dollar value of a gift card that is not sold by a vendor or purchased by a consumer and that is redeemed by the consumer in purchasing tangible personal property or services if the vendor is not reimbursed and does not receive compensation from a third party to cover all or part of the gift card value. For the purposes of this division, a gift card is not sold by a vendor or purchased by a consumer if it is distributed pursuant to an awards, loyalty, or promotional program. Past and present purchases of tangible personal property or services by the consumer shall not be treated as consideration exchanged for a gift card.

(2) In the case of a sale of any new motor vehicle by a new motor vehicle dealer, as defined in section 4517.01 of the Revised Code, in which another motor vehicle is accepted by the dealer as part of the consideration received, "price" has the same meaning as in division (H)(1) of this section, reduced by the credit afforded the consumer by the dealer for the motor vehicle received in trade.

(3) In the case of a sale of any watercraft or outboard motor by a watercraft dealer licensed in accordance with section 1547.543 of the Revised Code, in which another watercraft, watercraft and trailer, or outboard motor is accepted by the dealer as part of the consideration received, "price" has the same meaning as in division (H)(1) of this section, reduced by the credit afforded the consumer by the dealer for the watercraft, watercraft and trailer, or outboard motor received in trade. As used in this division, "watercraft" includes an outdrive unit attached to the watercraft.

(4) In the case of transactions for health care services under division (B)(11) of this section, "price" means the amount of managed care premiums received each month by a medicaid health insuring corporation.

(I) "Receipts" means the total amount of the prices of the sales of vendors, provided that the dollar value of gift cards distributed pursuant to an awards, loyalty, or promotional program, and cash discounts allowed and taken on sales at the time they are consummated are not included, minus any amount deducted as a bad debt pursuant to section 5739.121 of the Revised

Code. "Receipts" does not include the sale price of property returned or services rejected by consumers when the full sale price and tax are refunded either in cash or by credit.

(J) "Place of business" means any location at which a person engages in business.

(K) "Premises" includes any real property or portion thereof upon which any person engages in selling tangible personal property at retail or making retail sales and also includes any real property or portion thereof designated for, or devoted to, use in conjunction with the business engaged in by such person.

(L) "Casual sale" means a sale of an item of tangible personal property that was obtained by the person making the sale, through purchase or otherwise, for the person's own use and was previously subject to any state's taxing jurisdiction on its sale or use, and includes such items acquired for the seller's use that are sold by an auctioneer employed directly by the person for such purpose, provided the location of such sales is not the auctioneer's permanent place of business. As used in this division, "permanent place of business" includes any location where such auctioneer has conducted more than two auctions during the year.

(M) "Hotel" means every establishment kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered to guests, in which five or more rooms are used for the accommodation of such guests, whether the rooms are in one or several structures, except as otherwise provided in division (G) of section 5739.09 of the Revised Code.

(N) "Transient guests" means persons occupying a room or rooms for sleeping accommodations for less than thirty consecutive days.

(O) "Making retail sales" means the effecting of transactions wherein one party is obligated to pay the price and the other party is obligated to provide a service or to transfer title to or possession of the item sold. "Making retail sales" does not include the preliminary acts of promoting or soliciting the retail sales, other than the distribution of printed matter which displays or describes and prices the item offered for sale, nor does it include delivery of a predetermined quantity of tangible personal property or transportation of property or personnel to or from a place where a service is performed, regardless of whether the vendor is a delivery vendor.

(P) "Used directly in the rendition of a public utility service" means that property that is to be incorporated into and will become a part of the consumer's production, transmission, transportation, or distribution system and that retains its classification as tangible personal property after such

incorporation; fuel or power used in the production, transmission, transportation, or distribution system; and tangible personal property used in the repair and maintenance of the production, transmission, transportation, or distribution system, including only such motor vehicles as are specially designed and equipped for such use. Tangible personal property and services used primarily in providing highway transportation for hire are not used directly in the rendition of a public utility service. In this definition, "public utility" includes a citizen of the United States holding, and required to hold, a certificate of public convenience and necessity issued under 49 U.S.C. 41102.

(Q) "Refining" means removing or separating a desirable product from raw or contaminated materials by distillation or physical, mechanical, or chemical processes.

(R) "Assembly" and "assembling" mean attaching or fitting together parts to form a product, but do not include packaging a product.

(S) "Manufacturing operation" means a process in which materials are changed, converted, or transformed into a different state or form from which they previously existed and includes refining materials, assembling parts, and preparing raw materials and parts by mixing, measuring, blending, or otherwise committing such materials or parts to the manufacturing process. "Manufacturing operation" does not include packaging.

(T) "Fiscal officer" means, with respect to a regional transit authority, the secretary-treasurer thereof, and with respect to a county that is a transit authority, the fiscal officer of the county transit board if one is appointed pursuant to section 306.03 of the Revised Code or the county auditor if the board of county commissioners operates the county transit system.

(U) "Transit authority" means a regional transit authority created pursuant to section 306.31 of the Revised Code or a county in which a county transit system is created pursuant to section 306.01 of the Revised Code. For the purposes of this chapter, a transit authority must extend to at least the entire area of a single county. A transit authority that includes territory in more than one county must include all the area of the most populous county that is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(V) "Legislative authority" means, with respect to a regional transit authority, the board of trustees thereof, and with respect to a county that is a transit authority, the board of county commissioners.

(W) "Territory of the transit authority" means all of the area included within the territorial boundaries of a transit authority as they from time to

time exist. Such territorial boundaries must at all times include all the area of a single county or all the area of the most populous county that is a part of such transit authority. County population shall be measured by the most recent census taken by the United States census bureau.

(X) "Providing a service" means providing or furnishing anything described in division (B)(3) of this section for consideration.

(Y)(1)(a) "Automatic data processing" means processing of others' data, including keypunching or similar data entry services together with verification thereof, or providing access to computer equipment for the purpose of processing data.

(b) "Computer services" means providing services consisting of specifying computer hardware configurations and evaluating technical processing characteristics, computer programming, and training of computer programmers and operators, provided in conjunction with and to support the sale, lease, or operation of taxable computer equipment or systems.

(c) "Electronic information services" means providing access to computer equipment by means of telecommunications equipment for the purpose of either of the following:

(i) Examining or acquiring data stored in or accessible to the computer equipment;

(ii) Placing data into the computer equipment to be retrieved by designated recipients with access to the computer equipment.

For transactions occurring on or after the effective date of the amendment of this section by H.B. 157 of the 127th general assembly, December 21, 2007, "electronic information services" does not include electronic publishing as defined in division (LLL) of this section.

(d) "Automatic data processing, computer services, or electronic information services" shall not include personal or professional services.

(2) As used in divisions (B)(3)(e) and (Y)(1) of this section, "personal and professional services" means all services other than automatic data processing, computer services, or electronic information services, including but not limited to:

(a) Accounting and legal services such as advice on tax matters, asset management, budgetary matters, quality control, information security, and auditing and any other situation where the service provider receives data or information and studies, alters, analyzes, interprets, or adjusts such material;

(b) Analyzing business policies and procedures;

(c) Identifying management information needs;

(d) Feasibility studies, including economic and technical analysis of existing or potential computer hardware or software needs and alternatives;

(e) Designing policies, procedures, and custom software for collecting business information, and determining how data should be summarized, sequenced, formatted, processed, controlled, and reported so that it will be meaningful to management;

(f) Developing policies and procedures that document how business events and transactions are to be authorized, executed, and controlled;

(g) Testing of business procedures;

(h) Training personnel in business procedure applications;

(i) Providing credit information to users of such information by a consumer reporting agency, as defined in the "Fair Credit Reporting Act," 84 Stat. 1114, 1129 (1970), 15 U.S.C. 1681a(f), or as hereafter amended, including but not limited to gathering, organizing, analyzing, recording, and furnishing such information by any oral, written, graphic, or electronic medium;

(j) Providing debt collection services by any oral, written, graphic, or electronic means.

The services listed in divisions (Y)(2)(a) to (j) of this section are not automatic data processing or computer services.

(Z) "Highway transportation for hire" means the transportation of personal property belonging to others for consideration by any of the following:

(1) The holder of a permit or certificate issued by this state or the United States authorizing the holder to engage in transportation of personal property belonging to others for consideration over or on highways, roadways, streets, or any similar public thoroughfare;

(2) A person who engages in the transportation of personal property belonging to others for consideration over or on highways, roadways, streets, or any similar public thoroughfare but who could not have engaged in such transportation on December 11, 1985, unless the person was the holder of a permit or certificate of the types described in division (Z)(1) of this section;

(3) A person who leases a motor vehicle to and operates it for a person described by division (Z)(1) or (2) of this section.

(AA)(1) "Telecommunications service" means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points. "Telecommunications service" includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing without regard to whether the service is referred to

as voice-over internet protocol service or is classified by the federal communications commission as enhanced or value-added. "Telecommunications service" does not include any of the following:

(a) Data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a consumer where the consumer's primary purpose for the underlying transaction is the processed data or information;

(b) Installation or maintenance of wiring or equipment on a customer's premises;

(c) Tangible personal property;

(d) Advertising, including directory advertising;

(e) Billing and collection services provided to third parties;

(f) Internet access service;

(g) Radio and television audio and video programming services, regardless of the medium, including the furnishing of transmission, conveyance, and routing of such services by the programming service provider. Radio and television audio and video programming services include, but are not limited to, cable service, as defined in 47 U.S.C. 522(6), and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 C.F.R. 20.3;

(h) Ancillary service;

(i) Digital products delivered electronically, including software, music, video, reading materials, or ring tones.

(2) "Ancillary service" means a service that is associated with or incidental to the provision of telecommunications service, including conference bridging service, detailed telecommunications billing service, directory assistance, vertical service, and voice mail service. As used in this division:

(a) "Conference bridging service" means an ancillary service that links two or more participants of an audio or video conference call, including providing a telephone number. "Conference bridging service" does not include telecommunications services used to reach the conference bridge.

(b) "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

(c) "Directory assistance" means an ancillary service of providing telephone number or address information.

(d) "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and

manage multiple calls and call connections, including conference bridging service.

(e) "Voice mail service" means an ancillary service that enables the customer to store, send, or receive recorded messages. "Voice mail service" does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

(3) "900 service" means an inbound toll telecommunications service purchased by a subscriber that allows the subscriber's customers to call in to the subscriber's prerecorded announcement or live service, and which is typically marketed under the name "900" service and any subsequent numbers designated by the federal communications commission. "900 service" does not include the charge for collection services provided by the seller of the telecommunications service to the subscriber, or services or products sold by the subscriber to the subscriber's customer.

(4) "Prepaid calling service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units of or dollars of which the number declines with use in a known amount.

(5) "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile telecommunications service as well as other non-telecommunications services, including the download of digital products delivered electronically, and content and ancillary services, that must be paid for in advance and that is sold in predetermined units of or dollars of which the number declines with use in a known amount.

(6) "Value-added non-voice data service" means a telecommunications service in which computer processing applications are used to act on the form, content, code, or protocol of the information or data primarily for a purpose other than transmission, conveyance, or routing.

(7) "Coin-operated telephone service" means a telecommunications service paid for by inserting money into a telephone accepting direct deposits of money to operate.

(8) "Customer" has the same meaning as in section 5739.034 of the Revised Code.

(BB) "Laundry and dry cleaning services" means removing soil or dirt from towels, linens, articles of clothing, or other fabric items that belong to others and supplying towels, linens, articles of clothing, or other fabric items. "Laundry and dry cleaning services" does not include the provision of

self-service facilities for use by consumers to remove soil or dirt from towels, linens, articles of clothing, or other fabric items.

(CC) "Magazines distributed as controlled circulation publications" means magazines containing at least twenty-four pages, at least twenty-five per cent editorial content, issued at regular intervals four or more times a year, and circulated without charge to the recipient, provided that such magazines are not owned or controlled by individuals or business concerns which conduct such publications as an auxiliary to, and essentially for the advancement of the main business or calling of, those who own or control them.

(DD) "Landscaping and lawn care service" means the services of planting, seeding, sodding, removing, cutting, trimming, pruning, mulching, aerating, applying chemicals, watering, fertilizing, and providing similar services to establish, promote, or control the growth of trees, shrubs, flowers, grass, ground cover, and other flora, or otherwise maintaining a lawn or landscape grown or maintained by the owner for ornamentation or other nonagricultural purpose. However, "landscaping and lawn care service" does not include the providing of such services by a person who has less than five thousand dollars in sales of such services during the calendar year.

(EE) "Private investigation and security service" means the performance of any activity for which the provider of such service is required to be licensed pursuant to Chapter 4749. of the Revised Code, or would be required to be so licensed in performing such services in this state, and also includes the services of conducting polygraph examinations and of monitoring or overseeing the activities on or in, or the condition of, the consumer's home, business, or other facility by means of electronic or similar monitoring devices. "Private investigation and security service" does not include special duty services provided by off-duty police officers, deputy sheriffs, and other peace officers regularly employed by the state or a political subdivision.

(FF) "Information services" means providing conversation, giving consultation or advice, playing or making a voice or other recording, making or keeping a record of the number of callers, and any other service provided to a consumer by means of a nine hundred telephone call, except when the nine hundred telephone call is the means by which the consumer makes a contribution to a recognized charity.

(GG) "Research and development" means designing, creating, or formulating new or enhanced products, equipment, or manufacturing processes, and also means conducting scientific or technological inquiry and

experimentation in the physical sciences with the goal of increasing scientific knowledge which may reveal the bases for new or enhanced products, equipment, or manufacturing processes.

(HH) "Qualified research and development equipment" means capitalized tangible personal property, and leased personal property that would be capitalized if purchased, used by a person primarily to perform research and development. Tangible personal property primarily used in testing, as defined in division (A)(4) of section 5739.011 of the Revised Code, or used for recording or storing test results, is not qualified research and development equipment unless such property is primarily used by the consumer in testing the product, equipment, or manufacturing process being created, designed, or formulated by the consumer in the research and development activity or in recording or storing such test results.

(II) "Building maintenance and janitorial service" means cleaning the interior or exterior of a building and any tangible personal property located therein or thereon, including any services incidental to such cleaning for which no separate charge is made. However, "building maintenance and janitorial service" does not include the providing of such service by a person who has less than five thousand dollars in sales of such service during the calendar year.

(JJ) "Employment service" means providing or supplying personnel, on a temporary or long-term basis, to perform work or labor under the supervision or control of another, when the personnel so provided or supplied receive their wages, salary, or other compensation from the provider or supplier of the employment service or from a third party that provided or supplied the personnel to the provider or supplier. "Employment service" does not include:

(1) Acting as a contractor or subcontractor, where the personnel performing the work are not under the direct control of the purchaser.

(2) Medical and health care services.

(3) Supplying personnel to a purchaser pursuant to a contract of at least one year between the service provider and the purchaser that specifies that each employee covered under the contract is assigned to the purchaser on a permanent basis.

(4) Transactions between members of an affiliated group, as defined in division (B)(3)(e) of this section.

(5) Transactions where the personnel so provided or supplied by a provider or supplier to a purchaser of an employment service are then provided or supplied by that purchaser to a third party as an employment service, except "employment service" does include the transaction between

that purchaser and the third party.

(KK) "Employment placement service" means locating or finding employment for a person or finding or locating an employee to fill an available position.

(LL) "Exterminating service" means eradicating or attempting to eradicate vermin infestations from a building or structure, or the area surrounding a building or structure, and includes activities to inspect, detect, or prevent vermin infestation of a building or structure.

(MM) "Physical fitness facility service" means all transactions by which a membership is granted, maintained, or renewed, including initiation fees, membership dues, renewal fees, monthly minimum fees, and other similar fees and dues, by a physical fitness facility such as an athletic club, health spa, or gymnasium, which entitles the member to use the facility for physical exercise.

(NN) "Recreation and sports club service" means all transactions by which a membership is granted, maintained, or renewed, including initiation fees, membership dues, renewal fees, monthly minimum fees, and other similar fees and dues, by a recreation and sports club, which entitles the member to use the facilities of the organization. "Recreation and sports club" means an organization that has ownership of, or controls or leases on a continuing, long-term basis, the facilities used by its members and includes an aviation club, gun or shooting club, yacht club, card club, swimming club, tennis club, golf club, country club, riding club, amateur sports club, or similar organization.

(OO) "Livestock" means farm animals commonly raised for food, food production, or other agricultural purposes, including, but not limited to, cattle, sheep, goats, swine, poultry, and captive deer. "Livestock" does not include invertebrates, amphibians, reptiles, domestic pets, animals for use in laboratories or for exhibition, or other animals not commonly raised for food or food production.

(PP) "Livestock structure" means a building or structure used exclusively for the housing, raising, feeding, or sheltering of livestock, and includes feed storage or handling structures and structures for livestock waste handling.

(QQ) "Horticulture" means the growing, cultivation, and production of flowers, fruits, herbs, vegetables, sod, mushrooms, and nursery stock. As used in this division, "nursery stock" has the same meaning as in section 927.51 of the Revised Code.

(RR) "Horticulture structure" means a building or structure used exclusively for the commercial growing, raising, or overwintering of

horticultural products, and includes the area used for stocking, storing, and packing horticultural products when done in conjunction with the production of those products.

(SS) "Newspaper" means an unbound publication bearing a title or name that is regularly published, at least as frequently as biweekly, and distributed from a fixed place of business to the public in a specific geographic area, and that contains a substantial amount of news matter of international, national, or local events of interest to the general public.

(TT) "Professional racing team" means a person that employs at least twenty full-time employees for the purpose of conducting a motor vehicle racing business for profit. The person must conduct the business with the purpose of racing one or more motor racing vehicles in at least ten competitive professional racing events each year that comprise all or part of a motor racing series sanctioned by one or more motor racing sanctioning organizations. A "motor racing vehicle" means a vehicle for which the chassis, engine, and parts are designed exclusively for motor racing, and does not include a stock or production model vehicle that may be modified for use in racing. For the purposes of this division:

(1) A "competitive professional racing event" is a motor vehicle racing event sanctioned by one or more motor racing sanctioning organizations, at which aggregate cash prizes in excess of eight hundred thousand dollars are awarded to the competitors.

(2) "Full-time employee" means an individual who is employed for consideration for thirty-five or more hours a week, or who renders any other standard of service generally accepted by custom or specified by contract as full-time employment.

(UU)(1) "Lease" or "rental" means any transfer of the possession or control of tangible personal property for a fixed or indefinite term, for consideration. "Lease" or "rental" includes future options to purchase or extend, and agreements described in 26 U.S.C. 7701(h)(1) covering motor vehicles and trailers where the amount of consideration may be increased or decreased by reference to the amount realized upon the sale or disposition of the property. "Lease" or "rental" does not include:

(a) A transfer of possession or control of tangible personal property under a security agreement or a deferred payment plan that requires the transfer of title upon completion of the required payments;

(b) A transfer of possession or control of tangible personal property under an agreement that requires the transfer of title upon completion of required payments and payment of an option price that does not exceed the greater of one hundred dollars or one per cent of the total required

payments;

(c) Providing tangible personal property along with an operator for a fixed or indefinite period of time, if the operator is necessary for the property to perform as designed. For purposes of this division, the operator must do more than maintain, inspect, or set-up the tangible personal property.

(2) "Lease" and "rental," as defined in division (UU) of this section, shall not apply to leases or rentals that exist before June 26, 2003.

(3) "Lease" and "rental" have the same meaning as in division (UU)(1) of this section regardless of whether a transaction is characterized as a lease or rental under generally accepted accounting principles, the Internal Revenue Code, Title XIII of the Revised Code, or other federal, state, or local laws.

(VV) "Mobile telecommunications service" has the same meaning as in the "Mobile Telecommunications Sourcing Act," Pub. L. No. 106-252, 114 Stat. 631 (2000), 4 U.S.C.A. 124(7), as amended, and, on and after August 1, 2003, includes related fees and ancillary services, including universal service fees, detailed billing service, directory assistance, service initiation, voice mail service, and vertical services, such as caller ID and three-way calling.

(WW) "Certified service provider" has the same meaning as in section 5740.01 of the Revised Code.

(XX) "Satellite broadcasting service" means the distribution or broadcasting of programming or services by satellite directly to the subscriber's receiving equipment without the use of ground receiving or distribution equipment, except the subscriber's receiving equipment or equipment used in the uplink process to the satellite, and includes all service and rental charges, premium channels or other special services, installation and repair service charges, and any other charges having any connection with the provision of the satellite broadcasting service.

(YY) "Tangible personal property" means personal property that can be seen, weighed, measured, felt, or touched, or that is in any other manner perceptible to the senses. For purposes of this chapter and Chapter 5741. of the Revised Code, "tangible personal property" includes motor vehicles, electricity, water, gas, steam, and prewritten computer software.

(ZZ) "Direct mail" means printed material delivered or distributed by United States mail or other delivery service to a mass audience or to addressees on a mailing list provided by the consumer or at the direction of the consumer when the cost of the items are not billed directly to the recipients. "Direct mail" includes tangible personal property supplied

directly or indirectly by the consumer to the direct mail vendor for inclusion in the package containing the printed material. "Direct mail" does not include multiple items of printed material delivered to a single address.

(AAA) "Computer" means an electronic device that accepts information in digital or similar form and manipulates it for a result based on a sequence of instructions.

(BBB) "Computer software" means a set of coded instructions designed to cause a computer or automatic data processing equipment to perform a task.

(CCC) "Delivered electronically" means delivery of computer software from the seller to the purchaser by means other than tangible storage media.

(DDD) "Prewritten computer software" means computer software, including prewritten upgrades, that is not designed and developed by the author or other creator to the specifications of a specific purchaser. The combining of two or more prewritten computer software programs or prewritten portions thereof does not cause the combination to be other than prewritten computer software. "Prewritten computer software" includes software designed and developed by the author or other creator to the specifications of a specific purchaser when it is sold to a person other than the purchaser. If a person modifies or enhances computer software of which the person is not the author or creator, the person shall be deemed to be the author or creator only of such person's modifications or enhancements. Prewritten computer software or a prewritten portion thereof that is modified or enhanced to any degree, where such modification or enhancement is designed and developed to the specifications of a specific purchaser, remains prewritten computer software; provided, however, that where there is a reasonable, separately stated charge or an invoice or other statement of the price given to the purchaser for the modification or enhancement, the modification or enhancement shall not constitute prewritten computer software.

(EEE)(1) "Food" means substances, whether in liquid, concentrated, solid, frozen, dried, or dehydrated form, that are sold for ingestion or chewing by humans and are consumed for their taste or nutritional value. "Food" does not include alcoholic beverages, dietary supplements, soft drinks, or tobacco.

(2) As used in division (EEE)(1) of this section:

(a) "Alcoholic beverages" means beverages that are suitable for human consumption and contain one-half of one per cent or more of alcohol by volume.

(b) "Dietary supplements" means any product, other than tobacco, that is

intended to supplement the diet and that is intended for ingestion in tablet, capsule, powder, softgel, gelcap, or liquid form, or, if not intended for ingestion in such a form, is not represented as conventional food for use as a sole item of a meal or of the diet; that is required to be labeled as a dietary supplement, identifiable by the "supplement facts" box found on the label, as required by 21 C.F.R. 101.36; and that contains one or more of the following dietary ingredients:

- (i) A vitamin;
- (ii) A mineral;
- (iii) An herb or other botanical;
- (iv) An amino acid;
- (v) A dietary substance for use by humans to supplement the diet by increasing the total dietary intake;

(vi) A concentrate, metabolite, constituent, extract, or combination of any ingredient described in divisions (EEE)(2)(b)(i) to (v) of this section.

(c) "Soft drinks" means nonalcoholic beverages that contain natural or artificial sweeteners. "Soft drinks" does not include beverages that contain milk or milk products, soy, rice, or similar milk substitutes, or that contains greater than fifty per cent vegetable or fruit juice by volume.

(d) "Tobacco" means cigarettes, cigars, chewing or pipe tobacco, or any other item that contains tobacco.

(FFF) "Drug" means a compound, substance, or preparation, and any component of a compound, substance, or preparation, other than food, dietary supplements, or alcoholic beverages that is recognized in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, and supplements to them; is intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease; or is intended to affect the structure or any function of the body.

(GGG) "Prescription" means an order, formula, or recipe issued in any form of oral, written, electronic, or other means of transmission by a duly licensed practitioner authorized by the laws of this state to issue a prescription.

(HHH) "Durable medical equipment" means equipment, including repair and replacement parts for such equipment, that can withstand repeated use, is primarily and customarily used to serve a medical purpose, generally is not useful to a person in the absence of illness or injury, and is not worn in or on the body. "Durable medical equipment" does not include mobility enhancing equipment.

(III) "Mobility enhancing equipment" means equipment, including repair and replacement parts for such equipment, that is primarily and

customarily used to provide or increase the ability to move from one place to another and is appropriate for use either in a home or a motor vehicle, that is not generally used by persons with normal mobility, and that does not include any motor vehicle or equipment on a motor vehicle normally provided by a motor vehicle manufacturer. "Mobility enhancing equipment" does not include durable medical equipment.

(JJJ) "Prosthetic device" means a replacement, corrective, or supportive device, including repair and replacement parts for the device, worn on or in the human body to artificially replace a missing portion of the body, prevent or correct physical deformity or malfunction, or support a weak or deformed portion of the body. As used in this division, "prosthetic device" does not include corrective eyeglasses, contact lenses, or dental prosthesis.

(KKK)(1) "Fractional aircraft ownership program" means a program in which persons within an affiliated group sell and manage fractional ownership program aircraft, provided that at least one hundred airworthy aircraft are operated in the program and the program meets all of the following criteria:

(a) Management services are provided by at least one program manager within an affiliated group on behalf of the fractional owners.

(b) Each program aircraft is owned or possessed by at least one fractional owner.

(c) Each fractional owner owns or possesses at least a one-sixteenth interest in at least one fixed-wing program aircraft.

(d) A dry-lease aircraft interchange arrangement is in effect among all of the fractional owners.

(e) Multi-year program agreements are in effect regarding the fractional ownership, management services, and dry-lease aircraft interchange arrangement aspects of the program.

(2) As used in division (KKK)(1) of this section:

(a) "Affiliated group" has the same meaning as in division (B)(3)(e) of this section.

(b) "Fractional owner" means a person that owns or possesses at least a one-sixteenth interest in a program aircraft and has entered into the agreements described in division (KKK)(1)(e) of this section.

(c) "Fractional ownership program aircraft" or "program aircraft" means a turbojet aircraft that is owned or possessed by a fractional owner and that has been included in a dry-lease aircraft interchange arrangement and agreement under divisions (KKK)(1)(d) and (e) of this section, or an aircraft a program manager owns or possesses primarily for use in a fractional aircraft ownership program.

(d) "Management services" means administrative and aviation support services furnished under a fractional aircraft ownership program in accordance with a management services agreement under division (KKK)(1)(e) of this section, and offered by the program manager to the fractional owners, including, at a minimum, the establishment and implementation of safety guidelines; the coordination of the scheduling of the program aircraft and crews; program aircraft maintenance; program aircraft insurance; crew training for crews employed, furnished, or contracted by the program manager or the fractional owner; the satisfaction of record-keeping requirements; and the development and use of an operations manual and a maintenance manual for the fractional aircraft ownership program.

(e) "Program manager" means the person that offers management services to fractional owners pursuant to a management services agreement under division (KKK)(1)(e) of this section.

(LLL) "Electronic publishing" means providing access to one or more of the following primarily for business customers, including the federal government or a state government or a political subdivision thereof, to conduct research: news; business, financial, legal, consumer, or credit materials; editorials, columns, reader commentary, or features; photos or images; archival or research material; legal notices, identity verification, or public records; scientific, educational, instructional, technical, professional, trade, or other literary materials; or other similar information which has been gathered and made available by the provider to the consumer in an electronic format. Providing electronic publishing includes the functions necessary for the acquisition, formatting, editing, storage, and dissemination of data or information that is the subject of a sale.

(MMM) "Medicaid health insuring corporation" means a health insuring corporation that holds a certificate of authority under Chapter 1751. of the Revised Code and is under contract with the department of job and family services pursuant to section 5111.17 of the Revised Code.

(NNN) "Managed care premium" means any premium, capitation, or other payment a medicaid health insuring corporation receives for providing or arranging for the provision of health care services to its members or enrollees residing in this state.

(OOO) "Captive deer" means deer and other cervidae that have been legally acquired, or their offspring, that are privately owned for agricultural or farming purposes.

(PPP) "Gift card" means a document, card, certificate, or other record, whether tangible or intangible, that may be redeemed by a consumer for a

dollar value when making a purchase of tangible personal property or services.

Sec. 5739.02. For the purpose of providing revenue with which to meet the needs of the state, for the use of the general revenue fund of the state, for the purpose of securing a thorough and efficient system of common schools throughout the state, for the purpose of affording revenues, in addition to those from general property taxes, permitted under constitutional limitations, and from other sources, for the support of local governmental functions, and for the purpose of reimbursing the state for the expense of administering this chapter, an excise tax is hereby levied on each retail sale made in this state.

(A)(1) The tax shall be collected as provided in section 5739.025 of the Revised Code. The rate of the tax shall be five and one-half per cent. The tax applies and is collectible when the sale is made, regardless of the time when the price is paid or delivered.

(2) In the case of the lease or rental, with a fixed term of more than thirty days or an indefinite term with a minimum period of more than thirty days, of any motor vehicles designed by the manufacturer to carry a load of not more than one ton, watercraft, outboard motor, or aircraft, or of any tangible personal property, other than motor vehicles designed by the manufacturer to carry a load of more than one ton, to be used by the lessee or renter primarily for business purposes, the tax shall be collected by the vendor at the time the lease or rental is consummated and shall be calculated by the vendor on the basis of the total amount to be paid by the lessee or renter under the lease agreement. If the total amount of the consideration for the lease or rental includes amounts that are not calculated at the time the lease or rental is executed, the tax shall be calculated and collected by the vendor at the time such amounts are billed to the lessee or renter. In the case of an open-end lease or rental, the tax shall be calculated by the vendor on the basis of the total amount to be paid during the initial fixed term of the lease or rental, and for each subsequent renewal period as it comes due. As used in this division, "motor vehicle" has the same meaning as in section 4501.01 of the Revised Code, and "watercraft" includes an outdrive unit attached to the watercraft.

A lease with a renewal clause and a termination penalty or similar provision that applies if the renewal clause is not exercised is presumed to be a sham transaction. In such a case, the tax shall be calculated and paid on the basis of the entire length of the lease period, including any renewal periods, until the termination penalty or similar provision no longer applies. The taxpayer shall bear the burden, by a preponderance of the evidence, that

the transaction or series of transactions is not a sham transaction.

(3) Except as provided in division (A)(2) of this section, in the case of a sale, the price of which consists in whole or in part of the lease or rental of tangible personal property, the tax shall be measured by the installments of that lease or rental.

(4) In the case of a sale of a physical fitness facility service or recreation and sports club service, the price of which consists in whole or in part of a membership for the receipt of the benefit of the service, the tax applicable to the sale shall be measured by the installments thereof.

(B) The tax does not apply to the following:

(1) Sales to the state or any of its political subdivisions, or to any other state or its political subdivisions if the laws of that state exempt from taxation sales made to this state and its political subdivisions;

(2) Sales of food for human consumption off the premises where sold;

(3) Sales of food sold to students only in a cafeteria, dormitory, fraternity, or sorority maintained in a private, public, or parochial school, college, or university;

(4) Sales of newspapers and of magazine subscriptions and sales or transfers of magazines distributed as controlled circulation publications;

(5) The furnishing, preparing, or serving of meals without charge by an employer to an employee provided the employer records the meals as part compensation for services performed or work done;

(6) Sales of motor fuel upon receipt, use, distribution, or sale of which in this state a tax is imposed by the law of this state, but this exemption shall not apply to the sale of motor fuel on which a refund of the tax is allowable under division (A) of section 5735.14 of the Revised Code; and the tax commissioner may deduct the amount of tax levied by this section applicable to the price of motor fuel when granting a refund of motor fuel tax pursuant to division (A) of section 5735.14 of the Revised Code and shall cause the amount deducted to be paid into the general revenue fund of this state;

(7) Sales of natural gas by a natural gas company, of water by a water-works company, or of steam by a heating company, if in each case the thing sold is delivered to consumers through pipes or conduits, and all sales of communications services by a telegraph company, all terms as defined in section 5727.01 of the Revised Code, and sales of electricity delivered through wires;

(8) Casual sales by a person, or auctioneer employed directly by the person to conduct such sales, except as to such sales of motor vehicles, watercraft or outboard motors required to be titled under section 1548.06 of

the Revised Code, watercraft documented with the United States coast guard, snowmobiles, and all-purpose vehicles as defined in section 4519.01 of the Revised Code;

(9)(a) Sales of services or tangible personal property, other than motor vehicles, mobile homes, and manufactured homes, by churches, organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, or nonprofit organizations operated exclusively for charitable purposes as defined in division (B)(12) of this section, provided that the number of days on which such tangible personal property or services, other than items never subject to the tax, are sold does not exceed six in any calendar year, except as otherwise provided in division (B)(9)(b) of this section. If the number of days on which such sales are made exceeds six in any calendar year, the church or organization shall be considered to be engaged in business and all subsequent sales by it shall be subject to the tax. In counting the number of days, all sales by groups within a church or within an organization shall be considered to be sales of that church or organization.

(b) The limitation on the number of days on which tax-exempt sales may be made by a church or organization under division (B)(9)(a) of this section does not apply to sales made by student clubs and other groups of students of a primary or secondary school, or a parent-teacher association, booster group, or similar organization that raises money to support or fund curricular or extracurricular activities of a primary or secondary school.

(c) Divisions (B)(9)(a) and (b) of this section do not apply to sales by a noncommercial educational radio or television broadcasting station.

(10) Sales not within the taxing power of this state under the Constitution of the United States;

(11) Except for transactions that are sales under division (B)(3)(r) of section 5739.01 of the Revised Code, the transportation of persons or property, unless the transportation is by a private investigation and security service;

(12) Sales of tangible personal property or services to churches, to organizations exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986, and to any other nonprofit organizations operated exclusively for charitable purposes in this state, no part of the net income of which inures to the benefit of any private shareholder or individual, and no substantial part of the activities of which consists of carrying on propaganda or otherwise attempting to influence legislation; sales to offices administering one or more homes for the aged or one or more hospital facilities exempt under section 140.08 of the Revised Code; and sales to

organizations described in division (D) of section 5709.12 of the Revised Code.

"Charitable purposes" means the relief of poverty; the improvement of health through the alleviation of illness, disease, or injury; the operation of an organization exclusively for the provision of professional, laundry, printing, and purchasing services to hospitals or charitable institutions; the operation of a home for the aged, as defined in section 5701.13 of the Revised Code; the operation of a radio or television broadcasting station that is licensed by the federal communications commission as a noncommercial educational radio or television station; the operation of a nonprofit animal adoption service or a county humane society; the promotion of education by an institution of learning that maintains a faculty of qualified instructors, teaches regular continuous courses of study, and confers a recognized diploma upon completion of a specific curriculum; the operation of a parent-teacher association, booster group, or similar organization primarily engaged in the promotion and support of the curricular or extracurricular activities of a primary or secondary school; the operation of a community or area center in which presentations in music, dramatics, the arts, and related fields are made in order to foster public interest and education therein; the production of performances in music, dramatics, and the arts; or the promotion of education by an organization engaged in carrying on research in, or the dissemination of, scientific and technological knowledge and information primarily for the public.

Nothing in this division shall be deemed to exempt sales to any organization for use in the operation or carrying on of a trade or business, or sales to a home for the aged for use in the operation of independent living facilities as defined in division (A) of section 5709.12 of the Revised Code.

(13) Building and construction materials and services sold to construction contractors for incorporation into a structure or improvement to real property under a construction contract with this state or a political subdivision of this state, or with the United States government or any of its agencies; building and construction materials and services sold to construction contractors for incorporation into a structure or improvement to real property that are accepted for ownership by this state or any of its political subdivisions, or by the United States government or any of its agencies at the time of completion of the structures or improvements; building and construction materials sold to construction contractors for incorporation into a horticulture structure or livestock structure for a person engaged in the business of horticulture or producing livestock; building materials and services sold to a construction contractor for incorporation

into a house of public worship or religious education, or a building used exclusively for charitable purposes under a construction contract with an organization whose purpose is as described in division (B)(12) of this section; building materials and services sold to a construction contractor for incorporation into a building under a construction contract with an organization exempt from taxation under section 501(c)(3) of the Internal Revenue Code of 1986 when the building is to be used exclusively for the organization's exempt purposes; building and construction materials sold for incorporation into the original construction of a sports facility under section 307.696 of the Revised Code; building and construction materials and services sold to a construction contractor for incorporation into real property outside this state if such materials and services, when sold to a construction contractor in the state in which the real property is located for incorporation into real property in that state, would be exempt from a tax on sales levied by that state; and, until one calendar year after the construction of a convention center that qualifies for property tax exemption under section 5709.084 of the Revised Code is completed, building and construction materials and services sold to a construction contractor for incorporation into the real property comprising that convention center;

(14) Sales of ships or vessels or rail rolling stock used or to be used principally in interstate or foreign commerce, and repairs, alterations, fuel, and lubricants for such ships or vessels or rail rolling stock;

(15) Sales to persons primarily engaged in any of the activities mentioned in division (B)(42)(a), (g), or (h) of this section, to persons engaged in making retail sales, or to persons who purchase for sale from a manufacturer tangible personal property that was produced by the manufacturer in accordance with specific designs provided by the purchaser, of packages, including material, labels, and parts for packages, and of machinery, equipment, and material for use primarily in packaging tangible personal property produced for sale, including any machinery, equipment, and supplies used to make labels or packages, to prepare packages or products for labeling, or to label packages or products, by or on the order of the person doing the packaging, or sold at retail. "Packages" includes bags, baskets, cartons, crates, boxes, cans, bottles, bindings, wrappings, and other similar devices and containers, but does not include motor vehicles or bulk tanks, trailers, or similar devices attached to motor vehicles. "Packaging" means placing in a package. Division (B)(15) of this section does not apply to persons engaged in highway transportation for hire.

(16) Sales of food to persons using supplemental nutrition assistance program benefits to purchase the food. As used in this division, "food" has

the same meaning as in 7 U.S.C. 2012 and federal regulations adopted pursuant to the Food and Nutrition Act of 2008.

(17) Sales to persons engaged in farming, agriculture, horticulture, or floriculture, of tangible personal property for use or consumption primarily in the production by farming, agriculture, horticulture, or floriculture of other tangible personal property for use or consumption primarily in the production of tangible personal property for sale by farming, agriculture, horticulture, or floriculture; or material and parts for incorporation into any such tangible personal property for use or consumption in production; and of tangible personal property for such use or consumption in the conditioning or holding of products produced by and for such use, consumption, or sale by persons engaged in farming, agriculture, horticulture, or floriculture, except where such property is incorporated into real property;

(18) Sales of drugs for a human being that may be dispensed only pursuant to a prescription; insulin as recognized in the official United States pharmacopoeia; urine and blood testing materials when used by diabetics or persons with hypoglycemia to test for glucose or acetone; hypodermic syringes and needles when used by diabetics for insulin injections; epoetin alfa when purchased for use in the treatment of persons with medical disease; hospital beds when purchased by hospitals, nursing homes, or other medical facilities; and medical oxygen and medical oxygen-dispensing equipment when purchased by hospitals, nursing homes, or other medical facilities;

(19) Sales of prosthetic devices, durable medical equipment for home use, or mobility enhancing equipment, when made pursuant to a prescription and when such devices or equipment are for use by a human being.

(20) Sales of emergency and fire protection vehicles and equipment to nonprofit organizations for use solely in providing fire protection and emergency services, including trauma care and emergency medical services, for political subdivisions of the state;

(21) Sales of tangible personal property manufactured in this state, if sold by the manufacturer in this state to a retailer for use in the retail business of the retailer outside of this state and if possession is taken from the manufacturer by the purchaser within this state for the sole purpose of immediately removing the same from this state in a vehicle owned by the purchaser;

(22) Sales of services provided by the state or any of its political subdivisions, agencies, instrumentalities, institutions, or authorities, or by governmental entities of the state or any of its political subdivisions, agencies, instrumentalities, institutions, or authorities;

(23) Sales of motor vehicles to nonresidents of this state under the circumstances described in division (B) of section 5739.029 of the Revised Code;

(24) Sales to persons engaged in the preparation of eggs for sale of tangible personal property used or consumed directly in such preparation, including such tangible personal property used for cleaning, sanitizing, preserving, grading, sorting, and classifying by size; packages, including material and parts for packages, and machinery, equipment, and material for use in packaging eggs for sale; and handling and transportation equipment and parts therefor, except motor vehicles licensed to operate on public highways, used in intraplant or interplant transfers or shipment of eggs in the process of preparation for sale, when the plant or plants within or between which such transfers or shipments occur are operated by the same person. "Packages" includes containers, cases, baskets, flats, fillers, filler flats, cartons, closure materials, labels, and labeling materials, and "packaging" means placing therein.

(25)(a) Sales of water to a consumer for residential use, except the sale of bottled water, distilled water, mineral water, carbonated water, or ice;

(b) Sales of water by a nonprofit corporation engaged exclusively in the treatment, distribution, and sale of water to consumers, if such water is delivered to consumers through pipes or tubing.

(26) Fees charged for inspection or reinspection of motor vehicles under section 3704.14 of the Revised Code;

(27) Sales to persons licensed to conduct a food service operation pursuant to section 3717.43 of the Revised Code, of tangible personal property primarily used directly for the following:

(a) To prepare food for human consumption for sale;

(b) To preserve food that has been or will be prepared for human consumption for sale by the food service operator, not including tangible personal property used to display food for selection by the consumer;

(c) To clean tangible personal property used to prepare or serve food for human consumption for sale.

(28) Sales of animals by nonprofit animal adoption services or county humane societies;

(29) Sales of services to a corporation described in division (A) of section 5709.72 of the Revised Code, and sales of tangible personal property that qualifies for exemption from taxation under section 5709.72 of the Revised Code;

(30) Sales and installation of agricultural land tile, as defined in division (B)(5)(a) of section 5739.01 of the Revised Code;

(31) Sales and erection or installation of portable grain bins, as defined in division (B)(5)(b) of section 5739.01 of the Revised Code;

(32) The sale, lease, repair, and maintenance of, parts for, or items attached to or incorporated in, motor vehicles that are primarily used for transporting tangible personal property belonging to others by a person engaged in highway transportation for hire, except for packages and packaging used for the transportation of tangible personal property;

(33) Sales to the state headquarters of any veterans' organization in this state that is either incorporated and issued a charter by the congress of the United States or is recognized by the United States veterans administration, for use by the headquarters;

(34) Sales to a telecommunications service vendor, mobile telecommunications service vendor, or satellite broadcasting service vendor of tangible personal property and services used directly and primarily in transmitting, receiving, switching, or recording any interactive, one- or two-way electromagnetic communications, including voice, image, data, and information, through the use of any medium, including, but not limited to, poles, wires, cables, switching equipment, computers, and record storage devices and media, and component parts for the tangible personal property. The exemption provided in this division shall be in lieu of all other exemptions under division (B)(42)(a) or (n) of this section to which the vendor may otherwise be entitled, based upon the use of the thing purchased in providing the telecommunications, mobile telecommunications, or satellite broadcasting service.

(35)(a) Sales where the purpose of the consumer is to use or consume the things transferred in making retail sales and consisting of newspaper inserts, catalogues, coupons, flyers, gift certificates, or other advertising material that prices and describes tangible personal property offered for retail sale.

(b) Sales to direct marketing vendors of preliminary materials such as photographs, artwork, and typesetting that will be used in printing advertising material; and of printed matter that offers free merchandise or chances to win sweepstake prizes and that is mailed to potential customers with advertising material described in division (B)(35)(a) of this section; and

(c) Sales of equipment such as telephones, computers, facsimile machines, and similar tangible personal property primarily used to accept orders for direct marketing retail sales.

~~(e)~~(d) Sales of automatic food vending machines that preserve food with a shelf life of forty-five days or less by refrigeration and dispense it to the

consumer.

For purposes of division (B)(35) of this section, "direct marketing" means the method of selling where consumers order tangible personal property by United States mail, delivery service, or telecommunication and the vendor delivers or ships the tangible personal property sold to the consumer from a warehouse, catalogue distribution center, or similar fulfillment facility by means of the United States mail, delivery service, or common carrier.

(36) Sales to a person engaged in the business of horticulture or producing livestock of materials to be incorporated into a horticulture structure or livestock structure;

(37) Sales of personal computers, computer monitors, computer keyboards, modems, and other peripheral computer equipment to an individual who is licensed or certified to teach in an elementary or a secondary school in this state for use by that individual in preparation for teaching elementary or secondary school students;

(38) Sales to a professional racing team of any of the following:

(a) Motor racing vehicles;

(b) Repair services for motor racing vehicles;

(c) Items of property that are attached to or incorporated in motor racing vehicles, including engines, chassis, and all other components of the vehicles, and all spare, replacement, and rebuilt parts or components of the vehicles; except not including tires, consumable fluids, paint, and accessories consisting of instrumentation sensors and related items added to the vehicle to collect and transmit data by means of telemetry and other forms of communication.

(39) Sales of used manufactured homes and used mobile homes, as defined in section 5739.0210 of the Revised Code, made on or after January 1, 2000;

(40) Sales of tangible personal property and services to a provider of electricity used or consumed directly and primarily in generating, transmitting, or distributing electricity for use by others, including property that is or is to be incorporated into and will become a part of the consumer's production, transmission, or distribution system and that retains its classification as tangible personal property after incorporation; fuel or power used in the production, transmission, or distribution of electricity; energy conversion equipment as defined in section 5727.01 of the Revised Code; and tangible personal property and services used in the repair and maintenance of the production, transmission, or distribution system, including only those motor vehicles as are specially designed and equipped

for such use. The exemption provided in this division shall be in lieu of all other exemptions in division (B)(42)(a) or (n) of this section to which a provider of electricity may otherwise be entitled based on the use of the tangible personal property or service purchased in generating, transmitting, or distributing electricity.

(41) Sales to a person providing services under division (B)(3)(r) of section 5739.01 of the Revised Code of tangible personal property and services used directly and primarily in providing taxable services under that section.

(42) Sales where the purpose of the purchaser is to do any of the following:

(a) To incorporate the thing transferred as a material or a part into tangible personal property to be produced for sale by manufacturing, assembling, processing, or refining; or to use or consume the thing transferred directly in producing tangible personal property for sale by mining, including, without limitation, the extraction from the earth of all substances that are classed geologically as minerals, production of crude oil and natural gas, or directly in the rendition of a public utility service, except that the sales tax levied by this section shall be collected upon all meals, drinks, and food for human consumption sold when transporting persons. Persons engaged in rendering services in the exploration for, and production of, crude oil and natural gas for others are deemed engaged directly in the exploration for, and production of, crude oil and natural gas. This paragraph does not exempt from "retail sale" or "sales at retail" the sale of tangible personal property that is to be incorporated into a structure or improvement to real property.

(b) To hold the thing transferred as security for the performance of an obligation of the vendor;

(c) To resell, hold, use, or consume the thing transferred as evidence of a contract of insurance;

(d) To use or consume the thing directly in commercial fishing;

(e) To incorporate the thing transferred as a material or a part into, or to use or consume the thing transferred directly in the production of, magazines distributed as controlled circulation publications;

(f) To use or consume the thing transferred in the production and preparation in suitable condition for market and sale of printed, imprinted, overprinted, lithographic, multilithic, blueprinted, photostatic, or other productions or reproductions of written or graphic matter;

(g) To use the thing transferred, as described in section 5739.011 of the Revised Code, primarily in a manufacturing operation to produce tangible

personal property for sale;

(h) To use the benefit of a warranty, maintenance or service contract, or similar agreement, as described in division (B)(7) of section 5739.01 of the Revised Code, to repair or maintain tangible personal property, if all of the property that is the subject of the warranty, contract, or agreement would not be subject to the tax imposed by this section;

(i) To use the thing transferred as qualified research and development equipment;

(j) To use or consume the thing transferred primarily in storing, transporting, mailing, or otherwise handling purchased sales inventory in a warehouse, distribution center, or similar facility when the inventory is primarily distributed outside this state to retail stores of the person who owns or controls the warehouse, distribution center, or similar facility, to retail stores of an affiliated group of which that person is a member, or by means of direct marketing. This division does not apply to motor vehicles registered for operation on the public highways. As used in this division, "affiliated group" has the same meaning as in division (B)(3)(e) of section 5739.01 of the Revised Code and "direct marketing" has the same meaning as in division (B)(35) of this section.

(k) To use or consume the thing transferred to fulfill a contractual obligation incurred by a warrantor pursuant to a warranty provided as a part of the price of the tangible personal property sold or by a vendor of a warranty, maintenance or service contract, or similar agreement the provision of which is defined as a sale under division (B)(7) of section 5739.01 of the Revised Code;

(l) To use or consume the thing transferred in the production of a newspaper for distribution to the public;

(m) To use tangible personal property to perform a service listed in division (B)(3) of section 5739.01 of the Revised Code, if the property is or is to be permanently transferred to the consumer of the service as an integral part of the performance of the service;

(n) To use or consume the thing transferred primarily in producing tangible personal property for sale by farming, agriculture, horticulture, or floriculture. Persons engaged in rendering farming, agriculture, horticulture, or floriculture services for others are deemed engaged primarily in farming, agriculture, horticulture, or floriculture. This paragraph does not exempt from "retail sale" or "sales at retail" the sale of tangible personal property that is to be incorporated into a structure or improvement to real property.

(o) To use or consume the thing transferred in acquiring, formatting, editing, storing, and disseminating data or information by electronic

publishing.

As used in division (B)(42) of this section, "thing" includes all transactions included in divisions (B)(3)(a), (b), and (e) of section 5739.01 of the Revised Code.

(43) Sales conducted through a coin operated device that activates vacuum equipment or equipment that dispenses water, whether or not in combination with soap or other cleaning agents or wax, to the consumer for the consumer's use on the premises in washing, cleaning, or waxing a motor vehicle, provided no other personal property or personal service is provided as part of the transaction.

(44) Sales of replacement and modification parts for engines, airframes, instruments, and interiors in, and paint for, aircraft used primarily in a fractional aircraft ownership program, and sales of services for the repair, modification, and maintenance of such aircraft, and machinery, equipment, and supplies primarily used to provide those services.

(45) Sales of telecommunications service that is used directly and primarily to perform the functions of a call center. As used in this division, "call center" means any physical location where telephone calls are placed or received in high volume for the purpose of making sales, marketing, customer service, technical support, or other specialized business activity, and that employs at least fifty individuals that engage in call center activities on a full-time basis, or sufficient individuals to fill fifty full-time equivalent positions.

(46) Sales by a telecommunications service vendor of 900 service to a subscriber. This division does not apply to information services, as defined in division (FF) of section 5739.01 of the Revised Code.

(47) Sales of value-added non-voice data service. This division does not apply to any similar service that is not otherwise a telecommunications service.

(48)(a) Sales of machinery, equipment, and software to a qualified direct selling entity for use in a warehouse or distribution center primarily for storing, transporting, or otherwise handling inventory that is held for sale to independent salespersons who operate as direct sellers and that is held primarily for distribution outside this state;

(b) As used in division (B)(48)(a) of this section:

(i) "Direct seller" means a person selling consumer products to individuals for personal or household use and not from a fixed retail location, including selling such product at in-home product demonstrations, parties, and other one-on-one selling.

(ii) "Qualified direct selling entity" means an entity selling to direct

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.

JRK (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

JRK (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 E. Kasich, Governor

(51) Any transfer or lease of tangible personal property between the state and a successful proposer in accordance with sections 126.60 to 126.605 of the Revised Code, provided the property is part of a project as defined in section 126.60 of the Revised Code and the state retains ownership of the project or part thereof that is being transferred or leased, between the state and JobsOhio in accordance with section 4313.02 of the Revised Code.

(C) For the purpose of the proper administration of this chapter, and to prevent the evasion of the tax, it is presumed that all sales made in this state are subject to the tax until the contrary is established.

(D) The levy of this tax on retail sales of recreation and sports club service shall not prevent a municipal corporation from levying any tax on recreation and sports club dues or on any income generated by recreation and sports club dues.

(E) The tax collected by the vendor from the consumer under this chapter is not part of the price, but is a tax collection for the benefit of the state, and of counties levying an additional sales tax pursuant to section 5739.021 or 5739.026 of the Revised Code and of transit authorities levying an additional sales tax pursuant to section 5739.023 of the Revised Code. Except for the discount authorized under section 5739.12 of the Revised Code and the effects of any rounding pursuant to section 5703.055 of the Revised Code, no person other than the state or such a county or transit authority shall derive any benefit from the collection or payment of the tax levied by this section or section 5739.021, 5739.023, or 5739.026 of the Revised Code.

Sec. 5743.03. (A) Except as provided in section 5743.04 of the Revised Code, the taxes imposed under sections 5743.02, 5743.021, 5743.024, and 5743.026 of the Revised Code shall be paid by the purchase of tax stamps. A tax stamp shall be affixed to each package of an aggregate denomination not less than the amount of the tax upon the contents thereof. The tax stamp, so affixed, shall be prima-facie evidence of payment of the tax.

Except as is provided in the rules prescribed by the tax commissioner under authority of sections 5743.01 to 5743.20 of the Revised Code, and unless tax stamps have been previously affixed, they shall be so affixed by each wholesale dealer, and canceled by writing or stamping across the face thereof the number assigned to such wholesale dealer by the tax commissioner for that purpose, prior to the delivery of any cigarettes to any person in this state, or in the case of a tax levied pursuant to section 5743.021, 5743.024, or 5743.026 of the Revised Code, prior to the delivery of cigarettes to any person in the county in which the tax is levied.

(B) Except as provided in the rules prescribed by the commissioner under authority of sections 5743.01 to 5743.20 of the Revised Code, each retail dealer, within twenty-four hours after the receipt of any cigarettes at the retail dealer's place of business, shall inspect the cigarettes to ensure that tax stamps are affixed. The inspection shall be completed before the cigarettes are delivered to any person in this state, or, in the case of a tax levied pursuant to section 5743.021, 5743.024, or 5743.026 of the Revised Code, before the cigarettes are delivered to any person in the county in which the tax is levied.

(C) Whenever any cigarettes are found in the place of business of any retail dealer without proper tax stamps affixed thereto and canceled, it is presumed that such cigarettes are kept therein in violation of sections 5743.01 to 5743.20 of the Revised Code.

(D) Each wholesale dealer who purchases cigarettes without proper tax stamps affixed thereto shall, on or before the thirty-first day of the month following the close of each semiannual period, which period shall end on the thirtieth day of June and the thirty-first day of December of each year, make and file a return of the preceding semiannual period, on such form as is prescribed by the tax commissioner, showing the dealer's entire purchases and sales of cigarettes and stamps or impressions for such semiannual period and accurate inventories as of the beginning and end of each semiannual period of cigarettes, stamped or unstamped; cigarette tax stamps affixed or unaffixed and unused meter impressions; and such other information as the commissioner finds necessary to the proper administration of sections 5743.01 to 5743.20 of the Revised Code. The commissioner may extend the time for making and filing returns and may remit all or any part of amounts of penalties that may become due under sections 5743.01 to 5743.20 of the Revised Code. The wholesale dealer shall deliver the return together with a remittance of the tax deficiency reported thereon to the treasurer of state. The treasurer of state shall stamp or otherwise mark on the return the date it was received and shall also show thereon by stamp or otherwise a payment or nonpayment of the deficiency shown by the return. Thereafter, the treasurer of state shall immediately transmit all returns filed under this section to the commissioner.

(E) Any wholesale dealer who fails to file a return under this section and the rules of the commissioner, other than a report required pursuant to division (F) of this section, may be required, for each day the dealer so fails, to forfeit and pay into the state treasury the sum of one dollar as revenue arising from the tax imposed by sections 5743.01 to 5743.20 of the Revised Code and such sum may be collected by assessment in the manner provided

in section 5743.081 of the Revised Code. If the commissioner finds it necessary in order to insure the payment of the tax imposed by sections 5743.01 to 5743.20 of the Revised Code, the commissioner may require returns and payments to be made other than semiannually. The returns shall be signed by the wholesale dealer or an authorized agent thereof.

(F) Each person required to file a tax return under section 5743.03, 5743.52, or 5743.62 of the Revised Code shall report to the commissioner the quantity of all cigarettes and roll-your-own cigarette tobacco sold in Ohio for each brand not covered by the tobacco master settlement agreement for which the person is liable for the taxes levied under section 5743.02, 5743.51, or 5743.62 of the Revised Code.

As used in this division, "tobacco master settlement agreement" has the same meaning as in section 183.01 of the Revised Code.

(G) The report required by division (F) of this section shall be made on a form prescribed by the commissioner and shall be filed not later than the last day of each month for the previous month, except that if the commissioner determines that the quantity reported by a person does not warrant monthly reporting, the commissioner may authorize reporting at less frequent intervals. The commissioner may assess a penalty of not more than two hundred fifty dollars for each month or portion thereof that a person fails to timely file a required report, and such sum may be collected by assessment in the manner provided in section 5743.081 of the Revised Code. All money collected under this division shall be considered as revenue arising from the taxes imposed by sections 5743.01 to 5743.20 of the Revised Code.

(H) The treasurer of state or an agent of the treasurer may sell tax stamps only to a licensed wholesale dealer, except as otherwise authorized by the commissioner. The treasurer or an agent of the treasurer may charge the costs associated with the shipment of tax stamps to the licensed wholesale dealer. Amounts collected from such charges shall be credited to the treasurer of state's administrative fund created under section 113.20 of the Revised Code.

Sec. 5743.031. (A) A wholesale dealer may affix stamps only to packages of cigarettes that the dealer received directly from a manufacturer or importer of cigarettes that possesses a valid and current license under section 5743.15 of the Revised Code, or to packages of cigarettes that the dealer received from another wholesale dealer that possesses a valid and current license under section 5743.15 of the Revised Code, provided that the tax commissioner has authorized the sale of the cigarettes between those wholesale dealers and that the wholesale dealer that sells the cigarettes

received them directly from a manufacturer or importer of cigarettes that possesses a valid and current license under section 5743.15 of the Revised Code.

(B) Only a wholesale dealer that possesses a valid and current license under section 5743.15 of the Revised Code may purchase or obtain tax stamps. A wholesale dealer may not sell or provide such stamps to any other wholesale dealer or any other person.

(C) Any person shipping unstamped packages of cigarettes into this state to a person other than a wholesale dealer licensed under section 5743.15 of the Revised Code shall, before such shipment, file notice of the shipment with the tax commissioner. Any person that transports unstamped packages of cigarettes into or within this state shall carry in the vehicle used to convey the shipment invoices or equivalent documentation of the shipment for all cigarettes in the shipment. The invoices or other documentation shall show the true name and address of the consignor or seller, the true name and address of the consignee or purchaser, and the quantity of the cigarettes being transported. This division does not apply to any ~~common or contract~~ for-hire motor carrier transporting cigarettes through this state to another location under a proper bill of lading or freight bill that states the quantity, source, and destination of the cigarettes.

Sec. 5751.033. For the purposes of this chapter, gross receipts shall be situated to this state as follows:

(A) Gross rents and royalties from real property located in this state shall be situated to this state.

(B) Gross rents and royalties from tangible personal property shall be situated to this state to the extent the tangible personal property is located or used in this state.

(C) Gross receipts from the sale of electricity and electric transmission and distribution services shall be situated to this state in the manner provided under section 5733.059 of the Revised Code.

(D) Gross receipts from the sale of real property located in this state shall be situated to this state.

(E) Gross receipts from the sale of tangible personal property shall be situated to this state if the property is received in this state by the purchaser. In the case of delivery of tangible personal property by ~~common~~ motor carrier or by other means of transportation, the place at which such property is ultimately received after all transportation has been completed shall be considered the place where the purchaser receives the property. For purposes of this section, the phrase "delivery of tangible personal property by ~~common~~ motor carrier or by other means of transportation" includes the

situation in which a purchaser accepts the property in this state and then transports the property directly or by other means to a location outside this state. Direct delivery in this state, other than for purposes of transportation, to a person or firm designated by a purchaser constitutes delivery to the purchaser in this state, and direct delivery outside this state to a person or firm designated by a purchaser does not constitute delivery to the purchaser in this state, regardless of where title passes or other conditions of sale.

(F) Gross receipts from the sale, exchange, disposition, or other grant of the right to use trademarks, trade names, patents, copyrights, and similar intellectual property shall be situated to this state to the extent that the receipts are based on the amount of use of the property in this state. If the receipts are not based on the amount of use of the property, but rather on the right to use the property, and the payor has the right to use the property in this state, then the receipts from the sale, exchange, disposition, or other grant of the right to use such property shall be situated to this state to the extent the receipts are based on the right to use the property in this state.

(G) Gross receipts from the sale of transportation services by a ~~common or contract~~ motor carrier shall be situated to this state in proportion to the mileage traveled by the carrier during the tax period on roadways, waterways, airways, and railways in this state to the mileage traveled by the carrier during the tax period on roadways, waterways, airways, and railways everywhere. With prior written approval of the tax commissioner, a ~~common or contract~~ motor carrier may use an alternative situsing procedure for transportation services.

(H) Gross receipts from dividends, interest, and other sources of income from financial instruments described in divisions (F)(4), (5), (6), (7), (8), (9), (10), (11), and (13) of section 5733.056 of the Revised Code shall be situated to this state in accordance with the situsing provisions set forth in those divisions. When applying the provisions of divisions (F)(6), (8), and (13) of section 5733.056 of the Revised Code, "gross receipts" shall be substituted for "net gains" wherever "net gains" appears in those divisions. Nothing in this division limits or modifies the exclusions enumerated in divisions (E) and (F)(2) of section 5751.01 of the Revised Code. The tax commissioner may promulgate rules to further specify the manner in which to situs gross receipts subject to this division.

(I) Gross receipts from the sale of all other services, and all other gross receipts not otherwise situated under this section, shall be situated to this state in the proportion that the purchaser's benefit in this state with respect to what was purchased bears to the purchaser's benefit everywhere with respect to what was purchased. The physical location where the purchaser

ultimately uses or receives the benefit of what was purchased shall be paramount in determining the proportion of the benefit in this state to the benefit everywhere. If a taxpayer's records do not allow the taxpayer to determine that location, the taxpayer may use an alternative method to situs gross receipts under this division if the alternative method is reasonable, is consistently and uniformly applied, and is supported by the taxpayer's records as the records exist when the service is provided or within a reasonable period of time thereafter.

(J) If the situsing provisions of divisions (A) to (H) of this section do not fairly represent the extent of a person's activity in this state, the person may request, or the tax commissioner may require or permit, an alternative method. Such request by a person must be made within the applicable statute of limitations set forth in this chapter.

(K) The tax commissioner may adopt rules to provide additional guidance to the application of this section, and provide alternative methods of situsing gross receipts that apply to all persons, or subset of persons, that are engaged in similar business or trade activities.

(L) As used in this section, "motor carrier" has the same meaning as in section 4923.01 of the Revised Code.

Sec. 5751.12. The tax commissioner may prescribe requirements for the keeping of records and other pertinent documents, the filing of copies of federal income tax returns and determinations, and computations reconciling federal income tax returns with the returns and reports required by section 5751.05 of the Revised Code. The commissioner may require any person, by rule or notice served on that person, to keep those records that the commissioner considers necessary to show whether, and the extent to which, a person is subject to this chapter. Those records and other documents shall be open during business hours to the inspection of the commissioner, and shall be preserved for a period of four years unless the commissioner, in writing, consents to their destruction within that period, or by order requires that they be kept longer. If such records are normally kept by the person electronically, the person shall provide such records to the commissioner electronically at the commissioner's request.

Any information required by the ~~tax~~ commissioner under this chapter is confidential as provided for in section 5703.21 of the Revised Code. However, the commissioner shall make public an electronic list of all actively registered persons required to remit the tax under this chapter, including legal names, trade names, addresses, and account numbers. In addition, such list shall include all persons that cancelled their registration at any time during the preceding four calendar years, including the date the

registration was cancelled.

Sec. 5753.03. (A) For the purpose of receiving and distributing, and accounting for, revenue received from the tax levied by section 5753.02 of the Revised Code, the following funds are created in the state treasury:

- (1) The casino tax revenue fund;
- (2) The gross casino revenue county fund;
- (3) The gross casino revenue county student fund;
- (4) The gross casino revenue host city fund;
- (5) The Ohio state racing commission fund;
- (6) The Ohio law enforcement training fund;
- (7) The problem casino gambling and addictions fund;
- (8) The casino control commission fund;
- (9) The casino tax administration fund;
- (10) The peace officer training academy fund;
- (11) The criminal justice services casino tax revenue fund.

(B) All moneys collected from the tax levied under this chapter shall be deposited into the casino tax revenue fund.

(C) From the casino tax revenue fund the director of budget and management shall transfer as needed to the tax refund fund amounts equal to the refunds certified by the tax commissioner under section 5753.06 of the Revised Code.

(D) After making any transfers required by division (C) of this section, but not later than the fifteenth day of the month following the end of each calendar quarter, the director of budget and management shall transfer amounts to each fund as follows:

(1) Fifty-one per cent to the gross casino revenue county fund to make payments as required by Section 6(C)(3)(a) of Article XV, Ohio Constitution;

(2) Thirty-four per cent to the gross casino revenue county student fund to make payments as required by Section 6(C)(3)(b) of Article XV, Ohio Constitution;

(3) Five per cent to the gross casino revenue host city fund for the benefit of the cities in which casino facilities are located;

(4) Three per cent to the Ohio state racing commission fund to support the efforts and activities of the Ohio state racing commission to promote horse racing in this state at which the pari-mutuel system of wagering is conducted;

(5) Two per cent to the Ohio law enforcement training fund to support law enforcement functions in the state;

(6) Two per cent to the problem casino gambling and addictions fund to

support efforts of the department of alcohol and drug addiction services to alleviate problem gambling and substance abuse and related research in the state under section 3793.032 of the Revised Code;

(7) Three per cent to the casino control commission fund to support the operations of the Ohio casino control commission and to defray the cost of administering the tax levied under section 5753.02 of the Revised Code.

Payments under divisions (D)(1), (2), and (3) of this section shall be made by the end of the month following the end of the quarterly period. The tax commissioner shall make the data available to the director of budget and management for this purpose.

Of the money credited to the Ohio law enforcement training fund, the director of budget and management shall distribute eighty-five per cent of the money to the police officer training academy fund for the purpose of supporting the law enforcement training efforts of the Ohio peace officer training academy and fifteen per cent of the money to the criminal justice services casino tax revenue fund for the purpose of supporting the law enforcement training efforts of the division of criminal justice services.

(E) The director of budget and management shall transfer one per cent of the money credited to the casino control commission fund to the casino tax administration fund. The tax commissioner shall use the casino tax administration fund to defray the costs incurred in administering the tax levied by this chapter.

Sec. 6109.21. (A) Except as provided in divisions ~~(D)~~(I) and ~~(E)~~(J) of this section, ~~on and after January 1, 1994, no person shall operate or maintain a public water system in this state without a license issued by the director of environmental protection. A person who operates or maintains a public water system on January 1, 1994, shall obtain an initial license under this section in accordance with the following schedule:~~

~~(1) If the public water system is a community water system, not later than January 31, 1994;~~

~~(2) If the public water system is not a community water system and serves a nontransient population, not later than January 31, 1994;~~

~~(3) If the public water system is not a community water system and serves a transient population, not later than January 31, 1995.~~

~~A person proposing to operate or maintain a new public water system after January 1, 1994, in addition to complying with section 6109.07 of the Revised Code and rules adopted under it, shall submit an application for an initial license under this section to the director prior to commencing operation of the system.~~

~~A license or license renewal issued under this section shall be renewed~~

~~annually. Such a license or license renewal shall expire on the thirtieth day of January in the year following its issuance. A license holder that proposes to continue operating the public water system for which the license or license renewal was issued shall apply for a license renewal at least thirty days prior to that expiration date.~~

~~The director shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code establishing procedures governing and information to be included on applications for licenses and license renewals under this section. Through (B)(1) A person who proposes to operate a new public water system, in addition to complying with section 6109.07 of the Revised Code and rules adopted under it, shall obtain an initial license from the director. The person shall submit an application for the initial license at least forty-five days prior to commencing the operation of the system.~~

~~(C) A license shall expire on the thirtieth day of January in the year following its issuance.~~

~~(D) A license shall be renewed annually. A person proposing to continue operating a public water system shall apply for a license renewal at least thirty days prior to the expiration date of the license.~~

~~(E) Through June 30, 2014, each application for a license or license renewal shall be accompanied by the appropriate fee established under division (M) of section 3745.11 of the Revised Code, provided that. However, an applicant for an initial license who is proposing to operate or maintain a new public water system after January 1, 1994, shall submit a fee that equals a prorated amount of the appropriate fee established under that division for the remainder of the licensing year.~~

~~(B)(F) Not later than thirty days after receiving a completed application and the appropriate license fee for an initial a license under division (A) of this section, the director shall issue the or license renewal for the a public water system. Not later than thirty days after receiving a completed application and the appropriate license fee for a license renewal under division (A) of this section, the director shall do one of the following:~~

- ~~(1) Issue the license or license renewal for the public water system;~~
- ~~(2) Issue the license or license renewal subject to terms and conditions that the director determines are necessary to ensure compliance with this chapter and rules adopted under it;~~
- ~~(3) Deny the license or license renewal if the director finds that the public water system was not cannot be operated in substantial compliance with this chapter and rules adopted under it.~~

~~(C)(G) The director may condition, suspend, or revoke a license or~~

license renewal issued under this section at any time if the director finds that the public water system was not or will not be operated in substantial compliance with this chapter and rules adopted under it. ~~The director shall adopt, and may amend and rescind, rules in accordance with Chapter 119. of the Revised Code governing such suspensions and revocations.~~

~~(D)~~(H) The director shall adopt rules in accordance with Chapter 119. of the Revised Code establishing procedures and requirements governing both of the following:

(1) Information to be included on applications for licenses and license renewals issued under this section:

(2) The issuance, conditioning, suspension, revocation, and denial of licenses and license renewals under this section.

~~(I)~~(1) As used in division ~~(D)~~(I) of this section, "church" means a fellowship of believers, congregation, society, corporation, convention, or association that is formed primarily or exclusively for religious purposes and that is not formed or operated for the private profit of any person.

(2) This section does not apply to a church that operates or maintains a public water system solely to provide water for that church or for a campground that is owned by the church and operated primarily or exclusively for members of the church and their families. ~~A church that, on or before March 5, 1996, has obtained a license under this section for such a public water system need not obtain a license renewal under this section.~~

~~(E)~~(J) This section does not apply to any public or nonpublic school that meets minimum standards of the state board of education that operates or maintains a public water system solely to provide water for that school.

~~(F)~~(K) The environmental protection agency shall collect well log filing fees on behalf of the division of soil and water resources in the department of natural resources in accordance with section 1521.05 of the Revised Code and rules adopted under it. The fees shall be submitted to the division quarterly as provided in those rules.

Sec. 6111.46. (A) The environmental protection agency shall exercise general supervision of the treatment and disposal of sewage and industrial wastes and the operation and maintenance of works or means installed for the collection, treatment, and disposal of sewage and industrial wastes. Such general supervision shall apply to all features of construction, operation, and maintenance of the works or means that do or may affect the proper treatment and disposal of sewage and industrial wastes.

(B)(1) The agency shall investigate the works or means employed in the collection, treatment, and disposal of sewage and industrial wastes whenever considered necessary or whenever requested to do so by local health

officials and may issue and enforce orders and shall adopt rules governing the operation and maintenance of the works or means of treatment and disposal of such sewage and industrial wastes. In adopting rules under this section, the agency shall establish standards governing the construction, operation, and maintenance of the works or means of collection, treatment, and disposal of sewage that is generated at recreational vehicle parks, recreation camps, combined park-camps, and temporary park-camps that are separate from such standards relative to manufactured home parks.

(2) As used in division (B)(1) of this section:

(a) "Manufactured home parks" has the same meaning as in section ~~3733.01~~ 4781.01 of the Revised Code.

(b) "Recreational vehicle parks," "recreation camps," "combined park-camps," and "temporary park-camps" have the same meanings as in section 3729.01 of the Revised Code.

(C) The agency may require the submission of records and data of construction, operation, and maintenance, including plans and descriptions of existing works or means of treatment and disposal of such sewage and industrial wastes. When the agency requires the submission of such records or information, the public officials or person, firm, or corporation having the works in charge shall comply promptly with that order.

Sec. 6117.39. (A) Except as provided in division (B) of this section, whenever, in the opinion of the board of county commissioners, it is necessary to acquire real estate or any interest in real estate for the acquisition, construction, maintenance, or operation of any sewer, drainage, or other improvement authorized by this chapter, or to acquire the right to construct, maintain, and operate the sewer, drainage, or other improvement in and upon any property within or outside of a county sewer district, it may purchase the real estate, interest in real estate, or right by negotiation. If the board and the owner of the real estate, interest in real estate, or right are unable to agree upon its purchase and sale, or the amount of damages to be awarded for it, the board may appropriate the real estate, interest, or right in accordance with sections 163.01 to 163.22 of the Revised Code, except that the board, in the exercise of the powers granted by this section or any other section of this chapter, may not appropriate real estate or personal property owned by a municipal corporation.

(B)(1) For the purposes of division (B) of this section, ~~either~~ any of the following constitutes a public exigency:

(a) A finding by the director of environmental protection that a public health nuisance caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions compels the immediate

construction of sewers for the protection of the public health and welfare;

(b) The issuance of an order by the board of health of a health district to mitigate or abate a public health nuisance that is caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions and compels the immediate construction of sewers for the protection of the public health and welfare;

(c) With respect to an affected parcel of property, an improvement required as a result of a federally imposed or state-imposed consent decree that prohibits future sewer inflows, combined sewer overflows, or sewer back-ups.

(2) If the board of county commissioners is unable to purchase property for the purpose of ~~the construction of sewers to mitigate or abate the public health nuisance that is the subject of a finding of the director or an order of the board of health~~ addressing a public exigency pursuant to division (B) of this section, the board of county commissioners may adopt a resolution finding that it is necessary for the protection of the public health and welfare to appropriate property that the board of county commissioners considers needed for that purpose. The resolution shall contain a definite, accurate, and detailed description of the property and the name and place of residence, if known or with reasonable diligence ascertainable, of the owners of the property to be appropriated.

The board of county commissioners shall fix in its resolution what it considers to be the value of the property to be appropriated, which shall be the board's determination of the compensation for the property and shall be supported by an independent appraisal, together with any damages to the residue. The board shall deposit the compensation so determined, together with an amount for the damages to the residue, with the probate court or the court of common pleas of the county in which the property, or a part of it, is situated. Except as otherwise provided in this division, the power to appropriate property for the purposes of this division shall be exercised in the manner provided in sections 163.01 to 163.22 of the Revised Code for an appropriation in the time of public exigency. The board's resolution and a written copy of the independent appraisal shall accompany the petition filed under section 163.05 of the Revised Code.

Sec. 6119.11. (A) Except as provided in division (B) of this section, the board of trustees of a regional water and sewer district may condemn for the use of the district any public or private land, easement, rights, rights-of-way, franchises, or other property within or without the district required by it for the accomplishment of its purposes according to the procedure set forth in sections 163.01 to 163.22 of the Revised Code.

(B)(1) For the purposes of division (B) of this section, ~~either~~ any of the following constitutes a public exigency:

(a) A finding by the director of environmental protection that a public health nuisance caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions compels the immediate construction of sewers for the protection of the public health and welfare;

(b) The issuance of an order by the board of health of a health district to mitigate or abate a public health nuisance that is caused by an occasion of unavoidable urgency and suddenness due to unsanitary conditions and compels the immediate construction of sewers for the protection of the public health and welfare;

(c) With respect to an affected parcel of property, an improvement required as a result of a federally imposed or state-imposed consent decree that prohibits future sewer inflows, combined sewer overflows, or sewer back-ups.

(2) If the board of trustees of a regional water and sewer district is unable to purchase property for the purpose of ~~the construction of sewers to mitigate or abate the public health nuisance that is the subject of a finding of the director or an order of the board of health~~ addressing a public exigency pursuant to division (B) of this section, the board of trustees may adopt a resolution finding that it is necessary for the protection of the public health and welfare to appropriate property that the board of trustees considers needed for that purpose. The resolution shall contain a definite, accurate, and detailed description of the property and the name and place of residence, if known or with reasonable diligence ascertainable, of the owners of the property to be appropriated.

The board of trustees shall fix in its resolution what it considers to be the value of the property to be appropriated, which shall be the board's determination of the compensation for the property and shall be supported by an independent appraisal, together with any damages to the residue. The board shall deposit the compensation so determined, together with an amount for the damages to the residue, with the probate court or the court of common pleas of the county in which the property, or a part of it, is situated. Except as otherwise provided in this division, the power to appropriate property for the purposes of this division shall be exercised in the manner provided in sections 163.01 to 163.22 of the Revised Code for an appropriation in the time of public exigency. The board's resolution and a written copy of the independent appraisal shall accompany the petition filed under section 163.05 of the Revised Code.

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

John R. Kasich, Governor

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, 3733.16, 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, 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 of the Revised Code are hereby repealed.

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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Date: 6/11/12


John R. Kasich, Governor

4921.04, 4921.05, 4921.06, 4921.07, 4921.08, 4921.09, 4921.10, 4921.101, 4921.11, 4921.12, 4921.13, 4921.14, 4921.15, 4921.16, 4921.17, 4921.18, 4921.19, 4921.20, 4921.23, 4921.24, 4921.25, 4921.26, 4921.27, 4921.28, 4921.30, 4921.31, 4921.32, 4921.35, 4921.36, 4921.37, 4921.38, 4921.39, 4921.40, 4921.99, 4923.01, 4923.02, 4923.03, 4923.04, 4923.05, 4923.06, 4923.07, 4923.08, 4923.09, 4923.10, 4923.11, 4923.12, 4923.13, 4923.14, 4923.17, 4923.20, 4923.26, 4923.99, 5101.97, 5111.651, 5119.614, 5119.692, 5119.693, 5119.70, 5119.701, 5119.71, 5119.711, 5119.712, 5119.72, 5119.73, 5119.731, 5119.74, 5119.75, 5119.76, 5119.77, 5119.78, 5119.79, 5119.80, 5119.81, 5119.82, 5119.83, 5119.84, 5119.85, 5119.86, 5119.87, 5119.88, 5123.082, 5123.083, 5123.192, 5126.0222, 5126.252, 5126.26, 5126.27, 5126.28, 5126.281, 5126.29, and 5501.09 of the Revised Code are hereby repealed.

SECTION 105.10. Section 3356.10 of the Revised Code is hereby repealed, effective five years after the effective date of that section.

SECTION 110.10. That the version of section 5122.31 of the Revised Code that is scheduled to take effect on October 1, 2012, be amended to read as follows:

Sec. 5122.31. (A) All certificates, applications, records, and reports made for the purpose of this chapter and sections 2945.38, 2945.39, 2945.40, 2945.401, and 2945.402 of the Revised Code, other than court journal entries or court docket entries, and directly or indirectly identifying a patient or former patient or person whose hospitalization has been sought under this chapter, shall be kept confidential and shall not be disclosed by any person except:

(1) If the person identified, or the person's legal guardian, if any, or if the person is a minor, the person's parent or legal guardian, consents, and if the disclosure is in the best interests of the person, as may be determined by the court for judicial records and by the chief clinical officer for medical records;

(2) When disclosure is provided for in this chapter or section 5123.601 of the Revised Code;

(3) That hospitals, boards of alcohol, drug addiction, and mental health services, and community mental health agencies may release necessary medical information to insurers and other third-party payers, including

government entities responsible for processing and authorizing payment, to obtain payment for goods and services furnished to the patient;

(4) Pursuant to a court order signed by a judge;

(5) That a patient shall be granted access to the patient's own psychiatric and medical records, unless access specifically is restricted in a patient's treatment plan for clear treatment reasons;

(6) That hospitals and other institutions and facilities within the department of mental health may exchange psychiatric records and other pertinent information with other hospitals, institutions, and facilities of the department, and with community mental health agencies and boards of alcohol, drug addiction, and mental health services with which the department has a current agreement for patient care or services. Records and information that may be released pursuant to this division shall be limited to medication history, physical health status and history, financial status, summary of course of treatment in the hospital, summary of treatment needs, and a discharge summary, if any.

(7) That hospitals within the department, other institutions and facilities within the department, hospitals licensed by the department under section 5119.20 of the Revised Code, and community mental health agencies may exchange psychiatric records and other pertinent information with payers and other providers of treatment and health services if the purpose of the exchange is to facilitate continuity of care for a patient;

(8) That a patient's family member who is involved in the provision, planning, and monitoring of services to the patient may receive medication information, a summary of the patient's diagnosis and prognosis, and a list of the services and personnel available to assist the patient and the patient's family, if the patient's treating physician determines that the disclosure would be in the best interests of the patient. No such disclosure shall be made unless the patient is notified first and receives the information and does not object to the disclosure.

(9) That community mental health agencies may exchange psychiatric records and certain other information with the board of alcohol, drug addiction, and mental health services and other agencies in order to provide services to a person involuntarily committed to a board. Release of records under this division shall be limited to medication history, physical health status and history, financial status, summary of course of treatment, summary of treatment needs, and discharge summary, if any.

(10) That information may be disclosed to the executor or the administrator of an estate of a deceased patient when the information is necessary to administer the estate;

(11) That records in the possession of the Ohio historical society may be released to the closest living relative of a deceased patient upon request of that relative;

(12) That information may be disclosed to staff members of the appropriate board or to staff members designated by the director of mental health for the purpose of evaluating the quality, effectiveness, and efficiency of services and determining if the services meet minimum standards. Information obtained during such evaluations shall not be retained with the name of any patient.

(13) That records pertaining to the patient's diagnosis, course of treatment, treatment needs, and prognosis shall be disclosed and released to the appropriate prosecuting attorney if the patient was committed pursuant to section 2945.38, 2945.39, 2945.40, 2945.401, or 2945.402 of the Revised Code, or to the attorney designated by the board for proceedings pursuant to involuntary commitment under this chapter.

(14) That the department of mental health may exchange psychiatric hospitalization records, other mental health treatment records, and other pertinent information with the department of rehabilitation and correction to ensure continuity of care for inmates who are receiving mental health services in an institution of the department of rehabilitation and correction. The department shall not disclose those records unless the inmate is notified, receives the information, and does not object to the disclosure. The release of records under this division is limited to records regarding an inmate's medication history, physical health status and history, summary of course of treatment, summary of treatment needs, and a discharge summary, if any.

(15) That a community mental health agency that ceases to operate may transfer to either a community mental health agency that assumes its caseload or to the board of alcohol, drug addiction, and mental health services of the service district in which the patient resided at the time services were most recently provided any treatment records that have not been transferred elsewhere at the patient's request.

(B) Before records are disclosed pursuant to divisions (A)(3), (6), ~~(7)~~, and (9) of this section, the custodian of the records shall attempt to obtain the patient's consent for the disclosure. No person shall reveal the contents of a medical record of a patient except as authorized by law.

(C) The managing officer of a hospital who releases necessary medical information under division (A)(3) of this section to allow an insurance carrier or other third party payor to comply with section 5121.43 of the Revised Code shall neither be subject to criminal nor civil liability.

SECTION 110.11. That the existing version of section 5122.31 of the Revised Code that is scheduled to take effect on October 1, 2012, is hereby repealed.

SECTION 110.12. Sections 110.10 and 110.11 of this act take effect October 1, 2012.

SECTION 110.20. That the version of section 5123.19 of the Revised Code that is scheduled to take effect on October 1, 2012, be amended to read as follows:

Sec. 5123.19. (A) As used in ~~this section and in sections 5123.191, 5123.194, 5123.196, 5123.197, 5123.198, and 5123.19~~ to 5123.20 of the Revised Code:

~~(1)(a) "Residential facility" means a home or facility in which a mentally retarded or developmentally disabled person resides, except the home of a relative or legal guardian in which a mentally retarded or developmentally disabled person resides, a respite care home certified under section 5126.05 of the Revised Code, a county home or district home operated pursuant to Chapter 5155. of the Revised Code, or a dwelling in which the only mentally retarded or developmentally disabled residents are in an independent living arrangement or are being provided supported living.~~

~~(b) "Intermediate care facility for the mentally retarded" means a residential facility that is considered an intermediate care facility for the mentally retarded for the purposes of Chapter 5111. of the Revised Code.~~

~~(2) "Political subdivision" means a municipal corporation, county, or township.~~

~~(3) "Independent living arrangement" means an arrangement in which a mentally retarded or developmentally disabled person resides in an individualized setting chosen by the person or the person's guardian, which is not dedicated principally to the provision of residential services for mentally retarded or developmentally disabled persons, and for which no financial support is received for rendering such service from any governmental agency by a provider of residential services.~~

~~(4)(2) "Intermediate care facility for the mentally retarded" has the same meaning as in section 1905(d) of the "Social Security Act," 101 Stat. 1330-204 (1987), 42 U.S.C. 1396d(d), as amended.~~

(3) "Licensee" means the person or government agency that has applied for a license to operate a residential facility and to which the license was issued under this section.

(4) "Political subdivision" means a municipal corporation, county, or township.

(5) "Related party" has the same meaning as in section 5123.16 of the Revised Code except that "provider" as used in the definition of "related party" means a person or government entity that held or applied for a license to operate a residential facility, rather than a person or government entity certified to provide supported living.

(6)(a) Except as provided in division (A)(6)(b) of this section, "residential facility" means a home or facility, including a facility certified as an intermediate care facility for the mentally retarded, in which an individual with mental retardation or a developmental disability resides.

(b) "Residential facility" does not mean any of the following:

(i) The home of a relative or legal guardian in which an individual with mental retardation or a developmental disability resides;

(ii) A respite care home certified under section 5126.05 of the Revised Code;

(iii) A county home or district home operated pursuant to Chapter 5155. of the Revised Code;

(iv) A dwelling in which the only residents with mental retardation or developmental disabilities are in independent living arrangements or are being provided supported living.

(B) Every person or government agency desiring to operate a residential facility shall apply for licensure of the facility to the director of developmental disabilities unless the residential facility is subject to section 3721.02, ~~5119.73~~, 5103.03, ~~or 5119.20~~, or division (A)(9)(b) of section 5119.22 of the Revised Code. ~~Notwithstanding Chapter 3721. of the Revised Code, a nursing home that is certified as an intermediate care facility for the mentally retarded under Title XIX of the "Social Security Act," 79 Stat. 286 (1965), 42 U.S.C.A. 1396, as amended, shall apply for licensure of the portion of the home that is certified as an intermediate care facility for the mentally retarded.~~

(C) Subject to section 5123.196 of the Revised Code, the director of developmental disabilities shall license the operation of residential facilities. An initial license shall be issued for a period that does not exceed one year, unless the director denies the license under division (D) of this section. A license shall be renewed for a period that does not exceed three years, unless the director refuses to renew the license under division (D) of this section.

The director, when issuing or renewing a license, shall specify the period for which the license is being issued or renewed. A license remains valid for the length of the licensing period specified by the director, unless the license is terminated, revoked, or voluntarily surrendered.

(D) If it is determined that an applicant or licensee is not in compliance with a provision of this chapter that applies to residential facilities or the rules adopted under such a provision, the director may deny issuance of a license, refuse to renew a license, terminate a license, revoke a license, issue an order for the suspension of admissions to a facility, issue an order for the placement of a monitor at a facility, issue an order for the immediate removal of residents, or take any other action the director considers necessary consistent with the director's authority under this chapter regarding residential facilities. In the director's selection and administration of the sanction to be imposed, all of the following apply:

(1) The director may deny, refuse to renew, or revoke a license, if the director determines that the applicant or licensee has demonstrated a pattern of serious noncompliance or that a violation creates a substantial risk to the health and safety of residents of a residential facility.

(2) The director may terminate a license if more than twelve consecutive months have elapsed since the residential facility was last occupied by a resident or a notice required by division (K) of this section is not given.

(3) The director may issue an order for the suspension of admissions to a facility for any violation that may result in sanctions under division (D)(1) of this section and for any other violation specified in rules adopted under division (H)(2) of this section. If the suspension of admissions is imposed for a violation that may result in sanctions under division (D)(1) of this section, the director may impose the suspension before providing an opportunity for an adjudication under Chapter 119. of the Revised Code. The director shall lift an order for the suspension of admissions when the director determines that the violation that formed the basis for the order has been corrected.

(4) The director may order the placement of a monitor at a residential facility for any violation specified in rules adopted under division (H)(2) of this section. The director shall lift the order when the director determines that the violation that formed the basis for the order has been corrected.

(5) If the director determines that two or more residential facilities owned or operated by the same person or government entity are not being operated in compliance with a provision of this chapter that applies to residential facilities or the rules adopted under such a provision, and the director's findings are based on the same or a substantially similar action,

practice, circumstance, or incident that creates a substantial risk to the health and safety of the residents, the director shall conduct a survey as soon as practicable at each residential facility owned or operated by that person or government entity. The director may take any action authorized by this section with respect to any facility found to be operating in violation of a provision of this chapter that applies to residential facilities or the rules adopted under such a provision.

(6) When the director initiates license revocation proceedings, no opportunity for submitting a plan of correction shall be given. The director shall notify the licensee by letter of the initiation of the proceedings. The letter shall list the deficiencies of the residential facility and inform the licensee that no plan of correction will be accepted. The director shall also send a copy of the letter to the county board of developmental disabilities. The county board shall send a copy of the letter to each of the following:

- (a) Each resident who receives services from the licensee;
- (b) The guardian of each resident who receives services from the licensee if the resident has a guardian;
- (c) The parent or guardian of each resident who receives services from the licensee if the resident is a minor.

(7) Pursuant to rules which shall be adopted in accordance with Chapter 119. of the Revised Code, the director may order the immediate removal of residents from a residential facility whenever conditions at the facility present an immediate danger of physical or psychological harm to the residents.

(8) In determining whether a residential facility is being operated in compliance with a provision of this chapter that applies to residential facilities or the rules adopted under such a provision, or whether conditions at a residential facility present an immediate danger of physical or psychological harm to the residents, the director may rely on information obtained by a county board of developmental disabilities or other governmental agencies.

(9) In proceedings initiated to deny, refuse to renew, or revoke licenses, the director may deny, refuse to renew, or revoke a license regardless of whether some or all of the deficiencies that prompted the proceedings have been corrected at the time of the hearing.

(E) The director shall establish a program under which public notification may be made when the director has initiated license revocation proceedings or has issued an order for the suspension of admissions, placement of a monitor, or removal of residents. The director shall adopt rules in accordance with Chapter 119. of the Revised Code to implement

this division. The rules shall establish the procedures by which the public notification will be made and specify the circumstances for which the notification must be made. The rules shall require that public notification be made if the director has taken action against the facility in the eighteen-month period immediately preceding the director's latest action against the facility and the latest action is being taken for the same or a substantially similar violation of a provision of this chapter that applies to residential facilities or the rules adopted under such a provision. The rules shall specify a method for removing or amending the public notification if the director's action is found to have been unjustified or the violation at the residential facility has been corrected.

(F)(1) Except as provided in division (F)(2) of this section, appeals from proceedings initiated to impose a sanction under division (D) of this section shall be conducted in accordance with Chapter 119. of the Revised Code.

(2) Appeals from proceedings initiated to order the suspension of admissions to a facility shall be conducted in accordance with Chapter 119. of the Revised Code, unless the order was issued before providing an opportunity for an adjudication, in which case all of the following apply:

(a) The licensee may request a hearing not later than ten days after receiving the notice specified in section 119.07 of the Revised Code.

(b) If a timely request for a hearing that includes the licensee's current address is made, the hearing shall commence not later than thirty days after the department receives the request.

(c) After commencing, the hearing shall continue uninterrupted, except for Saturdays, Sundays, and legal holidays, unless other interruptions are agreed to by the licensee and the director.

(d) If the hearing is conducted by a hearing examiner, the hearing examiner shall file a report and recommendations not later than ten days after the last of the following:

(i) The close of the hearing;

(ii) If a transcript of the proceedings is ordered, the hearing examiner receives the transcript;

(iii) If post-hearing briefs are timely filed, the hearing examiner receives the briefs.

(e) A copy of the written report and recommendation of the hearing examiner shall be sent, by certified mail, to the licensee and the licensee's attorney, if applicable, not later than five days after the report is filed.

(f) Not later than five days after the hearing examiner files the report and recommendations, the licensee may file objections to the report and recommendations.

(g) Not later than fifteen days after the hearing examiner files the report and recommendations, the director shall issue an order approving, modifying, or disapproving the report and recommendations.

(h) Notwithstanding the pendency of the hearing, the director shall lift the order for the suspension of admissions when the director determines that the violation that formed the basis for the order has been corrected.

(G) Neither a person or government agency whose application for a license to operate a residential facility is denied nor a related party of the person or government agency may apply for a license to operate a residential facility before the date that is one year after the date of the denial. Neither a licensee whose residential facility license is revoked nor a related party of the licensee may apply for a residential facility license before the date that is five years after the date of the revocation.

(H) In accordance with Chapter 119. of the Revised Code, the director shall adopt and may amend and rescind rules for licensing and regulating the operation of residential facilities, ~~including intermediate care facilities for the mentally retarded~~. The rules for residential facilities that are intermediate care facilities for the mentally retarded may differ from those for other residential facilities. The rules shall establish and specify the following:

(1) Procedures and criteria for issuing and renewing licenses, including procedures and criteria for determining the length of the licensing period that the director must specify for each license when it is issued or renewed;

(2) Procedures and criteria for denying, refusing to renew, terminating, and revoking licenses and for ordering the suspension of admissions to a facility, placement of a monitor at a facility, and the immediate removal of residents from a facility;

(3) Fees for issuing and renewing licenses, which shall be deposited into the program fee fund created under section 5123.033 of the Revised Code;

(4) Procedures for surveying residential facilities;

(5) Requirements for the training of residential facility personnel;

(6) Classifications for the various types of residential facilities;

(7) Certification procedures for licensees and management contractors that the director determines are necessary to ensure that they have the skills and qualifications to properly operate or manage residential facilities;

(8) The maximum number of persons who may be served in a particular type of residential facility;

(9) Uniform procedures for admission of persons to and transfers and discharges of persons from residential facilities;

(10) Other standards for the operation of residential facilities and the services provided at residential facilities;

(11) Procedures for waiving any provision of any rule adopted under this section.

(I) Before issuing a license, the director of the department or the director's designee shall conduct a survey of the residential facility for which application is made. The director or the director's designee shall conduct a survey of each licensed residential facility at least once during the period the license is valid and may conduct additional inspections as needed. A survey includes but is not limited to an on-site examination and evaluation of the residential facility, its personnel, and the services provided there.

In conducting surveys, the director or the director's designee shall be given access to the residential facility; all records, accounts, and any other documents related to the operation of the facility; the licensee; the residents of the facility; and all persons acting on behalf of, under the control of, or in connection with the licensee. The licensee and all persons on behalf of, under the control of, or in connection with the licensee shall cooperate with the director or the director's designee in conducting the survey.

Following each survey, unless the director initiates a license revocation proceeding, the director or the director's designee shall provide the licensee with a report listing any deficiencies, specifying a timetable within which the licensee shall submit a plan of correction describing how the deficiencies will be corrected, and, when appropriate, specifying a timetable within which the licensee must correct the deficiencies. After a plan of correction is submitted, the director or the director's designee shall approve or disapprove the plan. A copy of the report and any approved plan of correction shall be provided to any person who requests it.

The director shall initiate disciplinary action against any department employee who notifies or causes the notification to any unauthorized person of an unannounced survey of a residential facility by an authorized representative of the department.

(J) In addition to any other information which may be required of applicants for a license pursuant to this section, the director shall require each applicant to provide a copy of an approved plan for a proposed residential facility pursuant to section 5123.042 of the Revised Code. This division does not apply to renewal of a license or to an applicant for an initial or modified license who meets the requirements of section ~~5123.193~~ ~~or~~ 5123.197 of the Revised Code.

(K) A licensee shall notify the owner of the building in which the licensee's residential facility is located of any significant change in the identity of the licensee or management contractor before the effective date

of the change if the licensee is not the owner of the building.

Pursuant to rules which shall be adopted in accordance with Chapter 119. of the Revised Code, the director may require notification to the department of any significant change in the ownership of a residential facility or in the identity of the licensee or management contractor. If the director determines that a significant change of ownership is proposed, the director shall consider the proposed change to be an application for development by a new operator pursuant to section 5123.042 of the Revised Code and shall advise the applicant within sixty days of the notification that the current license shall continue in effect or a new license will be required pursuant to this section. If the director requires a new license, the director shall permit the facility to continue to operate under the current license until the new license is issued, unless the current license is revoked, refused to be renewed, or terminated in accordance with Chapter 119. of the Revised Code.

(L) A county board of developmental disabilities and any interested person may file complaints alleging violations of statute or department rule relating to residential facilities with the department. All complaints shall be in writing and shall state the facts constituting the basis of the allegation. The department shall not reveal the source of any complaint unless the complainant agrees in writing to waive the right to confidentiality or until so ordered by a court of competent jurisdiction.

The department shall adopt rules in accordance with Chapter 119. of the Revised Code establishing procedures for the receipt, referral, investigation, and disposition of complaints filed with the department under this division.

(M) The department shall establish procedures for the notification of interested parties of the transfer or interim care of residents from residential facilities that are closing or are losing their license.

(N) Before issuing a license under this section to a residential facility that will accommodate at any time more than one mentally retarded or developmentally disabled individual, the director shall, by first class mail, notify the following:

(1) If the facility will be located in a municipal corporation, the clerk of the legislative authority of the municipal corporation;

(2) If the facility will be located in unincorporated territory, the clerk of the appropriate board of county commissioners and the fiscal officer of the appropriate board of township trustees.

The director shall not issue the license for ten days after mailing the notice, excluding Saturdays, Sundays, and legal holidays, in order to give the notified local officials time in which to comment on the proposed

issuance.

Any legislative authority of a municipal corporation, board of county commissioners, or board of township trustees that receives notice under this division of the proposed issuance of a license for a residential facility may comment on it in writing to the director within ten days after the director mailed the notice, excluding Saturdays, Sundays, and legal holidays. If the director receives written comments from any notified officials within the specified time, the director shall make written findings concerning the comments and the director's decision on the issuance of the license. If the director does not receive written comments from any notified local officials within the specified time, the director shall continue the process for issuance of the license.

(O) Any person may operate a licensed residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least six but not more than eight persons with mental retardation or a developmental disability as a permitted use in any residential district or zone, including any single-family residential district or zone, of any political subdivision. These residential facilities may be required to comply with area, height, yard, and architectural compatibility requirements that are uniformly imposed upon all single-family residences within the district or zone.

(P) Any person may operate a licensed residential facility that provides room and board, personal care, habilitation services, and supervision in a family setting for at least nine but not more than sixteen persons with mental retardation or a developmental disability as a permitted use in any multiple-family residential district or zone of any political subdivision, except that a political subdivision that has enacted a zoning ordinance or resolution establishing planned unit development districts may exclude these residential facilities from those districts, and a political subdivision that has enacted a zoning ordinance or resolution may regulate these residential facilities in multiple-family residential districts or zones as a conditionally permitted use or special exception, in either case, under reasonable and specific standards and conditions set out in the zoning ordinance or resolution to:

(1) Require the architectural design and site layout of the residential facility and the location, nature, and height of any walls, screens, and fences to be compatible with adjoining land uses and the residential character of the neighborhood;

(2) Require compliance with yard, parking, and sign regulation;

(3) Limit excessive concentration of these residential facilities.

(Q) This section does not prohibit a political subdivision from applying to residential facilities nondiscriminatory regulations requiring compliance with health, fire, and safety regulations and building standards and regulations.

(R) Divisions (O) and (P) of this section are not applicable to municipal corporations that had in effect on June 15, 1977, an ordinance specifically permitting in residential zones licensed residential facilities by means of permitted uses, conditional uses, or special exception, so long as such ordinance remains in effect without any substantive modification.

(S)(1) The director may issue an interim license to operate a residential facility to an applicant for a license under this section if either of the following is the case:

(a) The director determines that an emergency exists requiring immediate placement of persons in a residential facility, that insufficient licensed beds are available, and that the residential facility is likely to receive a permanent license under this section within thirty days after issuance of the interim license.

(b) The director determines that the issuance of an interim license is necessary to meet a temporary need for a residential facility.

(2) To be eligible to receive an interim license, an applicant must meet the same criteria that must be met to receive a permanent license under this section, except for any differing procedures and time frames that may apply to issuance of a permanent license.

(3) An interim license shall be valid for thirty days and may be renewed by the director for a period not to exceed one hundred fifty days.

(4) The director shall adopt rules in accordance with Chapter 119. of the Revised Code as the director considers necessary to administer the issuance of interim licenses.

(T) Notwithstanding rules adopted pursuant to this section establishing the maximum number of persons who may be served in a particular type of residential facility, a residential facility shall be permitted to serve the same number of persons being served by the facility on the effective date of the rules or the number of persons for which the facility is authorized pursuant to a current application for a certificate of need with a letter of support from the department of developmental disabilities and which is in the review process prior to April 4, 1986.

(U) The director or the director's designee may enter at any time, for purposes of investigation, any home, facility, or other structure that has been reported to the director or that the director has reasonable cause to believe is being operated as a residential facility without a license issued under this

section.

The director may petition the court of common pleas of the county in which an unlicensed residential facility is located for an order enjoining the person or governmental agency operating the facility from continuing to operate without a license. The court may grant the injunction on a showing that the person or governmental agency named in the petition is operating a residential facility without a license. The court may grant the injunction, regardless of whether the residential facility meets the requirements for receiving a license under this section.

SECTION 110.21. That the existing version of section 5123.19 of the Revised Code that is scheduled to take effect on October 1, 2012, is hereby repealed.

SECTION 110.22. Sections 110.20 and 110.21 of this act take effect October 1, 2012.

SECTION 110.30. That the version of section 5123.61 of the Revised Code that is scheduled to take effect on October 1, 2012, be amended to read as follows:

Sec. 5123.61. (A) As used in this section:

(1) "Law enforcement agency" means the state highway patrol, the police department of a municipal corporation, or a county sheriff.

(2) "Abuse" has the same meaning as in section 5123.50 of the Revised Code, except that it includes a misappropriation, as defined in that section.

(3) "Neglect" has the same meaning as in section 5123.50 of the Revised Code.

(B) The department of developmental disabilities shall establish a registry office for the purpose of maintaining reports of abuse, neglect, and other major unusual incidents made to the department under this section and reports received from county boards of developmental disabilities under section 5126.31 of the Revised Code. The department shall establish committees to review reports of abuse, neglect, and other major unusual incidents.

(C)(1) Any person listed in division (C)(2) of this section, having reason to believe that a person with mental retardation or a developmental disability has suffered or faces a substantial risk of suffering any wound, injury, disability, or condition of such a nature as to reasonably indicate abuse or

neglect of that person, shall immediately report or cause reports to be made of such information to the entity specified in this division. Except as provided in section 5120.173 of the Revised Code or as otherwise provided in this division, the person making the report shall make it to a law enforcement agency or to the county board of developmental disabilities. If the report concerns a resident of a facility operated by the department of developmental disabilities the report shall be made either to a law enforcement agency or to the department. If the report concerns any act or omission of an employee of a county board of developmental disabilities, the report immediately shall be made to the department and to the county board.

(2) All of the following persons are required to make a report under division (C)(1) of this section:

(a) Any physician, including a hospital intern or resident, any dentist, podiatrist, chiropractor, practitioner of a limited branch of medicine as specified in section 4731.15 of the Revised Code, hospital administrator or employee of a hospital, nurse licensed under Chapter 4723. of the Revised Code, employee of an ambulatory health facility as defined in section 5101.61 of the Revised Code, employee of a home health agency, employee of ~~an adult care~~ a residential facility licensed under ~~Chapter 3722. section 5119.22~~ of the Revised Code that provides accommodations, supervision, and person care services for three to sixteen unrelated adults, or employee of a community mental health facility;

(b) Any school teacher or school authority, social worker, psychologist, attorney, peace officer, coroner, or residents' rights advocate as defined in section 3721.10 of the Revised Code;

(c) A superintendent, board member, or employee of a county board of developmental disabilities; an administrator, board member, or employee of a residential facility licensed under section 5123.19 of the Revised Code; an administrator, board member, or employee of any other public or private provider of services to a person with mental retardation or a developmental disability, or any MR/DD employee, as defined in section 5123.50 of the Revised Code;

(d) A member of a citizen's advisory council established at an institution or branch institution of the department of developmental disabilities under section 5123.092 of the Revised Code;

(e) A ~~clergyman~~ member of the clergy who is employed in a position that includes providing specialized services to an individual with mental retardation or another developmental disability, while acting in an official or professional capacity in that position, or a person who is employed in a

position that includes providing specialized services to an individual with mental retardation or another developmental disability and who, while acting in an official or professional capacity, renders spiritual treatment through prayer in accordance with the tenets of an organized religion.

(3)(a) The reporting requirements of this division do not apply to employees of the Ohio protection and advocacy system.

(b) An attorney or physician is not required to make a report pursuant to division (C)(1) of this section concerning any communication the attorney or physician receives from a client or patient in an attorney-client or physician-patient relationship, if, in accordance with division (A) or (B) of section 2317.02 of the Revised Code, the attorney or physician could not testify with respect to that communication in a civil or criminal proceeding, except that the client or patient is deemed to have waived any testimonial privilege under division (A) or (B) of section 2317.02 of the Revised Code with respect to that communication and the attorney or physician shall make a report pursuant to division (C)(1) of this section, if both of the following apply:

(i) The client or patient, at the time of the communication, is a person with mental retardation or a developmental disability.

(ii) The attorney or physician knows or suspects, as a result of the communication or any observations made during that communication, that the client or patient has suffered or faces a substantial risk of suffering any wound, injury, disability, or condition of a nature that reasonably indicates abuse or neglect of the client or patient.

(4) Any person who fails to make a report required under division (C) of this section and who is an MR/DD employee, as defined in section 5123.50 of the Revised Code, shall be eligible to be included in the registry regarding misappropriation, abuse, neglect, or other specified misconduct by MR/DD employees established under section 5123.52 of the Revised Code.

(D) The reports required under division (C) of this section shall be made forthwith by telephone or in person and shall be followed by a written report. The reports shall contain the following:

(1) The names and addresses of the person with mental retardation or a developmental disability and the person's custodian, if known;

(2) The age of the person with mental retardation or a developmental disability;

(3) Any other information that would assist in the investigation of the report.

(E) When a physician performing services as a member of the staff of a hospital or similar institution has reason to believe that a person with mental

retardation or a developmental disability has suffered injury, abuse, or physical neglect, the physician shall notify the person in charge of the institution or that person's designated delegate, who shall make the necessary reports.

(F) Any person having reasonable cause to believe that a person with mental retardation or a developmental disability has suffered or faces a substantial risk of suffering abuse or neglect may report or cause a report to be made of that belief to the entity specified in this division. Except as provided in section 5120.173 of the Revised Code or as otherwise provided in this division, the person making the report shall make it to a law enforcement agency or the county board of developmental disabilities. If the person is a resident of a facility operated by the department of developmental disabilities, the report shall be made to a law enforcement agency or to the department. If the report concerns any act or omission of an employee of a county board of developmental disabilities, the report immediately shall be made to the department and to the county board.

(G)(1) Upon the receipt of a report concerning the possible abuse or neglect of a person with mental retardation or a developmental disability, the law enforcement agency shall inform the county board of developmental disabilities or, if the person is a resident of a facility operated by the department of developmental disabilities, the director of the department or the director's designee.

(2) On receipt of a report under this section that includes an allegation of action or inaction that may constitute a crime under federal law or the law of this state, the department of developmental disabilities shall notify the law enforcement agency.

(3) When a county board of developmental disabilities receives a report under this section that includes an allegation of action or inaction that may constitute a crime under federal law or the law of this state, the superintendent of the board or an individual the superintendent designates under division (H) of this section shall notify the law enforcement agency. The superintendent or individual shall notify the department of developmental disabilities when it receives any report under this section.

(4) When a county board of developmental disabilities receives a report under this section and believes that the degree of risk to the person is such that the report is an emergency, the superintendent of the board or an employee of the board the superintendent designates shall attempt a face-to-face contact with the person with mental retardation or a developmental disability who allegedly is the victim within one hour of the board's receipt of the report.

(H) The superintendent of the board may designate an individual to be responsible for notifying the law enforcement agency and the department when the county board receives a report under this section.

(I) An adult with mental retardation or a developmental disability about whom a report is made may be removed from the adult's place of residence only by law enforcement officers who consider that the adult's immediate removal is essential to protect the adult from further injury or abuse or in accordance with the order of a court made pursuant to section 5126.33 of the Revised Code.

(J) A law enforcement agency shall investigate each report of abuse or neglect it receives under this section. In addition, the department, in cooperation with law enforcement officials, shall investigate each report regarding a resident of a facility operated by the department to determine the circumstances surrounding the injury, the cause of the injury, and the person responsible. The investigation shall be in accordance with the memorandum of understanding prepared under section 5126.058 of the Revised Code. The department shall determine, with the registry office which shall be maintained by the department, whether prior reports have been made concerning an adult with mental retardation or a developmental disability or other principals in the case. If the department finds that the report involves action or inaction that may constitute a crime under federal law or the law of this state, it shall submit a report of its investigation, in writing, to the law enforcement agency. If the person with mental retardation or a developmental disability is an adult, with the consent of the adult, the department shall provide such protective services as are necessary to protect the adult. The law enforcement agency shall make a written report of its findings to the department.

If the person is an adult and is not a resident of a facility operated by the department, the county board of developmental disabilities shall review the report of abuse or neglect in accordance with sections 5126.30 to 5126.33 of the Revised Code and the law enforcement agency shall make the written report of its findings to the county board.

(K) Any person or any hospital, institution, school, health department, or agency participating in the making of reports pursuant to this section, any person participating as a witness in an administrative or judicial proceeding resulting from the reports, or any person or governmental entity that discharges responsibilities under sections 5126.31 to 5126.33 of the Revised Code shall be immune from any civil or criminal liability that might otherwise be incurred or imposed as a result of such actions except liability for perjury, unless the person or governmental entity has acted in bad faith

or with malicious purpose.

(L) No employer or any person with the authority to do so shall discharge, demote, transfer, prepare a negative work performance evaluation, reduce pay or benefits, terminate work privileges, or take any other action detrimental to an employee or retaliate against an employee as a result of the employee's having made a report under this section. This division does not preclude an employer or person with authority from taking action with regard to an employee who has made a report under this section if there is another reasonable basis for the action.

(M) Reports made under this section are not public records as defined in section 149.43 of the Revised Code. Information contained in the reports on request shall be made available to the person who is the subject of the report, to the person's legal counsel, and to agencies authorized to receive information in the report by the department or by a county board of developmental disabilities.

(N) Notwithstanding section 4731.22 of the Revised Code, the physician-patient privilege shall not be a ground for excluding evidence regarding the injuries or physical neglect of a person with mental retardation or a developmental disability or the cause thereof in any judicial proceeding resulting from a report submitted pursuant to this section.

SECTION 110.31. That the existing version of section 5123.61 of the Revised Code that is scheduled to take effect on October 1, 2012, is hereby repealed.

SECTION 110.32. Sections 110.30 and 110.31 of this act take effect October 1, 2012.

SECTION 301.11. 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 Conservation Fund (Fund 7056) that are not otherwise appropriated.

		Appropriations
PWC PUBLIC WORKS COMMISSION		
C15060	Clean Ohio Conservation	\$ 36,000,000
Total Public Works Commission		\$ 36,000,000
TOTAL Clean Ohio Conservation Fund		\$ 36,000,000

The foregoing appropriation item C15060, Clean Ohio Conservation, shall be used in accordance with sections 164.20 to 164.27 of the Revised

Code. If the Public Works Commission receives refunds due to project overpayments that are discovered during the post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. If the Director of Budget and Management determines that the project refunds are available to support additional appropriations, such amounts are hereby appropriated.

SECTION 301.12. 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 Agricultural Easement Fund (Fund 7057) that are not otherwise appropriated.

			Appropriations
AGR DEPARTMENT OF AGRICULTURE			
C70009	Clean Ohio Agricultural Easements	\$	6,000,000
Total Department of Agriculture		\$	6,000,000
TOTAL Clean Ohio Agricultural Easement Fund		\$	6,000,000

SECTION 301.13. (A) The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2o and 2q of Article VIII, Ohio Constitution, and pursuant to sections 151.01 and 151.09 of the Revised Code, original obligations of the state in an aggregate principal amount not to exceed \$36,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued and sold from time to time, subject to applicable constitutional and statutory limitations, as needed to ensure sufficient moneys to the credit of the Clean Ohio Conservation Fund (Fund 7056) to pay costs of conservation projects.

(B) The Ohio Public Facilities Commission is hereby authorized to issue and sell, in accordance with Section 2o and 2q of Article VIII, Ohio Constitution, and pursuant to sections 151.01 and 151.09 of the Revised Code, original obligations of the state in an aggregate principal amount not to exceed \$6,000,000 in addition to the original issuance of obligations heretofore authorized by prior acts of the General Assembly. These authorized obligations shall be issued and sold from time to time, subject to applicable constitutional and statutory limitations, as needed to ensure sufficient moneys to the credit of the Clean Ohio Agricultural Easement Fund (Fund 7057) to pay costs of conservation projects.

SECTION 301.14. Notwithstanding section 126.14 of the Revised Code,

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.

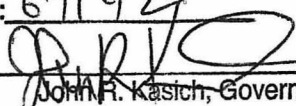
			Appropriations
DEV DEVELOPMENT SERVICES AGENCY			
C19500	Clean Ohio Revitalization	\$	12,000,000
C19501	Clean Ohio Assistance	\$	3,000,000
Total Development Services Agency		\$	15,000,000
TOTAL Clean Ohio Revitalization Fund		\$	15,000,000

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

The above boxed and initialed text was disapproved.

Date: 6-11-12

 John R. Kasich, Governor

JRK
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

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall determine, in consultation with the Attorney General, the amounts needed to fund tobacco enforcement-related activities and may transfer cash in those amounts from Fund 5LS0 to the Tobacco Oversight Administration and Enforcement Fund (Fund U087). The Director of Budget and Management may transfer remaining cash determined to be in excess of the tobacco enforcement needs of the Attorney General from Fund 5LS0 to the General Revenue Fund.

Upon receipt of all pre-securitization Tobacco Master Settlement Agreement payments and the transfer of all cash credited to Fund 5LS0 as authorized in this section, Fund 5LS0 is abolished.

On July 1, 2012, or as soon as possible thereafter, and upon the request of the Attorney General, the Director of Budget and Management may transfer up to \$3,000,000 cash from the General Reimbursement Fund (Fund 1060) to the Tobacco Oversight Administration and Enforcement Fund (Fund U087).

SECTION 512.30. CASH TRANSFER FROM TRAUMA AND EMERGENCY MEDICAL SERVICES GRANTS FUND

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Trauma and Emergency Medical Services Grants Fund (Fund 83P0) to the Trauma and Emergency Medical Services Fund (Fund 83M0). The Director shall cancel any existing encumbrances against appropriation item 765637, EMS Grants, and reestablish them against appropriation item 765640, EMS – Grants. The reestablished encumbrance amounts are hereby appropriated.

SECTION 512.40. CASH TRANSFER FROM ELEMENTARY SCHOOL SEAT BELT FUND

On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Elementary School Seat Belt Fund (Fund 83N0) to the Trauma and Emergency Medical Services Fund (Fund 83M0). The Director shall cancel any existing encumbrances against appropriation item 761611, Elementary School Seat Belt Program, and reestablish them against appropriation item 765624, Operating Expense - Trauma and EMS. The reestablished encumbrance amounts are hereby appropriated.

SECTION 512.50. MEDICAID PROGRAM SUPPORT STATE FUND
ABOLISHED

The Director of Budget and Management shall transfer any remaining cash balance in the Medicaid Program Support State Fund (Fund 5C90) to the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0) created under section 5111.941 of the Revised Code. The Medicaid Program Support State Fund (Fund 5C90) shall cease to exist once the transfer is complete.

SECTION 600.10. That Section 753.20 of Am. Sub. H.B. 114 of the 129th General Assembly be amended to read as follows:

Sec. 753.20. (A) The Governor is authorized to execute a deed in the name of the state conveying to Taylor Chevrolet, Inc. (hereinafter the "grantee"), its successors and assigns, all of the state's right, title, and interest in the following described real estate known as Ohio State Highway Patrol Post 23, 1125 Ety Road, in the City of Lancaster, County of Fairfield, State of Ohio, and in the land on which the post is situated-;

Being a part of Section 27, Township 15, Range 19, Greenfield Township, Fairfield County, Ohio and being more particularly described as follows:

Commencing at a point in the east line of Section 27 and in the centerline of U.S. Route 33 at Station 139 plus 53.38, (1941 Survey) as shown by plans on file with the Department of Highways, said point being N 1° 21' E, 452.70 feet from the southeast corner of said Section 27; thence, along said Section line, N 1° 21' min. E, 85.21 feet, to a point in the centerline of Township Road No. 201 and to an easement for electric power line of the Ohio Power Company, Deed Record Volume 166, Page 375, Recorder's Office, Fairfield County, Ohio, said point being the place of beginning of the tract herein described; thence, along said Section line and along the centerline of said Township Road, N 1° 21' E, 224.90 feet, to a point; thence, leaving said road, N 74° 38' 30" W, 226.61 feet, to a point; thence, S 28° 31' 30" W, 148.15 feet, to a point in the northerly right of way line of said U.S. Route 33; thence, along said northerly right of way line of said U.S. 33, S 62° 01' E, 122.04 feet to a point; thence, continuing along said right of way line, S 61° 19' E, 94.12 feet, to a point; thence, continuing along said right of way line, S 60° 52' E 107.24 feet, to a point, the place of beginning containing 1.11 acres, more or less.

The above described tract of land is subject to an easement for Highway

purposes along Township Road No. 201.

~~(B)~~ In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the real estate in conformity with the actual bounds of the real estate.

~~(C)~~ Consideration for conveyance of the real estate shall be agreed upon between the Superintendent of the State Highway Patrol and the grantee.

~~(D)~~(C) The deed may contain any condition or restriction that the Governor determines is reasonably necessary to protect the state's interests.

~~(E)~~(D) The grantee shall pay all costs associated with the purchase and conveyance of the real estate, including recordation costs of the deed.

~~(F)~~(E) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and any conditions or restrictions and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Fairfield County Recorder.

~~(G)~~(F) The proceeds of the conveyance of the real estate shall be deposited into the state treasury to the credit of the State Highway Safety Fund.

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

SECTION 600.11. That existing Section 753.20 of Am. Sub. H.B. 114 of the 129th General Assembly is hereby repealed.

SECTION 601.10. That 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, be amended to read as follows:

Sec. 205.10. DPS DEPARTMENT OF PUBLIC SAFETY

State Highway Safety Fund Group

4W40 762321	Operating Expense - BMV	\$	80,003,146	\$	82,403,240 82,003,240
4W40 762410	Registrations Supplement	\$	28,945,176	\$	29,813,532
5V10 762682	License Plate Contributions	\$	2,100,000	\$	2,100,000
7036 761321	Operating Expense - Information and Education	\$	7,124,366	\$	7,338,097 6,988,097
7036 761401	Lease Rental Payments	\$	9,978,300	\$	2,315,700
7036 764033	Minor Capital Projects	\$	1,250,000	\$	1,250,000
7036 764321	Operating Expense - Highway Patrol	\$	260,744,934	\$	258,365,903
7036 764605	Motor Carrier Enforcement	\$	2,860,000	\$	2,860,000

		Expenses				
8300	761603	Salvage and Exchange - Administration	\$	19,469	\$	20,053
8310	761610	Information and Education - Federal	\$	422,084	\$	434,746 409,746
8310	764610	Patrol - Federal	\$	2,209,936	\$	2,276,234
8310	764659	Transportation Enforcement - Federal	\$	5,519,333	\$	5,684,913
8310	765610	EMS - Federal	\$	532,007	\$	532,007
8310	769610	Food Stamp Trafficking Enforcement - Federal	\$	1,546,319	\$	1,546,319
		<u>Investigative Unit Federal Reimbursement</u>				
8310	769631	Homeland Security - Federal	\$	2,184,000	\$	2,184,000
8320	761612	Traffic Safety - Federal	\$	16,577,565	\$	16,577,565
8350	762616	Financial Responsibility Compliance	\$	5,457,240	\$	5,549,068 5,274,068
8370	764602	Turnpike Policing	\$	11,553,959	\$	11,553,959
8380	764606	Patrol Reimbursement	\$	50,000	\$	50,000
83C0	764630	Contraband, Forfeiture, Other	\$	622,894	\$	622,894
83F0	764657	Law Enforcement Automated Data System	\$	9,053,266	\$	9,053,266
83G0	764633	OMVI Enforcement/Education	\$	623,230	\$	641,927
83J0	764693	Highway Patrol Justice Contraband	\$	2,100,000	\$	2,100,000
83M0	765624	Operating Expense - Trauma and EMS	\$	2,632,106	\$	2,711,069
<u>83M0</u>	<u>765640</u>	<u>EMS - Grants</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>4,229,819</u>
83N0	761611	Elementary School Seat Belt Program	\$	305,600	\$	305,600 0
83P0	765637	EMS Grants	\$	4,106,621	\$	4,229,819 0
83R0	762639	Local Immobilization Reimbursement	\$	450,000	\$	450,000
83T0	764694	Highway Patrol Treasury Contraband	\$	21,000	\$	21,000
8400	764607	State Fair Security	\$	1,256,655	\$	1,294,354
8400	764617	Security and Investigations	\$	6,432,686	\$	6,432,686
8400	764626	State Fairgrounds Police Force	\$	849,883	\$	849,883
8400	769632	Homeland Security - Operating	\$	737,791	\$	737,791
8410	764603	Salvage and Exchange - Highway Patrol	\$	1,339,399	\$	1,339,399
8460	761625	Motorcycle Safety Education	\$	3,185,013	\$	3,280,563
8490	762627	Automated Title Processing Board	\$	17,316,755	\$	14,335,513
TOTAL HSF State Highway Safety Fund Group			\$	490,110,733	\$	481,261,100 479,905,500
General Services Fund Group						
4P60	768601	Justice Program Services	\$	998,104	\$	1,028,047
4S30	766661	Hilltop Utility Reimbursement	\$	540,800	\$	540,800
5ET0	768625	Drug Law Enforcement	\$	3,780,000	\$	3,893,400

1614

5Y10	764695	Highway Patrol Continuing Professional Training	\$	170,000	\$	170,000
5Y10	767696	Investigative Unit Continuing Professional Training	\$	15,000	\$	15,000
TOTAL GSF General Services Fund Group			\$	5,503,904	\$	5,647,247
Federal Special Revenue Fund Group						
3290	763645	Federal Mitigation Program	\$	10,110,332	\$	10,413,642
3370	763609	Federal Disaster Relief	\$	27,707,636	\$	27,707,636
3390	763647	Emergency Management Assistance and Training	\$	75,664,821	\$	77,934,765
3CB0	768691	Federal Justice Grants - FFY06	\$	200,000	\$	50,000
3CC0	768609	Justice Assistance Grants - FFY07	\$	583,222	\$	310,000
3CD0	768610	Justice Assistance Grants - FFY08	\$	310,000	\$	150,000
3CE0	768611	Justice Assistance Grants - FFY09	\$	865,000	\$	1,200,000
3CV0	768697	Justice Assistance Grants Supplement - FFY08	\$	2,000	\$	0
3DE0	768612	Federal Stimulus - Justice Assistance Grants	\$	1,015,000	\$	1,015,000
3DH0	768613	Federal Stimulus - Justice Programs	\$	150,000	\$	150,000
3DU0	762628	BMV Grants	\$	1,525,000	\$	1,580,000 <u>1,480,000</u>
3EU0	768614	Justice Assistance Grants - FFY10	\$	650,000	\$	920,000
3L50	768604	Justice Program	\$	11,400,000	\$	11,400,000
3N50	763644	U.S. Department of Energy Agreement	\$	31,672	\$	31,672
TOTAL FED Federal Special Revenue Fund Group			\$	130,214,683	\$	132,862,715 <u>132,762,715</u>
State Special Revenue Fund Group						
4V30	763662	EMA Service and Reimbursement	\$	4,368,369	\$	4,499,420
5390	762614	Motor Vehicle Dealers Board	\$	180,000	\$	185,400
5B90	766632	Private Investigator and Security Guard Provider	\$	1,562,637	\$	1,562,637
5BK0	768687	Criminal Justice Services - Operating	\$	400,000	\$	400,000
5BK0	768689	Family Violence Shelter Programs	\$	750,000	\$	750,000
5CM0	767691	Federal Investigative Seizure <u>Investigative Unit Federal Equitable Sharing - Treasury</u>	\$	300,000	\$	300,000
5DS0	769630	Homeland Security	\$	1,414,384	\$	1,414,384
5FF0	762621	Indigent Interlock and Alcohol Monitoring	\$	2,000,000	\$	2,000,000
5FL0	769634	Investigations	\$	899,300	\$	899,300
<u>5LM0</u>	<u>768698</u>	<u>Criminal Justice Services</u> <u>Law Enforcement Support</u>	<u>\$</u>	<u>33,991</u>	<u>\$</u>	<u>816,955</u>
6220	767615	Investigative Contraband and	\$	375,000	\$	375,000

		Forfeiture			
6570	763652	Utility Radiological Safety	\$	1,415,945	\$ 1,415,945
6810	763653	SARA Title III HAZMAT	\$	262,438	\$ 262,438
		Planning			
8500	767628	Investigative Unit Salvage	\$	90,000	\$ 92,700
TOTAL SSR State Special Revenue Fund Group			\$	14,018,073	\$ 14,157,224
				<u>14,052,064</u>	<u>14,974,179</u>
Liquor Control Fund Group					
7043	767321	Liquor Enforcement -	\$	11,000,000	\$ 11,000,000
		Operating			
TOTAL LCF Liquor Control Fund Group			\$	11,000,000	\$ 11,000,000
Agency Fund Group					
5J90	761678	Federal Salvage/GSA	\$	1,500,000	\$ 1,500,000
TOTAL AGY Agency Fund Group			\$	1,500,000	\$ 1,500,000
Holding Account Redistribution Fund Group					
R024	762619	Unidentified Motor Vehicle	\$	1,885,000	\$ 1,885,000
		Receipts			
R052	762623	Security Deposits	\$	350,000	\$ 350,000
TOTAL 090 Holding Account Redistribution			\$	2,235,000	\$ 2,235,000
Fund Group					
TOTAL ALL BUDGET FUND GROUPS			\$	654,582,393	\$ 648,663,286
				<u>654,616,384</u>	<u>648,024,641</u>

MOTOR VEHICLE REGISTRATION

The Registrar of Motor Vehicles may deposit revenues to meet the cash needs of the State Bureau of Motor Vehicles Fund (Fund 4W40) established in section 4501.25 of the Revised Code, obtained under sections 4503.02 and 4504.02 of the Revised Code, less all other available cash. Revenue deposited pursuant to this paragraph shall support, in part, appropriations for operating expenses and defray the cost of manufacturing and distributing license plates and license plate stickers and enforcing the law relative to the operation and registration of motor vehicles. Notwithstanding section 4501.03 of the Revised Code, the revenues shall be paid into Fund 4W40 before any revenues obtained pursuant to sections 4503.02 and 4504.02 of the Revised Code are paid into any other fund. The deposit of revenues to meet the aforementioned cash needs shall be in approximately equal amounts on a monthly basis or as otherwise determined by the Director of Budget and Management pursuant to a plan submitted by the Registrar of Motor Vehicles.

CAPITAL PROJECTS

The Registrar of Motor Vehicles may transfer cash from the State Bureau of Motor Vehicles Fund (Fund 4W40) to the State Highway Safety Fund (Fund 7036) to meet its obligations for capital projects CIR-047, Department of Public Safety Office Building and CIR-049, Warehouse Facility.

OBA BOND AUTHORITY/LEASE RENTAL PAYMENTS

The foregoing appropriation item 761401, Lease Rental Payments, shall be used for payments to the Ohio Building Authority for the period July 1, 2011, to June 30, 2013, under the primary leases and agreements for public safety related buildings financed by obligations issued under Chapter 152. of the Revised Code. Notwithstanding section 152.24 of the Revised Code, the Ohio Building Authority may, with approval of the Director of Budget and Management, lease capital facilities to the Department of Public Safety.

HILLTOP TRANSFER

The Director of Public Safety shall determine, per an agreement with the Director of Transportation, the share of each debt service payment made out of appropriation item 761401, Lease Rental Payments, that relates to the Department of Transportation's portion of the Hilltop Building Project, and shall certify to the Director of Budget and Management the amounts of this share. The Director of Budget and Management shall transfer the amounts of such shares from the Highway Operating Fund (Fund 7002) to the State Highway Safety Fund (Fund 7036).

CASH TRANSFERS TO TRAUMA AND EMERGENCY MEDICAL SERVICES FUND

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unexpended and unencumbered cash balance in the Seat Belt Education Fund (Fund 8440) to the Trauma and Emergency Medical Services Fund (Fund 83M0). Upon completion of the transfer, Fund 8440 is abolished. The Director shall cancel any existing encumbrances against appropriation item 761613, Seat Belt Education Program, and reestablish them against appropriation item 765624, Operating Expense - Trauma and EMS. The reestablished encumbrance amounts are hereby appropriated.

CASH TRANSFERS BETWEEN FUNDS

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public Safety, may approve the transfer of cash between the following six funds: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Homeland Security Fund (Fund 5DS0), the Investigations Fund (Fund 5FL0), the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30), the Justice Program Services Fund (Fund 4P60), and the State Bureau of Motor Vehicles Fund (Fund 4W40).

CASH TRANSFERS TO SECURITY, INVESTIGATIONS, AND POLICING FUND

Notwithstanding any provision of law to the contrary, the Director of Budget and Management, upon the written request of the Director of Public

Safety, may approve the transfer of cash from the Continuing Professional Training Fund (Fund 5Y10), the State Highway Patrol Contraband, Forfeiture, and Other Fund (Fund 83C0), the Trauma and Emergency Medical Services Fund (Fund 83M0), and the Highway Safety Salvage and Exchange Highway Patrol Fund (Fund 8410) to the Security, Investigations, and Policing Fund (Fund 8400).

CASH TRANSFERS OF SEAT BELT FINE REVENUES

Notwithstanding any provision of law to the contrary, the Controlling Board, upon request of the Director of Public Safety, may approve the transfer of cash between the following ~~four~~ three funds that receive fine revenues from enforcement of the mandatory seat belt law: the Trauma and Emergency Medical Services Fund (Fund 83M0), the Elementary School Program Fund (Fund 83N0), and the Trauma and Emergency Medical Services Grants Fund (Fund 83P0).

STATE DISASTER RELIEF

The State Disaster Relief Fund (Fund 5330) may accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency disaster response costs and disaster program management costs, and may also be used for the following purposes:

(A) To accept transfers of cash and appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency public assistance and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for costs related to disasters;

(B) To accept and transfer cash to reimburse the costs associated with Emergency Management Assistance Compact (EMAC) deployments;

(C) To accept disaster related reimbursement from federal, state, and local governments. The Director of Budget and Management may transfer cash from reimbursements received by this fund to other funds of the state from which transfers were originally approved by the Controlling Board.

(D) To accept transfers of cash and appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters that have been declared by the Governor, and the State Individual Assistance Program for disasters that have been declared by the Governor and the federal Small Business Administration. The Ohio Emergency Management Agency shall publish and make available application packets outlining procedures for the State Disaster Relief Program and the State Individual Assistance Program.

JUSTICE ASSISTANCE GRANT FUND

The federal payments made to the state for the Byrne Justice Assistance Grants Program under Title II of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Justice Assistance Grant Fund (Fund 3DE0), which is hereby created in the state treasury. All investment earnings of the fund shall be credited to the fund.

FEDERAL STIMULUS – JUSTICE PROGRAMS

The federal payments made to the state for the Violence Against Women Formula Grant under Title II of Division A of the American Recovery and Reinvestment Act of 2009 shall be deposited to the credit of the Federal Stimulus – Justice Programs Fund (Fund 3DH0).

TRANSFER FROM STATE FIRE MARSHAL FUND TO EMERGENCY MANAGEMENT AGENCY SERVICE AND REIMBURSEMENT FUND

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$200,000 in cash from the State Fire Marshal Fund (Fund 5460) to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit and other urban search and rescue programs around the state.

FAMILY VIOLENCE PREVENTION FUND

Notwithstanding any provision of law to the contrary, in each of fiscal years 2012 and 2013, the first \$750,000 received to the credit of the Family Violence Prevention Fund (Fund 5BK0) shall be appropriated to appropriation item 768689, Family Violence Shelter Programs, and the next \$400,000 received to the credit of Fund 5BK0 in each of those fiscal years shall be appropriated to appropriation item 768687, Criminal Justice Services - Operating. Any moneys received to the credit of Fund 5BK0 in excess of the aforementioned appropriated amounts in each fiscal year shall, upon the approval of the Controlling Board, be used to provide grants to family violence shelters in Ohio.

SARA TITLE III HAZMAT PLANNING

The SARA Title III HAZMAT Planning Fund (Fund 6810) is entitled to receive grant funds from the Emergency Response Commission to implement the Emergency Management Agency's responsibilities under Chapter 3750. of the Revised Code.

COLLECTIVE BARGAINING INCREASES

Notwithstanding division (D) of section 127.14 and division (B) of section 131.35 of the Revised Code, except for the General Revenue Fund, the Controlling Board may, upon the request of either the Director of Budget and Management, or the Department of Public Safety with the approval of

the Director of Budget and Management, increase appropriations for any fund, as necessary for the Department of Public Safety, to assist in paying the costs of increases in employee compensation that have occurred pursuant to collective bargaining agreements under Chapter 4117. of the Revised Code and, for exempt employees, under section 124.152 of the Revised Code.

CASH BALANCE FUND REVIEW

Not later than the first day of April in each fiscal year of the biennium, the Director of Budget and Management shall review the cash balances for each fund, except the State Highway Safety Fund (Fund 7036) and the State Bureau of Motor Vehicles Fund (Fund 4W40), in the State Highway Safety Fund Group, and shall recommend to the Controlling Board an amount to be transferred to the credit of Fund 7036 or Fund 4W40, as appropriate.

SECTION 601.11. That existing 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, is hereby repealed.

SECTION 601.20. That Section 201 of Sub. H.B. 123 of the 129th General Assembly be amended to read as follows:

Sec. 201. All items in Sections 201 and 203 of this act are hereby appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this act, those in the first column are for fiscal year 2012, and those in the second column are for fiscal year 2013.

FND	AI	AI TITLE	Appropriations	
BWC BUREAU OF WORKERS' COMPENSATION				
Workers' Compensation Fund Group				
7023	855401	William Green Lease	\$ 18,291,365	\$ 17,533,370
		Payments to OBA		
7023	855407	Claims, Risk and Medical	\$ 125,427,732	\$ 124,192,959
		Management		<u>122,492,959</u>
7023	855408	Fraud Prevention	\$ 11,331,154	\$ 11,164,226
7023	855409	Administrative Services	\$ 101,724,950	\$ 104,136,037
				<u>103,346,037</u>
7023	855410	Attorney General Payments	\$ 4,621,850	\$ 4,621,850
8220	855606	Coal Workers' Fund	\$ 150,586	\$ 147,666
8230	855608	Marine Industry	\$ 76,532	\$ 75,527
8250	855605	Disabled Workers Relief	\$ 322,266	\$ 319,718
		Fund		
8260	855609	Safety and Hygiene Operating	\$ 20,382,567	\$ 20,161,132
8260	855610	Gear Program	\$ 4,000,000	\$ 4,000,000
8290	855604	Long Term Care Loan	\$ 1,000,000	\$ 1,000,000 100,000

Program			
TOTAL WCF Workers' Compensation			
Fund Group	\$	287,329,002	\$ <u>287,352,485</u>
			<u>283,962,485</u>
Federal Special Revenue Fund Group			
3490 855601 OSHA Enforcement	\$	1,670,998	\$ 1,647,515
TOTAL FED Federal Special Revenue Fund	\$	1,670,998	\$ 1,647,515
Group			
TOTAL ALL BUDGET FUND GROUPS	\$	289,000,000	\$ <u>289,000,000</u>
			<u>285,610,000</u>

WILLIAM GREEN LEASE PAYMENTS

The foregoing appropriation item 855401, William Green Lease Payments to OBA, shall be used for lease payments to the Ohio Building Authority, and these appropriations shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, to June 30, 2013, by the Bureau of Workers' Compensation to the Ohio Building Authority pursuant to leases and agreements made under Chapter 152. of the Revised Code and Section 6 of Am. Sub. H.B. 743 of the 118th General Assembly. Of the amounts received in Fund 7023, appropriation item 855401, William Green Lease Payments to OBA, up to \$35,824,735 shall be restricted for lease rental payments to the Ohio Building Authority. If it is determined that additional appropriations are necessary for such purpose, such amounts are hereby appropriated.

Notwithstanding any provision of law to the contrary, all tenants of the William Green Building not funded by the Workers' Compensation Fund (Fund 7023) shall pay their fair share of the costs of lease payments to the Workers' Compensation Fund (Fund 7023) by intrastate transfer voucher.

WORKERS' COMPENSATION FRAUD UNIT

The Workers' Compensation Section Fund (Fund 1950) administered by the Attorney General shall receive payments from the Bureau of Workers' Compensation at the beginning of each quarter of each fiscal year to fund expenses of the Workers' Compensation Fraud Unit within the Attorney General's Office. Of the foregoing appropriation item 855410, Attorney General Payments, \$828,200 in fiscal year 2012 and \$828,200 in fiscal year 2013 shall be used to provide these payments.

SAFETY AND HYGIENE

Notwithstanding section 4121.37 of the Revised Code, the Treasurer of State shall transfer \$20,382,567 cash in fiscal year 2012 and \$20,161,132 cash in fiscal year 2013 from the State Insurance Fund to the Safety and Hygiene Fund (Fund 8260).

OSHA ON-SITE CONSULTATION PROGRAM

The Bureau of Workers' Compensation may designate a portion of appropriation item 855609, Safety and Hygiene Operating, to be used to

match federal funding for the federal Occupational Safety and Health Administration's (OSHA) on-site consultation program.

VOCATIONAL REHABILITATION

The Bureau of Workers' Compensation and the Rehabilitation Services Commission shall enter into an interagency agreement for the provision of vocational rehabilitation services and staff to mutually eligible clients. The bureau shall provide \$605,407 in fiscal year 2012 and \$605,407 in fiscal year 2013 from the State Insurance Fund to fund vocational rehabilitation services and staff in accordance with the interagency agreement.

FUND BALANCE

Any unencumbered cash balance in excess of \$45,000,000 in the Workers' Compensation Fund (Fund 7023) on the thirtieth day of June of each fiscal year shall be used to reduce the administrative cost rate charged to employers to cover appropriations for Bureau of Workers' Compensation operations.

SECTION 601.21. That existing Section 201 of Sub. H.B. 123 of the 129th General Assembly is hereby repealed.

SECTION 601.30. That Section 1 of H.B. 124 of the 129th General Assembly be amended to read as follows:

Sec. 1. All items in this section are hereby appropriated out of any moneys in the state treasury to the credit of the designated fund. For all appropriations made in this section, those in the first column are for fiscal year 2012, and those in the second column are for fiscal year 2013.

		Appropriations	
FND AI	AI TITLE	FY 2012	FY 2013
OIC INDUSTRIAL COMMISSION			
Workers' Compensation Fund Group			
5W30 845321	Operating Expenses	\$ 50,100,000	\$ 48,900,000 <u>47,732,000</u>
5W30 845402	Rent - William Green Building	\$ 5,500,000	\$ 5,500,000
5W30 845410	Attorney General Payments	\$ 3,900,000	\$ 4,000,000
TOTAL WCF Workers' Compensation Fund Group		\$ 59,500,000	\$ 58,400,000 <u>57,232,000</u>
TOTAL ALL BUDGET FUND GROUPS		\$ 59,500,000	\$ 58,400,000 <u>57,232,000</u>

RENT - WILLIAM GREEN BUILDING

The foregoing appropriation item 845402, Rent - William Green Building, shall be used for rent and operating expenses for the space

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>2,682,098</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>

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

The above boxed and initialed text was disapproved.

Date: 6-11-12

John R. Kasich, Governor

TOTAL FED Federal Special Revenue Fund Group	\$	30,931,337	\$	30,931,337
State Special Revenue Fund Group				
5U80 745613 Community Match Armories	\$	250,000	\$	250,000
TOTAL SSR State Special Revenue Fund Group	\$	250,000	\$	250,000
TOTAL ALL BUDGET FUND GROUPS	\$	41,687,452	\$	<u>41,489,970</u>
				<u>41,479,970</u>

NATIONAL GUARD BENEFITS

The foregoing appropriation item 745407, National Guard Benefits, shall be used for purposes of sections 5919.31 and 5919.33 of the Revised Code, and for administrative costs of the associated programs.

For active duty members of the Ohio National Guard who died after October 7, 2001, while performing active duty, the death benefit, pursuant to section 5919.33 of the Revised Code, shall be paid to the beneficiary or beneficiaries designated on the member's Servicemembers' Group Life Insurance Policy.

STATE ACTIVE DUTY COSTS

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

Sec. 207.10. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

General Revenue Fund

GRF 100403	Public Employees Health Care Program	\$	400,000	\$	400,000 <u>344,000</u>
GRF 100415	OAKS Rental Payments	\$	23,024,500	\$	23,006,300
GRF 100416	STARS Lease Rental Payments	\$	4,970,700	\$	4,971,300
GRF 100418	Web Sites and Business Gateway	\$	2,895,063	\$	<u>2,795,176</u> 0
GRF 100419	IT Security Infrastructure	\$	742,535	\$	<u>742,648</u> 0
GRF 100439	Equal Opportunity Certification Programs	\$	625,000	\$	<u>625,000</u> 0
GRF 100447	OBA - Building Rent Payments	\$	53,260,000	\$	83,504,200
GRF 100448	OBA - Building Operating Payments	\$	21,000,000	\$	<u>21,000,000</u>
GRF 100449	DAS - Building Operating Payments	\$	7,551,245	\$	<u>7,551,571</u>
GRF 100451	Minority Affairs	\$	24,016	\$	<u>24,016</u> 0
<u>GRF 100452</u>	<u>Efficiency & Results Program</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>650,000</u>
<u>GRF 100456</u>	<u>State IT Services</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>3,537,824</u>
<u>GRF 100457</u>	<u>Equal Opportunity Services</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>1,610,516</u>
<u>GRF 100458</u>	<u>State Construction</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>2,745,751</u>

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		<u>Management Services</u>			
GRF 102321		Construction Compliance	\$	920,000	\$ 920,000 0
GRF 130321		State Agency Support	\$	2,779,457	\$ 2,780,032
		Services			<u>2,752,232</u>
TOTAL GRF General Revenue Fund			\$	118,192,516	\$ 148,320,243 <u>150,673,694</u>
 General Services Fund Group					
1120 100616		DAS Administration	\$	5,974,625	\$ 5,886,524 <u>5,827,659</u>
1150 100632		Central Service Agency	\$	911,995	\$ 912,305 <u>903,182</u>
1170 100644		General Services Division -	\$	13,000,000	\$ 13,000,000
		Operating			
1220 100637		Fleet Management	\$	3,978,827	\$ 4,204,066 <u>4,412,025</u>
1250 100622		Human Resources Division -	\$	16,922,295	\$ 16,717,009 <u>16,549,839</u>
		Operating			
1250 100657		Benefits Communication	\$	925,586	\$ 921,531 <u>912,316</u>
1280 100620		Collective Bargaining	\$	3,462,529	\$ 3,464,148 <u>3,429,507</u>
1300 100606		Risk Management Reserve	\$	10,349,494	\$ 12,149,884 <u>12,028,385</u>
1310 100639		State Architect's Office	\$	9,812,132	\$ 9,813,342 <u>9,463,342</u>
1320 100631		DAS Building Management	\$	11,000,000	\$ 11,000,000
1330 100607		IT Services Delivery	\$	58,088,940	\$ 58,103,005 <u>57,521,975</u>
1880 100649		Equal Opportunity Division -	\$	939,559	\$ 863,013
		Operating			
2100 100612		State Printing	\$	17,597,054	\$ 16,659,526
2290 100630		IT Governance	\$	14,000,000	\$ 14,000,000
2290 100640		Leveraged Enterprise	\$	3,000,000	\$ 3,000,000
		Purchases			<u>2,816,535</u>
4270 100602		Investment Recovery	\$	4,100,000	\$ 4,100,000 <u>4,000,000</u>
4N60 100617		Major IT Purchases	\$	1,950,000	\$ 4,950,000
4P30 100603		DAS Information Services	\$	5,047,565	\$ 4,979,392 <u>4,929,598</u>
5C20 100605		MARCS Administration	\$	14,075,705	\$ 14,077,467
5C30 100608		Skilled Trades	\$	404,297	\$ 404,375 <u>204,375</u>
5EB0 100635		OAKS Support Organization	\$	19,000,539	\$ 19,003,108 <u>18,813,077</u>
5EB0 100656		OAKS Updates and	\$	12,265,952	\$ 8,743,462 <u>8,656,027</u>
		Developments			
5HU0 100655		Construction Reform Demo	\$	150,000	\$ 150,000
		Compliance			
5L70 100610		Professional Development	\$	2,496,679	\$ 2,496,760
5V60 100619		Employee Educational	\$	800,000	\$ 850,000
		Development			
5X30 100634		Centralized Gateway	\$	2,052,308	\$ 2,052,308
		Enhancement			
TOTAL GSF General Services Fund			\$	232,306,081	\$ 232,501,225 <u>230,566,916</u>
Group					

Federal Special Revenue Fund Group			
3AJ0 100654	ARRA Broadband Mapping Grant	\$ 270,756	\$ 106,347
TOTAL FED Federal Special Revenue Fund Group		\$ 270,756	\$ 106,347
State Special Revenue Fund Group			
5JQ0 100658	Professions <u>Professionals</u> Licensing System	\$ 2,000,000	\$1,000,000 <u>990,000</u>
TOTAL SSR State Special Revenue Fund Group		\$ 2,000,000	\$1,000,000 <u>990,000</u>
TOTAL ALL BUDGET FUND GROUPS		\$ 352,769,353	\$ 381,927,815 <u>382,336,957</u>

Sec. 207.10.80. DAS - BUILDING OPERATING PAYMENTS

The foregoing appropriation item 100449, DAS - Building Operating Payments, shall be used to pay the rent expenses of veterans organizations pursuant to section 123.024 of the Revised Code in fiscal years 2012 and 2013.

The foregoing appropriation item, 100449, DAS - Building Operating Payments, also may be used to provide funding for the cost of property appraisals or building studies that the Department of Administrative Services may be required to obtain for property that is being sold by the state or property under consideration to be renovated or purchased by the state.

Notwithstanding section 125.28 of the Revised Code, the remaining portion of the appropriation may be used to pay the operating expenses of state facilities maintained by the Department of Administrative Services that are not billed to building tenants, or other costs associated with the Voinovich Center in Youngstown, Ohio. These expenses may include, but are not limited to, the costs for vacant space and space undergoing renovation, and the rent expenses of tenants that are relocated because of building renovations. These payments shall be processed by the Department of Administrative Services through intrastate transfer vouchers and placed in the Building Management Fund (Fund 1320).

STATE IT SERVICES

The foregoing appropriation item 100456, State IT Services, shall be used to pay costs associated with the Ohio Business Gateway, State Portal, and Shared Hosting Service that were formerly paid from appropriation item 100418, Web Sites and Business Gateway, and costs associated with statewide operators and the Ohio Geographically Referenced Information Program that were formerly paid from appropriation item 100419, IT Security Infrastructure. The Director of Budget and Management shall cancel any existing encumbrances against appropriation items 100418, Web Site and Business Gateway and 100419, IT Security Infrastructure, and

reestablish them against appropriation item 100456, State IT Services. The reestablished encumbrance amounts are hereby appropriated.

EQUAL OPPORTUNITY SERVICES

The foregoing appropriation item 100457, Equal Opportunity Services, shall be used to pay costs associated with the certification of businesses for participation in the Minority Business Enterprise and Encouraging Diversity, Growth and Equity Programs that were formerly paid from appropriation item 100439, Equal Opportunity Certification Programs; the activities of the Ohio Dr. Martin Luther King, Jr. Holiday Commission that were formerly paid from appropriation item 100451, Minority Affairs; and the monitoring of equal employment opportunity (EEO) and affirmative action requirements to ensure contractors bidding on and receiving contracts comply with EEO laws, rules, and regulations that were formerly paid from appropriation item 102321, Construction Compliance. The Director of Budget and Management shall cancel any existing encumbrances against appropriation items 100439, Equal Opportunity Certification Programs; 100451, Minority Affairs; and 102321, Construction Compliance, and reestablish them against appropriation item 100457, Equal Opportunity Services. The reestablished encumbrance amounts are hereby appropriated.

STATE CONSTRUCTION MANAGEMENT SERVICES

The foregoing appropriation item 100458, State Construction Management Services, shall be used to pay costs of statewide shared construction-related services and capital improvement project management services provided through the state's enterprise resource planning system.

CASH TRANSFER FROM THE WORKFORCE DEVELOPMENT FUND TO THE HUMAN RESOURCES SERVICES FUND

Upon request of the Director of Administrative Services, in FY 2013, the Director of Budget and Management shall transfer up to \$975,000 from the Workforce Development Fund (Fund 5D70) to the Human Resources Services Fund (Fund 1250) to support one-time human resources administration activities for state agencies.

Sec. 207.20.10. GENERAL SERVICE CHARGES

The Department of Administrative Services, with the approval of the Director of Budget and Management, shall establish charges for recovering the costs of administering the programs funded by the General Services Fund (Fund 1170) and the State Printing Fund (Fund 2100). Such charges within Fund 1170 may be used to recover the cost of paying a vendor to establish reduced pricing for contracted supplies or services.

If the Director of Administrative Services determines that additional amounts are necessary to pay for consulting and administrative costs related

to securing lower pricing, the Director of Administrative Services may request that the Director of Budget and Management approve additional expenditures. Such approved additional amounts are appropriated to appropriation item 100644, General Services Division-Operating.

Sec. 207.20.30. EQUAL OPPORTUNITY PROGRAM

The Department of Administrative Services, with the approval of the Director of Budget and Management, shall establish charges for recovering the costs of administering the activities supported by the State EEO Fund (Fund 1880). These charges shall be deposited to the credit of the State EEO Fund (Fund 1880) upon payment made by state agencies, state-supported or state-assisted institutions of higher education, and tax-supported agencies, municipal corporations, and other political subdivisions of the state, for services rendered.

LEVERAGED ENTERPRISE PURCHASES

The foregoing appropriation item 100640, Leveraged Enterprise Purchases, shall be used by the Department of Administrative Services to make information technology purchases for the benefit of one or more government entities as authorized under division (G) of section 125.18 of the Revised Code. If the Director of Administrative Services determines that the existing appropriation is insufficient to timely make such purchases, the Director of Administrative Services shall seek Controlling Board approval for an increase in appropriation to make the requested purchases.

~~Sec. 207.20.90. CASH TRANSFERS FROM THE MAJOR IT PURCHASES FUND~~

~~Upon request of the Director of Administrative Services, the Director of Budget and Management may make the following transfers from the Major IT Purchases Fund (Fund 4N60):~~

~~(1) Up to \$2,800,000 in each fiscal year of the biennium to the State Architect's Fund (Fund 1310) to support the OAKS Capital Improvements Module and other costs of the State Architect's Office that are not directly related to capital projects managed by the State Architect;~~

~~(2) Up to \$310,276 in fiscal year 2012 and up to \$305,921 in fiscal year 2013 to the Director's Office Fund (Fund 1120) to support operating expenses of the Accountability and Results Initiative.~~

CASH TRANSFERS TO THE MAJOR IT PURCHASES FUND

Upon request of the Director of Administrative Services, the Director of Budget and Management may transfer up to \$4,000,000 from the OAKS Support Organization Fund (Fund 5EB0) to the Major IT Purchases Fund (Fund 4N60). This amount represents cash transferred from Fund 4N60 during fiscal year 2010 pursuant to Section 207.30.80 of Am. Sub. H.B. 1 of

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
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
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

The above boxed and initialed text was disapproved.

Date: 6/10/12

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

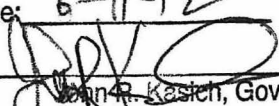
At the request of the Director of Aging, the Director of Budget and Management may transfer appropriation between appropriation items 490612, Federal Independence Services, and 490618, Federal Aging Grants. The amounts transferred shall not exceed 30 per cent of the appropriation from which the transfer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

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The above boxed and initialed text was disapproved.

Date:

6-11-12


John R. Kasich, 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.

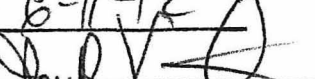
Sec. 211.10. AGR DEPARTMENT OF AGRICULTURE

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

The above boxed and initialed text was disapproved.

Date: 6-11-12


John R. Kasich, Governor

GRF 700409	Farmland Preservation	\$	72,750	\$	72,750
GRF 700412	Weights and Measures	\$	600,000	\$	600,000
GRF 700415	Poultry Inspection	\$	392,978	\$	392,978
GRF 700418	Livestock Regulation Program	\$	1,108,071	\$	1,108,071
GRF 700424	Livestock Testing and Inspections	\$	102,770	\$	102,770
<u>GRF 700426</u>	<u>Dangerous and Restricted Animals</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>500,000</u>
GRF 700499	Meat Inspection Program - State Share	\$	4,175,097	\$	4,175,097
GRF 700501	County Agricultural Societies	\$	391,413	\$	391,413
TOTAL GRF General Revenue Fund		\$	14,054,229	\$	14,554,229
General Services Fund Group					
SDA0 700644	Laboratory Administration Support	\$	1,094,867	\$	1,094,867
5GH0 700655	Central Support Indirect Cost	\$	4,456,842	\$	4,456,842
TOTAL GSF General Services Fund Group		\$	5,551,709	\$	5,551,709
Federal Special Revenue Fund Group					
3260 700618	Meat Inspection Program - Federal Share	\$	4,950,000	\$	4,950,000
3360 700617	Ohio Farm Loan Revolving Fund	\$	150,000	\$	150,000
3820 700601	Cooperative Contracts	\$	2,000,000	\$	2,000,000
3AB0 700641	Agricultural Easement	\$	1,000,000	\$	1,000,000
3J40 700607	Indirect Cost	\$	600,000	\$	600,000
3R20 700614	Federal Plant Industry	\$	1,000,000	\$	1,000,000
TOTAL FED Federal Special Revenue Fund Group		\$	9,700,000	\$	9,700,000
State Special Revenue Fund Group					
4960 700626	Ohio Grape Industries	\$	846,611	\$	846,611
4970 700627	Commodity Handlers Regulatory Program	\$	483,402	\$	483,402
4C90 700605	Commercial Feed and Seed	\$	1,816,897	\$	1,816,897
4D20 700609	Auction Education	\$	41,000	\$	41,000
4E40 700606	Utility Radiological Safety	\$	131,785	\$	131,785
4P70 700610	Food Safety Inspection	\$	1,085,836	\$	1,085,836
4R00 700636	Ohio Proud Marketing	\$	30,500	\$	30,500
4R20 700637	Dairy Industry Inspection	\$	1,758,247	\$	1,758,247
4T60 700611	Poultry and Meat Inspection	\$	180,000	\$	180,000
4T70 700613	Ohio Proud International and Domestic Market Development	\$	50,000	\$	50,000
5780 700620	Ride Inspection Fees	\$	1,175,142	\$	1,175,142
5B80 700629	Auctioneers	\$	359,823	\$	359,823
5FC0 700648	Plant Pest Program	\$	1,164,000 <u>3,164,000</u>	\$	1,164,000
5H20 700608	Metrology Lab and Scale Certification	\$	750,000	\$	750,000
5HP0 700656	Livestock Care Standards Board	\$	80,000	\$	80,000
5L80 700604	Livestock Management Program	\$	584,000	\$	584,000
6520 700634	Animal and Consumer	\$	4,366,383	\$	4,366,383

		Analytical Laboratory			
6690	700635	Pesticide, Fertilizer, and Lime	\$	3,418,041	\$ 3,418,041
		Inspection Program			
TOTAL SSR State Special Revenue					
Fund Group			\$	18,321,667	\$ 18,321,667
				<u>20,321,667</u>	
Clean Ohio Conservation Fund Group					
7057	700632	Clean Ohio Agricultural	\$	310,000	\$ 310,000
		Easement			
TOTAL CLF Clean Ohio Conservation Fund			\$	310,000	\$ 310,000
Group					
TOTAL ALL BUDGET FUND GROUPS			\$	47,937,605	\$ 47,937,605
				<u>49,937,605</u>	<u>48,437,605</u>

DANGEROUS AND RESTRICTED WILD ANIMALS

The foregoing GRF appropriation item 700426, Dangerous and Restricted Animals, shall be used to administer the Dangerous and Restricted Wild Animal Permitting Program.

COUNTY AGRICULTURAL SOCIETIES

The foregoing appropriation item 700501, County Agricultural Societies, shall be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

ABOLISHMENT OF VARIOUS FUNDS

Upon the effective date of this amendment, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balances in the following twelve funds to the Indirect Cost Fund (Fund 5GH0): (1) the Federal Grants Fund (Fund 3X60), (2) the Specialty Crops Support Fund (Fund 3X70), (3) the Fruits and Vegetables Fund (Fund 4930), (4) the Dairy Fund (Fund 4V00), (5) the Animal Industry Fund (Fund 4VS0), (6) the Scale Certification Fund (Fund 5790), (7) the Weights and Measures Permits Fund (Fund 58F0), (8) the Food Policy Council Fund (Fund 5FD0), (9) the Sustainable Agriculture Fund (Fund 5FE0), (10) the Pilot Farmland Preservation Fund (Fund 5GS0), (11) the Farm Service Electronic Filing Fund (Fund SY70), and (12) the Seed Fund (Fund SZ40). Upon completion of the cash transfers, the funds from which the required cash transfers were made are abolished. The Director shall cancel any existing encumbrances against applicable line items within the abolished funds and reestablish them against Fund 5GH0 appropriation item 700655, Central Support Indirect Cost. The reestablished encumbrance amounts are hereby appropriated.

ASIAN LONGHORNED BEETLE

On the effective date of this act, or as soon as possible thereafter, the Director of Budget and Management shall transfer up to \$2,000,000 in cash from the General Revenue Fund to the Plant Pest Fund (Fund 5FC0).

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

TOTAL SSR State Special Revenue Fund Group

\$	19,075,000	\$	17,075,000
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	19,301,612		24,021,364
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TOTAL ALL BUDGET FUND GROUPS	\$	202,638,942	\$	103,275,213
		202,865,554		110,221,577

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

The above boxed and initialed text was disapproved.

Date: 6-11-12

John R. Kasich, 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

The above boxed and Initialed text was disapproved.

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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

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

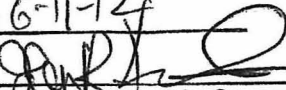
1060 055612	General Reimbursement	\$	43,357,968	\$	43,011,277
1950 055660	Workers' Compensation Section	\$	8,415,504	\$	8,415,504
4180 055615	Charitable Foundations	\$	7,286,000	\$	7,286,000
4200 055603	Attorney General Antitrust	\$	1,871,674	\$	1,839,074
4210 055617	Police Officers' Training Academy 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	\$	67,987,234
			<u>68,983,600</u>		<u>72,966,643</u>

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

The above boxed and initialed text was disapproved.

Date: 6-11-12


John R. Kasich, Governor

		Pass-Through Funds			
3R60	055613	Attorney General Federal Funds	\$	3,823,251	\$ 3,673,251
TOTAL FED Federal Special Revenue Fund Group			\$	22,660,632	\$ 22,420,362
State Special Revenue Fund Group					
4020	055616	Victims of Crime	\$	26,000,000	\$ 26,000,000
4170	055621	Domestic Violence Shelter	\$	25,000	\$ 25,000
4190	055623	Claims Section	\$	44,197,843	\$ 41,953,025
4L60	055606	DARE Programs	\$	4,477,962	\$ 4,477,962
4Y70	055608	Title Defect Recision	\$	600,000	\$ 600,000
6590	055641	Solid and Hazardous Waste Background Investigations	\$	662,227	\$ 651,049
TOTAL SSR State Special Revenue Fund Group			\$	75,963,032	\$ 73,707,036
Holding Account Redistribution Fund Group					
R004	055631	General Holding Account	\$	1,000,000	\$ 1,000,000
R005	055632	Antitrust Settlements	\$	1,000	\$ 1,000
R018	055630	Consumer Frauds	\$	750,000	\$ 750,000
R042	055601	Organized Crime Commission Distributions	\$	25,025	\$ 25,025
R054	055650	Collection Outside Counsel Payments	\$	4,500,000	\$ 4,500,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	6,276,025	\$ 6,276,025
Tobacco Master Settlement Agreement Fund Group					
J087	055635	Law Enforcement Technology, Training, and Facility Enhancements	\$	2,300,000	\$ 0
U087	055402	Tobacco Settlement Oversight, Administration, and Enforcement	\$	2,527,992	\$ 2,514,690
TOTAL TSF Tobacco Master Settlement Agreement Fund Group			\$	4,827,992	\$ 2,514,690
TOTAL ALL BUDGET FUND GROUPS			\$	<u>222,722,250</u>	\$ <u>217,108,936</u>
				<u>222,914,870</u>	<u>222,088,345</u>

COUNTY SHERIFFS' PAY SUPPLEMENT

The foregoing appropriation item 055411, County Sheriffs' Pay Supplement, shall be used for the purpose of supplementing the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

At the request of the Attorney General, the Director of Budget and Management may transfer appropriation from appropriation item 055321, Operating Expenses, to appropriation item 055411, County Sheriffs' Pay Supplement. Any appropriation so transferred shall be used to supplement the annual compensation of county sheriffs as required by section 325.06 of the Revised Code.

COUNTY PROSECUTORS' PAY SUPPLEMENT

The foregoing appropriation item 055415, County Prosecutors' Pay

Supplement, shall be used for the purpose of supplementing the annual compensation of certain county prosecutors as required by section 325.111 of the Revised Code.

At the request of the Attorney General, the Director of Budget and Management may transfer appropriation from appropriation item 055321, Operating Expenses, to appropriation item 055415, County Prosecutors' Pay Supplement. Any appropriation so transferred shall be used to supplement the annual compensation of county prosecutors as required by section 325.111 of the Revised Code.

GENERAL REIMBURSEMENT FUND CASH TRANSFER -
LEGISLATIVE TASK FORCE ON REDISTRICTING

Notwithstanding any other provision of law to the contrary, on July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$160,000 cash from the General Revenue Fund to the General Reimbursement Fund (Fund 1060) used by the Office of the Attorney General:

Notwithstanding any other provision of law to the contrary, On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$350,000 cash from the General Revenue Fund to the General Reimbursement Fund (Fund 1060).

WORKERS' COMPENSATION SECTION

The Workers' Compensation Fund (Fund 1950) is entitled to receive payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission at the beginning of each quarter of each fiscal year to fund legal services to be provided to the Bureau of Workers' Compensation and the Ohio Industrial Commission during the ensuing quarter. The advance payment shall be subject to adjustment.

In addition, the Bureau of Workers' Compensation shall transfer payments at the beginning of each quarter for the support of the Workers' Compensation Fraud Unit.

All amounts shall be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

ATTORNEY GENERAL PASS-THROUGH FUNDS

The foregoing appropriation item 055638, Attorney General Pass-Through Funds, shall be used to receive federal grant funds provided to the Attorney General by other state agencies, including, but not limited to, the Department of Youth Services and the Department of Public Safety.

GENERAL HOLDING ACCOUNT

The foregoing appropriation item 055631, General Holding Account, shall be used to distribute moneys under the terms of relevant court orders or

other settlements received in a variety of cases involving the Office of the Attorney General. If it is determined that additional amounts are necessary for this purpose, the amounts are hereby appropriated.

ANTITRUST SETTLEMENTS

The foregoing appropriation item 055632, Antitrust Settlements, shall be used to distribute moneys under the terms of relevant court orders or other out of court settlements in antitrust cases or antitrust matters involving the Office of the Attorney General. If it is determined that additional amounts are necessary for this purpose, the amounts are hereby appropriated.

CONSUMER FRAUDS

The foregoing appropriation item 055630, Consumer Frauds, shall be used for distribution of moneys from court-ordered judgments against sellers in actions brought by the Office of Attorney General under sections 1334.08 and 4549.48 and division (B) of section 1345.07 of the Revised Code. These moneys shall be used to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments. If it is determined that additional amounts are necessary for this purpose, the amounts are hereby appropriated.

ORGANIZED CRIME COMMISSION DISTRIBUTIONS

The foregoing appropriation item 055601, Organized Crime Commission Distributions, shall be used by the Organized Crime Investigations Commission, as provided by section 177.011 of the Revised Code, to reimburse political subdivisions for the expenses the political subdivisions incur when their law enforcement officers participate in an organized crime task force. If it is determined that additional amounts are necessary for this purpose, the amounts are hereby appropriated.

COLLECTION OUTSIDE COUNSEL PAYMENTS

The foregoing appropriation item 055650, Collection Outside Counsel Payments, shall be used for the purpose of paying contingency counsel fees for cases where debtors mistakenly paid the client agencies instead of the Attorney General's Revenue Recovery/Collections Enforcement Section. If it is determined that additional amounts are necessary for this purpose, the amounts are hereby appropriated.

Sec. 229.10. OBM OFFICE OF BUDGET AND MANAGEMENT

General Revenue Fund

GRF 042321	Budget Development and Implementation	\$	2,362,025	\$	2,378,166 <u>2,353,166</u>
GRF 042409	Commission Closures	\$	50,000	\$	50,000
GRF 042416	Office of Health Transformation	\$	306,285	\$	0 <u>499,252</u>
GRF 042423	Liquor Enterprise Transaction	\$	500,000	\$	0

1639

TOTAL GRF General Revenue Fund	\$	3,218,310	\$	<u>2,428,166</u>
				<u>2,902,418</u>
General Services Fund Group				
1050 042603 State Accounting and Budgeting	\$	<u>21,917,230</u>	\$	<u>22,006,331</u>
		<u>21,158,069</u>		<u>22,262,185</u>
5N40 042602 OAKS Project Implementation	\$	1,358,000	\$	<u>1,309,500</u>
				<u>1,296,000</u>
5Z80 042608 Office of Health Transformation Administration	\$	57,752	\$	0
TOTAL GSF General Services Fund Group	\$	<u>23,332,982</u>	\$	<u>23,315,831</u>
		<u>22,573,821</u>		<u>23,558,185</u>
Federal Special Revenue Fund Group				
3CM0 042606 Office of Health Transformation - Federal	\$	384,037	\$	<u>145,500</u> <u>438,723</u>
TOTAL FED Federal Special Revenue Fund Group	\$	384,037	\$	<u>145,500</u> <u>438,723</u>
Agency Fund Group				
5EH0 042604 Forgery Recovery	\$	50,000	\$	<u>50,000</u> <u>49,000</u>
TOTAL AGY Agency Fund Group	\$	50,000	\$	<u>50,000</u> <u>49,000</u>
TOTAL ALL BUDGET FUND GROUPS	\$	<u>26,985,329</u>	\$	<u>25,939,497</u>
		<u>26,226,168</u>		<u>26,948,326</u>

COMMISSION CLOSURES

The foregoing appropriation item 042409, Commission Closures, may be used to pay obligations associated with the closure of the Commission on Dispute Resolution and Conflict Management, the School Employees Health Care Board, the Legal Rights Service, and the Workers' Compensation Council. Notwithstanding any provision of law to the contrary, this appropriation item may also be used to pay final payroll expenses occurring after the closure of the Commission on Dispute Resolution and Conflict Management, the School Employees Health Care Board, the Legal Rights Service, and the Workers' Compensation Council in the event that appropriations or cash in the closing agency are insufficient to do so.

The Director of Budget and Management may request Controlling Board approval for funds to be transferred to appropriation item 042409, Commission Closures, from appropriation item 911614, CB Emergency Purposes, for anticipated expenses associated with agency closures.

LIQUOR ENTERPRISE TRANSACTION

The foregoing appropriation item 042423, Liquor Enterprise Transaction, shall be used by the Director of Budget and Management, without need for any other approval, to retain or contract for the services of commercial appraisers, underwriters, investment bankers, and financial advisers, as are necessary in the Director's judgment to commence negotiation of the transfer agreement referred to in sections 4313.01 and 4313.02 of the Revised Code, as enacted by ~~this act~~ Am. Sub. H.B. 153 of

the 129th General Assembly. An amount equal to the unexpended, unencumbered balance of appropriation item 042423 at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013. Any amounts expended from appropriation item 042423 shall be reimbursed from the proceeds of the enterprise acquisition project transaction authorized in those sections.

The Director of Budget and Management, in consultation with the Director of Commerce, may negotiate an initial agreement with JobsOhio, which shall be executed by the Directors of Budget and Management and Commerce upon its completion.

AUDIT COSTS AND DUES

All centralized audit costs associated with either Single Audit Schedules or financial statements prepared in conformance with generally accepted accounting principles for the state shall be paid from the foregoing appropriation item 042603, State Accounting and Budgeting.

Costs associated with the audit of the Auditor of State and national association dues shall be paid from the foregoing appropriation item 042321, Budget Development and Implementation.

SHARED SERVICES CENTER

The Director of Budget and Management shall use the OAKS Project Implementation Fund (Fund 5N40) and the Accounting and Budgeting Fund (Fund 1050) to support a Shared Services Center within the Office of Budget and Management for the purpose of consolidating statewide business functions and common transactional processes.

The Director of Budget and Management shall include the recovery of costs to operate the Shared Services Center in the accounting and budgeting services payroll rate and through a direct charge using intrastate transfer vouchers to agencies for services rendered. The Director of Budget and Management shall determine the cost recovery methodology. Such cost recovery revenues shall be deposited to the credit of Fund 1050.

INTERNAL CONTROL AND AUDIT OVERSIGHT

The Director of Budget and Management shall include the recovery of costs to operate the Internal Control and Audit Oversight Program in the accounting and budgeting services payroll rate and through a direct charge using intrastate transfer vouchers to agencies reviewed by the program. The Director of Budget and Management, with advice from the Internal Audit Advisory Council, shall determine the cost recovery methodology. Such cost recovery revenues shall be deposited to the credit of the Accounting and Budgeting Fund (Fund 1050).

FORGERY RECOVERY

The foregoing appropriation item 042604, Forgery Recovery, shall be used to reissue warrants that have been certified as forgeries by the rightful recipient as determined by the Bureau of Criminal Identification and Investigation and the Treasurer of State. Upon receipt of funds to cover the reissuance of the warrant, the Director of Budget and Management shall reissue a state warrant of the same amount.

GRF TRANSFER TO THE OAKS PROJECT IMPLEMENTATION FUND

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer an amount not to exceed \$1,100,000 in cash from the General Revenue Fund to the OAKS Project Implementation Fund (Fund 5N40).

Sec. 243.10. COM DEPARTMENT OF COMMERCE

General Services Fund Group

1630	800620	Division of Administration	\$	6,200,000	\$	6,200,000
1630	800637	Information Technology	\$	5,999,892	\$	6,011,977
5430	800602	Unclaimed Funds-Operating	\$	7,836,107	\$	7,841,473
5430	800625	Unclaimed Funds-Claims	\$	69,700,000	\$	69,800,000
						<u>68,000,000</u>
5F10	800635	Small Government Fire	\$	300,000	\$	300,000
		Departments				
TOTAL GSF General Services Fund						
Group			\$	90,035,999	\$	<u>90,153,450</u>
						<u>88,353,450</u>

Federal Special Revenue Fund Group

3480	800622	Underground Storage Tanks	\$	1,129,518	\$	1,129,518
3480	800624	Leaking Underground	\$	1,556,211	\$	1,556,211
		Storage Tanks				
TOTAL FED Federal Special Revenue						
Fund Group			\$	2,685,729	\$	2,685,729

State Special Revenue Fund Group

4B20	800631	Real Estate Appraisal Recovery	\$	35,000	\$	35,000
4H90	800608	Cemeteries	\$	268,067	\$	268,293
4X20	800619	Financial Institutions	\$	2,186,271	\$	1,990,693
						<u>1,970,786</u>
5440	800612	Banks	\$	7,242,364	\$	6,942,336
						<u>6,872,913</u>
5450	800613	Savings Institutions	\$	2,257,220	\$	2,259,536
5460	800610	Fire Marshal	\$	15,400,000	\$	15,501,562
						<u>15,484,574</u>
5460	800639	Fire Department Grants	\$	1,698,802	\$	1,698,802
5470	800603	Real Estate Education/Research	\$	125,000	\$	125,000 <u>80,655</u>
5480	800611	Real Estate Recovery	\$	25,000	\$	25,000
5490	800614	Real Estate	\$	3,413,708	\$	3,332,308
5500	800617	Securities	\$	4,312,434	\$	4,314,613
						<u>4,271,467</u>
5520	800604	Credit Union	\$	3,450,390	\$	3,450,390
						<u>3,415,886</u>
5530	800607	Consumer Finance	\$	3,613,016	\$	3,516,861

5560 800615	Industrial Compliance	\$	27,639,372	\$	<u>3,481,692</u> 27,664,695 27,388,048
5FW0800616	Financial Literacy Education	\$	240,000	\$	240,000 200,000
5GK0800609	Securities Investor Education/Enforcement	\$	1,135,000	\$	485,000 480,150
5HV0800641	Cigarette Enforcement	\$	120,000	\$	120,000 118,800
<u>5LN0800645</u>	<u>Liquor Operating Services</u>	\$	0	\$	<u>5,500,000</u>
<u>5LP0 800646</u>	<u>Liquor Regulatory Operating Expense</u>	\$	0	\$	<u>8,500,000</u>
5X60 800623	Video Service	\$	340,299	\$	340,630 337,224
6530 800629	UST Registration/Permit Fee	\$	1,854,675	\$	1,509,653 1,494,556
6A40 800630	Real Estate Appraiser-Operating	\$	699,565	\$	648,890
TOTAL SSR State Special Revenue Fund Group		\$	76,056,183	\$	<u>74,469,262</u> 87,864,580
Liquor Control Fund Group					
7043 800601	Merchandising	\$	472,209,274	\$	45,000,000
7043 800627	Liquor Control Operating	\$	13,398,274	\$	10,110,479 1,509,374
7043 800633	Development Assistance Debt Service	\$	51,973,200	\$	0
7043 800636	Revitalization Debt Service	\$	21,129,800	\$	0
TOTAL LCF Liquor Control Fund Group		\$	558,710,548	\$	10,110,479 6,509,374
TOTAL ALL BUDGET FUND GROUPS		\$	727,488,459	\$	177,418,920 185,413,133

SMALL GOVERNMENT FIRE DEPARTMENTS

Notwithstanding section 3737.17 of the Revised Code, the foregoing appropriation item 800635, Small Government Fire Departments, may be used to provide loans to private fire departments.

UNCLAIMED FUNDS PAYMENTS

The foregoing appropriation item 800625, Unclaimed Funds-Claims, shall be used to pay claims under section 169.08 of the Revised Code. If it is determined that additional amounts are necessary, the amounts are appropriated.

UNCLAIMED FUNDS TRANSFERS

Notwithstanding division (A) of section 169.05 of the Revised Code, during the FY 2012-FY 2013 biennium, the Director of Budget and Management shall request the Director of Commerce to transfer to the General Revenue Fund up to \$215,000,000 of unclaimed funds that have been reported by holders of unclaimed funds under section 169.05 of the Revised Code, irrespective of the allocation of the unclaimed funds under that section. The Director of Commerce shall transfer the funds at the times requested by the Director of Budget and Management.

FIRE DEPARTMENT GRANTS

Of the foregoing appropriation item 800639, Fire Department Grants, up to \$1,647,140 in each fiscal year shall be used to make annual grants to the following eligible recipients: volunteer fire departments, fire departments that serve one or more small municipalities or small townships, joint fire districts comprised of fire departments that primarily serve small municipalities or small townships, local units of government responsible for such fire departments, and local units of government responsible for the provision of fire protection services for small municipalities or small townships. For the purposes of these grants, a private fire company, as that phrase is defined in section 9.60 of the Revised Code, that is providing fire protection services under a contract to a political subdivision of the state, is an additional eligible recipient for a training grant.

Eligible recipients that consist of small municipalities or small townships that all intend to contract with the same fire department or private fire company for fire protection services may jointly apply and be considered for a grant. If a joint applicant is awarded a grant, the State Fire Marshal shall, if feasible, proportionately award the grant and any equipment purchased with grant funds to each of the joint applicants based upon each applicant's contribution to and demonstrated need for fire protection services.

If the grant awarded to joint applicants is an equipment grant and the equipment to be purchased cannot be readily distributed or possessed by multiple recipients, each of the joint applicants shall be awarded by the State Fire Marshal an ownership interest in the equipment so purchased in proportion to each applicant's contribution to and demonstrated need for fire protection services. The joint applicants shall then mutually agree on how the equipment is to be maintained, operated, stored, or disposed of. If, for any reason, the joint applicants cannot agree as to how jointly owned equipment is to be maintained, operated, stored, or disposed of or any of the joint applicants no longer maintain a contract with the same fire protection service provider as the other applicants, then the joint applicants shall, with the assistance of the State Fire Marshal, mutually agree as to how the jointly owned equipment is to be maintained, operated, stored, disposed of, or owned. If the joint applicants cannot agree how the grant equipment is to be maintained, operated, stored, disposed of, or owned, the State Fire Marshal may, in its discretion, require all of the equipment acquired by the joint applicants with grant funds to be returned to the State Fire Marshal. The State Fire Marshal may then award the returned equipment to any eligible recipients.

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

Grant awards for firefighting or rescue equipment or gear or for fire department costs of providing fire protection services shall be up to \$15,000 per fiscal year, or up to \$25,000 per fiscal year if an eligible entity serves a jurisdiction in which the Governor declared a natural disaster during the preceding or current fiscal year in which the grant was awarded. In addition to any grant funds awarded for rescue equipment or gear, or for fire department costs associated with the provision of fire protection services, an eligible entity may receive a grant for up to \$15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training. For each fiscal year, the State Fire Marshal shall determine the total amounts to be allocated for each eligible purpose.

The grant program shall be administered by the State Fire Marshal in accordance with rules the State Fire Marshal adopts as part of the state fire code adopted pursuant to section 3737.82 of the Revised Code that are necessary for the administration and operation of the grant program. The rules may further define the entities eligible to receive grants and establish criteria for the awarding and expenditure of grant funds, including methods the State Fire Marshal may use to verify the proper use of grant funds or to obtain reimbursement for or the return of equipment for improperly used grant funds. Any amounts in appropriation item 800639, Fire Department Grants, in excess of the amount allocated for these grants may be used for the administration of the grant program.

CASH TRANSFERS TO THE DIVISION OF SECURITIES INVESTOR EDUCATION AND ENFORCEMENT EXPENSE FUND

The Director of Budget and Management, upon the request of the Director of Commerce, shall transfer up to \$485,000 in cash in each fiscal year from the Division of Securities Fund (Fund 5500) to the Division of Securities Investor Education and Enforcement Expense Fund (Fund 5GK0) created in section 1707.37 of the Revised Code.

CASH TRANSFER TO VIDEO SERVICE AUTHORIZATION FUND

The Director of Budget and Management, upon the request of the Director of Commerce, shall transfer up to \$340,000 in cash in each fiscal year from the Division of Administration Fund (Fund 1630) to the Video Service Authorization Fund (Fund 5X60).

INCREASED APPROPRIATION - MERCHANDISING

The foregoing appropriation item 800601, Merchandising, shall be used under section 4301.12 of the Revised Code. If it is determined that additional expenditures are necessary, the amounts are hereby appropriated.

DEVELOPMENT ASSISTANCE DEBT SERVICE

The foregoing appropriation item 800633, Development Assistance Debt Service, shall be used to pay debt service and related financing costs at the times they are required to be made during the period from July 1, 2011, to June 30, 2012, for bond service charges on obligations issued under Chapter 166. of the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are appropriated, subject to the limitations set forth in section 166.11 of the Revised Code. In the event obligations issued under Chapter 166. remain outstanding for all or any portion of the period from July 1, 2012, through June 30, 2013, amounts necessary to pay debt service and related financing costs on those obligations are hereby appropriated, subject to the limitations set forth in section 166.11 of the Revised Code. An appropriation for this purpose is not required, but is made in this form and in ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly for record purposes only.

REVITALIZATION DEBT SERVICE

The foregoing appropriation item 800636, Revitalization Debt Service, shall be used to pay debt service and related financing costs at the times they are required to be made pursuant to sections 151.01 and 151.40 of the Revised Code during the period from July 1, 2011, to June 30, 2012. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated. In the event obligations issued under sections 151.01 and 151.40 of the Revised Code remain outstanding for all or any portion of the period from July 1, 2012, through June 30, 2013, amounts necessary to pay debt service and related financing costs on those obligations are hereby appropriated. The General Assembly acknowledges the priority of the pledge of a portion of receipts from that source to obligations issued and to be issued under Chapter 166. of the Revised Code.

LIQUOR CONTROL FUND TRANSFER

On January 1, 2012, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$10,600,000 in cash from the General Revenue Fund to the Liquor Control Fund (Fund 7043) for the liquor permitting and compliance functions of the Division of Liquor Control in the Department of Commerce and for the operations of the Liquor Control Commission and the Department of Public Safety pursuant to Chapter 4301. of the Revised Code.

On July 1, 2012, or as soon as possible thereafter, the Director of

Budget and Management may transfer up to \$21,800,000 in cash from the General Revenue Fund to the Liquor Control Fund (Fund 7043) for the liquor permitting and compliance functions of the Division of Liquor Control in the Department of Commerce and for the operations of the Liquor Control Commission and the Department of Public Safety pursuant to Chapter 4301. of the Revised Code.

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$500,000 in cash from the Liquor Control Fund (Fund 7043) to the State Liquor Regulatory Fund (Fund 5LP0) created in section 4301.30 of the Revised Code.

Notwithstanding section 4301.12 of the Revised Code, on July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$30,000,000 in cash from excess liquor profits from the Liquor Control Fund (Fund 7043) to the Economic Development Support Fund (Fund 5MB0). This cash may be transferred, if considered necessary in the Director's judgment, as a result of a delay in the transfer of the liquor enterprise authorized by the transfer agreement under sections 4313.01 and 4313.02 of the Revised Code.

ADMINISTRATIVE ASSESSMENTS

Notwithstanding any other provision of law to the contrary, the Division of Administration Fund (Fund 1630) is entitled to receive assessments from all operating funds of the Department in accordance with procedures prescribed by the Director of Commerce and approved by the Director of Budget and Management.

Sec. 245.10. OCC OFFICE OF CONSUMERS' COUNSEL

General Services Fund Group

5F50 053601 Operating Expenses	\$	5,641,093	\$	4,142,070
				<u>5,641,093</u>
TOTAL GSF General Services Fund Group	\$	5,641,093	\$	4,142,070
				<u>5,641,093</u>
TOTAL ALL BUDGET FUND GROUPS	\$	5,641,093	\$	4,142,070
				<u>5,641,093"</u>

Sec. 261.10.40. TRAVEL AND TOURISM

The foregoing appropriation item 195407, Travel and Tourism, shall be used for marketing the state of Ohio as a tourism destination and to support administrative expenses and contracts necessary to market Ohio.

~~STRATEGIC BUSINESS INVESTMENT DIVISION AND REGIONAL OFFICES DEVELOPMENT SERVICES~~

The foregoing appropriation item 195415, ~~Strategic Business Investment Division and Regional Offices Development Services~~, shall be used for the operating expenses of the ~~Strategic Business Investment Services~~ Division and the regional economic development offices and for

grants for cooperative economic development ventures.

Sec. 261.10.70. CLEAN OHIO IMPLEMENTATION

The foregoing appropriation item 195426, Clean Ohio Implementation, shall be used to fund the costs of administering the Clean Ohio Revitalization program and other urban revitalization programs that may be implemented by the ~~Department of~~ Development Services Agency.

CDBG OPERATING MATCH

The foregoing appropriation item 195497, CDBG Operating Match, shall be used as matching funds for grants from the United States Department of Housing and Urban Development pursuant to the Housing and Community Development Act of 1974 and regulations and policy guidelines for the programs pursuant thereto.

TECHNOLOGY PROGRAMS AND GRANTS

The foregoing appropriation item 195532, Technology Programs and Grants, shall be used for the same purposes as funding previously appropriated for appropriation items 195401, Thomas Edison Program, and 195422, Technology Action. Of the foregoing appropriation item 195532, Technology Programs and Grants, up to \$547,341 in fiscal year 2013 shall be used for operating expenses incurred in administering the Ohio Third Frontier pursuant to sections 184.10 to 184.20 of the Revised Code; and up to \$13,000,000 in fiscal year 2013 shall be used for the Thomas Edison Program pursuant to sections 122.28 to 122.38 of the Revised Code, of which not more than ten per cent shall be used for operating expenses incurred in administering the program.

BUSINESS ASSISTANCE

The foregoing appropriation item 195533, Business Assistance, shall be used as matching funds for grants from the United States Small Business Administration and other federal agencies, pursuant to Public Law No. 96-302 as amended by Public Law No. 98-395, and regulations and policy guidelines for the programs pursuant thereto. This appropriation item also may be used to provide grants to local organizations to support economic development activities that promote minority business development, small business development, entrepreneurship, and exports of Ohio's goods and services.

APPALACHIA ASSISTANCE

The foregoing appropriation item 195535, Appalachia Assistance, may be used for the administrative costs of planning and liaison activities for the Governor's Office of Appalachia, to provide financial assistance to projects in Ohio's Appalachian counties, to pay dues for the Appalachian Regional Commission, and to match federal funds from the Appalachian Regional

Commission.

Of the foregoing appropriation item 195535, Appalachia Assistance, up to \$440,000 in fiscal year 2013 shall be used to support four local development districts. Of that amount, up to \$135,000 shall be allocated to the Ohio Valley Regional Development Commission, up to \$135,000 shall be allocated to the Ohio Mid-Eastern Government Association, up to \$135,000 shall be allocated to the Buckeye Hills-Hocking Valley Regional Development District, and up to \$35,000 shall be allocated to the Eastgate Regional Council of Governments. Local development districts receiving funding under this section shall use the funds for the implementation and administration of programs and duties under section 107.21 of the Revised Code.

Sec. 261.20.40. SUPPORTIVE DEVELOPMENT SERVICES OPERATIONS

The Director of Development Services may assess ~~divisions~~ offices of the ~~department~~ agency for the cost of central service operations. An assessment shall contain the characteristics of administrative ease and uniform application. A division's payments shall be credited to the Supportive Services Fund (Fund 1350) using an intrastate transfer voucher.

ECONOMIC DEVELOPMENT CONTINGENCY

~~The foregoing appropriation item 195677, Economic Development Contingency, may be used to award funds directly to either (1) business entities considering Ohio for expansion or new site location opportunities or (2) political subdivisions to assist with necessary costs involved in attracting a business entity. In addition, the Director of Development may award funds for alternative purposes when appropriate to satisfy an economic development opportunity or need deemed extraordinary in nature by the Director.~~

LEGACY PROJECTS

The foregoing appropriation item 195633, Legacy Projects, shall be used to support existing grant commitments to companies incurred prior to fiscal year 2013. A portion of the appropriation item may also be used to support administrative expenses and other costs associated with these projects.

DIRECT COST RECOVERY DEVELOPMENT SERVICES REIMBURSABLE EXPENDITURES

The foregoing appropriation item 195636, ~~Direct Cost Recovery~~ Development Services Reimbursable Expenditures, shall be used for reimbursable costs incurred by the agency. Revenues to the General Reimbursement Fund (Fund 6850) shall consist of moneys charged for

administrative costs that are not central service costs.

Appropriation item 195623, Business Incentive Grants, shall be used as an incentive for attracting, expanding, and retaining business opportunities for the state in accordance with Chapter 166. of the Revised Code. It may be used to award funds directly to either (1) business entities considering Ohio for expansion or new site location opportunities, or (2) political subdivisions to assist with necessary costs involved in attracting a business entity. Appropriation item 195623, Business Incentive Grants, shall be used by recipients to purchase equipment, make infrastructure improvements, make real property improvements, or fund other fixed assets. The Director of Development Services may award funds for alternative purposes when appropriate to satisfy an economic development opportunity or need considered extraordinary in nature by the Director.

The foregoing appropriation item 195637, Workforce Training Grants, may be used for the Ohio Workforce Guarantee Program, or to promote training through grants to businesses and, in the case of a business consortium, to the consortium for training and education providers for the reimbursement of eligible training expenses. Not more than ten per cent of appropriation item 195637, Workforce Training Grants, shall be used for administrative expenses related to the Ohio Workforce Guarantee Program.

Sec. 261.20.50. WORKFORCE DEVELOPMENT INITIATIVES

Any unexpended and unencumbered portion of the foregoing appropriation item 195643, Workforce Development Initiatives, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

HEAP WEATHERIZATION

Up to fifteen per cent of the federal funds deposited to the credit of the Home Energy Assistance Block Grant Fund (Fund 3K90) may be expended from appropriation item 195614, HEAP Weatherization, to provide home weatherization services in the state as determined by the Director of Development Services. Any transfers or increases in appropriation for the foregoing appropriation items 195614, HEAP Weatherization, or 195611, Home Energy Assistance Block Grant, shall be subject to approval by the Controlling Board.

Sec. 261.20.60. BUSINESS ASSISTANCE PROGRAMS

The foregoing appropriation item 195649, Business Assistance Programs, shall be used for administrative expenses associated with the operation of tax credit programs, loan servicing, the Ohio Film Office, and the Office of Strategic Business Investments, and for payments to the JobsOhio corporation established in Chapter 187. of the Revised Code for

services provided for the administration of the 166 Direct Loan Program, Ohio Enterprise Bond Fund, Research and Development Loan Program, and Innovation Ohio Loan Program.

STATE SPECIAL PROJECTS

The State Special Projects Fund (Fund 4F20), may be used for the deposit of private-sector funds from utility companies and for the deposit of other miscellaneous state funds. State moneys so deposited ~~shall~~ may also be used to match federal housing grants for the homeless ~~and to market economic development opportunities in the state.~~ Private-sector moneys shall be deposited for use in appropriation item 195699, Utility ~~Provided Funds~~ Community Assistance, and shall be used to (1) pay the expenses of verifying the income-eligibility of HEAP applicants, (2) leverage additional federal funds, (3) fund special projects to assist ~~homeless individuals~~ income-eligible veterans and families with services and energy assistance programs, (4) fund special projects to assist with the energy efficiency of households eligible to participate in the Percentage of Income Payment Plan, and (5) assist with training programs for agencies that administer low-income customer assistance programs.

Sec. 261.20.80. MINORITY BUSINESS ENTERPRISE LOAN

All repayments from the Minority Development Financing Advisory Board Loan Program and the Ohio Mini-Loan Guarantee Program shall be deposited in the State Treasury to the credit of the Minority Business Enterprise Loan Fund (Fund 4W10). Operating costs of administering the Minority Business Enterprise Loan Fund may be paid from the Minority Business Enterprise Loan Fund (Fund 4W10).

MINORITY BUSINESS BONDING FUND

Notwithstanding Chapters 122., 169., and 175. of the Revised Code, the Director of Development Services may, upon the recommendation of the Minority Development Financing Advisory Board, pledge up to \$10,000,000 in the fiscal year 2012-fiscal year 2013 biennium of unclaimed funds administered by the Director of Commerce and allocated to the Minority Business Bonding Program under section 169.05 of the Revised Code. The transfer of any cash by the Director of Budget and Management from the ~~Department of Commerce's~~ Unclaimed Funds Fund (Fund 5430) used by the Department of Commerce to the Department of Development's Minority Business Bonding Fund (Fund 4490) used by the Development Services Agency shall occur, if requested by the Director of Development Services, only if such funds are needed for payment of losses arising from the Minority Business Bonding Program, and only after proceeds of the initial transfer of \$2,700,000 by the Controlling Board to the Minority

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

The above boxed and initialed text was disapproved.

Date: 6-11-12


John F. Kasich, Governor

exceed \$6,000 per worker per year;

(2) A provision for an employer of an eligible employee to apply for a voucher on behalf of the eligible employee;

(3) A provision for an eligible employee to apply directly for a training voucher with the pre-approval of the employee's employer; and

(4) A requirement that an employee participating in the program, or the employee's employer, shall pay for not less than thirty-three per cent of the training costs under the program.

DEFENSE DEVELOPMENT ASSISTANCE

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$5,000,000 in cash from the Economic Development Projects 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. The transferred funds are hereby appropriated in appropriation item 195622, Defense Development Assistance.

The foregoing appropriation item 195622, Defense Development Assistance, shall be used for economic development programs and the creation of new jobs to leverage and support mission gains at Department of Defense facilities in Ohio by working with future base realignment and closure activities and ongoing Department of Defense efficiency initiatives, assisting efforts to secure Department of Defense support contracts for Ohio companies, assessing and supporting regional job training and workforce development needs generated by the Department of Defense and the Ohio aerospace industry, and for expanding job training and economic development programs in human performance related initiatives. These funds shall be matched by private industry partners or the Department of Defense in an aggregate amount of \$6,000,000 over the FY 2012-FY 2013 biennium.

Any unexpended and unencumbered portion of the foregoing appropriation item 195622, Defense Development Assistance, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

WORKFORCE DEVELOPMENT PROGRAMS

The foregoing appropriation item 195655, Workforce Development Programs, may be used for the Ohio Workforce Guarantee Program to promote training through grants to businesses and, in the case of a business consortium, to the consortium for training and education providers for the reimbursement of eligible training expenses. Not more than ten per cent of appropriation item 195655, Workforce Development Programs, shall be

used for administrative expenses related to the Ohio Workforce Guarantee Program.

Sec. 261.30.10. ADVANCED ENERGY FUND LOAN PROGRAMS

The foregoing appropriation item 195660, Advanced Energy Loan Programs, shall be used to provide financial assistance to customers for eligible advanced energy projects for residential, commercial, and industrial business, local government, educational institution, nonprofit, and agriculture customers, and to pay for the program's administrative costs as provided in sections 4928.61 to 4928.63 of the Revised Code and rules adopted by the Director of Development Services.

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$750,000 in cash from the Advanced Energy Fund (Fund 5M50) to the Alternative Fuel Transportation Grant Fund (Fund 5CG0).

VOLUME CAP ADMINISTRATION

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

Sec. 261.30.20. INNOVATION OHIO LOAN FUND

The foregoing appropriation item 195664, Innovation Ohio, shall be used to provide for innovation Ohio purposes, including loan guarantees and loans under Chapter 166. and particularly sections 166.12 to 166.16 of the Revised Code.

RESEARCH AND DEVELOPMENT

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

LOGISTICS AND DISTRIBUTION INFRASTRUCTURE

Appropriation item 195698, Logistics and Distribution Infrastructure, shall be used for eligible logistics and distribution infrastructure projects as defined in section 166.01 of the Revised Code. Any unexpended and unencumbered portion of the appropriation item at the end of fiscal year 2011 is hereby reappropriated for the same purpose in fiscal year 2012, and any unexpended and unencumbered portion of the appropriation item at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

After all encumbrances have been paid, the Director of Budget and

Management shall transfer the remaining cash balance in the Logistics and Distribution Infrastructure Fund (Fund 7008) to the Facilities Establishment Fund (Fund 7037).

FACILITIES ESTABLISHMENT ~~FUND~~

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

Notwithstanding Chapter 166. of the Revised Code, an amount not to exceed \$1,000,000 in cash in fiscal year 2012 may be transferred from the Facilities Establishment Fund (Fund 7037) to the ~~Economic Development Financing Operating~~ Business Assistance Fund (Fund 4510). The transfer is subject to Controlling Board approval under division (B) of section 166.03 of the Revised Code.

Notwithstanding Chapter 166. of the Revised Code, the Director of Budget and Management may transfer an amount not to exceed \$2,500,000 in cash in each fiscal year from the Facilities Establishment Fund (Fund 7037) to the Minority Business Enterprise Loan Fund (Fund 4W10).

On July 1, ~~2011~~ 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unexpended and unencumbered cash balance in the Urban Development Loans Fund (Fund 5D20) to the Facilities Establishment Fund (Fund 7037).

On July 1, ~~2011~~ 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer the unexpended and unencumbered cash balance in the Rural Industrial Park Loan Fund (Fund 4Z60) to the Facilities Establishment Fund (Fund 7037).

CAPITAL ACCESS LOAN PROGRAM

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

Sec. 261.30.30. CLEAN OHIO OPERATING EXPENSES

The foregoing appropriation item 195663, Clean Ohio ~~Operating Program~~, shall be used by the ~~Department of Development Services Agency~~ in administering Clean Ohio Revitalization Fund (Fund 7003) projects pursuant to sections 122.65 to 122.658 of the Revised Code.

Sec. 261.30.40. THIRD FRONTIER OPERATING

The foregoing appropriation items 195686, Third Frontier Operating, and 195620, Third Frontier Operating - Tax, shall be used for operating

expenses incurred by the ~~Department of~~ Development Services Agency in administering projects pursuant to sections 184.10 to 184.20 of the Revised Code. Operating expenses paid from item 195686 shall be limited to the administration of projects funded from the Third Frontier Research & Development Fund (Fund 7011) and operating expenses paid from item 195620 shall be limited to the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

Sec. 261.30.60. JOB READY SITE ~~OPERATING PROGRAM~~

The foregoing appropriation item 195688, Job Ready Site ~~Operating Program~~, shall be used for operating expenses incurred by the ~~Department of~~ Development Services Agency in administering Job Ready Site Development Fund (Fund 7012) projects pursuant to sections 122.085 to 122.0820 of the Revised Code. Operating expenses include, but are not limited to, certain qualified expenses of the District Public Works Integrating Committees, as applicable, engineering review of submitted applications by the State Architect or a third-party engineering firm, audit and accountability activities, and costs associated with formal certifications verifying that site infrastructure is in place and is functional.

Sec. 261.30.70. OHIO COAL DEVELOPMENT OFFICE

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer any unexpended and unencumbered portion of appropriation item 898604, Coal Research and Development Fund, used by the Ohio Air Quality Development Authority, to a new capital appropriation item in the ~~Department of~~ Development Services Agency, to be determined by the Director. The Director also shall cancel all outstanding encumbrances against appropriation item 898604, Coal Research and Development Fund, and reestablish them against the foregoing new capital appropriation item. The amounts of the transfer and the reestablished encumbrances, plus \$2,283,264, are hereby appropriated for fiscal year 2012 in the foregoing new appropriation item and shall be used to provide funding for coal research and development purposes.

Sec. 261.30.80. THIRD FRONTIER BIOMEDICAL RESEARCH AND COMMERCIALIZATION SUPPORT

The General Assembly and the Governor recognize the role that the biomedical industry has in job creation, innovation, and economic development throughout Ohio. It is the intent of the General Assembly, the Governor, the Director of Development Services, and the Director of Budget and Management to work together in continuing to provide comprehensive state support for the biomedical industry.

Sec. 261.30.90. UNCLAIMED FUNDS TRANSFER

(A)(1) Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, before June 30, 2012, shall transfer to the Job Development Initiatives Fund (Fund 5AD0) an amount not to exceed \$25,000,000 in cash of the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, before June 30, 2013, shall transfer to the Job Development Initiatives Fund (Fund 5AD0) an amount not to exceed ~~\$15,000,000~~ 18,600,000 in cash of the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

~~(B)~~(2) Notwithstanding division (A) of section 169.05 of the Revised Code, upon the request of the Director of Budget and Management, the Director of Commerce, before June 30, 2012, shall transfer to the State Special Projects Fund (Fund 4F20) an amount not to exceed \$5,000,000 in cash of the unclaimed funds that have been reported by the holders of unclaimed funds under section 169.05 of the Revised Code, regardless of the allocation of the unclaimed funds described under that section.

(B) ASSORTED TRANSFERS FOR RESTRUCTURING

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Water and Sewer Fund (Fund 4440) to the General Reimbursement Fund (Fund 6850).

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Water and Sewer Administration Fund (Fund 6110) to the General Reimbursement Fund (Fund 6850).

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Tax Incentive Programs Operating Fund (Fund 4S00) to the Business Assistance Fund (Fund 4510).

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer the cash balance in the Brownfield Stormwater Loan Fund (Fund 5KD0) to the New Market Tax Credit Program Fund (Fund 5JR0).

Sec. 261.40.10. WORKFORCE DEVELOPMENT

The Director of Development Services and the Director of Job and Family Services may enter into one or more interagency agreements between the two departments and take other actions the directors consider appropriate to further integrate workforce development into a larger economic development strategy, to implement the recommendations of the Workforce Policy Board, and to complete activities related to the transition of the administration of employment programs identified by the board. Subject to the approval of the Director of Budget and Management, the ~~Department of Development~~ Services Agency and the Department of Job and Family Services may expend moneys to support the recommendations of the Workforce Policy Board in the area of integration of employment functions as described in this paragraph and to complete implementation and transition activities from the appropriations to those departments.

Sec. 263.10. DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES

General Revenue Fund

GRF 320321	Central Administration	\$	4,422,794	\$	4,422,794
GRF 320412	Protective Services	\$	2,174,826	\$	1,957,343
GRF 320415	Lease-Rental Payments	\$	18,394,250	\$	19,907,900
					<u>17,907,900</u>
GRF 322407	Medicaid State Match	\$	218,034,162	\$	214,902,506
<u>GRF 322420</u>	<u>Screening and Early Intervention</u>	\$	<u>0</u>	\$	<u>300,000</u>
GRF 322451	Family Support Services	\$	5,932,758	\$	5,932,758
GRF 322501	County Boards Subsidies	\$	40,906,365	\$	44,449,280
GRF 322503	Tax Equity	\$	14,000,000	\$	14,000,000
TOTAL GRF General Revenue Fund		\$	303,865,155	\$	305,572,581
					<u>303,872,581</u>

General Services Fund Group

1520 323609	Developmental Center and Residential Operating Services	\$	3,414,317	\$	3,414,317
TOTAL GSF General Services Fund Group		\$	3,414,317	\$	3,414,317

Federal Special Revenue Fund Group

3A50 320613	DD Council	\$	3,341,572	\$	3,341,572
3250 322612	Community Social Service Programs	\$	11,017,754	\$	10,604,896
3DZ0 322648	Enhanced Medicaid - Federal	\$	10,000,000	\$	0
3G60 322639	Medicaid Waiver - Federal	\$	866,566,007	\$	985,566,007
3M70 322650	CAFS Medicaid	\$	29,349,502	\$	29,349,502
					<u>3,000,000</u>
3A40 323605	Developmental Center and Residential Facility Services and Support	\$	180,266,029	\$	179,384,881
					<u>174,000,000</u>
TOTAL FED Federal Special Revenue Fund Group		\$	1,100,540,864	\$	1,208,246,858
					<u>1,176,512,475</u>

State Special Revenue Fund Group

5GE0	320606	Operating and Services	\$	7,406,609	\$	7,407,297
2210	322620	Supplement Service Trust	\$	150,000	\$	150,000
4K80	322604	Medicaid Waiver - State Match	\$	12,000,000	\$	12,000,000
5CT0	322632	Intensive Behavioral Needs	\$	1,000,000	\$	1,000,000
5DJ0	322625	Targeted Case Management Match	\$	21,000,000	\$	24,000,000
5DJ0	322626	Targeted Case Management Services	\$	57,307,357	\$	66,000,000
5DK0	322629	Capital Replacement Facilities	\$	750,000	\$	750,000
5EV0	322627	Program Fees	\$	685,000	\$	685,000
5H00	322619	Medicaid Repayment	\$	160,000	\$	160,000
5JX0	322651	Interagency Workgroup - Autism	\$	45,000		45,000
5Z10	322624	County Board Waiver Match	\$	235,000,000	\$	290,000,000
4890	323632	Developmental Center Direct Care Support	\$	16,497,170	\$	16,497,169
5S20	590622	Medicaid Administration & Oversight	\$	20,875,567	\$	21,727,540
TOTAL SSR State Special Revenue Fund Group			\$	372,876,703	\$	440,422,006
TOTAL ALL BUDGET FUND GROUPS			\$	1,780,697,039	\$	1,957,655,762
						1,924,221,379

Sec. 263.10.30. ~~FAMILY~~ SCREENING AND EARLY INTERVENTION

The foregoing appropriation item 322420, Screening and Early Intervention, shall be used for screening and early intervention programs for children with autism selected by the Director.

FAMILY SUPPORT SERVICES SUBSIDY

(A) The foregoing appropriation item 322451, Family Support Services, may be used as follows in fiscal year 2012 and fiscal year 2013:

(1) The appropriation item may be used to provide a subsidy to county boards of developmental disabilities for family support services provided under section 5126.11 of the Revised Code. The subsidy shall be paid in quarterly installments and allocated to county boards according to a formula the Director of Developmental Disabilities shall develop in consultation with representatives of county boards. A county board shall use not more than seven per cent of its subsidy for administrative costs.

(2) The appropriation item may be used to distribute funds to county boards for the purpose of addressing economic hardships and to promote efficiency of operations. In consultation with representatives of county boards, the Director shall determine the amount of funds to distribute for these purposes and the criteria for distributing the funds.

(B) Each county board shall submit reports to the Department of Developmental Disabilities on the use of funds received under this section.

The reports shall be submitted at the times and in the manner specified in rules the Director shall adopt in accordance with Chapter 119. of the Revised Code.

Sec. 263.10.90. TARGETED CASE MANAGEMENT SERVICES

County boards of developmental disabilities shall pay the nonfederal portion of targeted case management costs to the Department of Developmental Disabilities.

The Directors of Developmental Disabilities and Job and Family Services may enter into an interagency agreement under which the Department of Developmental Disabilities shall transfer cash from the Targeted Case Management Fund (Fund 5DJ0) to the ~~Medicaid Program Support~~ State Health Care/Medicaid Support and Recoveries Fund (Fund ~~5C90~~ 5DL0) used by the Department of Job and Family Services in an amount equal to the nonfederal portion of the cost of targeted case management services paid by county boards, and the Department of Job and Family Services shall pay the total cost of targeted case management claims. The transfer shall be made using an intrastate transfer voucher.

Sec. 263.20.40. TRANSFER OF FUNDS FOR DEVELOPMENTAL CENTER PHARMACY PROGRAMS

The Director of Developmental Disabilities shall quarterly transfer cash from the Medicaid - Medicare Fund (Fund 3A40) to the ~~Medicaid Program Support~~ State Health Care/Medicaid Support and Recoveries Fund (Fund ~~5C90~~ 5DL0) used by the Department of Job and Family Services, in an amount equal to the nonfederal share of Medicaid prescription drug claim costs for all developmental centers paid by the Department of Job and Family Services. The quarterly transfer shall be made using an intrastate transfer voucher.

Sec. 263.20.70. RATE INCREASE FOR WAIVER PROVIDERS SERVING FORMER RESIDENTS OF DEVELOPMENTAL CENTERS OR RESIDENTS OF CONVERTED FACILITIES

Subject (A) As used in this section, "converted facility" means an intermediate care facility for the mentally retarded as defined in section 5111.20 of the Revised Code, or former intermediate care facility for the mentally retarded, that converted some or all of its beds to providing home and community-based services under the Individual Options Waiver pursuant to section 5111.874 of the Revised Code.

(B) Subject to approval by the Centers for Medicare and Medicaid Services, the Department of Job and Family Services shall increase the rate paid to a provider under the Individual Options Waiver by fifty-two cents for each fifteen minutes of routine homemaker/personal care provided to an

individual for up to a year if all of the following apply:

~~(A)~~(1) The individual was a resident of a developmental center or converted facility immediately prior to enrollment in the waiver;

~~(B)~~(2) The provider begins serving the individual on or after July 1, 2011;

~~(C)~~(3) The Director of Developmental Disabilities determines that the increased rate is warranted by the individual's special circumstances, including the individual's diagnosis, service needs, or length of stay at the developmental center or converted facility, and that serving the individual through the Individual Options Waiver is fiscally prudent for the Medicaid program.

Sec. 267.10. EDU DEPARTMENT OF EDUCATION

General Revenue Fund

GRF 200100	Personal Services	\$	8,579,178	\$	8,579,178 0
GRF 200320	Maintenance and Equipment	\$	2,830,407	\$	2,830,407 0
GRF 200321	Operating Expenses	\$	0	\$	13,142,780
GRF 200408	Early Childhood Education	\$	23,268,341	\$	23,268,341
GRF 200416	Career-Technical Education	\$	2,233,195	\$	2,233,195 0
	Match				
GRF 200420	Computer/Application/ Network Information Technology Development and Support	\$	4,241,296	\$	4,241,296
GRF 200421	Alternative Education Programs	\$	7,403,998	\$	7,403,998
GRF 200422	School Management Assistance	\$	2,842,812	\$	3,000,000
GRF 200424	Policy Analysis	\$	328,558	\$	328,558
GRF 200425	Tech Prep Consortia Support	\$	260,542	\$	260,542
GRF 200426	Ohio Educational Computer Network	\$	17,974,489	\$	17,974,489
GRF 200427	Academic Standards	\$	4,346,060	\$	3,700,000
GRF 200437	Student Assessment	\$	55,002,167	\$	55,002,167
GRF 200439	Accountability/Report Cards	\$	3,579,279	\$	3,579,279
GRF 200442	Child Care Licensing	\$	827,140	\$	827,140
GRF 200446	Education Management Information System	\$	6,833,070	\$	6,833,070
GRF 200447	GED Testing	\$	879,551	\$	879,551
GRF 200448	Educator Preparation	\$	786,737	\$	786,737
GRF 200455	Community Schools and Choice Programs	\$	2,200,000	\$	2,200,000
GRF 200502	Pupil Transportation	\$	438,248,936	\$	442,113,527
GRF 200505	School Lunch Match	\$	9,100,000	\$	9,100,000
GRF 200511	Auxiliary Services	\$	124,194,099	\$	126,194,099
GRF 200532	Nonpublic Administrative Cost Reimbursement	\$	56,164,384	\$	57,006,850
GRF 200540	Special Education Enhancements	\$	135,820,668	\$	135,820,668
GRF 200545	Career-Technical Education Enhancements	\$	8,802,699	\$	8,802,699

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GRF 200550	Foundation Funding	\$	5,536,347,861	\$	5,610,290,686 <u>5,616,481,153</u>
GRF 200901	Property Tax Allocation - Education	\$	1,086,500,000	\$	1,095,000,000
TOTAL GRF General Revenue Fund		\$	7,539,595,467	\$	7,628,256,477 <u>7,633,946,944</u>

General Services Fund Group

1380 200606	Computer Services-Operational Information Technology Development and Support	\$	7,600,090	\$	7,600,090 <u>6,100,090</u>
4520 200638	Miscellaneous Educational Services Fees and Refunds	\$	300,000	\$	300,000
4L20 200681	Teacher Certification and Licensure	\$	8,147,756	\$	8,147,756
5960 200656	Ohio Career Information System	\$	529,761	\$	529,761
5H30 200687	School District Solvency Assistance	\$	25,000,000	\$	25,000,000
TOTAL GSF General Services Fund Group		\$	41,577,607	\$	41,577,607 <u>40,077,607</u>

Federal Special Revenue Fund Group

3090 200601	Neglected and Delinquent Education	\$	2,168,642	\$	2,168,642
3670 200607	School Food Services	\$	6,803,472	\$	6,959,906
3690 200616	Career-Technical Education	\$	5,000,000	\$	5,000,000
3700 200624	Federal Enhancement Education of Exceptional Children	\$	1,905,000	\$	0
3780 200660	Learn and Serve	\$	619,211	\$	619,211
3AF0 200603	Schools Medicaid Administrative Claims	\$	639,000	\$	639,000
3AN0 200671	School Improvement Grants	\$	20,400,000	\$	20,400,000
3AX0 200698	Improving Health and Educational Outcomes of Young People	\$	630,954	\$	630,954
3BK0 200628	Longitudinal Data Systems	\$	500,000	\$	250,000
3C50 200661	Early Childhood Education	\$	14,554,749	\$	14,554,749
3CG0 200646	Teacher Incentive Fund	\$	1,925,881	\$	0
3D10 200664	Drug Free Schools	\$	1,500,000	\$	0
3D20 200667	Math Science Partnerships	\$	9,500,001	\$	9,500,001
3DG0 200630	Federal Stimulus - McKinney Vento Grants	\$	330,512	\$	0
3DJ0 200699	IDEA Part B - Federal Stimulus	\$	21,886,803	\$	0
3DK0 200642	Title 1A - Federal Stimulus	\$	18,633,673	\$	0
3DL0 200650	IDEA Preschool - Federal Stimulus	\$	670,000	\$	0
3DM0 200651	Title IID Technology - Federal Stimulus	\$	1,195,100	\$	0
3DP0 200652	Title I School Improvement - Federal Stimulus	\$	48,500,000	\$	30,000,000

3EC0	200653	Teacher Incentive - Federal Stimulus	\$	7,500,000	\$	7,500,000
3EH0	200620	Migrant Education	\$	2,645,905	\$	2,645,905
3EJ0	200622	Homeless Children Education	\$	1,759,782	\$	1,759,782
3EN0	200655	State Data Systems - Federal Stimulus	\$	2,500,000	\$	2,500,000
3ES0	200657	General Supervisory Enhancement Grant	\$	500,000	\$	500,000
3ET0	200658	Education Jobs Fund	\$	300,000,000	\$	50,000,000
3FD0	200665	Race to the Top	\$	100,000,000	\$	100,000,000
3FE0	200669	Striving Readers	\$	180,000	\$	100,000
3H90	200605	Head Start Collaboration Project	\$	225,000	\$	225,000
3L60	200617	Federal School Lunch	\$	327,516,539	\$	337,323,792
3L70	200618	Federal School Breakfast	\$	87,596,850	\$	90,224,756
3L80	200619	Child/Adult Food Programs	\$	100,850,833	\$	103,876,359
3L90	200621	Career-Technical Education Basic Grant	\$	48,466,864	\$	48,466,864
3M00	200623	ESEA Title 1A	\$	530,010,000	\$	530,010,000
3M20	200680	Individuals with Disabilities Education Act	\$	443,170,050	\$	443,170,050
3S20	200641	Education Technology	\$	9,487,397	\$	9,487,397
3T40	200613	Public Charter Schools	\$	14,291,353	\$	14,291,353
3Y20	200688	21st Century Community Learning Centers	\$	43,720,462	\$	45,906,485
3Y60	200635	Improving Teacher Quality	\$	101,900,000	\$	101,900,000
3Y70	200689	English Language Acquisition	\$	8,373,995	\$	8,373,995
3Y80	200639	Rural and Low Income Technical Assistance	\$	1,500,000	\$	1,500,000
3Z20	200690	State Assessments	\$	11,882,258	\$	11,882,258
3Z30	200645	Consolidated Federal Grant Administration	\$	8,949,280	\$	8,949,280 7,949,280
TOTAL FED Federal Special Revenue Fund Group			\$	2,310,389,566	\$	2,011,315,739 2,010,315,739
State Special Revenue Fund Group						
4540	200610	Guidance and GED Testing	\$	1,050,000	\$	1,050,000
4550	200608	Commodity Foods	\$	24,000,000	\$	24,000,000
4R70	200695	Indirect Operational Support	\$	6,500,000	\$	6,600,000
4V70	200633	Interagency Operational <u>Program</u> Support	\$	1,117,725	\$	1,117,725 717,725
5980	200659	Auxiliary Services Reimbursement	\$	1,328,910	\$	1,328,910
5BB0	200696	State Action for Education Leadership	\$	231,300	\$	0
5BJ0	200626	Half-Mill Maintenance Equalization	\$	17,300,000	\$	18,000,000
5U20	200685	National Education Statistics	\$	300,000	\$	300,000
6200	200615	Educational Improvement Grants	\$	3,000,000	\$	3,000,000
TOTAL SSR State Special Revenue Fund Group			\$	54,827,935	\$	55,396,635 54,996,635

Lottery Profits Education Fund Group

7017	200612	Foundation Funding	\$	717,500,000	\$	680,500,000
7018	200686	Third Grade Reading	\$	0	\$	13,000,000
		Guarantee				

TOTAL LPE Lottery Profits						
Education Fund Group			\$	717,500,000	\$	680,500,000
						693,500,000

Revenue Distribution Fund Group

7047	200909	School District Property Tax	\$	722,000,000	\$	475,000,000
		Replacement-Business				
7053	200900	School District Property Tax	\$	34,000,000	\$	30,000,000
		Replacement-Utility				

TOTAL RDF Revenue Distribution						
Fund Group			\$	756,000,000	\$	505,000,000

TOTAL ALL BUDGET FUND GROUPS			\$	11,419,890,575	\$	10,922,046,458
						10,937,836,925

Sec. 267.10.10. OPERATING EXPENSES

The foregoing appropriation item 200321, Operating Expenses, shall be used to support the same activities as are supported prior to July 1, 2012, by appropriation items 200100, Personal Services, and 200320, Maintenance and Equipment. A portion of this appropriation item also shall be used by the Department of Education to provide matching funds under 20 U.S.C. 2321, which are provided by appropriation item 200416, Career-Technical Education Match, prior to July 1, 2012.

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances against appropriation items 200100, Personal Services, 200320, Maintenance and Equipment, and 200416, Career-Technical Education Match, and reestablish them against appropriation item 200321, Operating Expenses. The reestablished encumbrance amounts are hereby appropriated.

EARLY CHILDHOOD EDUCATION

The Department of Education shall distribute the foregoing appropriation item 200408, Early Childhood Education, to pay the costs of early childhood education programs.

(A) As used in this section:

(1) "Provider" means a city, local, exempted village, or joint vocational school district, or an educational service center.

(2) In the case of a city, local, or exempted village school district, "new eligible provider" means a district that did not receive state funding for Early Childhood Education in the previous fiscal year or demonstrates a need for early childhood programs as defined in division (D) of this section.

(3) "Eligible child" means a child who is at least three years of age as of the district entry date for kindergarten, is not of the age to be eligible for kindergarten, and whose family earns not more than two hundred per cent of

the federal poverty guidelines as defined in division (A)(3) of section 5101.46 of the Revised Code. Children with an Individualized Education Program and where the Early Childhood Education program is the least restrictive environment may be enrolled on their third birthday.

(B) In each fiscal year, up to two per cent of the total appropriation may be used by the Department for program support and technical assistance. The Department shall distribute the remainder of the appropriation in each fiscal year to serve eligible children.

(C) The Department shall provide an annual report to the Governor, the Speaker of the House of Representatives, and the President of the Senate and post the report to the Department's web site, regarding early childhood education programs operated under this section and the early learning program guidelines.

(D) After setting aside the amounts to make payments due from the previous fiscal year, in fiscal year 2012, the Department shall distribute funds first to recipients of funds for early childhood education programs under Section 265.10.20 of Am. Sub. H.B. 1 of the 128th General Assembly in the previous fiscal year and the balance to new eligible providers of early childhood education programs under this section or to existing providers to serve more eligible children or for purposes of program expansion, improvement, or special projects to promote quality and innovation.

After setting aside the amounts to make payments due from the previous fiscal year, in fiscal year 2013, the Department shall distribute funds first to providers of early childhood education programs under this section in the previous fiscal year and the balance to new eligible providers or to existing providers to serve more eligible children or for purposes of program expansion, improvement, or special projects to promote quality and innovation.

Awards under this section shall be distributed on a per-pupil basis, and in accordance with division (H) of this section. The Department may adjust the per-pupil amount so that the per-pupil amount multiplied by the number of eligible children enrolled and receiving services on the first day of December or the business day closest to that date equals the amount allocated under this section.

(E) Costs for developing and administering an early childhood education program may not exceed fifteen per cent of the total approved costs of the program.

All providers shall maintain such fiscal control and accounting procedures as may be necessary to ensure the disbursement of, and accounting for, these funds. The control of funds provided in this program,

and title to property obtained, shall be under the authority of the approved provider for purposes provided in the program unless, as described in division (J) of this section, the program waives its right for funding or a program's funding is eliminated or reduced due to its inability to meet financial or early learning program guidelines. The approved provider shall administer and use such property and funds for the purposes specified.

(F) The Department may examine a provider's financial and program records. If the financial practices of the program are not in accordance with standard accounting principles or do not meet financial standards outlined under division (E) of this section, or if the program fails to substantially meet the early learning program guidelines, meet a quality rating level in the tiered quality rating and improvement system developed under section 5104.30 of the Revised Code as prescribed by the Department, or exhibits below average performance as measured against the guidelines, the early childhood education program shall propose and implement a corrective action plan that has been approved by the Department. The approved corrective action plan shall be signed by the chief executive officer and the executive of the official governing body of the provider. The corrective action plan shall include a schedule for monitoring by the Department. Such monitoring may include monthly reports, inspections, a timeline for correction of deficiencies, and technical assistance to be provided by the Department or obtained by the early childhood education program. The Department may withhold funding pending corrective action. If an early childhood education program fails to satisfactorily complete a corrective action plan, the Department may deny expansion funding to the program or withdraw all or part of the funding to the program and establish a new eligible provider through a selection process established by the Department.

(G) Each early childhood education program shall do all of the following:

(1) Meet teacher qualification requirements prescribed by section 3301.311 of the Revised Code;

(2) Align curriculum to the early learning content standards developed by the Department;

(3) Meet any child or program assessment requirements prescribed by the Department;

(4) Require teachers, except teachers enrolled and working to obtain a degree pursuant to section 3301.311 of the Revised Code, to attend a minimum of twenty hours every two years of professional development as prescribed by the Department;

(5) Document and report child progress as prescribed by the

Department;

(6) Meet and report compliance with the early learning program guidelines as prescribed by the Department;

(7) Participate in the tiered quality rating and improvement system developed under section 5104.30 of the Revised Code. Effective July 1, 2016, all programs shall be rated through the system.

(H) Per-pupil funding for programs subject to this section shall be sufficient to provide eligible children with services for a standard early childhood schedule which shall be defined in this section as a minimum of twelve and one-half hours per school week as defined in section 3313.62 of the Revised Code for the minimum school year as defined in sections 3313.48, 3313.481, and 3313.482 of the Revised Code. Nothing in this section shall be construed to prohibit program providers from utilizing other funds to serve eligible children in programs that exceed the twelve and one-half hours per week or that exceed the minimum school year. For any provider for which a standard early childhood education schedule creates a hardship or for which the provider shows evidence that the provider is working in collaboration with a preschool special education program, the provider may submit a waiver to the Department requesting an alternate schedule. If the Department approves a waiver for an alternate schedule that provides services for less time than the standard early childhood education schedule, the Department may reduce the provider's annual allocation proportionately. Under no circumstances shall an annual allocation be increased because of the approval of an alternate schedule.

(I) Each provider shall develop a sliding fee scale based on family incomes and shall charge families who earn more than two hundred per cent of the federal poverty guidelines, as defined in division (A)(3) of section 5101.46 of the Revised Code, for the early childhood education program.

The Department shall conduct an annual survey of each provider to determine whether the provider charges families tuition or fees, the amount families are charged relative to family income levels, and the number of families and students charged tuition and fees for the early childhood program.

(J) If an early childhood education program voluntarily waives its right for funding, or has its funding eliminated for not meeting financial standards or the early learning program guidelines, the provider shall transfer control of title to property, equipment, and remaining supplies obtained through the program to providers designated by the Department and return any unexpended funds to the Department along with any reports prescribed by the Department. The funding made available from a program that waives its

right for funding or has its funding eliminated or reduced may be used by the Department for new grant awards or expansion grants. The Department may award new grants or expansion grants to eligible providers who apply. The eligible providers who apply must do so in accordance with the selection process established by the Department.

(K) As used in this section, "early learning program guidelines" means the guidelines established by the Department pursuant to division (C)(3) of Section 206.09.54 of Am. Sub. H.B. 66 of the 126th General Assembly.

(L) Eligible expenditures for the Early Childhood Education program shall be claimed each fiscal year to help meet the state's TANF maintenance of effort requirement. The Superintendent of Public Instruction and the Director of Job and Family Services shall enter into an interagency agreement to carry out the requirements under this division, which shall include developing reporting guidelines for these expenditures.

Sec. 267.10.20. CAREER-TECHNICAL EDUCATION MATCH

~~The~~ For fiscal year 2012, the foregoing appropriation item 200416, Career-Technical Education Match, shall be used by the Department of Education to provide ~~vocational administration~~ matching funds under 20 U.S.C. ~~2314~~ 2321.

~~The Director of Budget and Management shall transfer any remaining appropriation from appropriation item 200416, Career-Technical Education Match, to appropriation item 200426, Ohio Educational Computer Network, to support the Ohio Educational Computer Network.~~

COMPUTER/APPLICATION/NETWORK INFORMATION
TECHNOLOGY DEVELOPMENT AND SUPPORT

The foregoing appropriation item 200420, ~~Computer/Application/Network~~ Information Technology Development and Support, shall be used to support the development and implementation of information technology solutions designed to improve the performance and services of the Department of Education. Funds may be used for personnel, maintenance, and equipment costs related to the development and implementation of these technical system projects. Implementation of these systems shall allow the Department to provide greater levels of assistance to school districts and to provide more timely information to the public, including school districts, administrators, and legislators. Funds may also be used to support data-driven decision-making and differentiated instruction, as well as to communicate academic content standards and curriculum models to schools through web-based applications.

Sec. 267.10.40. SCHOOL MANAGEMENT ASSISTANCE

Of the foregoing appropriation item 200422, School Management

Assistance, \$1,000,000 in each fiscal year ~~2012 and \$1,300,000 in fiscal year 2013~~ shall be used by the Auditor of State in consultation with the Department of Education for expenses incurred in the Auditor of State's role relating to fiscal caution, fiscal watch, and fiscal emergency activities as defined in Chapter 3316. of the Revised Code and may also be used by the Auditor of State to conduct performance audits of other school districts with priority given to districts in fiscal distress. Districts in fiscal distress shall be determined by the Auditor of State and shall include districts that the Auditor of State, in consultation with the Department of Education, determines are employing fiscal practices or experiencing budgetary conditions that could produce a state of fiscal watch or fiscal emergency.

The remainder of appropriation item 200422, School Management Assistance, shall be used by the Department of Education to provide fiscal technical assistance and inservice education for school district management personnel and to administer, monitor, and implement the fiscal caution, fiscal watch, and fiscal emergency provisions under Chapter 3316. of the Revised Code.

COMMUNITY SCHOOL AND CHOICE PROGRAMS

An amount equal to the unexpended, unencumbered balances of the GRF appropriations for the Department of Education at the end of fiscal year 2012, but not to exceed \$600,000, is hereby reappropriated to appropriation item 200455, Community Schools and Choice Programs, for fiscal year 2013 for the Department of Education to provide STEM schools with matching funds for industry workforce development initiatives.

If the unexpended, unencumbered balances reappropriated above are less than \$600,000, the Superintendent of Public Instruction shall identify outstanding GRF encumbrances of the Department for fiscal year 2012 and prior fiscal years that are no longer needed to support the obligations of the Department. On July 1, 2012, or as soon as possible thereafter, the Superintendent shall certify the identified encumbrances to the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall cancel identified encumbrances in an amount up to the difference between \$600,000 and the amount reappropriated above. The amount of canceled encumbrances is hereby appropriated to appropriation item 200455, Community Schools and Choice Programs, for fiscal year 2013 for the Department of Education to provide STEM schools with matching funds for industry workforce development initiatives.

Sec. 267.30.20. SPECIAL EDUCATION ENHANCEMENTS

Of the foregoing appropriation item 200540, Special Education Enhancements, up to \$2,206,875 in each fiscal year shall be used for home

instruction for children with disabilities.

Of the foregoing appropriation item 200540, Special Education Enhancements, up to \$45,282,959 in each fiscal year shall be used to fund special education and related services at county boards of developmental disabilities for eligible students under section 3317.20 of the Revised Code and at institutions for eligible students under section 3317.201 of the Revised Code. Notwithstanding the distribution formulas under sections 3317.20 and 3317.201 of the Revised Code, funding for DD boards and institutions for fiscal year 2012 and fiscal year 2013 shall be determined by providing the per pupil amount received by each DD board and institution for the prior fiscal year for each student served in the current fiscal year.

Of the foregoing appropriation item 200540, Special Education Enhancements, up to \$1,333,468 in each fiscal year shall be used for parent mentoring programs.

Of the foregoing appropriation item 200540, Special Education Enhancements, up to \$2,537,824 in each fiscal year may be used for school psychology interns.

The remainder of appropriation item 200540, Special Education Enhancements, shall be distributed by the Department of Education to county boards of developmental disabilities, educational service centers, and school districts for preschool special education units and preschool supervisory units under section 3317.052 of the Revised Code. To the greatest extent possible, the Department of Education shall allocate these units to school districts and educational service centers.

The Department may reimburse county DD boards, educational service centers, and school districts for services provided by instructional assistants, related services as defined in rule 3301-51-11 of the Administrative Code, physical therapy services provided by a licensed physical therapist or physical therapist assistant under the supervision of a licensed physical therapist as required under Chapter 4755. of the Revised Code and Chapter 4755-27 of the Administrative Code and occupational therapy services provided by a licensed occupational therapist or occupational therapy assistant under the supervision of a licensed occupational therapist as required under Chapter 4755. of the Revised Code and Chapter 4755-7 of the Administrative Code. Nothing in this section authorizes occupational therapy assistants or physical therapist assistants to generate or manage their own caseloads.

The Department of Education shall require school districts, educational service centers, and county DD boards serving preschool children with disabilities to adhere to Ohio's Early Learning Program Guidelines,

participate in the tiered quality rating and improvement system developed under section 5104.30 of the Revised Code, and document child progress using research-based indicators prescribed by the Department and report results annually. The reporting dates and method shall be determined by the Department. Effective July 1, 2018, all programs shall be rated through the tiered quality rating and improvement system.

Sec. 267.30.40. FOUNDATION FUNDING

Of the foregoing appropriation item 200550, Foundation Funding, up to \$675,000 in each fiscal year shall be used to support the work of the College of Education and Human Ecology at the Ohio State University in reviewing and assessing the alignment of courses offered through the distance learning clearinghouse established in sections 3333.81 to 3333.88 of the Revised Code with the academic content standards adopted under division (A) of section 3301.079 of the Revised Code.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$250,000 in each fiscal year may be used by the Department to fund a shared services pilot project involving at least two educational service centers. The pilot project shall focus on the design, implementation, and evaluation of a shared service delivery model. The educational service centers participating in the pilot project shall submit a report not later than September 1, 2013, to the Governor, members of the General Assembly, and members of the State Board of Education, reviewing the opportunities and challenges of implementing shared services initiatives as well as any real or projected cost efficiencies achieved through the pilot project.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$50,000 shall be expended in each fiscal year for court payments under section 2151.362 of the Revised Code.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$8,100,000 in each fiscal year shall be used to fund gifted education at educational service centers. Notwithstanding division (D)(5) of section 3317.018 of the Revised Code, the Department shall distribute the funding through the unit-based funding methodology in place under division (L) of section 3317.024, division (E) of section 3317.05, and divisions (A), (B), and (C) of section 3317.053 of the Revised Code as they existed prior to fiscal year 2010.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$10,000,000 in each fiscal year shall be used to provide additional state aid to school districts, joint vocational school districts, and community schools for special education students under division (C)(3) of section 3317.022 of the Revised Code, except that the Controlling Board may increase these

amounts if presented with such a request from the Department of Education at the final meeting of the fiscal year; and up to \$2,000,000 in each fiscal year shall be reserved for Youth Services tuition payments under section 3317.024 of the Revised Code.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$41,760,000 in fiscal year 2012 and up to \$35,496,000 in fiscal year 2013 shall be reserved to fund the state reimbursement of educational service centers under section 3317.11 of the Revised Code and the section of this act entitled "EDUCATIONAL SERVICE CENTERS FUNDING"; and up to \$3,545,752 in each fiscal year shall be distributed to educational service centers for School Improvement Initiatives. Educational service centers shall be required to support districts in the development and implementation of their continuous improvement plans as required in section 3302.04 of the Revised Code and to provide technical assistance and support in accordance with Title I of the "No Child Left Behind Act of 2001," 115 Stat. 1425, 20 U.S.C. 6317.

Of the foregoing appropriation item 200550, Foundation Funding, up to \$700,000 in each fiscal year shall be used by the Department of Education for a program to pay for educational services for youth who have been assigned by a juvenile court or other authorized agency to any of the facilities described in division (A) of the section of this act entitled "PRIVATE TREATMENT FACILITY PROJECT."

Of the foregoing appropriation item 200550, Foundation Funding, up to \$12,522,860 in ~~each~~ fiscal year 2012 and up to \$18,713,327 in fiscal year 2013 shall be used to support ~~the Cleveland~~ school choice ~~program~~ programs.

Of the portion of the funds distributed to the Cleveland Municipal School District under this section, up to \$11,901,887 in each fiscal year shall be used to operate the school choice program in the Cleveland Municipal School District under sections 3313.974 to 3313.979 of the Revised Code. Notwithstanding divisions (B) and (C) of section 3313.978 and division (C) of section 3313.979 of the Revised Code, up to \$1,000,000 in each fiscal year of this amount shall be used by the Cleveland Municipal School District to provide tutorial assistance as provided in division (H) of section 3313.974 of the Revised Code. The Cleveland Municipal School District shall report the use of these funds in the district's three-year continuous improvement plan as described in section 3302.04 of the Revised Code in a manner approved by the Department of Education.

Of the foregoing appropriation item 200550, Foundation Funding, an amount shall be available in each fiscal year to be paid to joint vocational

school districts in accordance with the section of this act entitled "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS."

Of the foregoing appropriation item 200550, Foundation Funding, a portion in each fiscal year shall be paid to city, exempted village, and local school districts in accordance with the section of this act entitled "SUPPLEMENTAL SCHOOL DISTRICT FUNDING."

Of the foregoing appropriation item 200550, Foundation Funding, a portion in each fiscal year shall be paid to school districts and community schools in accordance with the section of this act entitled "SUBSIDY FOR HIGH PERFORMING SCHOOL DISTRICTS."

The remainder of appropriation item 200550, Foundation Funding, shall be used to distribute the amounts calculated for formula aid under Section 267.30.50 of this act.

Appropriation items 200502, Pupil Transportation, 200540, Special Education Enhancements, and 200550, Foundation Funding, other than specific set-asides, are collectively used in each fiscal year to pay state formula aid obligations for school districts, community schools, STEM schools, and joint vocational school districts under this act. The first priority of these appropriation items, with the exception of specific set-asides, is to fund state formula aid obligations. It may be necessary to reallocate funds among these appropriation items or use excess funds from other general revenue fund appropriation items in the Department of Education's budget in each fiscal year, in order to meet state formula aid obligations. If it is determined that it is necessary to transfer funds among these appropriation items or to transfer funds from other General Revenue Fund appropriations in the Department of Education's budget to meet state formula aid obligations, the Department of Education shall seek approval from the Controlling Board to transfer funds as needed.

Sec. 267.40.40. LOTTERY PROFITS EDUCATION RESERVE FUND

(A) There is hereby created the Lottery Profits Education Reserve Fund (Fund 7018) in the State Treasury. Investment earnings of the Lottery Profits Education Reserve Fund shall be credited to the fund.

(B) Notwithstanding any other provision of law to the contrary, the Director of Budget and Management may transfer cash from Fund 7018 to the Lottery Profits Education Fund (Fund 7017) in fiscal year 2012 and fiscal year 2013. Amounts transferred under this section are hereby appropriated.

(C) On July 15, 2011, or as soon as possible thereafter, the Director of the Ohio Lottery Commission shall certify to the Director of Budget and Management the amount by which lottery profit transfers received by Fund

7017 exceeded \$711,000,000 in fiscal year 2011. The Director of Budget and Management may transfer the amount so certified, plus the cash balance in Fund 7017, to Fund 7018.

(D) On July 15, 2012, or as soon as possible thereafter, the Director of the Ohio Lottery Commission shall certify to the Director of Budget and Management the amount by which lottery profit transfers received by Fund 7017 exceeded \$717,500,000 in fiscal year 2012. The Director of Budget and Management may transfer the amount so certified, plus the cash balance in Fund 7017, to Fund 7018.

THIRD GRADE READING GUARANTEE

The foregoing appropriation item 200686, Third Grade Reading Guarantee, shall be used to make competitive grants in an aggregate amount of up to \$13,000,000 to school districts and community schools to support reading intervention efforts that assist students in meeting the third grade reading guarantee established in section 3313.608 of the Revised Code.

The Superintendent of Public Instruction shall administer and award the grants. The Superintendent shall establish procedures and forms by which applicants may apply for a grant, a competitive process for awarding the grants, procedures for distributing grants to recipients, and procedures for monitoring the use of grants by recipients. The procedures shall require each school district and community school applying for a grant to submit, as part of its grant application, a reading program plan identifying how the grant award will be used. To be eligible for a grant award, school districts and community schools shall apply to the Superintendent not later than December 31, 2012. The Superintendent shall announce the grant awards not later than April 30, 2013.

In awarding the grants, the Superintendent shall give priority to plans that either utilize public-private partnerships or involve collaboration with educational service centers, other school districts, or local entities, such as libraries, parks and recreation authorities, or other community entities. The Superintendent shall also consider an applicant's past performance on the third grade reading assessment administered pursuant to the version of section 3301.0710 of the Revised Code that was in effect prior to October 16, 2009. In considering this factor, the Superintendent shall take into account the existing resources available for reading improvement initiatives, including the amount of funding the school district or community school regularly receives under Title I of the "Elementary and Secondary Education Act of 1965," 20 U.S.C. 6301, et seq.

Sec. 279.10. EPA ENVIRONMENTAL PROTECTION AGENCY
General Services Fund Group

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1990	715602	Laboratory Services	\$	402,295	\$	408,560
2190	715604	Central Support Indirect	\$	8,594,348	\$	8,555,680
4A10	715640	Operating Expenses	\$	2,304,267	\$	2,093,039
4D50	715618	Recycled State Materials	\$	0	\$	50,000
TOTAL GSF General Services						
Fund Group			\$	11,300,910	\$	<u>11,057,279</u>
						<u>11,107,279</u>

Federal Special Revenue Fund Group

3530	715612	Public Water Supply	\$	2,941,282	\$	2,941,282
3540	715614	Hazardous Waste Management - Federal	\$	4,193,000	\$	4,193,000
3570	715619	Air Pollution Control - Federal	\$	6,310,203	\$	6,310,203
3620	715605	Underground Injection Control - Federal	\$	111,874	\$	111,874
3BU0	715684	Water Quality Protection	\$	8,100,000	\$	6,785,000
3CS0	715688	Federal NRD Settlements	\$	100,000	\$	100,000
3F20	715630	Revolving Loan Fund - Operating	\$	907,543	\$	907,543
3F30	715632	Federally Supported Cleanup and Response	\$	3,344,746	\$	3,290,405
3F50	715641	Nonpoint Source Pollution Management	\$	6,265,000	\$	6,260,000
3T30	715669	Drinking Water State Revolving Fund	\$	2,273,323	\$	2,273,323
3V70	715606	Agencywide Grants	\$	600,000	\$	600,000
TOTAL FED Federal Special Revenue						
Fund Group			\$	35,146,971	\$	33,772,630

State Special Revenue Fund Group

4J00	715638	Underground Injection Control	\$	445,234	\$	445,571
4K20	715648	Clean Air - Non Title V	\$	3,152,306	\$	2,906,267
4K30	715649	Solid Waste	\$	16,742,551	\$	16,414,654
4K40	715650	Surface Water Protection	\$	7,642,625	\$	6,672,246
4K40	715686	Environmental Lab Service	\$	2,096,007	\$	2,096,007
4K50	715651	Drinking Water Protection	\$	7,410,118	\$	7,405,428
4P50	715654	Cozart Landfill	\$	100,000	\$	100,000
4R50	715656	Scrap Tire Management	\$	1,368,610	\$	1,376,742
4R90	715658	Voluntary Action Program	\$	999,503	\$	997,425
4T30	715659	Clean Air - Title V Permit Program	\$	16,349,471	\$	16,241,822
4U70	715660	Construction and Demolition Debris	\$	425,913	\$	433,591
5000	715608	Immediate Removal Special Account	\$	633,832	\$	634,033
5030	715621	Hazardous Waste Facility Management	\$	10,241,107	\$	9,789,620
5050	715623	Hazardous Waste Cleanup	\$	12,511,234	\$	12,331,272
5050	715674	Clean Ohio Environmental Review	\$	108,104	\$	108,104
5320	715646	Recycling and Litter Control	\$	0	\$	4,911,575
5410	715670	Site Specific Cleanup	\$	2,048,101	\$	2,048,101
5420	715671	Risk Management Reporting	\$	132,636	\$	132,636

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<u>5860</u>	<u>715637</u>	<u>Scrap Tire Market</u>	\$	0	\$	<u>1,497,645</u>
		<u>Development</u>				
5920	715627	Anti Tampering Settlement	\$	2,285	\$	2,285
5BC0	715617	Clean Ohio	\$	611,455	\$	611,455
5BC0	715622	Local Air Pollution Control	\$	2,297,980	\$	2,297,980
5BC0	715624	Surface Water	\$	8,970,181	\$	9,114,974
5BC0	715672	Air Pollution Control	\$	4,438,629	\$	4,534,758
5BC0	715673	Drinking and Ground Water	\$	4,317,527	\$	4,323,521
5BC0	715675	Hazardous Waste	\$	95,266	\$	95,266
5BC0	715676	Assistance and Prevention	\$	640,179	\$	645,069
5BC0	715677	Laboratory	\$	939,717	\$	958,586
5BC0	715678	Corrective Actions	\$	31,765	\$	105,423
5BC0	715687	Areawide Planning Agencies	\$	450,000	\$	450,000
5BC0	715692	Administration	\$	8,562,476	\$	8,212,627
5BT0	715679	C&DD Groundwater	\$	203,800	\$	203,800
		Monitoring				
5BY0	715681	Auto Emissions Test	\$	13,029,952	\$	13,242,762
						<u>11,242,762</u>
5CD0	715682	Clean Diesel School Buses	\$	600,000	\$	600,000
5H40	715664	Groundwater Support	\$	77,508	\$	78,212
5N20	715613	Dredge and Fill	\$	29,250	\$	29,250
5Y30	715685	Surface Water Improvement	\$	2,800,000	\$	2,800,000
6440	715631	ER Radiological Safety	\$	279,838	\$	279,966
6600	715629	Infectious Waste Management	\$	91,573	\$	88,764
6760	715642	Water Pollution Control Loan	\$	4,317,376	\$	4,321,605
		Administration				
6780	715635	Air Toxic Release	\$	138,669	\$	138,669
6790	715636	Emergency Planning	\$	2,623,192	\$	2,623,252
6960	715643	Air Pollution Control	\$	1,100,000	\$	1,100,000
		Administration				
6990	715644	Water Pollution Control	\$	220,000	\$	220,000
		Administration				
6A10	715645	Environmental Education	\$	1,488,260	\$	1,488,718
TOTAL SSR State Special Revenue Fund			\$	140,764,230	\$	138,700,461
Group						<u>143,109,681</u>
Clean Ohio Conservation Fund Group						
5S10	715607	Clean Ohio - Operating	\$	284,083	\$	284,124
TOTAL CLF Clean Ohio Conservation Fund			\$	284,083	\$	284,124
Group						
TOTAL ALL BUDGET FUND GROUPS			\$	187,496,194	\$	183,814,494
						<u>188,273,714</u>

AUTOMOBILE EMISSIONS TESTING PROGRAM OPERATION AND OVERSIGHT

On July 1 of each fiscal year, or as soon as possible thereafter, the Director of Budget and Management may transfer up to \$13,029,952 in cash in fiscal year 2012, and up to ~~\$13,242,762~~ 11,242,762 in cash in fiscal year 2013 from the General Revenue Fund to the Auto Emissions Test Fund (Fund 5BY0) for the operation and oversight of the auto emissions testing program.

AREAWIDE PLANNING AGENCIES

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

CORRECTIVE CASH TRANSFERS

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

On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$133,026.63 in cash that was mistakenly deposited in the Scrap Tire Management Fund (Fund 4R50) to the Site Specific Cleanup Fund (Fund 5410).

TRANSFER OF DIVISION OF RECYCLING AND LITTER PREVENTION

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances against appropriation item 725618, Recycled Materials, and reestablish them against appropriation item 715618, Recycled State Materials. The reestablished encumbrance amounts are hereby appropriated.

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances against appropriation item 725644, Litter Control and Recycling, and reestablish them against appropriation item 715646, Recycling and Litter Control. The reestablished encumbrance amounts are hereby appropriated.

On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall cancel any existing encumbrances against appropriation item 725633, Scrap Tire Program, and reestablish them against appropriation item 715637, Scrap Tire Market Development. The reestablished encumbrance amounts are hereby appropriated.

Sec. 283.10. ETC ETECH OHIO

General Revenue Fund

GRF 935401	Statehouse News Bureau	\$	215,561	\$	215,561
GRF 935402	Ohio Government	\$	702,089	\$702,089	1,002,089
	Telecommunications Services				
GRF 935408	General Operations	\$	1,251,789	\$	1,254,193
GRF 935409	Technology Operations	\$	2,092,432	\$	2,091,823
GRF 935410	Content Development,	\$	2,607,094	\$	2,607,094
	Acquisition, and Distribution				
GRF 935411	Technology Integration and	\$	4,251,185	\$	4,252,671
	Professional Development				
GRF 935412	Information Technology	\$	829,340	\$	829,963

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TOTAL GRF General Revenue Fund	\$	11,949,490	\$	11,953,394 <u>12,253,394</u>
General Services Fund Group				
4F30 935603 Affiliate Services	\$	50,000	\$	50,000
4T20 935605 Government	\$	25,000	\$	25,000
Television/Telecommunications. Operating				
TOTAL GSF General Services Fund Group	\$	75,000	\$	75,000
State Special Revenue Fund Group				
4W90 935630 Telecommunity	\$	25,000	\$	25,000
4X10 935634 Distance Learning	\$	24,150	\$	24,150
5D40 935640 Conference/Special Purposes	\$	2,100,000	\$	2,100,000
5FK0 935608 Media Services	\$	637,601	\$	637,956
5JU0 935611 Information Technology Services	\$	1,455,000	\$	1,455,000
5T30 935607 Gates Foundation Grants	\$	200,000	\$	171,112
TOTAL SSR State Special Revenue Fund Group	\$	4,441,751	\$	4,413,218
TOTAL ALL BUDGET FUND GROUPS	\$	16,466,241	\$	16,441,612 <u>16,741,612</u>

Sec. 285.10. ETH OHIO ETHICS COMMISSION**General Revenue Fund**

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

General Services Fund Group

4M60 146601 Operating Expenses	\$	827,393	\$	827,393
TOTAL GSF General Services Fund Group	\$	827,393	\$	827,393
TOTAL ALL BUDGET FUND GROUPS	\$	2,237,144	\$	2,237,144

ETHICS COMMISSION CASINO-RELATED ACTIVITIES

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

On July 1, 2012, or as soon as possible thereafter, an amount equal to the unexpended, unencumbered balance of appropriation item 146602, Casino Investigations, at the end of fiscal year 2012 is hereby reappropriated to the same appropriation item for fiscal year 2013, to be used for the performance of the Ohio Ethics Commission's casino-related duties.

Sec. 287.10. EXP OHIO EXPOSITIONS COMMISSION**General Revenue Fund**

GRF 723403 Junior Fair Subsidy	\$	250,000	\$	250,000
GRF 723501 Construction Planning	\$	0	\$	1,000,000
TOTAL GRF General Revenue Fund	\$	250,000	\$250,000	<u>1,250,000</u>

State Special Revenue Fund Group

4N20 723602 Ohio State Fair Harness Racing	\$	400,000	\$	400,000
5060 723601 Operating Expenses	\$	12,991,000	\$	12,894,000

TOTAL SSR State Special Revenue			
Fund Group	\$	13,391,000	\$ 13,294,000
TOTAL ALL BUDGET FUND GROUPS	\$	13,641,000	\$ 13,544,000 <u>14,544,000</u>

STATE FAIR RESERVE

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

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

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

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

The amount approved by the Controlling Board is hereby appropriated.

CONSTRUCTION PLANNING

The foregoing GRF appropriation item 723501, Construction Planning, shall be used for acquiring purchased services for new and renovated facility planning, including but not limited to necessary architectural engineering, and land or facility use consulting services.

Sec. 291.10. DOH DEPARTMENT OF HEALTH

General Revenue Fund

GRF440412	Cancer Incidence Surveillance System	\$	600,000	\$	600,000
GRF440413	Local Health Department Support	\$	2,302,788	\$	2,303,061
GRF440416	Mothers and Children Safety Net Services	\$	4,227,842	\$	4,228,015
GRF440418	Immunizations	\$	6,430,538	\$	8,930,829 <u>8,825,829</u>
GRF440431	Free Clinics Safety Net Services	\$	437,326	\$	437,326
GRF440438	Breast and Cervical Cancer Screening	\$	823,217	\$	823,217
GRF440444	AIDS Prevention and Treatment	\$	5,842,315	\$	5,842,315
GRF440451	Public Health Laboratory	\$	3,654,348	\$	3,655,449
GRF440452	Child and Family Health Services Match	\$	630,390	\$	630,444
GRF440453	Health Care Quality Assurance	\$	8,170,694	\$	8,174,361
GRF440454	Local Environmental Health	\$	1,310,141	\$	1,310,362 <u>1,194,634</u>
GRF440459	Help Me Grow	\$	33,673,545	\$	33,673,987
GRF440465	Federally Qualified Health Centers	\$	458,688	\$	2,686,688
GRF440467	Access to Dental Care	\$	540,484	\$	540,484

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GRF440468	Chronic Disease and Injury Prevention	\$	2,577,251	\$	2,577,251 2,447,251
GRF440472	Alcohol Testing	\$	550,000	\$	1,100,000
GRF440505	Medically Handicapped Children	\$	7,512,451	\$	7,512,451
GRF440507	Targeted Health Care Services Over 21	\$	1,045,414	\$	1,045,414
TOTAL GRF General Revenue Fund		\$	80,787,432	\$	86,071,654 85,720,926
State Highway Safety Fund Group					
4T40 440603	Child Highway Safety	\$	233,894	\$	233,894
TOTAL HSF State Highway Safety Fund Group		\$	233,894	\$	233,894
General Services Fund Group					
1420 440646	Agency Health Services	\$	8,825,788	\$	8,826,146
2110 440613	Central Support Indirect Costs	\$	28,900,000	\$	29,000,000
4730 440622	Lab Operating Expenses	\$	5,000,000	\$	5,000,000
5HB0 440470	Breast and Cervical Cancer Screening	\$	1,000,000	\$	0
6830 440633	Employee Assistance Program	\$	1,100,000	\$	1,100,000
6980 440634	Nurse Aide Training	\$	99,239	\$	99,265
TOTAL GSF General Services Fund Group		\$	44,925,027	\$	44,025,411
Federal Special Revenue Fund Group					
3200 440601	Maternal Child Health Block Grant	\$	27,068,886	\$	27,068,886
3870 440602	Preventive Health Block Grant	\$	7,826,659	\$	7,826,659
3890 440604	Women, Infants, and Children	\$	308,672,689	\$	308,672,689
3910 440606	Medicaid/Medicare	\$	29,625,467	\$	29,257,457
3920 440618	Federal Public Health Programs	\$	137,976,988	\$	137,976,988
TOTAL FED Federal Special Revenue Fund Group		\$	511,170,689	\$	510,802,679
State Special Revenue Fund Group					
4700 440647	Fee Supported Programs	\$	24,503,065	\$	24,513,973 24,263,973
4710 440619	Certificate of Need	\$	878,145	\$	878,433
4770 440627	Medically Handicapped Children Audit	\$	3,692,704	\$	3,692,703
4D60 440608	Genetics Services	\$	3,310,953	\$	3,311,039
4F90 440610	Sickle Cell Disease Control	\$	1,032,754	\$	1,032,824
4G00 440636	Heirloom Birth Certificate	\$	5,000	\$	5,000
4G00 440637	Birth Certificate Surcharge	\$	5,000	\$	5,000
4L30 440609	Miscellaneous Expenses	\$	3,333,164	\$	3,333,164
4P40 440628	Ohio Physician Loan Repayment	\$	476,870	\$	476,870
4V60 440641	Save Our Sight	\$	2,255,760	\$	2,255,789
5B50 440616	Quality, Monitoring, and Inspection	\$	878,638	\$	878,997
5C00 440615	Alcohol Testing and Permit	\$	551,018	\$	0

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5CN0 440645	Choose Life	\$	75,000	\$	75,000
5D60 440620	Second Chance Trust	\$	1,151,815	\$	1,151,902
5ED0 440651	Smoke Free Indoor Air	\$	190,452	\$	190,452
5G40 440639	Adoption Services	\$	20,000	\$	20,000
5L10 440623	Nursing Facility Technical Assistance Program	\$	687,500	\$	687,528
5Z70 440624	Ohio Dentist Loan Repayment	\$	140,000	\$	140,000
6100 440626	Radiation Emergency Response	\$	930,525	\$	930,576
6660 440607	Medically Handicapped Children - County Assessments	\$	19,738,286	\$	19,739,617
TOTAL SSR State Special Revenue Fund Group		\$	63,856,649	\$	63,318,867 63,068,867
Holding Account Redistribution Fund Group					
R014 440631	Vital Statistics	\$	44,986	\$	44,986
R048 440625	Refunds, Grants Reconciliation, and Audit Settlements	\$	20,000	\$	20,000
TOTAL 090 Holding Account Redistribution Fund Group		\$	64,986	\$	64,986
Tobacco Master Settlement Agreement Fund Group					
5BX0 440656	Tobacco Use Prevention	\$	1,000,000	\$	1,000,000
TOTAL TSF Tobacco Master Settlement Agreement Fund Group		\$	1,000,000	\$	1,000,000
TOTAL ALL BUDGET FUND GROUPS		\$	702,038,677	\$	705,517,491 704,916,763

Sec. 305.10. IGO OFFICE OF THE INSPECTOR GENERAL**General Revenue Fund**

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

General Services Fund Group

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

IGO CASINO-RELATED ACTIVITIES

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

On July 1, 2012, or as soon as possible thereafter, an amount equal to the unexpended, unencumbered balance of appropriation item 965609,

Casino Investigations, at the end of fiscal year 2012 is hereby reappropriated to the same appropriation item for fiscal year 2013, to be used for the performance of the Inspector General's casino-related duties.

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

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

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

Sec. 307.10. INS DEPARTMENT OF INSURANCE

Federal Special Revenue Fund Group

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

State Special Revenue Fund Group

5540 820601	Operating Expenses - OSHIIP	\$	190,000	\$	180,000
5540 820606	Operating Expenses	\$	22,745,538	\$	<u>22,288,550</u>
					<u>22,931,817</u>
5550 820605	Examination	\$	9,065,684	\$	<u>8,934,065</u>
					<u>8,184,065</u>

TOTAL SSR State Special Revenue Fund Group

		\$	32,001,222	\$	<u>31,402,615</u>
					<u>31,295,882</u>
TOTAL ALL BUDGET FUND GROUPS		\$	36,271,948	\$	<u>35,673,340</u>
					<u>35,566,607</u>

MARKET CONDUCT EXAMINATION

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

(Fund 5540).

EXAMINATIONS OF DOMESTIC FRATERNAL BENEFIT SOCIETIES

The Director of Budget and Management, at the request of the Superintendent of Insurance, may transfer funds from the Department of Insurance Operating Fund (Fund 5540), established by section 3901.021 of the Revised Code, to the Superintendent's Examination Fund (Fund 5550), established by section 3901.071 of the Revised Code, only for expenses incurred in examining domestic fraternal benefit societies as required by section 3921.28 of the Revised Code.

TRANSFER FROM FUND 5540 TO GENERAL REVENUE FUND

Not later than the thirty-first day of July each fiscal year, the Director of Budget and Management shall transfer \$5,000,000 from the Department of Insurance Operating Fund (Fund 5540) to the General Revenue Fund.

Sec. 309.10. JFS DEPARTMENT OF JOB AND FAMILY SERVICES

General Revenue Fund

GRF600321	<u>Program Support Services</u>				
	State	\$	34,801,760	\$	<u>31,932,117</u>
					<u>31,612,796</u>
	Federal	\$	9,322,222	\$	<u>9,207,441</u>
					<u>9,115,366</u>
	<u>Program Support Services</u>	\$	44,123,982	\$	<u>41,139,558</u>
	Total				<u>40,728,162</u>
GRF600410	TANF State/ <u>Maintenance of Effort</u>	\$	151,386,934	\$	151,386,934
GRF600413	Child Care Match	\$	84,732,730	\$	84,732,730
	<u>State/Maintenance of Effort</u>				
GRF600416	<u>Computer Information Technology Projects</u>				
	State	\$	67,955,340	\$	<u>69,263,506</u>
					<u>68,570,871</u>
	Federal	\$	13,105,167	\$	<u>12,937,222</u>
					<u>12,807,850</u>
	<u>Computer Information Technology Projects Total</u>	\$	81,060,507	\$	<u>82,200,728</u>
					<u>81,378,721</u>
GRF600417	Medicaid Provider Audits	\$	1,312,992	\$	<u>1,312,992</u>
					<u>1,299,862</u>
GRF600420	Child Support Administration	\$	6,163,534	\$	<u>6,065,588</u>
	<u>Programs</u>				<u>6,004,932</u>
GRF600421	Office of Family Stability	\$	3,768,929	\$	<u>3,757,493</u>
	<u>Assistance Programs</u>				<u>3,719,918</u>
GRF600423	Office of Children and Families and Children	\$	5,123,406	\$	<u>4,978,756</u>
	<u>Programs</u>				
GRF600425	Office of Ohio Health Plans				
	<u>Care Programs</u>				
	State	\$	13,149,582	\$	<u>15,740,987</u>
					<u>15,583,577</u>
	Federal	\$	12,556,921	\$	<u>12,286,234</u>

	Office of Ohio Health Plans	\$	25,706,503	\$	<u>12,163,372</u>
	Care Programs Total				<u>28,027,221</u>
GRF 600502	Administration Child Support - Local	\$	23,814,103	\$	<u>27,746,949</u>
GRF 600511	Disability Financial Assistance	\$	26,599,666	\$	27,108,734
GRF 600521	Entitlement Administration	\$	72,200,721	\$	72,200,721
	Family Assistance - Local				
GRF 600523	Family and Children and	\$	<u>53,605,323</u>	\$	<u>53,105,323</u>
	Families Services		<u>52,605,323</u>		<u>54,105,323</u>
GRF 600525	Health Care/Medicaid State	\$	4,313,761,372	\$	<u>4,689,051,017</u>
					<u>4,689,701,017</u>
	Federal	\$	7,530,008,024	\$	<u>8,429,762,527</u>
					<u>8,430,897,261</u>
	Health Care Total	\$	11,843,769,396	\$	<u>13,118,813,544</u>
					<u>13,120,598,278</u>
GRF 600526	Medicare Part D	\$	277,996,490	\$	296,964,743
GRF 600528	Adoption Services State	\$	29,257,932	\$	29,257,932
	Federal	\$	41,085,169	\$	41,085,169
	Adoption Services Total	\$	70,343,101	\$	70,343,101
GRF 600533	Child, Family, and Adult Community & Protective Services	\$	13,500,000	\$	13,500,000
GRF 600534	Adult Protective Services	\$	366,003	\$	366,003
GRF 600535	Early Care and Education	\$	123,596,474	\$	123,596,474
GRF 600537	Children's Hospital	\$	6,000,000	\$	6,000,000
GRF 600540	Second Harvest Food Banks	\$	4,000,000	\$	4,000,000
GRF 600541	Kinship Permanency Incentive Program	\$	2,500,000	\$	3,500,000
TOTAL GRF	General Revenue Fund State	\$	<u>5,315,593,291</u>	\$	<u>5,711,636,153</u>
			<u>5,314,593,291</u>		<u>5,712,005,426</u>
	Federal	\$	7,606,077,503	\$	<u>8,505,278,593</u>
					<u>8,506,069,018</u>
	GRF Total	\$	<u>12,921,670,794</u>	\$	<u>14,216,914,746</u>
			<u>12,920,670,794</u>		<u>14,218,074,444</u>
General Services Fund Group					
4A80 600658	Public Assistance Activities	\$	34,000,000	\$	34,000,000
5C90 600671	Medicaid Program Support	\$	85,800,878	\$	<u>82,839,266.0</u>
5DL0 600639	Medicaid Revenue and Collections Health Care/Medicaid Support - Recoveries	\$	89,256,974	\$	<u>84,156,974</u>
					<u>166,996,240</u>
5DM0 600633	Administration & Operating	\$	20,392,173	\$	<u>19,858,928</u>
					<u>19,660,339</u>
5FX0 600638	Medicaid Payment Withholding	\$	5,000,000	\$	6,000,000
5HL0 600602	State and County Shared services	\$	3,020,000	\$	3,020,000
5P50 600692	Prescription Drug Rebate - State Health Care/Medicaid Support - Drug Rebates	\$	220,600,000	\$	242,600,000

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6130	600645	Training Activities	\$	500,000	\$	500,000
TOTAL GSF General Services						
Fund Group			\$	458,570,025	\$	<u>472,975,168</u>
						<u>472,776,579</u>

Federal Special Revenue Fund Group

3270	600606	Child Welfare	\$	29,769,865	\$	29,769,866
<u>3310</u>	<u>600615</u>	<u>Veterans Programs</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>8,000,000</u>
<u>3310</u>	<u>600624</u>	<u>Employment Services</u>	<u>\$</u>	<u>0</u>	<u>\$</u>	<u>33,943,023</u>
<u>Programs</u>						
3310	600686	<u>Federal Operating Workforce</u>	\$	49,128,140	\$	<u>48,203,023</u>
						<u>6,260,000</u>
3840	600610	<u>Food Assistance and State</u>	\$	180,381,394	\$	180,381,394
						<u>Administration Programs</u>
3850	600614	Refugee Services	\$	11,582,440	\$	12,564,952
3950	600616	<u>Special Activities/Child and</u>	\$	2,259,264	\$	2,259,264
						<u>Family Services Federal</u>
						<u>Discretionary Grants</u>
3960	600620	Social Services Block Grant	\$	64,999,999	\$	64,999,998
3970	600626	Child Support - Federal	\$	255,812,837	\$	255,813,528
3980	600627	<u>Adoption Maintenance/</u>	\$	352,183,862	\$	<u>352,184,253</u>
						<u>Administration Program -</u>
						<u>Federal</u>
3A20	600641	Emergency Food Distribution	\$	5,000,000	\$	5,000,000
3AW0	600675	Faith Based Initiatives	\$	544,140	\$	544,140
3D30	600648	Children's Trust Fund Federal	\$	2,040,524	\$	2,040,524
3ER0	600603	Health Information	\$	411,661,286	\$	416,395,286
						<u>Technology</u>
3F00	600623	Health Care Federal	\$	2,637,061,505	\$	2,720,724,869
3F00	600650	Hospital Care Assurance	\$	372,784,046	\$	380,645,627
						<u>Match - Federal</u>
3FA0	600680	<u>Ohio Health Care Grants -</u>	\$	9,405,000	\$	20,000,000
						<u>Federal</u>
3G50	600655	Interagency Reimbursement	\$	1,621,305,787	\$	1,380,391,478
3H70	600617	Child Care Federal	\$	208,290,036	\$	204,813,731
3N00	600628	<u>IV-E Foster Care</u>	\$	133,963,142	\$	<u>133,963,142</u>
						<u>Maintenance Program -</u>
						<u>Federal</u>
3S50	600622	Child Support Projects	\$	534,050	\$	534,050
3V00	600688	Workforce Investment Act	\$	176,496,250	\$	172,805,562
						<u>Programs</u>
3V40	600678	Federal Unemployment	\$	188,680,096	\$	186,723,415
						<u>Programs</u>
3V40	600679	<u>Unemployment</u>	\$	4,166,988	\$	4,068,758
						<u>Compensation UC Review</u>
						<u>Commission - Federal</u>
3V60	600689	TANF Block Grant	\$	727,968,260	\$	727,968,260
TOTAL FED Federal Special Revenue						
Fund Group			\$	7,446,018,911	\$	7,302,795,120

State Special Revenue Fund Group

1980	600647	Children's Trust Fund	\$	5,873,637	\$	5,873,848
4A90	600607	Unemployment Compensation	\$	21,924,998	\$	21,424,998
						<u>Administration Fund</u>
4A90	600694	<u>Unemployment Compensation</u>	\$	2,173,167	\$	2,117,031

		<u>UC Review Commission -</u>			
		<u>SAF</u>			
4E30	600605	<u>Nursing Home Assessments</u>	\$	2,878,320	\$ 2,878,319
		<u>Resident Protection Fund</u>			
4E70	600604	<u>Child and Family and</u>	\$	400,000	\$ 400,000
		<u>Children Services Collections</u>			
4F10	600609	<u>Family and Children and</u>	\$	683,359	\$ 683,549
		<u>Family Services Activities</u>			
4K10	600621	<u>ICF/MR Bed Assessments</u>	\$	41,405,596	\$ 44,372,874
		<u>DDD Support - Franchise Fee</u>			
4Z10	600625	<u>HealthCare Compliance</u>	\$	11,551,076	\$ 14,582,000
5A10	600631	<u>Money Follows the Person</u>	\$	5,483,080	\$ 4,733,080
5DB0	600637	<u>Military Injury Grants Relief</u>	\$	2,000,000	\$ 2,000,000
		<u>Subsidies</u>			
5DP0	600634	<u>Adoption Assistance Loan</u>	\$	500,000	\$ 500,000
5ES0	600630	<u>Food Bank Assistance</u>	\$	500,000	\$ 500,000
5GF0	600656	<u>Medicaid Health</u>	\$	436,000,000	\$ 436,000,000
		<u>Care/Medicaid Support -</u>			
		<u>Hospital/UPL</u>			
5KC0	600682	<u>Health Care Special Activities</u>	\$	10,000,000	\$ 10,000,000
		<u>Grants - State</u>			
5KU0	600611	<u>Unemployment Compensation</u>	\$	2,000,000	\$ 4,000,000
		<u>Support - Other Sources</u>			
5R20	600608	<u>Medicaid Nursing Facilities</u>	\$	402,489,308	\$ 407,100,746
		<u>Long-Term Care Support</u>			
5S30	600629	<u>MR/DD Medicaid</u>	\$	9,252,738	\$ 9,147,791
		<u>Administration Health Care</u>			
		<u>Program and Oversight DDD</u>			
		<u>Support</u>			
5U30	600654	<u>Health Care Services</u>	\$	24,400,000	\$ 24,400,000
		<u>Administration Program</u>			<u>24,156,000</u>
		<u>Support</u>			
5U60	600663	<u>Children Family and Family</u>	\$	4,000,000	\$ 4,000,000
		<u>Children Support</u>			
6510	600649	<u>Hospital Care Assurance</u>	\$	212,526,123	\$ 217,008,050
		<u>Program Fund</u>			
TOTAL SSR State Special Revenue					
Fund Group			\$	<u>1,194,041,402</u>	\$ <u>1,207,722,286</u>
				<u>1,196,041,402</u>	<u>1,211,478,286</u>
Agency Fund Group					
1920	600646	<u>Child Support Intercept -</u>	\$	130,000,000	\$ <u>130,000,000</u>
		<u>Federal</u>			<u>129,250,000</u>
5830	600642	<u>Child Support Intercept -</u>	\$	16,000,000	\$ <u>16,000,000</u>
		<u>State</u>			<u>14,000,000</u>
5B60	600601	<u>Food Assistance Intercept</u>	\$	2,000,000	\$ <u>2,000,000</u>
					<u>1,000,000</u>
TOTAL AGY Agency Fund Group			\$	148,000,000	\$ <u>148,000,000</u>
					<u>144,250,000</u>
Holding Account Redistribution Fund Group					
R012	600643	<u>Refunds and Audit</u>	\$	2,200,000	\$ 2,200,000
		<u>Settlements</u>			
R013	600644	<u>Forgery Collections</u>	\$	10,000	\$ 10,000
TOTAL 090 Holding Account Redistribution			\$	2,210,000	\$ 2,210,000

Fund Group
TOTAL ALL BUDGET FUND GROUPS \$ 22,170,511,132 \$ 23,350,617,320
22,171,511,132 23,351,584,429

Sec. 309.30.10. HEALTH CARE/MEDICAID

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

HEALTH CARE/MEDICAID ENDING BALANCE

JRK
Thirty million dollars of the unexpended and unencumbered portion of appropriation item 600525, Health Care/Medicaid, at the end of fiscal year 2012 is hereby reappropriated to the Department of Job and Family Services for payments to nursing facilities for fiscal year 2013 in accordance with the section of this act titled "FISCAL YEAR 2013 QUALITY BONUS PAYMENTS TO NURSING FACILITIES."

Sec. 309.30.30. REDUCTION IN MEDICAID PAYMENT RATES

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

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

(1) Notwithstanding the section of ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly titled "CONTINUATION OF MEDICAID RATES FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES," modernize hospital inpatient and outpatient reimbursement methodologies by doing the following:

(a) Modifying the inpatient hospital capital reimbursement methodology;

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

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

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

The above boxed and initialed text was disapproved.

Date: 6-11-12

[Signature]
John R. Kasich, Governor

factor of 9.72%;

(e) Implementing other changes the Director considers appropriate.

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

(C) The Director shall adopt rules under ~~section~~ sections 5111.02 and 5111.85 of the Revised Code as necessary to implement this section. The rules adopted to implement divisions (B)(1)(a), (b), and (e) of this section shall include quality factors and quality-based incentive payments.

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

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

(A) As used in this section:

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

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

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

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

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

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

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

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

(2) Up to \$162,000,000 (state and federal) in each fiscal year shall be

used for the Medicaid Managed Care Hospital Incentive Payment Program;

(3) Up to \$176,021,111 (state and federal) in fiscal year 2012 and up to \$195,158,394 (state and federal) in fiscal year 2013 shall be used for the program authorized by the section of ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly titled "CONTINUATION OF MEDICAID RATES FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES."

(D)(1) If the Medicaid state plan amendment submitted under division (B)(1) of this section is approved, the Department shall implement the Hospital Inpatient and Outpatient Supplemental Upper Payment Limit Program during fiscal year 2012 and fiscal year 2013. Under the Program, subject to division (D)(2) of this section, supplemental Medicaid payments shall be made to hospitals for Medicaid-covered inpatient and outpatient services. The Department shall make the payments through amounts that are made available for the Program under division (C) of this section and any federal financial participation available for the Program.

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

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

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

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

If the actuary determines that a reduction in the capitation rates paid to

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

Notwithstanding anything to the contrary specified in division (E)(3)(b) or (c) of this section, the Medicaid managed care organizations and hospitals shall pay the amounts determined under the methodology, unless the Department waives the requirement to make the payments. The requirement may be waived if spending for the Medicaid program in fiscal year 2013 is less than the amount that is budgeted for that fiscal year. If payments are made, the amount received by the Department shall be deposited into the state treasury to the credit of the Health Care Compliance Fund created under section ~~5111.171~~ 5111.946 of the Revised Code.

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

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

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

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

(F) The Director of Budget and Management may authorize additional expenditures from appropriation item 600623, Health Care Federal, appropriation item 600525, Health Care/Medicaid, and appropriation item 600656, Medicaid-Hospital, in order to implement the programs authorized by this section and to implement the section of ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly titled "CONTINUATION OF MEDICAID RATES FOR HOSPITAL INPATIENT AND OUTPATIENT SERVICES."

Any amounts authorized are hereby appropriated.

(G) Nothing in this section reduces payments to children's hospitals authorized under the section of ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly titled "CHILDREN'S HOSPITALS SUPPLEMENTAL FUNDING."

Sec. 309.30.53. MEDICAID MANAGED CARE EXEMPTIONS

(A) As used in this section, "disabled individual" means any individual receiving services through the program for medically handicapped children established under section 3701.023 of the Revised Code who has one or more of the following conditions:

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

(B) Notwithstanding section 5111.16 of the Revised Code, as amended by this act Am. Sub. H.B. 153 of the 129th General Assembly, the Department of Job and Family Services shall not include in the care management system established under that section in either fiscal year 2012 or fiscal year 2013 any individual receiving services through the program for medically handicapped children established under section 3701.023 of the Revised Code who has one or more of the following conditions and who was not receiving services through the care management system immediately before the effective date of this section:

- (1) Cystic fibrosis;
- (2) Hemophilia;
- (3) ~~Cancer~~ any disabled individual who was not receiving services through the care management system immediately before June 30, 2011, until the later of the following:

- (1) January 1, 2014;
- (2) One year after the date that the Department first designates any individual who receives Medicaid on the basis of being aged, blind, or disabled who is under twenty-one years of age as an individual who is permitted or required to participate in the care management system.

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

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

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

party, appointed by the Speaker of the House of Representatives;

(3) Two members of the Senate from the majority party, appointed by the President of the Senate;

(4) One member of the Senate from the minority party, appointed by the President of the Senate.

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

(C) The Committee may examine the following issues:

(1) The implementation of the dual eligible integrated care demonstration project authorized by section 5111.981 of the Revised Code;

(2) The implementation of a unified long-term services and support Medicaid waiver component under section 5111.864 of the Revised Code;

(3) Providing consumers choices regarding a continuum of services that meet their health-care needs, promote autonomy and independence, and improve quality of life;

(4) Ensuring that long-term care services and supports are delivered in a cost-effective and quality manner;

(5) Subjecting county homes, county nursing homes, and district homes operated pursuant to Chapter 5155. of the Revised Code to the franchise permit fee under sections 3721.50 to 3721.58 of the Revised Code;

(6) Other issues of interest to the committee.

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

Sec. 309.35.73. HEALTHCARE COMPLIANCE APPROPRIATION

Notwithstanding the provisions of section ~~5111.171~~ 5111.946 of the Revised Code specifying the uses of the ~~HealthCare~~ Health Care Compliance Fund, appropriations in appropriation item 600625, HealthCare Compliance, may be used for expenses incurred in implementation or operation of Health Home programs, contracts for consultants regarding Medicaid, and for the creation, modification, or replacement of any federally funded Medicaid healthcare systems in fiscal year 2012 and fiscal year

2013.

Sec. 309.60.20. UNEMPLOYMENT COMPENSATION INTEREST CONTINGENCY FUND

The General Health and Human Service Pass-Through Fund (Fund 5HC0) is hereby renamed the Unemployment Compensation Interest Contingency Fund. On July 1, 2011, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$23,000,000 cash from the Child and Adult Protective Services Fund (Fund 5GV0), used by the Department of Job and Family Services, to the Unemployment Compensation Interest Contingency Fund (Fund 5HC0). ~~The~~

Notwithstanding any provision of law to the contrary, in fiscal year 2013, the Director of Budget and Management may transfer up to \$25,000,000 cash from the General Revenue Fund to Fund 5HC0.

The Director of Budget and Management may seek Controlling Board approval to establish appropriations for payment of interest costs paid to the United States Secretary of the Treasury for the repayment of accrued interest related to federal unemployment account borrowing.

Sec. 313.10. JCO JUDICIAL CONFERENCE OF OHIO**General Revenue Fund**

GRF 018321	Operating Expenses	\$	720,000	801,000	\$	720,000	801,700
TOTAL GRF General Revenue Fund		\$	720,000	801,000	\$	720,000	801,700

General Services Fund Group

4030 018601	Ohio Jury Instructions	\$	350,000	\$	350,000
TOTAL GSF General Services Fund Group		\$	350,000	\$	350,000
TOTAL ALL BUDGET FUND GROUPS		\$	1,070,000	\$	1,070,000
			1,151,000		1,151,700

STATE COUNCIL OF UNIFORM STATE LAWS

Notwithstanding section 105.26 of the Revised Code, of the foregoing appropriation item 018321, Operating Expenses, up to \$81,000 in fiscal year 2012 and up to \$81,700 in fiscal year 2013 shall be used to pay the expenses of the State Council of Uniform State Laws, including membership dues to the National Conference of Commissioners on Uniform State Laws.

OHIO JURY INSTRUCTIONS FUND

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

fiscal year 2013 are hereby appropriated for the purposes authorized.

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

Sec. 315.10. JSC THE JUDICIARY/SUPREME COURT

General Revenue Fund

GRF 005321	Operating Expenses - Judiciary/Supreme Court	\$	133,704,620	\$	132,565,410
			<u>132,347,507</u>		<u>133,922,523</u>
GRF 005406	Law-Related Education	\$	236,172	\$	236,172
GRF 005409	Ohio Courts Technology Initiative	\$	2,150,000	\$	2,150,000
TOTAL GRF General Revenue Fund		\$	136,090,792	\$	134,951,582
			<u>134,733,679</u>		<u>136,308,695</u>

General Services Fund Group

6720 005601	Continuing Judicial Education	\$	172,142	\$	169,420
TOTAL GSF General Services Fund Group		\$	172,142	\$	169,420

Federal Special Revenue Fund Group

3J00 005603	Federal Grants	\$	1,653,317	\$	1,605,717
TOTAL FED Federal Special Revenue Fund Group		\$	1,653,317	\$	1,605,717

State Special Revenue Fund Group

4C80 005605	Attorney Services	\$	3,718,328	\$	3,695,192
5HT0 005617	Court Interpreter Certification	\$	39,000	\$	39,000
5T80 005609	Grants and Awards	\$	50,000	\$	50,000
6A80 005606	Supreme Court Admissions	\$	1,223,340	\$	1,205,056
TOTAL SSR State Special Revenue Fund Group		\$	5,030,668	\$	4,989,248
TOTAL ALL BUDGET FUND GROUPS		\$	142,946,919	\$	141,715,967
			<u>141,589,806</u>		<u>143,073,080</u>

OPERATING EXPENSES - JUDICIARY/SUPREME COURT

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

LAW-RELATED EDUCATION

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

OHIO COURTS TECHNOLOGY INITIATIVE

The foregoing appropriation item 005409, Ohio Courts Technology Initiative, shall be used to fund an initiative by the Supreme Court to facilitate the exchange of information and warehousing of data by and between Ohio courts and other justice system partners through the creation of an Ohio Courts Network, the delivery of technology services to courts

throughout the state, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel, and operation of the Commission on Technology and the Courts by the Supreme Court for the promulgation of statewide rules, policies, and uniform standards, and to aid in the orderly adoption and comprehensive use of technology in Ohio courts.

CONTINUING JUDICIAL EDUCATION

The Continuing Judicial Education Fund (Fund 6720) shall consist of fees paid by judges and court personnel for attending continuing education courses and other gifts and grants received for the purpose of continuing judicial education. The foregoing appropriation item 005601, Continuing Judicial Education, shall be used to pay expenses for continuing education courses for judges and court personnel. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

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

FEDERAL GRANTS

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

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

ATTORNEY SERVICES

The Attorney Services Fund (Fund 4C80), formerly known as the Attorney Registration Fund, shall consist of money received by the Supreme Court (The Judiciary) pursuant to the Rules for the Government of the Bar of Ohio. In addition to funding other activities considered appropriate by the Supreme Court, the foregoing appropriation item 005605, Attorney Services, may be used to compensate employees and to fund appropriate activities of the following offices established by the Supreme Court: the

Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

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

COURT INTERPRETER CERTIFICATION

The Court Interpreter Certification Fund (Fund 5HT0) shall consist of money received by the Supreme Court (The Judiciary) pursuant to Rules 80 through 87 of the Rules of Superintendence for the Courts of Ohio. The foregoing appropriation item 005617, Court Interpreter Certification, shall be used to provide training, to provide the written examination, and to pay language experts to rate, or grade, the oral examinations of those applying to become certified court interpreters. If it is determined by the Administrative Director that additional appropriations are necessary, the amounts are hereby appropriated.

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

GRANTS AND AWARDS

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

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

SUPREME COURT ADMISSIONS

The foregoing appropriation item 005606, Supreme Court Admissions, shall be used to compensate Supreme Court employees who are primarily responsible for administering the attorney admissions program under the Rules for the Government of the Bar of Ohio, and to fund any other activities considered appropriate by the court. Moneys shall be deposited

into the Supreme Court Admissions Fund (Fund 6A80) under the Supreme Court Rules for the Government of the Bar of Ohio. If it is determined by the Administrative Director of the Supreme Court that additional appropriations are necessary, the amounts are hereby appropriated.

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

Sec. 323.10. LSC LEGISLATIVE SERVICE COMMISSION

General Revenue Fund

GRF 035321	Operating Expenses	\$ 15,117,700	\$ 15,117,700
GRF 035402	Legislative Fellows	\$ 1,022,120	\$ 1,022,120
GRF 035405	Correctional Institution Inspection Committee	\$ 438,900	\$ 438,900
GRF 035407	Legislative Task Force on Redistricting	\$ 590,000	\$ 750,000 400,000
GRF 035409	National Associations	\$ 460,560	\$ 460,560
GRF 035410	Legislative Information Systems	\$ 3,661,250	\$ 3,661,250 3,861,250
GRF 035411	Ohio Constitutional Modernization Commission	\$ 50,000	\$ 50,000
TOTAL GRF General Revenue Fund		\$ 21,340,530	\$ 21,500,530 21,350,530

General Services Fund Group

4100 035601	Sale of Publications	\$ 10,000	\$ 10,000
4F60 035603	Legislative Budget Services	\$ 200,000	\$ 200,000
5EF0 035607	Legislative Agency Telephone Usage	\$ 30,000	\$ 30,000
TOTAL GSF General Services Fund Group		\$ 240,000	\$ 240,000
TOTAL ALL BUDGET FUND GROUPS		\$ 21,580,530	\$ 21,740,530 21,590,530

OPERATING EXPENSES

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

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

LEGISLATIVE TASK FORCE ON REDISTRICTING

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

An amount equal to the unexpended, unencumbered portion of the foregoing appropriation item 035407, Legislative Task Force on Redistricting, at the end of fiscal year 2012 is hereby reappropriated to the Legislative Service Commission for the same purpose for fiscal year 2013.

LEGISLATIVE INFORMATION SYSTEMS

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

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

OHIO CONSTITUTIONAL MODERNIZATION COMMISSION

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

Sec. 327.10. LCO LIQUOR CONTROL COMMISSION

State Special Revenue Fund Group

SLP0 970601	Commission Operating Expense	\$	0	\$	754,146
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TOTAL SSR State Special Revenue Fund Group	\$	0	\$	754,146
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Liquor Control Fund Group

7043 970321	Operating Expenses	\$	753,933	\$	754,146 0
TOTAL LCF Liquor Control Fund Group	\$	753,933	\$	754,146 0	
TOTAL ALL BUDGET FUND GROUPS	\$	753,933	\$	754,146	

Sec. 337.10. DMH DEPARTMENT OF MENTAL HEALTH

General Revenue Fund

GRF 332401	Forensic Services	\$	3,244,251	\$	3,244,251
GRF 333321	Central Administration	\$	16,000,000	\$	16,000,000
GRF 333402	Resident Trainees	\$	450,000	\$	450,000

GRF	333403	Pre-Admission Screening Expenses	\$	486,119	\$	486,119 <u>286,119</u>
GRF	333415	Lease-Rental Payments	\$	18,394,250	\$	19,907,900 <u>17,907,900</u>
GRF	333416	Research Program Evaluation	\$	421,724	\$	421,998
GRF	334412	Hospital Services	\$	194,918,888	\$	192,051,209 <u>191,051,209</u>
GRF	334506	Court Costs	\$	584,210	\$	584,210
GRF	335405	Family & Children First	\$	1,386,000	\$	1,386,000
GRF	335419	Community Medication Subsidy	\$	8,963,818	\$	8,963,818
GRF	335501	Mental Health Medicaid Match	\$	186,400,000	\$	0
GRF	335505	Local Mental Health Systems of Care	\$	49,963,776	\$	59,087,955 <u>62,087,955</u>
GRF	335506	Residential State Supplement	\$	4,702,875	\$	4,702,875
TOTAL GRF General Revenue Fund			\$	485,915,911	\$	307,286,335 <u>307,086,335</u>
General Services Fund Group						
1490	333609	Central Office Operating	\$	1,343,190	\$	1,343,190
1490	334609	Hospital - Operating Expenses	\$	28,190,000	\$	28,190,000
1500	334620	Special Education	\$	150,000	\$	150,000
4P90	335604	Community Mental Health Projects	\$	4,061,100	\$	250,000
1510	336601	Office of Support Services	\$	129,770,770	\$	129,779,822 <u>127,297,130</u>
TOTAL GSF General Services Fund Group			\$	163,515,060	\$	159,713,012 <u>157,230,320</u>
Federal Special Revenue Fund Group						
3240	333605	Medicaid/Medicare	\$	154,500	\$	154,500
3A60	333608	Federal Miscellaneous	\$	140,000	\$	140,000
3A70	333612	Social Services Block Grant	\$	50,000	\$	50,000
3A80	333613	Federal Grant - Administration	\$	4,717,000	\$	4,717,000
3A90	333614	Mental Health Block Grant - Administration	\$	748,470	\$	748,470
3B10	333635	Community Medicaid Expansion	\$	13,691,682	\$	13,691,682
3240	334605	Medicaid/Medicare	\$	28,200,000	\$	28,200,000
3A60	334608	Federal Miscellaneous	\$	200,000	\$	200,000
3A80	334613	Federal Letter of Credit	\$	200,000	\$	200,000
3A60	335608	Federal Miscellaneous	\$	2,170,000	\$	2,170,000
3A70	335612	Social Services Block Grant	\$	8,400,000	\$	8,400,000
3A80	335613	Federal Grant - Community Mental Health Board Subsidy	\$	2,500,000	\$	2,500,000
3A90	335614	Mental Health Block Grant	\$	14,200,000	\$	14,200,000
3B10	335635	Community Medicaid Expansion	\$	346,200,000	\$	0
TOTAL FED Federal Special Revenue Fund Group			\$	421,571,652	\$	75,371,652
State Special Revenue Fund Group						
2320	333621	Family and Children First	\$	448,286	\$	432,197

		Administration			
4850	333632	Mental Health Operating	\$	134,233	\$ 134,233
4X50	333607	Behavioral Health Medicaid Services	\$	3,000,624	\$ 3,000,624
5V20	333611	Non-Federal Miscellaneous	\$	100,000	\$ 100,000
4850	334632	Mental Health Operating	\$	2,477,500	\$ 2,477,500
5AU0	335615	Behavioral Healthcare	\$	6,690,000	\$ 6,690,000
6320	335616	Community Capital Replacement	\$	350,000	\$ 350,000
TOTAL SSR State Special Revenue Fund Group			\$	13,200,643	\$ 13,184,554
TOTAL ALL BUDGET FUND GROUPS			\$	1,084,203,266	\$ 555,555,553 <u>552,872,861</u>

Sec. 343.10. DNR DEPARTMENT OF NATURAL RESOURCES

General Revenue Fund

GRF	725401	Wildlife-GRF Central Support	\$	1,800,000	\$ 1,800,000
GRF	725413	Lease Rental Payments	\$	20,568,600	\$ 19,734,700
GRF	725456	Canal Lands	\$	135,000	\$ 135,000
GRF	725502	Soil and Water Districts	\$	2,900,000	\$ 2,900,000
<u>GRF</u>	<u>725505</u>	<u>Healthy Lake Erie Fund</u>	<u>\$</u>	<u>0</u>	<u>\$ 3,350,000</u>
GRF	725903	Natural Resources General Obligation Debt Service	\$	5,375,300	\$ 25,209,100
GRF	727321	Division of Forestry	\$	4,878,338	\$ 4,880,000
GRF	729321	Office of Information Technology	\$	194,118	\$ 197,117
GRF	730321	Division of Parks and Recreation	\$	30,000,000	\$ 30,000,000
GRF	736321	Division of Engineering	\$	3,024,459	\$ 3,025,078 <u>2,995,078</u>
GRF	737321	Division of Soil and Water Resources	\$	4,982,961	\$ 4,983,356
GRF	741321	Division of Natural Areas and Preserves	\$	1,200,000	\$ 1,200,000
TOTAL GRF General Revenue Fund			\$	75,058,776	\$ 94,064,351 <u>97,384,351</u>

General Services Fund Group

1550	725601	Departmental Projects	\$	3,365,651	\$ 2,725,484 <u>2,512,977</u>
1570	725651	Central Support Indirect	\$	5,854,167	\$ 5,857,800
2040	725687	Information Services	\$	4,659,276	\$ 4,643,835
2070	725690	Real Estate Services	\$	50,000	\$ 50,000
2230	725665	Law Enforcement	\$	2,106,776	\$ 2,126,432
		Administration			
2270	725406	Parks Projects Personnel	\$	436,500	\$ 436,500
4300	725671	Canal Lands	\$	907,618	\$ 907,879 <u>883,879</u>
4D50	725618	Recycled Materials	\$	50,000	\$ 50,000 <u>0</u>
4S90	725622	NatureWorks Personnel	\$	400,358	\$ 400,358
4X80	725662	Water Resources Council	\$	138,011	\$ 138,005
5100	725631	Maintenance - State-owned Residences	\$	303,611	\$ 303,611
5160	725620	Water Management	\$	2,541,565	\$ 2,559,292
6350	725664	Fountain Square Facilities Management	\$	3,544,623	\$ 3,548,445 <u>3,473,413</u>
6970	725670	Submerged Lands	\$	836,162	\$ 848,546

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TOTAL GSF General Services

Fund Group	\$	25,194,318	\$	<u>24,596,187</u>
				<u>24,234,648</u>

Federal Special Revenue Fund Group

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

TOTAL FED Federal Special Revenue

Fund Group	\$	36,121,361	\$	36,318,270
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State Special Revenue Fund Group

4J20	725628	Injection Well Review	\$	130,899	\$	128,466
4M70	725686	Wildfire Suppression	\$	100,000	\$	100,000
4U60	725668	Scenic Rivers Protection	\$	100,000	\$	100,000
5090	725602	State Forest	\$	7,891,747	\$	7,058,793
5110	725646	Ohio Geological Mapping	\$	704,777	\$	705,130
5120	725605	State Parks Operations	\$	32,284,117	\$	31,550,444
5140	725606	Lake Erie Shoreline	\$	1,502,654	\$	1,505,983
5180	725643	Oil and Gas Permit Fees	\$	5,821,970	\$	<u>5,623,645</u>
						<u>9,823,645</u>
5180	725677	Oil and Gas Well Plugging	\$	800,000	\$	800,000
5210	725627	Off-Road Vehicle Trails	\$	143,490	\$	143,490
5220	725656	Natural Areas and Preserves	\$	546,580	\$	546,639
5260	725610	Strip Mining Administration Fee	\$	2,000,000	\$	2,000,000
5270	725637	Surface Mining Administration	\$	1,940,977	\$	1,941,532
5290	725639	Unreclaimed Land Fund	\$	2,004,180	\$	2,004,180
5310	725648	Reclamation Forfeiture	\$	1,423,000	\$	<u>1,423,000</u>
						<u>500,000</u>
5320	725644	Litter Control and Recycling	\$	4,926,730	\$	<u>4,911,575 0</u>
5860	725633	Scrap Tire Program	\$	1,497,645	\$	<u>1,497,645 0</u>
5B30	725674	Mining Regulation	\$	28,135	\$	28,135
5BV0	725658	Heidelberg Water Quality Lab	\$	250,000	\$	250,000
5BV0	725683	Soil and Water Districts	\$	8,000,000	\$	8,000,000
5CU0	725647	Mine Safety	\$	3,000,000	\$	3,000,000
5EJ0	725608	Forestry Law Enforcement	\$	1,000	\$	1,000
5EK0	725611	Natural Areas & Preserves Law Enforcement	\$	1,000	\$	1,000

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5EL0 725612	Wildlife Law Enforcement	\$	12,000	\$	12,000
5EM0 725613	Park Law Enforcement	\$	34,000	\$	34,000
5EN0 725614	Watercraft Law Enforcement	\$	2,500	\$	2,500
5HK0 725625	Ohio Nature Preserves	\$	1,000	\$	1,000
6150 725661	Dam Safety	\$	925,344	\$	926,028
TOTAL SSR State Special Revenue Fund Group		\$	76,073,745	\$	<u>74,296,185</u> <u>71,163,965</u>
Clean Ohio Conservation Fund Group					
7061 725405	Clean Ohio Operating	\$	300,775	\$	300,775
TOTAL CLF Clean Ohio Conservation Fund Group		\$	300,775	\$	300,775
Wildlife Fund Group					
5P20 725634	Wildlife Boater Angler Administration	\$	4,000,000	\$	4,000,000
7015 740401	Division of Wildlife Conservation	\$	52,721,044	\$	51,669,158
8150 725636	Cooperative Management Projects	\$	120,449	\$	120,449
8160 725649	Wetlands Habitat	\$	966,885	\$	966,885
8170 725655	Wildlife Conservation Checkoff Fund	\$	3,240,000	\$	3,240,000
8180 725629	Cooperative Fisheries Research	\$	1,500,000	\$	1,500,000
8190 725685	Ohio River Management	\$	128,584	\$	128,584
TOTAL WLF Wildlife Fund Group		\$	62,676,962	\$	61,625,076
Waterways Safety Fund Group					
7086 725414	Waterways Improvement	\$	5,692,601	\$	5,693,671
7086 725418	Buoy Placement	\$	52,182	\$	52,182
7086 725501	Waterway Safety Grants	\$	120,000	\$	120,000
7086 725506	Watercraft Marine Patrol	\$	576,153	\$	576,153
7086 725513	Watercraft Educational Grants	\$	366,643	\$	366,643
7086 739401	Division of Watercraft	\$	18,040,593	\$	17,552,370
TOTAL WSF Waterways Safety Fund Group		\$	24,848,172	\$	24,361,019
Accrued Leave Liability Fund Group					
4M80 725675	FOP Contract	\$	20,219	\$	20,219
TOTAL ALF Accrued Leave Liability Fund Group		\$	20,219	\$	20,219
Holding Account Redistribution Fund Group					
R017 725659	Performance Cash Bond Refunds	\$	296,263	\$	296,263
R043 725624	Forestry	\$	2,000,000	\$	2,154,750
TOTAL 090 Holding Account Redistribution Fund Group		\$	2,296,263	\$	2,451,013
TOTAL ALL BUDGET FUND GROUPS		\$	302,590,591	\$	<u>318,033,095</u> <u>317,859,336</u>

Sec. 343.40. LEASE RENTAL PAYMENTS

The foregoing appropriation item 725413, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made

during the period from July 1, 2011, through June 30, 2013, by the Department of Natural Resources pursuant to leases and agreements made under section 154.22 of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 154. of the Revised Code.

CANAL LANDS

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

HEALTHY LAKE ERIE FUND

Of the foregoing appropriation item 725505, Healthy Lake Erie Fund, up to \$3,000,000 shall be used by the Director of Natural Resources, in consultation with the Director of Agriculture and the Director of Environmental Protection, to implement nonstatutory recommendations of the Agriculture Nutrients and Water Quality Working Group. The Director shall give priority to recommendations that encourage farmers to adopt agricultural production guidelines commonly known as 4R nutrient stewardship practices. Funds may also be used for enhanced soil testing in the Western Lake Erie Basin, monitoring the quality of Lake Erie and its tributaries, and conducting research and establishing pilot projects that have the goal of reducing algae blooms in Lake Erie.

Of the foregoing appropriation item 725505, Healthy Lake Erie Fund, up to \$350,000 in fiscal year 2013 may be used by the Director of Natural Resources for monitoring inland lakes and stream water quality.

NATURAL RESOURCES GENERAL OBLIGATION DEBT SERVICE

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

Sec. 365.10. PUC PUBLIC UTILITIES COMMISSION OF OHIO

General Services Fund Group

5F60 870622	Utility and Railroad Regulation	\$ 30,637,234	\$ 31,638,708
5F60 870624	NARUC/NRRI Subsidy	\$ 158,000	\$ 158,000 100,000
5F60 870625	Motor Transportation Regulation	\$ 4,976,641	\$ 5,971,218 0
5Q50 870626	Telecommunications Relay Service	\$ 5,000,000	\$ 5,000,000
TOTAL GSF General Services Fund Group		\$ 40,771,875	\$ 42,767,926

					36,738,708
Federal Special Revenue Fund Group					
3330	870601	Gas Pipeline Safety	\$	597,959	\$ 597,959
3500	870608	Motor Carrier Safety	\$	7,351,660	\$ 7,351,660
3CU0	870627	Electric Market Modeling	\$	91,183	\$ 0
3EA0	870630	Energy Assurance Planning	\$	384,000	\$ 384,000
3ED0	870631	State Regulators Assistance	\$	231,824	\$ 231,824
3V30	870604	Commercial Vehicle Information Systems/Networks	\$	100,000	\$ 100,000
TOTAL FED Federal Special Revenue Fund Group			\$	8,756,626	\$ 8,665,443
State Special Revenue Fund Group					
4A30	870614	Grade Crossing Protection Devices-State	\$	1,347,357	\$ 1,347,357
4L80	870617	Pipeline Safety-State	\$	181,992	\$ 181,992
4S60	870618	Hazardous Material Registration	\$	450,395	\$ 450,395 0
4S60	870621	Hazardous Materials Base State Registration	\$	373,346	\$ 373,346 0
4U80	870620	Civil Forfeitures	\$	277,347	\$ 277,496 0
5590	870605	Public Utilities Territorial Administration	\$	3,880	\$ 3,880 0
5600	870607	Special Assessment	\$	97,000	\$ 97,000 0
5610	870606	Power Siting Board	\$	631,508	\$ 631,618 581,618
5BP0	870623	Wireless 9-1-1 Administration	\$	36,440,000	\$ 18,220,000 17,757,250
5HD0	870629	Radioactive Waste Transportation	\$	98,800	\$ 98,800 0
5LT0	870640	Intrastate Registration	\$	0	\$ 180,000
5LT0	870641	Unified Carrier Registration	\$	0	\$ 420,000
5LT0	870642	Hazardous Materials Registration	\$	0	\$ 823,741
5LT0	870643	Nonhazardous Materials Civil Forfeiture	\$	0	\$ 277,496
5LT0	870644	Hazardous Materials Civil Forfeiture	\$	0	\$ 898,800
5LT0	870645	Motor Carrier Enforcement	\$	0	\$ 5,401,318
6380	870611	Biofuels/Municipal Waste Technology	\$	570	\$ 0
6610	870612	Hazardous Materials Transportation	\$	898,800	\$ 898,800 0
TOTAL SSR State Special Revenue Fund Group			\$	40,800,995	\$ 22,580,684 27,869,572
TOTAL ALL BUDGET FUND GROUPS			\$	90,329,496	\$ 74,014,053 73,273,723

COMMUNITY-VOICEMAIL SERVICE PILOT PROGRAM

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

days of the effective date of this section.

FUND ADJUSTMENTS

On July 1, 2012, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balances in the Hazardous Materials Registration Fund (Fund 4S60) and the Base State Registration Fund (Fund 4G40) to the Public Utilities Transportation Safety Fund (Fund 5LT0). The Director shall cancel any existing encumbrances against appropriation items 870618, Hazardous Material Registration, and 870621, Hazardous Materials Base State Registration, and reestablish them against appropriation item 870642, Hazardous Materials Registration. The amounts of the reestablished encumbrances are hereby appropriated. Upon completion of these transfers, the Hazardous Materials Registration Fund (Fund 4S60) and the Base State Registration Fund (Fund 4G40) are hereby abolished.

On July 1, 2012, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balance in the Transportation Enforcement Fund (Fund 4U80) to the Public Utilities Transportation Safety Fund (Fund 5LT0). The Director shall cancel any existing encumbrances against appropriation item 870620, Civil Forfeitures, and reestablish them against appropriation item 870643, Nonhazardous Materials Civil Forfeitures. The amounts of the reestablished encumbrances are hereby appropriated. Upon completion of these transfers, the Transportation Enforcement Fund (Fund 4U80) is hereby abolished.

On July 1, 2012, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balance in the Radioactive Waste Transportation Fund (Fund 5HD0) to the Public Utilities Transportation Safety Fund (Fund 5LT0). The Director shall cancel any existing encumbrances against appropriation item 870629, Radioactive Waste Transportation, and reestablish them against appropriation item 870645, Motor Carrier Enforcement. The amounts of the reestablished encumbrances are hereby appropriated. Upon completion of these transfers, the Radioactive Waste Transportation Fund (Fund 5HD0) is hereby abolished.

On July 1, 2012, or as soon as practicable thereafter, the Director of Budget and Management shall transfer the cash balance in the Hazardous Materials Transportation Fund (Fund 6610) to the Public Utilities Transportation Safety Fund (Fund 5LT0). The Director shall cancel any existing encumbrances against appropriation item 870612, Hazardous Materials Transportation, and reestablish them against appropriation item 870644, Hazardous Materials Civil Forfeitures. The amounts of the

reestablished encumbrances are hereby appropriated. Upon completion of these transfers, the Hazardous Materials Transportation Fund (Fund 6610) is hereby abolished.

On July 1, 2012, or as soon as practicable thereafter, the Director of Budget and Management shall transfer cash in an amount up to \$21,000,000 from the Public Utilities Fund (Fund 5F60) to the Public Utilities Transportation Safety Fund (Fund 5LT0). The Director shall cancel any existing encumbrances against appropriation item 870625, Motor Transportation Regulation, and reestablish encumbrances or parts of encumbrances as needed in the fiscal year in the appropriate fund and appropriation item for the same purpose and to the same vendor. The amounts of the reestablished encumbrances are hereby appropriated.

The fund created by division (E) of section 4921.21 of the Revised Code is the same fund, with the same name, as the Motor Carrier Safety Fund (Fund 3500).

The fund created by division (D) of section 4921.21 of the Revised Code is the same fund, with the same name, as the Commercial Vehicle Transportation Systems Fund (Fund 3V30).

Sec. 367.10. PWC PUBLIC WORKS COMMISSION

General Revenue Fund

GRF 150904	Conservation General Obligation Debt Service	\$ 21,953,000	\$ 29,297,300
GRF 150907	State Capital Improvements	\$ 106,770,600	215,571,100 208,571,100
	General Obligation Debt Service		
TOTAL GRF General Revenue Fund		\$ 128,723,600	244,868,400 237,868,400

Clean Ohio Conservation Fund Group

7056 150403	Clean Ohio Operating Expenses	\$ 300,000	\$ 288,980
TOTAL 056 Clean Ohio Conservation Fund Group		\$ 300,000	\$ 288,980
TOTAL ALL BUDGET FUND GROUPS		\$ 129,023,600	245,157,380 238,157,380

CONSERVATION GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 150904, Conservation General Obligation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2011, through June 30, 2013, at the times they are required to be made for obligations issued under sections 151.01 and 151.09 of the Revised Code.

STATE CAPITAL IMPROVEMENTS GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 150907, State Capital Improvements

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

CLEAN OHIO OPERATING EXPENSES

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

REIMBURSEMENT TO THE GENERAL REVENUE FUND

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

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

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

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

Sec. 369.10. RAC STATE RACING COMMISSION

State Special Revenue Fund Group

5620	875601	Thoroughbred Race Fund	\$	1,796,328	\$	1,696,456
5630	875602	Standardbred Development Fund	\$	1,697,418	\$	1,697,452
5640	875603	Quarter Horse Development Fund	\$	1,000	\$	1,000
5650	875604	Racing Commission Operating	\$	3,095,331	\$	2,934,178
5C40	875607	Simulcast Horse Racing Purse	\$	12,000,000	\$	12,000,000
<u>5JK0</u>	<u>875610</u>	<u>Racing Commission Fund</u>	<u>\$</u>	<u>339,919</u>	<u>\$</u>	<u>8,169,547</u>
TOTAL SSR State Special Revenue Fund Group			\$	18,590,078	\$	18,329,087
				<u>18,929,996</u>		<u>26,498,633</u>

Holding Account Redistribution Fund Group

R021	875605	Bond Reimbursements	\$	100,000	\$	100,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	100,000	\$	100,000
TOTAL ALL BUDGET FUND GROUPS			\$	18,690,078	\$	18,429,087
				<u>19,029,996</u>		<u>26,598,633</u>

Sec. 371.10. BOR BOARD OF REGENTS

General Revenue Fund

GRF 235321	Operating Expenses	\$	2,300,000	\$	2,300,000
GRF 235401	Lease Rental Payments	\$	83,151,600	\$	57,634,400
GRF 235402	Sea Grants	\$	285,000	\$	285,000
GRF 235406	Articulation and Transfer	\$	2,000,000	\$	2,000,000
GRF 235408	Midwest Higher Education Compact	\$	95,000	\$	95,000
GRF 235409	<u>HEI</u> Information System	\$	800,000	\$	800,000
GRF 235414	State Grants and Scholarship Administration	\$	1,230,000	\$	1,230,000
GRF 235417	Ohio Learning Network <u>eStudent Services</u>	\$	2,532,688	\$	2,532,688
GRF 235428	Appalachian New Economy Partnership	\$	737,366	\$	737,366
GRF 235433	Economic Growth Challenge	\$	440,000	\$	440,000
GRF 235438	Choose Ohio First Scholarship	\$	15,750,085	\$	15,750,085
GRF 235443	Adult Basic and Literacy Education - State	\$	7,302,416	\$	7,302,416
GRF 235444	Post-Secondary Adult Career-Technical Education	\$	15,317,547	\$	15,317,547
GRF 235474	Area Health Education Centers Program Support	\$	900,000	\$	900,000
GRF 235501	State Share of Instruction	\$	1,735,530,031	\$	1,751,225,497
GRF 235502	Student Support Services	\$	632,974	\$	632,974
GRF 235504	War Orphans Scholarships	\$	4,787,833	\$	4,787,833
GRF 235507	OhioLINK	\$	6,100,000	\$	6,100,000
GRF 235508	Air Force Institute of Technology	\$	1,740,803	\$	1,740,803
GRF 235510	Ohio Supercomputer Center	\$	3,347,418	\$	3,347,418
GRF 235511	Cooperative Extension Service	\$	22,220,910	\$	22,220,910
GRF 235514	Central State Supplement	\$	11,503,651	\$	10,928,468
GRF 235515	Case Western Reserve University School of Medicine	\$	2,146,253	\$	2,146,253
GRF 235519	Family Practice	\$	3,166,185	\$	3,166,185
GRF 235520	Shawnee State Supplement	\$	2,448,523	\$	2,326,097
GRF 235524	Police and Fire Protection	\$	107,814	\$	107,814
GRF 235525	Geriatric Medicine	\$	522,151	\$	522,151
GRF 235526	Primary Care Residencies	\$	1,500,000	\$	1,500,000
GRF 235535	Ohio Agricultural Research and Development Center	\$	33,100,000	\$	33,100,000
GRF 235536	The Ohio State University Clinical Teaching	\$	9,668,941	\$	9,668,941
GRF 235537	University of Cincinnati Clinical Teaching	\$	7,952,573	\$	7,952,573
GRF 235538	University of Toledo Clinical Teaching	\$	6,198,600	\$	6,198,600
GRF 235539	Wright State University Clinical Teaching	\$	3,011,400	\$	3,011,400
GRF 235540	Ohio University Clinical Teaching	\$	2,911,212	\$	2,911,212
GRF 235541	Northeast Ohio Medical University Clinical Teaching	\$	2,994,178	\$	2,994,178

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GRF 235552	Capital Component	\$	20,638,274	\$	20,638,274
					<u>13,628,639</u>
GRF 235555	Library Depositories	\$	1,440,342	\$	1,440,342
GRF 235556	Ohio Academic Resources Network	\$	3,172,519	\$	3,172,519
GRF 235558	Long-term Care Research	\$	195,300	\$	195,300
GRF 235563	Ohio College Opportunity Grant	\$	80,284,265	\$	80,284,265
GRF 235572	The Ohio State University Clinic Support	\$	766,533	\$	766,533
GRF 235599	National Guard Scholarship Program	\$	16,912,271	\$	18,143,293
GRF 235909	Higher Education General Obligation Debt Service	\$	108,262,500	\$	201,555,000
TOTAL GRF General Revenue Fund		\$	2,226,105,156	\$	2,310,109,335 <u>2,303,099,700</u>

General Services Fund Group

2200 235614	Program Approval and Reauthorization	\$	1,311,567	\$	1,457,959
4560 235603	Sales and Services	\$	199,250	\$	199,250
5JC0 235649	Co-op Internship Program	\$	12,000,000	\$	12,000,000
5JC0 235667	Ohio College Opportunity Grant-Proprietary	\$	6,000,000	\$	6,000,000
5JC0 235668	Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute	\$	4,000,000	\$	4,000,000

TOTAL GSF General Services Fund Group

\$	23,510,817	\$	23,657,209
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Federal Special Revenue Fund Group

3120 235609	Tech Prep	\$	183,850	\$	183,850 0
3120 235611	Gear-up Grant	\$	3,900,000	\$	3,900,000 50,000
3120 235612	Carl D. Perkins Grant/Plan Administration	\$	912,961	\$	912,961
3120 235617	Improving Teacher Quality Grant	\$	3,200,000	\$	3,200,000
3120 235641	Adult Basic and Literacy Education - Federal	\$	14,835,671	\$	14,835,671
3120 235659	Race to the Top Scholarship Program	\$	2,400,000	\$	2,780,000 0
3120 235660	Race to the Top Educator Preparation Reform Initiative	\$	448,000	\$	4,120,000 0
3120 235661	Americorps Grant	\$	260,000	\$	260,000 0
3H20 235608	Human Services Project	\$	3,500,000	\$	3,500,000
3N60 235638	College Access Challenge Grant	\$	4,381,431	\$	4,381,431

TOTAL FED Federal Special Revenue Fund Group

\$	34,021,913	\$	36,073,913 <u>26,880,063</u>
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State Special Revenue Fund Group

4E80 235602	Higher Educational Facility Commission Administration	\$	29,100	\$	29,100
5FR0 235640	Joyce Foundation Shifting	\$	919,719	\$	919,719

		<u>Gears Grant</u>			
5FR0	235647	Developmental Education Initiatives	\$	135,000	\$ 135,000
5FR0	235657	Win-Win Grant	\$	37,000	\$ 15,000
5P30	235663	Variable Savings Plan	\$	8,946,994	\$ 9,072,136
6450	235664	Guaranteed Savings Plan	\$	900,293	\$ 907,514
6820	235606	Nursing Loan Program	\$	891,320	\$ 891,320
TOTAL SSR State Special Revenue Fund Group			\$	11,859,426	\$ 11,969,789
Third Frontier Research & Development Fund Group					
7011	235634	Research Incentive Third Frontier Fund	\$	8,000,000	\$ 8,000,000
TOTAL 011 Third Frontier Research & Development Fund Group			\$	8,000,000	\$ 8,000,000
TOTAL ALL BUDGET FUND GROUPS			\$	2,303,497,312	\$ <u>2,389,810,246</u> <u>2,373,606,761</u>

Sec. 371.30.30. AIR FORCE INSTITUTE OF TECHNOLOGY

The foregoing appropriation item 235508, Air Force Institute of Technology, shall be used ~~by the director of the Air Force Institute~~ to: (A) strengthen the research and educational linkages between the Wright Patterson Air Force Base and institutions of higher education in Ohio; and (B) support the Dayton Area Graduate Studies Institute, an engineering graduate consortium of Wright State University, the University of Dayton, and the Air Force Institute of Technology, with the participation of the University of Cincinnati and The Ohio State University.

Any unexpended and unencumbered portion of the foregoing appropriation item 235508, Air Force Institute of Technology, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

Sec. 371.50.61. CO-OP INTERNSHIP PROGRAM

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used by the Chancellor of the Board of Regents to support the operations of Ohio University's Voinovich School.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year, shall be used by the Chancellor of the Board of Regents to support the operations of The Ohio State University's John Glenn School of Public Affairs.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Bliss Institute of Applied Politics at the University of Akron.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the Center for Public Management and Regional Affairs at Miami University.

Of the foregoing appropriation item 235649, Co-op Internship Program,

\$75,000 in each fiscal year shall be used to support the Washington Center Internship Program.

Of the foregoing appropriation item 235649, Co-op Internship Program, \$75,000 in each fiscal year shall be used to support the ~~Maxine Goodman Levin College of Urban Affairs~~ 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.

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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.

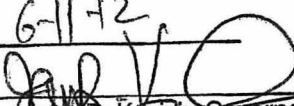
Any unexpended and unencumbered portion of the foregoing appropriation item 235668, Air Force Institute of Technology - Defense/Aerospace Graduate Studies Institute, at the end of fiscal year 2012 is hereby reappropriated for the same purpose in fiscal year 2013.

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


John R. Kasich, Governor

representatives of school districts or community schools, established under Chapter 3314. of the Revised Code, that are high-performing of their type and have demonstrated the ability to incorporate technology into the classroom successfully;

(5) A member appointed by the President of the Senate;

(6) A member appointed by the Speaker of the House of Representatives.

(B) Members of the Task Force shall be appointed not later than sixty days after the effective date of this section. Vacancies on the Task Force shall be filled in the same manner as the original appointments. Members shall serve without compensation.

(C) The Governor shall designate the chairperson of the Task Force. All meetings of the Task Force shall be held at the call of the chairperson.

(D) The Task Force shall do all of the following:

(1) Request information from textbook publishers about the development of digital textbooks and other new digital content distribution methods for use by primary, secondary, and post-secondary schools and institutions and examine that information;

(2) Examine potential cost savings and efficiency of utilizing digital textbooks and other new digital content distribution methods in primary, secondary, and post-secondary schools and institutions;

(3) Examine potential academic benefits of utilizing digital textbooks and other new digital content distribution methods, including, but not limited to, the ability to individualize content to specific student learning styles, accessibility for individuals with disabilities, and the integration of formative and other online assessments;

(4) Examine digital content pilot programs and initiatives currently operating at primary, secondary, and post-secondary schools and institutions in Ohio, including, but not limited to, those financed in part with federal funds;

(5) Examine any state-level initiatives to provide or facilitate use of digital content in primary, secondary, and post-secondary schools and institutions in Ohio.

(E) The Task Force shall make recommendations regarding all of the following:

(1) The creation of high quality digital content and instruction in grades kindergarten to twelve for free access by public and nonpublic schools and students receiving home instruction;

(2) High quality professional development for teachers and principals providing online instruction or blended learning programs;

(3) Funding strategies that create incentives for high performance, innovation, and options in course providers and delivery;

(4) Student assessment and accountability;

(5) Infrastructure to support digital learning;

(6) Mobile learning and mobile learning applications;

(7) The clearinghouse established under section 3333.82 of the Revised Code;

(8) Ways to align the resources and digital learning initiatives of state agencies and offices;

(9) Methods for removing redundancy and inefficiency in, and for providing coordination, of all digital learning programs, including the provision of free online instruction to public and nonpublic schools on a statewide basis;

(10) Methods of addressing future changes in technology and learning.

~~(E)~~(F) Not later than March 1, 2012, the Task Force shall issue a report of its findings and recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives. Upon issuance of After issuing its report, the Task Force shall monitor the implementation of its recommendations. Not later than June 30, 2012, the Task Force shall report to the Governor, the President of the Senate, and the Speaker of the House of Representatives whether digital learning is advancing in Ohio schools and submit any recommendations to further enhance the full deployment of useful digital learning programs and services. The Task Force shall cease to exist on June 30, 2012.

Sec. 373.10. DRC DEPARTMENT OF REHABILITATION AND CORRECTION

General Revenue Fund

GRF 501321	Institutional Operations	\$	909,547,156	\$	866,592,589
GRF 501403	Prisoner Compensation	\$	8,599,255	\$	8,599,255
GRF 501405	Halfway House	\$	43,637,069	\$	43,622,104
GRF 501406	Lease Rental Payments	\$	42,863,100	\$	104,301,500
GRF 501407	Community Nonresidential Programs	\$	25,859,382	\$	25,839,390
GRF 501408	Community Misdemeanor Programs	\$	14,906,800	\$	14,906,800
GRF 501501	Community Residential Programs - CBCF	\$	62,692,785	\$	62,477,785
GRF 502321	Mental Health Services	\$	58,525,816	\$	51,778,513
GRF 503321	Parole and Community Operations	\$	68,197,272	\$	63,783,848
GRF 504321	Administrative Operations	\$	21,996,504	\$	20,085,474
GRF 505321	Institution Medical Services	\$	209,231,014	\$	195,241,961
GRF 506321	Institution Education Services	\$	20,237,576	\$	18,086,492
GRF 507321	Institution Recovery Services	\$	5,786,109	\$	5,375,737
TOTAL GRF General Revenue Fund		\$	1,492,079,838	\$	1,480,691,448

General Services Fund Group

1480	501602	Services and Agricultural <u>Institutional Services</u>	\$	3,579,250	\$	3,584,263
2000	501607	Ohio Penal Industries	\$	38,000,000	\$	38,000,000
4830	501605	Property Receipts	\$	182,723	\$	182,086
4B00	501601	Sewer Treatment Services	\$	2,145,630	\$	2,157,682 <u>2,057,682</u>
4D40	501603	Prisoner Programs	\$	14,900,000	\$	14,900,000
4L40	501604	Transitional Control	\$	1,168,843	\$	1,213,120 <u>1,113,120</u>
4S50	501608	Education Services	\$	2,376,041	\$	2,359,775
5710	501606	Training Academy Receipts	\$	125,000	\$	125,000
5930	501618	Laboratory Services	\$	6,665,137	\$	6,664,729
5AF0	501609	State and Non-Federal Awards	\$	1,440,000	\$	1,440,000
5H80	501617	Offender Financial Responsibility	\$	2,000,000	\$	2,000,000
5L60	501611	Information Technology Services	\$	600,000	\$	600,000 <u>350,000</u>
TOTAL GSF General Services Fund Group			\$	73,182,624	\$	73,226,655 <u>72,776,655</u>

Federal Special Revenue Fund Group

3230	501619	Federal Grants	\$	9,013,558	\$	9,180,703
TOTAL FED Federal Special Revenue Fund Group			\$	9,013,558	\$	9,180,703
TOTAL ALL BUDGET FUND GROUPS			\$	1,574,276,020	\$	1,563,098,806 <u>1,562,648,806</u>

**TRANSFER OF OPERATING APPROPRIATIONS TO IMPLEMENT
CRIMINAL SENTENCING REFORMS**

For the purposes of implementing criminal sentencing reforms, and notwithstanding any other provision of law to the contrary, the Director of Budget and Management, at the request of the Director of Rehabilitation and Correction, may transfer up to \$14,000,000 in appropriations, in each of fiscal years 2012 and 2013, from appropriation item 501321, Institutional Operations, to any combination of appropriation items 501405, Halfway House; 501407, Community Residential Programs; 501408, Community Misdemeanor Programs; and 501501, Community Residential Programs - CBCF.

OHIO BUILDING AUTHORITY LEASE PAYMENTS

The foregoing appropriation item 501406, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made during the period from July 1, 2011, through June 30, 2013, by the Department of Rehabilitation and Correction to the Ohio Building Authority under the primary leases and agreements for those buildings made under Chapter 152. of the Revised Code. These appropriations are the source of funds pledged for bond service charges or obligations issued pursuant to Chapter 152. of the Revised Code.

OSU MEDICAL CHARGES

Notwithstanding section 341.192 of the Revised Code, at the request of the Department of Rehabilitation and Correction, The Ohio State University Medical Center, including the James Cancer Hospital and Solove Research Institute and the Richard M. Ross Heart Hospital, shall provide necessary care to persons who are confined in state adult correctional facilities. The provision of necessary care shall be billed to the Department at a rate not to exceed the authorized reimbursement rate for the same service established by the Department of Job and Family Services under the Medical Assistance Program.

CASH TRANSFER FROM INSTITUTIONAL SERVICES FUND TO OHIO PENAL INDUSTRIES FUND

The Director of Budget and Management may transfer an amount not to exceed \$4,000,000 in cash in fiscal year 2013 from the Institutional Services Fund (Fund 1480) to the Ohio Penal Industries Fund (Fund 2000).

Sec. 375.10. RSC REHABILITATION SERVICES COMMISSION

General Revenue Fund

GRF 415402	Independent Living Council	\$	252,000	\$	252,000
GRF 415406	Assistive Technology	\$	26,618	\$	26,618
GRF 415431	Office for People with Brain Injury	\$	126,567	\$	126,567
GRF 415506	Services for People with Disabilities	\$	12,777,884	\$	12,777,884
GRF 415508	Services for the Deaf	\$	28,000	\$	28,000
TOTAL GRF General Revenue Fund		\$	13,211,069	\$	13,211,069

General Services Fund Group

4670 415609	Business Enterprise Operating Expenses	\$	1,308,431	\$	1,303,090
TOTAL GSF General Services Fund Group		\$	1,308,431	\$	1,303,090

Federal Special Revenue Fund Group

3170 415620	Disability Determination	\$	97,579,095	\$	97,579,095
3790 415616	Federal - Vocational Rehabilitation	\$	103,160,426	\$	103,150,102
3L10 415601	Social Security Personal Care Assistance	\$	3,370,000	\$	3,370,000
3L10 415605	Social Security Community Centers for the Deaf	\$	772,000	\$	772,000
3L10 415608	Social Security Special Programs/Assistance	\$	1,521,406	\$	1,520,184
3L40 415612	Federal Independent Living Centers or Services	\$	652,222	\$	652,222
3L40 415615	Federal - Supported Employment	\$	929,755	\$	929,755
3L40 415617	Independent Living/Vocational Rehabilitation Programs	\$	2,137,338	\$	2,137,338

TOTAL FED Federal Special				
Revenue Fund Group		\$	210,122,242	\$ <u>210,110,696</u>
				<u>200,110,696</u>
State Special Revenue Fund Group				
4680	415618	Third Party Funding	\$ 10,802,589	\$ 10,802,589
4L10	415619	Services for Rehabilitation	\$ 3,700,000	\$ 3,700,000
4W50	415606	Program Management Expenses	\$ 11,636,730	\$ 11,587,201
TOTAL SSR State Special				
Revenue Fund Group		\$	26,139,319	\$ 26,089,790
TOTAL ALL BUDGET FUND GROUPS		\$	250,781,061	\$ <u>250,714,645</u>
				<u>240,714,645</u>

INDEPENDENT LIVING COUNCIL

The foregoing appropriation item 415402, Independent Living Council, shall be used to fund the operations of the State Independent Living Council and to support state independent living centers and independent living services under Title VII of the Independent Living Services and Centers for Independent Living of the Rehabilitation Act Amendments of 1992, 106 Stat. 4344, 29 U.S.C. 796d.

Of the foregoing appropriation item 415402, Independent Living Council, \$67,662 in each fiscal year shall be used as state matching funds for vocational rehabilitation innovation and expansion activities.

ASSISTIVE TECHNOLOGY

The total amount of the foregoing appropriation item 415406, Assistive Technology, shall be provided to Assistive Technology of Ohio to provide grants and assistive technology services for people with disabilities in the State of Ohio.

OFFICE FOR PEOPLE WITH BRAIN INJURY

The foregoing appropriation item 415431, Office for People with Brain Injury, shall be used to plan and coordinate head-injury-related services provided by state agencies and other government or private entities, to assess the needs for such services, and to set priorities in this area.

Of the foregoing appropriation item 415431, Office for People with Brain Injury, \$44,067 in each fiscal year shall be used as state matching funds to provide vocational rehabilitation services to eligible consumers.

VOCATIONAL REHABILITATION SERVICES

The foregoing appropriation item 415506, Services for People with Disabilities, shall be used as state matching funds to provide vocational rehabilitation services to eligible consumers.

At the request of the Chancellor of the Board of Regents, the Director of Budget and Management may transfer any unexpended, unencumbered appropriation in fiscal year 2012 or fiscal year 2013 from appropriation item 235502, Student Support Services, to appropriation item 415506, Services

for People with Disabilities. Any appropriation so transferred shall be used by the Ohio Rehabilitation Services Commission to obtain additional federal matching funds to serve disabled students.

SERVICES FOR THE DEAF

The foregoing appropriation item 415508, Services for the Deaf, shall be used to provide grants to community centers for the deaf.

INDEPENDENT LIVING/VOCATIONAL REHABILITATION PROGRAMS

The foregoing appropriation item 415617, Independent Living/Vocational Rehabilitation Programs, shall be used to support vocational rehabilitation programs.

SOCIAL SECURITY REIMBURSEMENT FUNDS

Reimbursement funds received from the Social Security Administration, United States Department of Health and Human Services, for the costs of providing services and training to return disability recipients to gainful employment shall be expended from the Social Security Reimbursement Fund (Fund 3L10), to the extent funds are available, as follows:

(A) Appropriation item 415601, Social Security Personal Care Assistance, to provide personal care services in accordance with section 3304.41 of the Revised Code;

(B) Appropriation item 415605, Social Security Community Centers for the Deaf, to provide grants to community centers for the deaf in Ohio for services to individuals with hearing impairments; and

(C) Appropriation item 415608, Social Security Special Programs/Assistance, to provide vocational rehabilitation services to individuals with severe disabilities who are Social Security beneficiaries, to enable them to achieve competitive employment. This appropriation item shall also be used to pay a portion of indirect costs of the Personal Care Assistance Program and the Independent Living Programs as mandated by federal OMB Circular A-87.

PROGRAM MANAGEMENT EXPENSES

The foregoing appropriation item 415606, Program Management Expenses, shall be used to support the administrative functions of the commission related to the provision of vocational rehabilitation, disability determination services, and ancillary programs.

Sec. 379.10. RDF REVENUE DISTRIBUTION FUNDS

Volunteer Firefighters' Dependents Fund

7085	800985	Volunteer Firemen's	\$	300,000	\$	300,000
		Dependents Fund				
TOTAL 085 Volunteer Firefighters'						
		Dependents Fund	\$	300,000	\$	300,000
Agency Fund Group						

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4P80	001698	Cash Management Improvement Fund	\$	3,100,000	\$	3,100,000
5JG0	110633	Gross Casino Revenue County Fund	\$	5,778,617	\$	138,882,294
5JH0	110634	Gross Casino Revenue County Student Fund	\$	3,852,412	\$	92,588,196
5JJ0	110636	Gross Casino Revenue Host City Fund	\$	566,531	\$	13,615,911
5JK0	875610	Ohio State Racing Commission Fund	\$	339,919	\$	8,169,547
5JL0	038629	Problem Casino Gambling and Addictions Fund	\$	226,612	\$	5,446,364
5JN0	055654	Ohio Law Enforcement Training Fund	\$	226,612	\$	5,446,364
6080	001699	Investment Earnings	\$	50,000,000	\$	150,000,000
7062	110962	Resort Area Excise Tax	\$	1,000,000	\$	1,000,000
7063	110963	Permissive Tax Distribution	\$	1,904,500,000	\$	1,980,700,000
7067	110967	School District Income Tax	\$	317,000,000	\$	330,000,000
TOTAL AGY Agency Fund Group			\$	<u>2,286,590,703</u>	\$	<u>2,728,948,676</u>
				<u>2,285,797,560</u>		<u>2,709,886,401</u>
Holding Account Redistribution						
R045	110617	International Fuel Tax Distribution	\$	40,000,000	\$	40,000,000
TOTAL 090 Holding Account Redistribution Fund						
Revenue Distribution Fund Group			\$	40,000,000	\$	40,000,000
7049	038900	Indigent Drivers Alcohol Treatment	\$	2,200,000	\$	2,200,000
7050	762900	International Registration Plan Distribution	\$	30,000,000	\$	30,000,000
7051	762901	Auto Registration Distribution	\$	539,000,000	\$	539,000,000
7054	110954	Local Government Property Tax Replacement - Utility	\$	16,000,000	\$	11,000,000
7060	110960	Gasoline Excise Tax Fund	\$	393,000,000	\$	395,000,000
7065	110965	Public Library Fund	\$	354,000,000	\$	345,000,000
7066	800966	Undivided Liquor Permits	\$	14,100,000	\$	14,100,000
7068	110968	State and Local Government Highway Distribution	\$	193,000,000	\$	196,000,000
7069	110969	Local Government Fund	\$	577,000,000	\$	348,000,000
7081	110981	Local Government Property Tax Replacement-Business	\$	291,000,000	\$	181,000,000
7082	110982	Horse Racing Tax	\$	100,000	\$	100,000
7083	700900	Ohio Fairs Fund	\$	1,400,000	\$	1,400,000
TOTAL RDF Revenue Distribution Fund Group			\$	2,410,800,000	\$	2,062,800,000
TOTAL ALL BUDGET FUND GROUPS			\$	<u>4,737,690,703</u>	\$	<u>4,832,048,676</u>
				<u>4,736,897,560</u>		<u>4,812,986,401</u>

ADDITIONAL APPROPRIATIONS

Appropriation items in this section shall be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. If it is determined that additional

appropriations are necessary for this purpose, such amounts are hereby appropriated.

GENERAL REVENUE FUND TRANSFERS

Notwithstanding any provision of law to the contrary, in fiscal year 2012 and fiscal year 2013, the Director of Budget and Management may transfer from the General Revenue Fund to the Local Government Tangible Property Tax Replacement Fund (Fund 7081) in the Revenue Distribution Fund Group, those amounts necessary to reimburse local taxing units under section 5751.22 of the Revised Code. Also, in fiscal year 2012 and fiscal year 2013, the Director of Budget and Management may make temporary transfers from the General Revenue Fund to ensure sufficient balances in the Local Government Tangible Property Tax Replacement Fund (Fund 7081) and to replenish the General Revenue Fund for such transfers.

Sec. 387.10. SFC SCHOOL FACILITIES COMMISSION

General Revenue Fund

GRF 230908	Common Schools General	\$	150,604,900	\$	341,919,400
	Obligation Debt Service				<u>329,919,400</u>
TOTAL GRF General Revenue Fund		\$	150,604,900	\$	341,919,400
					<u>329,919,400</u>

State Special Revenue Fund Group

5E30 230644	Operating Expenses	\$	8,950,000	\$	8,550,000
TOTAL SSR State Special Revenue					
Fund Group		\$	8,950,000	\$	8,550,000
TOTAL ALL BUDGET FUND GROUPS		\$	159,554,900	\$	350,469,400
					<u>338,469,400</u>

Sec. 403.10. TAX DEPARTMENT OF TAXATION

General Revenue Fund

GRF 110321	Operating Expenses	\$	73,500,000	\$	73,550,000
					<u>72,814,500</u>
GRF 110404	Tobacco Settlement	\$	200,000	\$	200,000
	Enforcement				<u>198,000</u>
GRF 110412	Child Support Administration	\$	15,804	\$	15,804
GRF 110901	Property Tax Allocation -	\$	610,900,000	\$	616,000,000
	Taxation				
TOTAL GRF General Revenue Fund		\$	684,615,804	\$	689,765,804
					<u>689,028,146</u>

General Services Fund Group

2280 110628	Tax Reform System	\$	13,638,008	\$	13,642,176
	Implementation				<u>13,505,754</u>
4330 110602	Tape File Account	\$	197,802	\$	197,878
5AP0 110632	Discovery Project	\$	2,445,799	\$	2,445,657
					<u>2,421,200</u>
5BW0 110630	Tax Amnesty Promotion and	\$	2,500,000	\$	0
	Administration				
5CZ0 110631	Vendor's License Application	\$	250,000	\$	250,000
5N50 110605	Municipal Income Tax	\$	339,798	\$	339,975
	Administration				<u>336,575</u>
5N60 110618	Kilowatt Hour Tax	\$	150,000	\$	150,000
					<u>148,500</u>

		Administration				
5V80	110623	Property Tax Administration	\$	12,195,733	\$	12,099,303 <u>11,978,310</u>
5W40	110625	Centralized Tax Filing and Payment	\$	200,000	\$	200,000 <u>198,000</u>
5W70	110627	Exempt Facility Administration	\$	50,000	\$	50,000 <u>49,500</u>
TOTAL GSF General Services Fund Group			\$	31,967,140	\$	<u>29,374,989</u> <u>29,083,738</u>
State Special Revenue Fund Group						
4350	110607	Local Tax Administration	\$	19,028,339	\$	<u>19,225,941</u> <u>19,033,682</u>
4360	110608	Motor Vehicle Audit	\$	1,474,081	\$	<u>1,474,353</u> <u>1,459,609</u>
4370	110606	Litter/Natural Resource Tax Administration	\$	20,000	\$	20,000 <u>19,800</u>
4380	110609	School District Income Tax	\$	5,859,041	\$	<u>5,860,650</u> <u>5,802,044</u>
4C60	110616	International Registration Plan	\$	689,296	\$	689,308 <u>682,415</u>
4R60	110610	Tire Tax Administration	\$	245,462	\$	246,660 <u>244,193</u>
5V70	110622	Motor Fuel Tax Administration	\$	5,384,254	\$	<u>5,086,236</u> <u>5,035,374</u>
6390	110614	Cigarette Tax Enforcement	\$	1,384,217	\$	<u>1,384,314</u> <u>1,370,471</u>
6420	110613	Ohio Political Party Distributions	\$	500,000	\$	500,000
6880	110615	Local Excise Tax Administration	\$	782,630	\$	782,843 <u>775,015</u>
TOTAL SSR State Special Revenue Fund Group			\$	35,367,320	\$	<u>35,270,305</u> <u>34,922,603</u>
Agency Fund Group						
4250	110635	Tax Refunds	\$	1,546,800,000	\$	1,546,800,000
7095	110995	Municipal Income Tax	\$	21,000,000	\$	21,000,000
TOTAL AGY Agency Fund Group			\$	1,567,800,000	\$	1,567,800,000
Holding Account Redistribution Fund Group						
R010	110611	Tax Distributions	\$	50,000	\$	50,000
R011	110612	Miscellaneous Income Tax Receipts	\$	50,000	\$	50,000
TOTAL 090 Holding Account Redistribution Fund Group			\$	100,000	\$	100,000
TOTAL ALL BUDGET FUND GROUPS			\$	2,319,850,264	\$	<u>2,322,311,098</u> <u>2,320,934,487</u>

HOMESTEAD EXEMPTION, PROPERTY TAX ROLLBACK

The foregoing appropriation item 110901, Property Tax Allocation - Taxation, is hereby appropriated to pay for the state's costs incurred due to the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. The Tax Commissioner shall distribute these funds directly to the appropriate local taxing districts, except for school districts, notwithstanding the provisions in sections 321.24 and 323.156 of

the Revised Code, which provide for payment of the Homestead Exemption, the Manufactured Home Property Tax Rollback, and Property Tax Rollback by the Tax Commissioner to the appropriate county treasurer and the subsequent redistribution of these funds to the appropriate local taxing districts by the county auditor.

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

Any sums, in addition to the amounts specifically appropriated in appropriation item 110901, Property Tax Allocation - Taxation, for the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback payments, which are determined to be necessary for these purposes, are hereby appropriated.

TAX AMNESTY PROMOTION AND ADMINISTRATION

The foregoing appropriation item 110630, Tax Amnesty Promotion and Administration, shall be used to pay expenses incurred to promote and administer the tax amnesty program to be conducted from May 1, 2012, through June 15, 2012, by the Department of Taxation pursuant to Section 757.40 of ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly.

MUNICIPAL INCOME TAX

The foregoing appropriation item 110995, Municipal Income Tax, shall be used to make payments to municipal corporations under section 5745.05 of the Revised Code. If it is determined that additional appropriations are necessary to make such payments, such amounts are hereby appropriated.

TAX REFUNDS

The foregoing appropriation item 110635, Tax Refunds, shall be used to pay refunds under section 5703.052 of the Revised Code. If it is determined that additional appropriations are necessary for this purpose, such amounts are hereby appropriated.

INTERNATIONAL REGISTRATION PLAN AUDIT

The foregoing appropriation item 110616, International Registration Plan, shall be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.

TRAVEL EXPENSES FOR THE STREAMLINED SALES TAX PROJECT

Of the foregoing appropriation item 110607, Local Tax Administration, the Tax Commissioner may disburse funds, if available, for the purposes of paying travel expenses incurred by members of Ohio's delegation to the

Streamlined Sales Tax Project, as appointed under section 5740.02 of the Revised Code. Any travel expense reimbursement paid for by the Department of Taxation shall be done in accordance with applicable state laws and guidelines.

CENTRALIZED TAX FILING AND PAYMENT FUND

The Director of Budget and Management, under a plan submitted by the Tax Commissioner, or as otherwise determined by the Director of Budget and Management, shall set a schedule to transfer cash from the General Revenue Fund to the credit of the Centralized Tax Filing and Payment Fund (Fund 5W40). The transfers of cash shall not exceed \$400,000 in the biennium.

TOBACCO SETTLEMENT ENFORCEMENT

The foregoing appropriation item 110404, Tobacco Settlement Enforcement, shall be used by the Tax Commissioner to pay costs incurred in the enforcement of divisions (F) and (G) of section 5743.03 of the Revised Code.

Sec. 411.10. DVS DEPARTMENT OF VETERANS SERVICES

General Revenue Fund

GRF 900321	Veterans' Homes	\$	27,369,946	\$	27,369,946
GRF 900402	Hall of Fame	\$	107,075	\$	107,075
GRF 900408	Department of Veterans Services	\$	1,901,823	\$	1,901,823 2,001,823
GRF 900901	Persian Gulf, Afghanistan, and Iraq Compensation Debt Service	\$	5,486,600	\$	10,112,100
TOTAL GRF General Revenue Fund		\$	34,865,444	\$	39,490,944 39,590,944

General Services Fund Group

4840 900603	Veterans' Homes Services	\$	305,806	\$	312,458
TOTAL GSF General Services Fund Group		\$	305,806	\$	312,458

Federal Special Revenue Fund Group

3680 900614	Veterans Training	\$	769,500	\$	754,377
3740 900606	Troops to Teachers	\$	136,786	\$	133,461
3BX0 900609	Medicare Services	\$	2,500,000	\$	2,490,169
3L20 900601	Veterans' Homes Operations - Federal	\$	23,455,379	\$	23,476,269
TOTAL FED Federal Special Revenue Fund Group		\$	26,861,665	\$	26,854,276

State Special Revenue Fund Group

4E20 900602	Veterans' Homes Operating	\$	10,117,680	\$	10,319,078
6040 900604	Veterans' Homes Improvement	\$	347,598	\$	398,731

TOTAL SSR State Special Revenue Fund Group		\$	10,465,278	\$	10,717,809
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Persian Gulf, Afghanistan, and Iraq Compensation Fund Group

7041 900615	Veteran Bonus Program - Administration	\$	1,605,410	\$	1,147,703
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7041 900641	Persian Gulf, Afghanistan, and Iraq Compensation	\$	25,425,000	\$	24,300,000
TOTAL 041 Persian Gulf, Afghanistan, and Iraq Compensation Fund Group					
		\$	27,030,410	\$	25,447,703
TOTAL ALL BUDGET FUND GROUPS					
		\$	99,528,603	\$	102,823,190 <u>102,923,190</u>

PERSIAN GULF, AFGHANISTAN AND IRAQ COMPENSATION GENERAL OBLIGATION DEBT SERVICE

The foregoing appropriation item 900901, Persian Gulf, Afghanistan and Iraq Compensation Debt Service, shall be used to pay all debt service and related financing costs during the period from July 1, 2011, through June 30, 2013, on obligations issued for Persian Gulf, Afghanistan and Iraq Conflicts Compensation purposes under sections 151.01 and 151.12 of the Revised Code.

Sec. 415.10. DYS DEPARTMENT OF YOUTH SERVICES

General Revenue Fund

GRF 470401	RECLAIM Ohio	\$	168,716,967	\$	162,362,228
GRF 470412	Lease Rental Payments	\$	10,221,800	\$	27,230,100
GRF 470510	Youth Services	\$	16,702,728	\$	16,702,728
GRF 472321	Parole Operations	\$	10,830,019	\$	10,583,118
GRF 477321	Administrative Operations	\$	12,222,051	\$	11,855,389
TOTAL GRF General Revenue Fund					
		\$	218,693,565	\$	228,733,563

General Services Fund Group

1750 470613	Education Reimbursement	\$	8,160,277	\$	8,151,056 <u>6,251,056</u>
4790 470609	Employee Food Service	\$	150,000	\$	150,000
4A20 470602	Child Support	\$	450,000	\$	400,000
4G60 470605	General Operational Funds	\$	125,000	\$	125,000
5BN0 470629	E-Rate Program	\$	535,000	\$	535,000
TOTAL GSF General Services Fund Group					
		\$	9,420,277	\$	9,361,056 <u>7,461,056</u>

Federal Special Revenue Fund Group

3210 470601	Education	\$	1,774,469	\$	1,517,840
3210 470603	Juvenile Justice Prevention	\$	300,000	\$	300,000
3210 470606	Nutrition	\$	1,747,432	\$	1,704,022 <u>1,400,000</u>
3210 470610	Rehabilitation Programs	\$	36,000	\$	36,000 <u>0</u>
3210 470614	Title IV-E Reimbursements	\$	6,000,000	\$	6,000,000
3BY0 470635	Federal Juvenile Programs FFY 07	\$	56,471	\$	2,000
3BZ0 470636	Federal Juvenile Programs FFY 08	\$	82,000	\$	1,618
3CP0 470638	Federal Juvenile Programs FFY 09	\$	500,000	\$	300,730
3CR0 470639	Federal Juvenile Programs FFY 10	\$	800,000	\$	479,900
3FB0 470641	Federal Juvenile Programs FFY 11	\$	135,000	\$	600,000

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3FC0 470642	Federal Juvenile Programs FFY 12	\$	0	\$	135,000
3V50 470604	Juvenile Justice/Delinquency Prevention	\$	2,010,000	\$	2,000,000
TOTAL FED Federal Special Revenue					
Fund Group		\$	13,441,372	\$	<u>13,077,110</u> <u>12,737,088</u>
State Special Revenue Fund Group					
1470 470612	Vocational Education	\$	762,126	\$	758,210
TOTAL SSR State Special Revenue					
Fund Group		\$	762,126	\$	758,210
TOTAL ALL BUDGET FUND GROUPS					
		\$	242,317,340	\$	<u>251,929,939</u> <u>249,689,917</u>

COMMUNITY PROGRAMS

For purposes of implementing juvenile sentencing reforms, and notwithstanding any provision of law to the contrary, the Department of Youth Services may use up to forty-five per cent of the unexpended, unencumbered balance of the portion of appropriation item 470401, RECLAIM Ohio, that is allocated to juvenile correctional facilities in each fiscal year to expand Targeted RECLAIM, the Behavioral Health Juvenile Justice Initiative, and other evidence-based community programs.

OHIO BUILDING AUTHORITY LEASE PAYMENTS

The foregoing appropriation item 470412, Lease Rental Payments, shall be used to meet all payments at the times they are required to be made for the period from July 1, 2011, through June 30, 2013, by the Department of Youth Services to the Ohio Building Authority under the leases and agreements for facilities made under Chapter 152. of the Revised Code. This appropriation is the source of funds pledged for bond service charges on related obligations issued pursuant to Chapter 152. of the Revised Code.

EDUCATION REIMBURSEMENT

The foregoing appropriation item 470613, Education Reimbursement, shall be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services. Operating expenses include, but are not limited to, teachers' salaries, maintenance costs, and educational equipment. This appropriation item may be used for capital expenses related to the education program.

EMPLOYEE FOOD SERVICE AND EQUIPMENT

Notwithstanding section 125.14 of the Revised Code, the foregoing appropriation item 470609, Employee Food Service, may be used to purchase any food operational items with funds received into the fund from reimbursements for state surplus property.

FLEXIBLE FUNDING FOR CHILDREN AND FAMILIES

In collaboration with the county family and children first council, the

juvenile court of that county that receives allocations from one or both of the foregoing appropriation items 470401, RECLAIM Ohio, and 470510, Youth Services, may transfer portions of those allocations to a flexible funding pool as authorized by the section of ~~this act~~ Am. Sub. H.B. 153 of the 129th General Assembly titled "FAMILY AND CHILDREN FIRST FLEXIBLE FUNDING POOL."

Sec. 503.50. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF OPERATING APPROPRIATIONS

(A) An unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year is hereby reappropriated on the first day of July of the following fiscal year from the fund from which it was originally appropriated or reappropriated for the following period and shall remain available only for the purpose of discharging the encumbrance:

(1) For an encumbrance for personal services, maintenance, equipment, or items for resale, other than an encumbrance for an item of special order manufacture not available on term contract or in the open market or for reclamation of land or oil and gas wells, for a period of not more than five months from the end of the fiscal year;

(2) For an encumbrance for an item of special order manufacture not available on term contract or in the open market, for a period of not more than five months from the end of the fiscal year or, with the written approval of the Director of Budget and Management, for a period of not more than twelve months from the end of the fiscal year;

(3) For an encumbrance for reclamation of land or oil and gas wells, for a period ending when the encumbered appropriation is expended or for a period of two years, whichever is less;

(4) For an encumbrance for any other expense, for such period as the Director approves, provided such period does not exceed two years.

(B) Any operating appropriations for which unexpended balances are reappropriated beyond a five-month period from the end of the fiscal year by division (A)(2) of this section shall be reported to the Controlling Board by the Director of Budget and Management by the thirty-first day of December of each year. The report on each such item shall include the item, the cost of the item, and the name of the vendor. The report shall be updated on a quarterly basis for encumbrances remaining open.

(C) Upon the expiration of the reappropriation period set out in division (A) of this section, a reappropriation made by this section lapses, and the Director of Budget and Management shall cancel the encumbrance of the unexpended reappropriation not later than the end of the weekend following

the expiration of the reappropriation period.

(D) Notwithstanding division (C) of this section, with the approval of the Director of Budget and Management, an unexpended balance of an encumbrance that was reappropriated on the first day of July by this section for a period specified in division (A)(3) or (4) of this section and that remains encumbered at the close of the fiscal biennium is hereby reappropriated on the first day of July of the following fiscal biennium from the fund from which it was originally appropriated or reappropriated for the applicable period specified in division (A)(3) or (4) of this section and shall remain available only for the purpose of discharging the encumbrance.

(E) The Director of Budget and Management may correct accounting errors committed by the staff of the Office of Budget and Management, such as ~~re-establishing~~ reestablishing encumbrances or appropriations cancelled in error, during the cancellation of operating encumbrances in November and of nonoperating encumbrances in December.

(F) The Director of Budget and Management may at any time correct accounting errors committed by the staff of a state institution of higher education, as defined in section 3345.011 of the Revised Code, such as reestablishing prior year nonoperating encumbrances canceled or modified in error. The reestablished encumbrance amounts are hereby appropriated.

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

Sec. 521.70. OVERSIGHT OF FEDERAL STIMULUS FUNDS

(A) The Office of Internal Auditing within the Office of Budget and Management shall, in connection with its duties under sections 126.45 to 126.48 of the Revised Code, monitor and measure the effectiveness of funds allocated to the state as part of the federal American Recovery and Reinvestment Act of 2009. As such, the Office of Internal Auditing shall review how funds allocated to each state agency are spent. For purposes of this section, "state agency" has the same meaning as in division (A) of section 126.45 of the Revised Code.

In addition to the reports required under section 126.47 of the Revised Code, the Office of Internal Auditing shall ~~submit~~ prepare a report of its findings for the period beginning July 1, 2011, and ending December 31, 2011. The Office shall submit the report to the President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, and the Chairs of the committees in the Senate and House of Representatives handling finance and appropriations. The report shall be submitted every six months at the

following intervals:

~~(1) For the six-month period ending December 31, 2011, not later than by February 1, 2012;~~

~~(2) For the six-month period ending June 30, 2012, not later than August 1, 2012;~~

~~(3) For the six-month period ending December 31, 2012, not later than February 1, 2013;~~

~~(4) For the six-month period ending June 30, 2013, not later than August 1, 2013.~~

(B) When, as part of its compliance with the federal American Recovery and Reinvestment Act of 2009 requirements to monitor and measure the effectiveness of funds for which the state of Ohio is the prime recipient, and for which reporting authority has not been delegated to a sub-recipient subrecipient, the Office of Budget and Management submits quarterly reports to the federal government, the Office of Budget and Management shall also submit those reports to the President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, Minority Leader of the House of Representatives, and Chairs and ranking members of the committees in the Senate and House of Representatives handling finance and appropriations. The Office of Budget and Management shall continue to submit quarterly reports to the legislature for the duration of the period in which the state of Ohio is required to make reports to the federal government concerning Ohio's use of the federal American Recovery and Reinvestment Act of 2009 funds.

Sec. 701.40. (A) There is hereby created the Ohio Housing Study Committee with the purpose of formulating a comprehensive review of the policies and results of the Ohio Housing Finance Agency, its programs and its working relationships to ensure that all Agency programs are evaluated by an objective process to ensure all Ohioans receive optimal and measurable benefits afforded to them through the authority of the Agency.

(B) The Committee shall do all of the following:

(1) Perform a comprehensive review of Chapter 175. of the Revised Code to determine the relevance of the chapter and determine whether it should be formally reviewed or amended by the General Assembly, up to and including appropriate legislative oversight and accountability;

(2) Review the Agency's relationships to ensure an equitable and level playing field regarding its single- and multi-family housing programs;

(3) Review the Agency's policy leadership and the measurable economic impact and other effects of its programs;

(4) Review the Agency's Qualified Allocation Plan development process

and underlying policies to understand whether objective and measurable results are achieved to fulfill clearly articulated public policy goals;

(5) Create a quantitative report measuring the economic benefits of the Agency's single- and multi-family programming over the last ten years;

(6) Evaluate the possible efficiencies of combining existing Ohio Department of Development housing-related programming with those of the Agency.

The Chairperson of the Committee may include other relevant areas of study as necessary.

(C) The Committee shall commence on ~~the effective date of this act~~ September 29, 2011, and shall provide a report expressing its findings and financial, policy, or legislative recommendations to the Governor, the Speaker of the House of Representatives, and the President of the Senate on or before March 31, 2012. The Committee shall cease to exist on December 31, 2012.

(D) The Committee shall be comprised of the Auditor of State, or the Auditor's designee, the Director of Commerce, or the Director's designee, the Director of Development, or the Director's designee, and four members of the General Assembly. Two members shall be appointed by the Speaker of the House of Representatives and two members shall be appointed by the President of the Senate.

The Governor, Speaker of the House of Representatives, and the President of the Senate shall determine the chairperson of the Committee.

(E) The Committee shall meet on a reasonable basis at the discretion of the chairperson.

(F) All reasonable expenses incurred by the Committee in carrying out its responsibilities shall be paid by Ohio Housing Finance Agency funds. In addition to reasonable expenses, the Committee shall have the discretion to allocate Agency funds to contract with the Auditor of State for services rendered in relation to the Committee carrying out its responsibilities, including financial- and performance-based audits and other services. The Auditor of State may contract with an independent auditor.

The Committee may also contract with other independent entities for services rendered in relation to the Committee carrying out its responsibilities. Expenditures to pay for the services of the Auditor of State, independent auditor, or other services shall not exceed two hundred thousand dollars.

No entity contracting with the Committee for services rendered shall have a financial or vested interest in the Ohio Housing Finance Agency, its affiliates, or its nonprofit partners.

Sec. 753.25. (A) The Governor is authorized to execute a deed in the name of the state conveying to the Board of County Hospital Trustees of The MetroHealth System ("MetroHealth"), in the name of the County of Cuyahoga, State of Ohio, its successors and assigns, all of the state's right, title, and interest in the following ~~listed parcels of~~ described real estate located in the County of Cuyahoga, State of Ohio: ~~00821-008, 00821-009, 00821-010, 00821-011, 00821-012, 00821-013, 00821-014, 00821-015, 00821-016, and 00821-017.~~

~~In preparing the deed, the Auditor of State, with the assistance of the Attorney General, shall develop a legal description of the real estate in conformity with the actual bounds of the real estate.~~

Parcel I

Description of a 2.732 Acre Tract

Located northerly of the intersection of South Point Drive and Ginger Court, Cleveland, Ohio.

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of the Original Brooklyn Township Lot No. 73, Range 13 West, Township 7 North of the Connecticut Western Reserve Survey and being all of a tract of land as conveyed to the State of Ohio by deed of record in Deed Volume 10350, Page 563 and being of all of subplot numbers 18 through 26 and part of subplot number 27 as shown in the East View Addition by plat of record in Plat Volume 16, Page 19 as conveyed to the State of Ohio by deeds of records in Deed Volume 6640, Page 166; Deed Volume 6640, Page 168; Deed Volume 7285, Page 321; Deed Volume 7227, Page 11; Deed Volume 7678, Page 487; Deed Volume 7627, Page 589; Deed Volume 7287, page 718; Deed Volume 7285, page 319; Deed Volume 7420, Page 102; and Deed Volume 7638, Page 296 respectively; all record document references in this legal description being to the Recorder's Office, Cuyahoga County, Ohio and being more particularly bounded and described as follows:

Beginning at the southwesterly corner of said subplot 18, at a southeasterly corner of a tract of land conveyed to the County of Cuyahoga, Ohio by deed of record in Automatic Filing Number (A.F.N.) 199911231424 and on the northerly right-of-way line of South Point Drive, 50 feet in width and also known as Aiken Avenue, said point also being the TRUE POINT OF BEGINNING of the herein described tract of land;

01. Thence North 00°02'06" West, a distance of 362.37 feet along the extension of and the westerly line of said subplot number 18, along the westerly line of said State of Ohio tract as conveyed in Deed Volume 10350,

Page 563 and along an easterly line of said County of Cuyahoga, Ohio tract to a point;

02. Thence South 76°52' 15" East, a distance of 415.12 feet along the northerly line of said State of Ohio tract as conveyed in Deed Volume 10350, Page 563 and along a southerly line of said County of Cuyahoga, Ohio tract to a point;

03. Thence South 13°06'56" West, a distance of 275.04 feet along the easterly line of said State of Ohio tract as conveyed in Deed Volume 10350, Page 563, along a westerly line of said County of Cuyahoga tract and along the westerly line of a tract of land as conveyed to the Board of Trustees of the Cuyahoga County Hospital by deed of record in Deed Volume 11670, Page 921 passing through said subplot number 27 to a point on the southerly line of said subplot number 27 and on the northerly right-of-way line of said South Point Drive;

04. Thence South 89°57'54" West, a distance of 341.64 feet along the southerly lines of said subplot numbers 27, 26, 25, 24, 23, 22, 21, 20, 19 and 18 and along the northerly line of said South Point Drive to the True Point of Beginning and containing 2.732 acres, more or less, and subject to all legal easements, restrictions, reservations, conditions and right-of-ways of previous record.

The basis of bearing in this description is based on the centerline line of South Point Drive being

North 89°58'22" East as recorded in the Map of Lot Split and Consolidation for The County of Cuyahoga in Plat Volume 300, Page 30.

This description is intended to describe Cuyahoga County Auditor's parcel numbers 008-21-008, 008-21-009, 008-21-010, 008-21-011, 008-21-012, 008-21-013, 008-21-014, 008-21-015, 008-21-016 and 008-21-017.

This description is based on a field survey made by Michael Benza & Associates, Inc. in October 2011 under project number 5290.

Parcel 2

Description of a 0.597 Acre Tract

Located southwesterly of the intersection of South Point Drive and Ginger Court, Cleveland, Ohio.

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of the Original Brooklyn Township Lot No. 73, Range 13 West, Township 7 North of the Connecticut Western Reserve Survey and being of all of subplot numbers 32 through 38 and part of subplot number 39 as shown in the East View Addition by plat of record in Plat Volume 16, Page 19 as conveyed to the State of Ohio by deeds of records in Deed Volume 11317, Page 91; Deed Volume 11369, Page 27; Deed Volume 12168, Page 997;

Deed Volume 12117, Page 239; Deed Volume 11861, Page 587; Deed Volume 12111, Page 951 and Deed Volume 11870, page 961; respectively; all record document references in this legal description being to the Recorder's Office, Cuyahoga County, Ohio and being more particularly bounded and described as follows:

Beginning at the northeasterly corner of said subplot number 32, at the southwesterly corner of the intersection of South Point Drive, 50 feet in width and also known as Aiken Avenue, and Ginger Court, 12 feet in width, said point also being the TRUE POINT OF BEGINNING of the herein described tract of land;

01. Thence South 02°57'49" West, a distance of 94.11 feet along the easterly line of said subplot number 32 and along the westerly right-of-way line of said Ginger Court to a point;

02. Thence South 46°10'37" West, a distance of 8.77 feet along the southeasterly line of said subplot number 32 and along the northwesterly right-of-way line of said Ginger Court to a point;

03. Thence South 89°58'22" West, a distance of 251.42 feet along the southerly lines of said subplot numbers 32 through 29 and along the northerly line of said Ginger Court to a point;

04. Thence North 00°01'38" West, a distance of 100.05 feet along the westerly of line of the said tract of land conveyed to the State of Ohio by Deed Volume 11870, Page 961 and along the easterly line of the tract of land as conveyed to the County of Cuyahoga by deed of record in Deed Volume 12525, Page 665 to a point on the southerly right-of-way line of said South Point Drive;

05. Thence North 89°58'18" East, a distance of 262.66 feet along the northerly lines of said subplot numbers 39, 38, 37, 36, 35, 34, 33 and 32 and along the southerly line of said South Point Drive to the True Point of Beginning and containing 0.597 acres, more or less, and subject to all legal easements, restrictions, reservations, conditions and right-of-ways of previous record.

The basis of bearing in this description is based on the centerline line of South Point Drive being North 89°57'55" East as recorded in the Map of Lot Split and Consolidation for The County of Cuyahoga in Plat Volume 300, Page 30.

This description is intended to describe Cuyahoga County Auditor's parcel numbers 008-21-019, 008-21-020, 008-21-021, 008-21-022, 008-21-023, 008-21-024 and 008-21-025.

This description is based on a field survey made by Michael Benza & Associates, Inc. in October 2011 under project number 5290.

Parcel 3Description of a 0.035 Acre Tract

Located southeasterly of the intersection of South Point Drive and Ginger Court, Cleveland, Ohio.

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of the Original Brooklyn Township Lot No. 73, Range 13 West, Township 7 North of the Connecticut Western Reserve Survey and being part of subplot numbers 29, 30 and 31 as shown in the East View Addition by plat of record in Plat Volume 16, Page 19 as conveyed to the State of Ohio by deeds of records in Deed Volume 11177, Page 349; Deed Volume 11164, Page 285 and Deed Volume 11165, Page 113; respectively; all record document references in this legal description being to the Recorder's Office, Cuyahoga County, Ohio and being more particularly bounded and described as follows:

Beginning at the northwesterly corner of said subplot number 29, at a southeasterly corner of the intersection of South Point Drive, 50 feet in width and also known as Aiken Avenue, and Ginger Court, 12 feet in width, said point also being the TRUE POINT OF BEGINNING of the herein described tract of land;

01. Thence North 89°57'55" East, a distance of 15.85 feet along the northerly line of said subplot number 29 and along the southerly right-of-way line of said South Point Drive to a point on the northwesterly corner of a tract of land conveyed to the Cuyahoga County Commissioners, Cuyahoga County, Ohio by deed of record in Automatic Filing Number (A.F.N.) 199904160080, designated as State Parcel 3049EL;

02. Thence along a curve to the right having a radius of 23.50 feet, an arc length of 23.01 feet a chord bearing South 39°31'07" East and chord distance of 22.10 feet and along an easterly line of said Cuyahoga County Commissioners tract, passing through said subplot number 29 to a point;

03. Thence along a curve to the right having a radius of 520.30 feet, an arc length of 73.94 feet, a chord bearing of South 27°33'59" West and a chord distance of 73.88 feet and along an easterly line of said Cuyahoga County Commissioners tract, passing through said subplot numbers 29, 30 and 31 to a point on the easterly right-of-way line of said Ginger Court;

04. Thence North 02°57'49" East, a distance of 82.65 feet along the westerly of lines of said subplot numbers 31, 30 and 29 and along the easterly right-of-way line of said Ginger Court to the True Point of Beginning and containing 0.035 acres, more or less, and subject to all legal easements, restrictions, reservations, conditions and right-of-ways of previous record.

The basis of bearing in this description is based on the centerline line of

South Point Drive being North 89°57'55" East as recorded in the Map of Lot Split and Consolidation for The County of Cuyahoga in Plat Volume 300, Page 30.

This description is intended to describe Cuyahoga County Auditor's parcel numbers 008-21-074, 008-21-075 and 008-21-076.

This description is based on a field survey made by Michael Benza & Associates, Inc. in October 2011 under project number 5290.

Parcel 4

Description of a 0.494 Acre Tract

Located northerly of the Eglindale Avenue, southerly of Ginger Court and easterly of Scranton Road Cleveland, Ohio.

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, being part of the Original Brooklyn Township Lot No. 73, Range 13 West, Township 7 North of the Connecticut Western Reserve Survey and being all of subplot numbers 77 through 81 and being part of subplot numbers 82 and 83 as shown in the East View Addition by plat of record in Plat Volume 16, Page 19 as conveyed to the State of Ohio by deeds of records in Deed Volume 12789, Page 311; Deed Volume 12930, Page 567; Deed Volume 12781, Page 999; Deed Volume 12902, Page 155; Deed Volume 12773, Page 135; Deed Volume 12777, Page 287 and Deed Volume 11362, Page 445; respectively; all record document references in this legal description being to the Recorder's Office, Cuyahoga County, Ohio and being more particularly bounded and described as follows:

Beginning at the southwesterly corner of said subplot number 77 and on the northerly right-of-way line of Eglindale Avenue, 50 feet in width, said point also being the TRUE POINT OF BEGINNING of the herein described tract of land;

01. Thence North 00°01'38" West, a distance of 100.02 feet along the westerly line of said subplot number 77 and along the easterly line of a tract of land as conveyed to the County of Cuyahoga by deed of record in Deed Volume 12527, Page 595 to a point on the southerly right-of-way line of Ginger Court;

02. Thence North 89°58'22" East, a distance of 255.00 feet along the northerly lines of said subplot numbers 77 through 83 and along the southerly right-of-way line of Ginger Court to a point on an westerly line of a tract of land conveyed to the Cuyahoga County Commissioners, Cuyahoga County, Ohio by deed of record in Automatic Filing Number (A.F.N.) 199904160080, designated as State Parcel 3049EL;

03. Thence South 38°37'28" West, a distance of 128.09 feet along an

easterly line of said Cuyahoga County Commissioners tract, passing through said subplot numbers 82 and 83 to a point on the southeasterly corner of said subplot 81 and on the northerly right-of-way line of said Eglindale Avenue; 04. Thence South 89°58'45" West, a distance of 175.00 feet along the southerly lines of said subplot numbers 81, 80, 79, 78 and 77 and along the northerly right-of-way line of said Eglindale Avenue to the True Point of Beginning and containing 0.494 acres, more or less, and subject to all legal easements, restrictions, reservations, conditions and right-of- ways of previous record.

The basis of bearing in this description is based on the centerline line of Eglindale Avenue being North 89°58'45" East as recorded in the Map of Lot Split and Consolidation for The County of Cuyahoga in Plat Volume 300, Page 30.

This description is intended to describe Cuyahoga County Auditor's parcel numbers 008-21-040, 008-21-041, 008-21-042, 008-21-043, 008-21-044, 008-21-045 and 008-21-046.

This description is based on a field survey made by Michael Benza & Associates, Inc. in October 2011 under project number 5290.

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

Authority to complete this conveyance is dependent upon the City of Cleveland's release of its reversionary interest in the property, where applicable.

Notwithstanding ORC Chapter 5709, on the effective date of this section, any real estate taxes, interest, penalties, or assessments, if any, now payable or as a lien on the parcels of this section, are abated, remitted, and exempted.

(B) Consideration for conveyance of the real estate shall be ten dollars.

(C) The state shall convey the real estate described in division (A) of this section together with the building situated upon it, along with the amount of \$3,400,000 to demolish the building. Notwithstanding any provision of law to the contrary, the Director of Mental Health shall disburse \$3,400,000 from appropriation item C58010, Campus Consolidation, as set forth in Sub. H.B. 462 of the 128th General Assembly, to the grantee within thirty days after the conveyance of the real estate. After the disbursement, the state shall, within four months, complete a physical inventory of assets, relocate assets that are to be removed from the building, and itemize assets that are to remain with the transferred real estate and building.

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

(E) The grantee shall pay all costs associated with the purchase and

conveyance of the real estate, including costs of any surveys and recordation costs of the deed.

(F) The grantee shall not, during any period that any bonds issued by the state to finance or refinance all or a portion of the real estate described in division (A) of this section are outstanding, use any portion of the real estate for a private business use without the prior written consent of the state. As used in this division:

(1) "Private business use" means use, directly or indirectly, in a trade or business carried on by any private person other than use as a member of, and on the same basis as, the general public. Any activity carried on by a private person who is not a natural person shall be presumed to be a trade or business.

(2) "Private person" means any natural person or any artificial person, including a corporation, partnership, limited liability company, trust, or other entity and including the United States or any agency or instrumentality of the United States, but excluding any state, territory, or possession of the United States, the District of Columbia, or any political subdivision thereof that is referred to as a "state or local governmental unit" in Treasury Regulation 1.103-1(a) and any person that is acting solely and directly as an officer or employee of or on behalf of such a governmental unit.

(G) The grantee shall not sell, convey, or transfer ownership of the real estate described in division (A) of this section before December 1, 2019, or before receiving written confirmation from the state that all of the state's bonded capital indebtedness associated with any of the buildings located on the real estate has been fully satisfied.

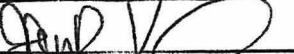
(H) The Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate. The deed shall state the consideration and the conditions and restrictions and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the grantee. The grantee shall present the deed for recording in the Office of the Cuyahoga County Recorder.

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

SECTION 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,

The above boxed and initialed text was disapproved.

Date: 6-11-12


JOHN R. KASICH, 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. RK

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 F. Kasich, Governor

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

Fund 5E20 shall be used by the Controlling Board, pursuant to requests submitted by state agencies, to transfer cash and appropriations to any fund and appropriation item for the payment of state agency disaster relief program expenses for disasters declared by the Governor, if the Director of Budget and Management determines that sufficient funds exist.

Upon the request of the Department of Public Safety, the Controlling Board may release up to \$3,000,000 for Blanchard River flood mitigation projects.

BALLOT ADVERTISING COSTS

Pursuant to section 3501.17 of the Revised Code, and upon requests submitted by the Secretary of State, the Controlling Board shall approve transfers from the foregoing appropriation item 911441, Ballot Advertising Costs, to appropriation item 050621, Statewide Ballot Advertising, in order to pay for the cost of public notices associated with statewide ballot initiatives.

CAPITAL APPROPRIATION INCREASE FOR FEDERAL STIMULUS ELIGIBILITY

A state agency director shall request that the Controlling Board increase the amount of the agency's capital appropriations if the director determines such an increase is necessary for the agency to receive and use funds under the federal American Recovery and Reinvestment Act of 2009. The Controlling Board may increase the capital appropriations pursuant to the request up to the exact amount necessary under the federal act if the Board determines it is necessary for the agency to receive and use those federal funds.

SECTION 601.44. That existing 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, is hereby repealed.

SECTION 601.46. That 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, be amended to read as follows:

Sec. 261.10. ~~DEV~~ DEPARTMENT OF DEVELOPMENT SERVICES
AGENCY

General Revenue Fund

GRF	195401	Thomas Edison Program	\$	14,820,354	\$	0
GRF	195402	Coal Development Office <u>Research Operating</u>	\$	260,983	\$	261,205
GRF	195404	Small Business Development	\$	1,565,770	\$	0
GRF	195405	Minority Business Enterprise Division	\$	1,118,528	\$	0
GRF	195407	Travel and Tourism	\$	5,000,000	\$	0 5,000,000
GRF	195412	Rapid Outreach Grants	\$	9,000,000	\$	0
GRF	195415	Strategic Business Investment <u>Division and Regional</u> <u>Offices Development</u> <u>Services</u>	\$	4,500,000	\$	0 2,413,387
GRF	195416	Governor's Office of Appalachia	\$	3,700,000	\$	3,700,000 0
GRF	195422	Technology Action	\$	547,341	\$	0
GRF	195426	Clean Ohio Implementation	\$	468,365	\$	0 468,365
GRF	195432	Global Markets	\$	3,500,000	\$	0
GRF	195434	Industrial Training Grants	\$	10,000,000	\$	0
GRF	195497	CDBG Operating Match	\$	1,015,000	\$	0 1,015,000
GRF	195501	Appalachian Local Development Districts	\$	391,482	\$	391,482 0
GRF	195502	Appalachian Regional Commission Dues	\$	195,000	\$	195,000 0
GRF	195528	Economic Development Projects	\$	0	\$	26,943,518
GRF	<u>195532</u>	<u>Technology Programs and</u> <u>Grants</u>	\$	<u>0</u>	\$	<u>13,547,341</u>
GRF	<u>195533</u>	<u>Business Assistance</u>	\$	<u>0</u>	\$	<u>5,899,465</u>
GRF	<u>195535</u>	<u>Appalachia Assistance</u>	\$	<u>0</u>	\$	<u>4,286,482</u>
GRF	195901	Coal Research & Development General Obligation Debt Service	\$	7,861,100	\$	5,577,700
GRF	195905	Third Frontier Research & Development General Obligation Debt Service	\$	29,323,300	\$	63,640,300
GRF	195912	Job Ready Site Development General Obligation Debt Service	\$	9,859,200	\$	15,680,500
TOTAL GRF General Revenue Fund			\$	103,126,423	\$	116,389,705 <u>118,039,745</u>
General Services Fund Group						
1350	195684	Supportive Development	\$	11,700,000	\$	11,700,000

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		Services <u>Operations</u>			
4W10	195646	Minority Business Enterprise Loan	\$	2,500,000	\$ 2,500,000
5AD0	195633	Legacy Projects	\$	15,000,000	\$ 15,000,000
					\$ <u>18,600,000</u>
5AD0	195677	Economic Development Contingency	\$	10,000,000	\$ 0
<u>5MB0</u>	<u>195623</u>	<u>Business Incentive Grants</u>	\$	0	\$ <u>20,000,000</u>
<u>5MB0</u>	<u>195637</u>	<u>Workforce Training Grants</u>	\$	0	\$ <u>10,000,000</u>
5W50	195690	Travel and Tourism Cooperative Projects	\$	50,000	\$ 50,000
6850	195636	Direct Cost Recovery <u>Development Services</u> <u>Reimbursable Expenditures</u>	\$	750,000	\$ 750,000
TOTAL GSF General Services Fund Group			\$	40,000,000	\$ 30,000,000 <u>63,600,000</u>
Federal Special Revenue Fund Group					
3080	195602	Appalachian Regional Commission	\$	475,000	\$ 475,000
3080	195603	Housing and Urban Development Assistance <u>Programs</u>	\$	6,000,000	\$ 6,000,000
3080	195605	Federal Projects	\$	85,028,606	\$ 85,470,106 0
3080	195609	Small Business Administration <u>Grants</u>	\$	6,438,143	\$ 5,511,381
3080	195618	Energy Federal Grants	\$	38,000,000	\$ 3,400,000
<u>3080</u>	<u>195670</u>	<u>Home Weatherization Program</u>	\$	0	\$ <u>72,670,106</u>
<u>3080</u>	<u>195671</u>	<u>Brownfield Redevelopment</u>	\$	0	\$ <u>6,800,000</u>
<u>3080</u>	<u>195672</u>	<u>Manufacturing Extension Partnership</u>	\$	0	\$ <u>6,000,000</u>
3350	195610	Energy Conservation and Emerging Technology <u>Programs</u>	\$	1,100,000	\$ 1,100,000
3AE0	195643	Workforce Development Initiatives	\$	16,300,000	\$ 16,300,000
3DB0	195642	Federal Stimulus - Energy Efficiency & Conservation Block Grants	\$	3,000,000	\$ 42,485
3EG0	195608	Federal Energy <u>Sector Training Grants</u>	\$	5,000,000	\$ 1,344,056
3K80	195613	Community Development Block Grant	\$	76,795,818	\$ 65,210,000
3K90	195611	Home Energy Assistance Block Grant	\$	115,743,608	\$ 115,743,608
3K90	195614	HEAP Weatherization	\$	22,000,000	\$ 22,000,000
3L00	195612	Community Services Block Grant	\$	27,240,217	\$ 27,240,217
3V10	195601	HOME Program	\$	40,000,000	\$ 40,000,000
TOTAL FED Federal Special Revenue Fund Group			\$	443,121,392	\$ 389,836,853
State Special Revenue Fund Group					

4500	195624	Minority Business Bonding Program Administration	\$	160,110	\$	159,069
4510	195625	Economic Development Financing Operating	\$	3,000,000	\$	3,000,000 0
<u>4510</u>	<u>195649</u>	<u>Business Assistance Programs</u>	\$	0	\$	<u>3,700,800</u>
4F20	195639	State Special Projects	\$	180,437	\$	180,436
4F20	195676	Marketing Initiatives	\$	5,000,000	\$	0
4F20	195699	Utility Provided Funds <u>Community Assistance</u>	\$	500,000	\$	500,000
4S00	195630	Tax Incentive Programs	\$	650,800	\$	650,800 0
5CG0	195679	Alternative Fuel Transportation	\$	750,000	\$	750,000
5HJ0	195604	Motion Picture Tax Credit Program	\$	50,000	\$	50,000 0
5HR0	195526	Ohio Incumbent Workforce Job Training <u>Vouchers</u>	\$	20,000,000	\$	30,000,000
5HR0	195622	Defense Development Assistance	\$	5,000,000	\$	5,000,000
<u>5JR0</u>	<u>195635</u>	<u>Redevelopment Program Support</u>	\$	0	\$	<u>100,000</u>
5JR0	195656	New Market Tax Credit Program	\$	50,000	\$	50,000 0
5KD0	195621	Brownfield Stormwater Loan	\$	50,000	\$	50,000 0
5KN0	195640	Local Government Innovation	\$	175,000	\$	44,825,000
<u>5LK0</u>	<u>195655</u>	<u>Workforce Development Programs</u>	\$	0	\$	<u>10,000,000</u>
5M40	195659	Low Income Energy Assistance (USF)	\$	245,000,000	\$	245,000,000
5M50	195660	Advanced Energy <u>Loan</u> Programs	\$	8,000,000	\$	0
5W60	195691	International Trade Cooperative Projects	\$	160,000	\$	160,000
6170	195654	Volume Cap Administration	\$	94,397	\$	92,768
6460	195638	Low- and Moderate- Income Housing Trust Fund	\$	53,000,000	\$	53,000,000
TOTAL SSR State Special Revenue Fund Group			\$	341,820,744	\$	383,468,073 <u>393,468,073</u>
Facilities Establishment Fund Group						
5S90	195628	Capital Access Loan Program	\$	1,500,000	\$	1,500,000
7009	195664	Innovation Ohio	\$	15,000,000	\$	15,000,000
7010	195665	Research and Development	\$	22,000,000	\$	22,000,000
7037	195615	Facilities Establishment	\$	50,000,000	\$	50,000,000
TOTAL 037 Facilities Establishment Fund Group			\$	88,500,000	\$	88,500,000
Clean Ohio Revitalization Fund						
7003	195663	Clean Ohio Operating <u>Program</u>	\$	950,000	\$	950,000
TOTAL 7003 Clean Ohio Revitalization Fund			\$	950,000	\$	950,000
Third Frontier Research & Development Fund Group						
7011	195686	Third Frontier Operating	\$	1,149,750	\$	1,149,750
7011	195687	Third Frontier Research & Development Projects	\$	183,850,250	\$	133,850,250

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7014	195620	Third Frontier Operating - Tax	\$	1,700,000	\$	1,700,000
7014	195692	Research & Development Taxable Bond Projects	\$	38,300,000	\$	38,300,000
TOTAL 011 Third Frontier Research & Development Fund Group			\$	225,000,000	\$	175,000,000
Job Ready Site Development Fund Group						
7012	195688	Job Ready Site Operating <u>Program</u>	\$	800,000	\$	800,000
TOTAL 012 Job Ready Site Development Fund Group			\$	800,000	\$	800,000
Tobacco Master Settlement Agreement Fund Group						
M087	195435	Biomedical Research and Technology Transfer	\$	1,999,224	\$	1,999,224
TOTAL TSF Tobacco Master Settlement Agreement Fund Group			\$	1,999,224	\$	1,999,224
TOTAL ALL BUDGET FUND GROUPS			\$	1,245,317,783	\$	1,186,943,855 1,232,193,895

Sec. 261.20.93. LOCAL GOVERNMENT INNOVATION FUND

The foregoing appropriation item 195640, Local Government Innovation, shall be used for the purposes of making loans and grants to political subdivisions under the Local Government Innovation Program in accordance with sections 189.01 to 189.10 of the Revised Code. Of the foregoing appropriation item 195640, Local Government Innovation, up to \$175,000 in fiscal year 2012 and \$175,000 in fiscal year 2013 shall be used for administrative costs incurred by the ~~Department of~~ Development Services Agency.

On the effective date of this amendment, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$175,000 in cash from the General Revenue Fund to the Local Government Innovation Fund (Fund 5KN0). On July 1, 2012, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$44,825,000 in cash from the General Revenue Fund to the Local Government Innovation Fund (Fund 5KN0).

SECTION 601.47. That existing 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, are hereby repealed.

SECTION 601.48. That Section 8 of Sub. H.B. 369 of the 129th General Assembly be amended to read as follows:

Sec. 8. (A) There is hereby created the Redistricting Reform Task Force, comprised of eight members of the General Assembly who shall be

equally divided between the members of the two major political parties. Not later than thirty days after the effective date of this section, the legislative leader of the majority caucus and the legislative leader of the minority caucus in each house of the General Assembly shall each appoint two members to the Task Force.

The Task Force shall be co-chaired by two members, one from each major political party. The legislative leaders in the House of Representatives and in the Senate who are members of the same political party shall jointly appoint a chairperson.

(B) The purpose of the Task Force shall be to create a redistricting reform proposal for consideration by the General Assembly during 2012.

(C) The Task Force shall issue a report, not later than ~~June 30~~ December 15, 2012, that includes the Task Force's recommendations for reforming the redistricting process.

(D) The Task Force shall hold a minimum of three public hearings, one of which shall be conducted after the Task Force issues its report, to allow for meaningful public discussion of the recommendations included in the report.

SECTION 601.49. That existing Section 8 of Sub. H.B. 369 of the 129th General Assembly is hereby repealed.

SECTION 601.49.10. That Section 205.80 of Sub. H.B. 482 of the 129th General Assembly be amended to read as follows:

Sec. 205.80. 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 Trail Fund (Fund 7061) that are not otherwise appropriated.

DNR DEPARTMENT OF NATURAL RESOURCES

		Appropriations
C72514	Clean Ohio Local Grants	\$ 6,000,000
	Total Department of Natural Resources	\$ 6,000,000
	TOTAL Clean Ohio Trail Fund	\$ 6,000,000

~~Notwithstanding divisions (B) and (C) of section 151.09 and division (B) of section 1519.05 of the Revised Code, upon receipt of a certification from the Department of Natural Resources of the amount needed to pay the costs of projects appropriated from the Clean Ohio Trail Fund (Fund 7061) created by section 1519.05 of the Revised Code, the Ohio Public Facilities Commission shall issue obligations as defined in division (A) of section 151.09 of the Revised Code in the amount determined to be authorized and necessary for that purpose, and, for the period from July 1, 2012 through~~

~~June 30, 2014, net proceeds of obligations issued and sold pursuant to sections 151.01 and 151.09 of the Revised Code shall be deposited solely into the Clean Ohio Trail Fund.~~

SECTION 601.49.11. That existing Section 205.80 of Sub. H.B. 482 of the 129th General Assembly is hereby repealed.

SECTION 601.50. That Section 4 of Sub. S.B. 171 of the 129th General Assembly be amended to read as follows:

Sec. 4. The following agencies are retained under division (D) of section 101.83 of the Revised Code and expire on December 31, 2016:

AGENCY NAME	REVISED CODE OR UNCODIFIED SECTION
Academic Distress Commission	3302.10
Advisory Board of Governor's Office of Faith-Based and Community Initiatives	107.12
Advisory Board to Assist and Advise in the Operation of the Ohio Center for Autism and Low Incidence	3323.33, 3323.34
Advisory Council on Amusement Ride Safety	1711.51, 1711.52
Advisory Council of Directors for Prison Labor	5145.162
Advisory Council for Wild, Scenic, or Recreational River Area(s)	1547.84
Advisory Committee on Livestock Exhibitions	901.71
Agricultural Commodity Marketing Programs Operating Committees	924.07
Agricultural Commodity Marketing Programs Coordinating Committee	924.14
Alternative Energy Advisory Committee	4928.64(D)
AMBER Alert Advisory Committee	5502.521
Apprenticeship Council	Chapter 4139.
Armory Board of Control	5911.09, 5911.12
Automated Title Processing Board	4505.09(C)(1)
Backflow Advisory Board	3703.21
Banking Commission	1123.01

Board of Directors of the Great Lakes Protection Fund	1506.22 (6161.04)
Board of Directors of the Medical Liability Underwriting Association Stabilization Fund	3929.631
Board of Directors of the Ohio Appalachian Center for Higher Education	3333.58
Board of Directors of the Ohio Health Reinsurance Program	3924.08 - 3924.11
Board of Governors of the Commercial Insurance Joint Underwriting Association	3930.03
Board of Governors of the Medical Liability Underwriting Association	3929.64
Board of Voting Machines Examiners	3506.05
Budget Planning and Management Commission	Section 509.10, H.B. 1, 128th G.A.
Brain Injury Advisory Committee	3304.231
Bureau of Workers' Compensation Board of Directors	4121.12
Capitol Square Review and Advisory Board	105.41
Child Care Advisory Council	5104.08
Child Support Guideline Advisory Council	3119.024
Children's Trust Fund Board	3109.15 - 3109.17
Citizen's Advisory Council	5123.092, 5123.093
Clean Ohio Trail Advisory Board	1519.06
Coastal Resources Advisory Council	1506.12
Commission on African-American Males	4112.12, 4112.13
Commission on Hispanic-Latino Affairs	121.31
Commission on Minority Health	3701.78
Committee on Prescriptive Governance	4723.49 - 4723.492
Commodity Advisory Commission	926.32
Consumer Advisory Committee to the Rehabilitation Services Commission	3304.24
Continuing Education Committee	109.80(B)
Council on Alcohol and Drug Addiction Services	3793.09
Council on Unreclaimed Strip Mined Lands	1513.29

County Sheriff's Standard Car Marking and Uniform Commission	311.25 - 311.27
Credential Review Board	3319.65
Credit Union Council	1733.329
Criminal Sentencing Advisory Committee	181.22
Data Collection and Analysis Group	3727.32
Dentist Loan Repayment Advisory Board	3702.92
Department Advisory Council(s)	107.18, 121.13
Development Financing Advisory Council	122.40, 122.41
Early Childhood Advisory Council	3301.90
Education Commission of the States (Interstate Compact for Education)	3301.48, 3301.49
Education Management Information System Advisory Board	3301.0713
Educator Standards Board	3319.60
Electrical Safety Inspector Advisory Committee	3783.08
Emergency Response Commission	3750.02
Engineering Experiment Station Advisory Committee	3335.27
Environmental Education Council	3745.21
Environmental Protection Agency Advisory Board(s)	121.13, 3704.03, 3745.01
eTech Ohio Commission	3353.02 - 3353.04
Ex-Offender Reentry Coalition	5120.07
Farmland Preservation Advisory Board	901.23
Financial Planning and Supervision Commission(s) for Municipal Corporation, County, or Township	118.05
Financial Planning and Supervision Commission for a school district	3316.05
Forestry Advisory Council	1503.40
Governance Authority for a State University or College	3345.75
Governor's Council on People with Disabilities	3303.41
Governor's Policy Information Working Group	Section 313, H.B. 420, 127th G.A.
Governor's Residence Advisory Commission	107.40
Grain Marketing Program Operating Committee	924.20 - 924.30
Great Lakes Commission (Great Lakes Basin	6161.01

Compact)	
Gubernatorial Transition Committee	107.29, 126.26
Help Me Grow Advisory Council	3701.611
Hemophilia Advisory Subcommittee of the	3701.0210
Medically Handicapped Children's Medical	
Advisory Council	
Homeland Security Advisory Council	5502.011(E)
Hospital Measures Advisory Council	3727.31
Housing Trust Fund Advisory Committee	174.06
Industrial Commission Nominating Council	4121.04
Industrial Technology and Enterprise Advisory	122.29, 122.30
Council	
Infant Hearing Screening Subcommittee	3701.507
Infection Control Group	3727.312(D)
Insurance Agent Education Advisory Council	3905.483
Interstate Rail Passenger Advisory Council	4981.35
Joint Select Committee on Volume Cap	133.021
Labor-Management Government Advisory Council	4121.70
Legislative Programming Committee of the Ohio	3353.07
Government Telecommunications Service	
Legislative Task Force on Redistricting,	103.51
Reapportionment, and Demographic Research	
Maternity and Newborn Advisory Council	3711.20,
	3711.21
Medically Handicapped Children's Medical	3701.025
Advisory Council	
Midwest Interstate Passenger Rail Compact	4981.361
Commission	
Milk Sanitation Board	917.03 -
	917.032
Mine Subsidence Insurance Governing Board	3929.51
Minority Development Financing Advisory Board	122.72, 122.73
Multi-Agency Radio Communications System	Section 15.02,
(MARCS) Steering Committee	H.B. 640, 123rd
	G.A.
National Museum of Afro-American History and	149.303
Culture Planning Committee	
New African Immigrants Commission	4112.31,
	4112.32
Ohio Accountability Task Force	3302.021(E)

Ohio Advisory Council for the Aging	173.03
Ohio Agriculture License Plate Scholarship Fund Board	901.90
Ohio Arts Council	Chapter 3379.
Ohio Business Gateway Steering Committee	5703.57
Ohio Cemetery Dispute Resolution Commission	4767.05, 4767.06
Ohio Civil Rights Commission Advisory Agencies and Conciliation Councils	4112.04(B)(4)
Ohio Commercial Market Assistance Plan Executive Committee	3930.02
Ohio Commission on Dispute Resolution and Conflict Management	179.02 - 179.04
Ohio Commission on Fatherhood	5101.34
Ohio Community Service Council	121.40 - 121.404
Ohio Council for Interstate Adult Offender Supervision	5149.22
Ohio Cultural Facilities Commission	Chapter 3383.
Ohio Cystic Fibrosis Legislative Task Force	101.38
Ohio Developmental Disabilities Council	5123.35
Ohio Expositions Commission	991.02
Ohio Family and Children First Cabinet Council	121.37
Ohio Geographically Referenced Information Program Council	125.901, 125.902
Ohio Geology Advisory Council	1501.11
Ohio Grape Industries Committee	924.51 - 924.55
Ohio Historic Site Preservation Advisory Board	149.301
Ohio Historical Society Board of Trustees	149.30
Ohio Judicial Conference	105.91 - 105.97
Ohio Lake Erie Commission	1506.21
Ohio Legislative Commission on the Education and Preservation of State History	Section 701.05, H.B. 1, 128th G.A.
Ohio Medical Quality Foundation	3701.89
Ohio Parks and Recreation Council	1541.40
Ohio Peace Officer Training Commission	109.71, 109.72
Ohio Private Investigation and Security Services Commission	4749.021, 4743.01
Ohio Public Defender Commission	120.01 - 120.03

Ohio Public Library Information Network Board of Trustees	3375.65, 3375.66
Ohio Quarter Horse Development Commission	3769.086
Ohio Small Government Capital Improvements Commission	164.02(C)(D)
Ohio Soil and Water Conservation Commission	1515.02
Ohio Standardbred Development Commission	3769.085
Ohio Subrogation Rights Commission	2323.44
Ohio Thoroughbred Racing Advisory Committee	3769.084
Ohio Transportation Finance Commission	5531.12(B) to (D)
Ohio Tuition Trust Authority	3334.03, 3334.08
Ohio University College of Osteopathic Medicine Advisory Committee	3337.10, 3337.11
Ohio Vendors Representative Committee	3304.34, 20 USC 107
Ohio War Orphans Scholarship Board	5910.02 - 5910.06
Ohio Water Advisory Council	1521.031
Ohio Water Resources Council Advisory Group	1521.19
Ohio Water Resources Council	1521.19
Oil and Gas Commission	1509.35
Operating Committee of the Oil and Gas Marketing Program	1510.06, 1510.11
Organized Crime Investigations Commission	177.01
Pharmacy and Therapeutics Committee of the Department of Job and Family Services	5111.084
Physician Assistant Policy Committee of the State Medical Board	4730.05, 4730.06
Physician Loan Repayment Advisory Board	3702.81
Power Siting Board	4906.02
Prequalification Review Board	5525.07
Private Water Systems Advisory Council	3701.346
Public Health Council	3701.33, 3701.34
Public Utilities Commission Nominating Council	4901.021
Public Utility Property Tax Study Committee	5727.85(K)
Radiation Advisory Council	3748.20
Reclamation Commission	1513.05

Reclamation Forfeiture Fund Advisory Board	1513.182
Recreation and Resources Commission	1501.04
Recycling and Litter Prevention Advisory Council	1502.04
School and Ministerial Lands Divestiture Committee	501.041
Savings and Loan Associations and Savings Banks Board	1181.16
Second Chance Trust Fund Advisory Committee	2108.35
Service Coordination Workgroup	Section 751.20, H.B. 1, 128th G.A.
Ski Tramway Board	4169.02
Small Business Stationary Source Technical and Environmental Compliance Assistance Council	3704.19
Solid Waste Management Advisory Council	3734.51
Special Commission to Consider the Suspension of Local Government Officials	3.16
Speed to Scale Task Force	Section 375.60.80, H.B. 119, 128th G.A.
State Agency Coordinating Group	1521.19
State Audit Committee	126.46
State Council of Uniform State Laws	105.21 - 105.27
State Criminal Sentencing Commission	181.22 - 181.26
State Fire Council	3737.81
State Library Board	3375.01
State Victims Assistance Advisory Council	109.91(B) and (C)
Statewide Consortium of County Law Library Resource Boards	3375.481
STEM Committee	3326.02
Student Tuition Recovery Authority	3332.081
Sunset Review Committee	101.84 - 101.87
Tax Credit Authority	122.17(M)
Technical Advisory Committee to Assist Director of the Ohio Coal Development Office	1551.35
Technical Advisory Council on Oil and Gas	1509.38
Transportation Review Advisory Council	5512.07 - 5512.09
Unemployment Compensation Advisory Council	4141.08

Unemployment Compensation Review Commission	4141.06
Veterans Advisory Committee	5902.02(K)
Volunteer Fire Fighters' Dependents Fund Boards (private volunteer)	146.02 - 146.06
Volunteer Fire Fighters' Dependents Fund Boards (public)	146.02 - 146.06
Water and Sewer Commission	1525.11(C)
Waterways Safety Council	1547.73
Wildlife Council	1531.03 - 1531.05
Workers' Compensation Board of Directors Nominating Committee	4121.123

SECTION 601.51. That existing Section 4 of Sub. S.B. 171 of the 129th General Assembly is hereby repealed.

SECTION 610.10. That Section 3 of Am. Sub. S.B. 160 of the 121st General Assembly be amended to read as follows:

Sec. 3. Sections 109.57, 109.572, 2950.08, and 2953.32, and 3701.881 of the Revised Code, as amended by ~~this act~~ Am. Sub. S.B. 160 of the 121st General Assembly regarding employment of persons who provide direct care to older adults, and sections ~~173.41, 3712.09, 3721.121, and 3722.151~~ of the Revised Code, as enacted by ~~this act~~ Am. Sub. S.B. 160 of the 121st General Assembly, apply only to persons who apply for employment on or after ~~the effective date of this act~~ January 27, 1997.

SECTION 610.11. That existing Section 3 of Am. Sub. S.B. 160 of the 121st General Assembly is hereby repealed.

SECTION 620.10. That Section 3 of Am. Sub. S.B. 38 of the 120th General Assembly be amended to read as follows:

Sec. 3. Sections 3301.54, and 5104.09, and 5126.28 of the Revised Code, as amended by ~~this act~~ Am. Sub. S.B. 38 of the 120th General Assembly, and sections 109.572, 2151.86, 3301.32, 3301.541, ~~3319.311 3319.39, 3701.881, 5104.012, 5104.013, and 5153.111~~ of the Revised Code, as enacted by ~~this act~~ Am. Sub. S.B. 38 of the 120th General Assembly, apply only to persons who apply for employment for a position on or after

~~the effective date of this act~~ October 29, 1993.

SECTION 620.11. That existing Section 3 of Am. Sub. S.B. 38 of the 120th General Assembly is hereby repealed.

SECTION 650.10. That 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 are hereby repealed.

SECTION 701.10.10. OHIO STATEHOUSE SAFETY AND SECURITY STUDY

The Capitol Square Review and Advisory Board and the Department of Public Safety jointly shall contract for a study of the safety and security of the Ohio Statehouse complex, including the buildings, parking garage, and grounds. The Board and the Department jointly shall determine with whom to contract. The study shall include recommendations for security protocols while providing for the health, safety, and convenience of those who work in, or visit, the statehouse. The report shall be submitted to the Capitol Square Review and Advisory Board for adoption not later than December 1, 2012.

SECTION 701.23. As used in this section, "political subdivision" has the meaning defined in section 2744.01 of the Revised Code.

The Auditor of State shall establish, operate, and maintain one or more web sites to serve as an online clearinghouse of information about streamlining government operations, collaboration, and shared services to reduce the cost of government in this state. The web site may be developed by the Auditor of State or through the use of outside vendors. Existing web sites may be used if their content conforms to the requirements of this section. In establishing, maintaining, and operating the online clearinghouse web site, the Auditor of State shall:

(A) Use a domain name for the web site that will be easily recognized, remembered, and understood by the users of the web site;

(B) Maintain the web site so that it is fully accessible to and searchable by members of the public at all times;

(C) Not charge a fee to a person who accesses, searches, or otherwise uses the web site;

(D) Compile information provided by political subdivisions that includes savings recommendations from performance audits, examples of shared services among communities, shared services agreements to use as templates, and other tools developed independently by the Auditor of State or requested by political subdivisions and agreed to by the Auditor of State;

(E) Enable political subdivisions to register and request inclusion of their submitted information on the web site, as well as to report state and local barriers to collaboration;

(F) Enable information to be accessed by key word or other useful identifiers;

(G) Maintain adequate systemic security and back-up features, and develop and maintain a contingency plan for coping with and recovering from power outages, systemic failures; and other unforeseen difficulties; and

(H) Maintain the web site in such a manner that it will not infringe legally protected interests, so that vulnerability of the web site to interruption because of litigation or the threat of litigation is reduced.

SECTION 701.33. As used in this section, "political subdivision" has the meaning defined in section 2744.01 of the Revised Code.

The Department of Administrative Services, by itself or by contract with another entity, shall establish, operate, and maintain a web site to serve as an online clearinghouse of information about existing joint purchasing programs between or among political subdivisions in the state. In establishing, maintaining, and operating the online clearinghouse web site, the department shall:

(A) Use a domain name for the web site that will be easily recognized, remembered, and understood by the users of the web site;

(B) Maintain the web site so that it is fully accessible to and searchable by members of the public at all times;

(C) Not charge a fee to a person who accesses, searches, or otherwise uses the web site;

(D) Compile information provided by political subdivisions about joint purchasing arrangements they are involved in that the department verifies, through meetings with various statewide associations and others, to have resulted in verifiable cost savings, and consolidate that information on the web site in a consistent manner;

(E) Enable political subdivisions to register and request inclusion of their submitted information on the web site;

(F) Enable information to be accessed by key word, by program name, by county, by type of product or service, and by other useful identifiers;

(G) Maintain adequate systemic security and back-up features, and develop and maintain a contingency plan for coping with and recovering from power outages, systemic failures, and other unforeseen difficulties; and

(H) Maintain the web site in such a manner that it will not infringe legally protected interests, so that vulnerability of the web site to interruption because of litigation or the threat of litigation is reduced.

The department shall bear the expense of establishing, operating, and maintaining the online clearinghouse web site.

SECTION 701.41. The Department of Administrative Services shall analyze opportunities to reduce travel expenses through teleconferencing and web conferencing within state government. The Department shall assess current teleconferencing capabilities within state government operations, research industry standards and best practices, and make recommendations that will optimize the use of these technologies. Not later than December 31, 2012, the Department of Administrative Services shall produce a report with its findings and shall deliver the report to the Speaker and Minority Leader of the House of Representatives, the President and Minority Leader of the Senate, and the Governor.

SECTION 701.50. MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM

There is hereby created a Multi-Agency Radio Communications System (MARCS) Steering Committee consisting of the designees of the Directors of Administrative Services, Public Safety, Natural Resources, Transportation, Rehabilitation and Correction, and Budget and Management, and the State Fire Marshal or the State Fire Marshal's designee. The Director of Administrative Services or the Director's designee shall chair the Committee. The Committee shall provide assistance to the Director of Administrative Services for effective and efficient implementation of the MARCS system as well as develop policies for the ongoing management of the system. Upon dates prescribed by the Directors of Administrative Services and Budget and Management, the MARCS Steering Committee shall report to the Directors on the progress of MARCS implementation and the development of policies related to the system.

SECTION 701.60. As used in this section, "business day" means a day of the week, excluding Saturday, Sunday, or a legal holiday as defined in

section 1.14 of the Revised Code.

Any regional council of governments that was formed and is operating before the effective date of the amendment by this act of section 167.04 of the Revised Code shall notify the Auditor of State of its existence within 30 business days after the effective date of that amendment, and shall provide on a form prescribed by the Auditor of State the information required under that section. The Auditor of State shall review the information and, within one year after the effective date of that amendment, shall issue a report to the Governor and the General Assembly. The report shall address how many regional councils of governments are operating under Chapter 167. of the Revised Code, whether those regional councils continue to meet the objectives for which regional councils were first authorized in 1967, and whether regional councils are an efficient and effective way for local governments to share services or to participate in cooperative arrangements.

SECTION 701.70.10. (A) The construction and energy operations of the Office of the State Architect and Engineer (OSAE) under Chapters 123. and 153. are transferred and consolidated into the construction and capital funding operations of the Ohio Facilities Construction Commission (OFCC). And the Ohio School Facilities Commission (OSFC) becomes an independent agency within the Ohio Facilities Construction Commission. Notwithstanding Chapter 153. of the Revised Code, the OFCC is thereupon and thereafter successor to, assumes the power and obligations of, and otherwise constitutes the continuation of the construction and energy operations and related management functions of the OSAE as provided in the applicable sections of Chapter 153. of the Revised Code or in any agreements relating to capital expenditures for construction operations functions to which the OSAE is a party. All statutory references to the OSAE are deemed to be references to the OFCC.

(B) Any activities relating to the operations and related management functions commenced but not completed by the OSAE shall be completed by the OFCC in the same manner and with the same effect as if completed by the OSAE. No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of the consolidation, and shall be administered by the OFCC. All rules, orders, and determinations related to design, planning, and construction and energy operations and related management functions of the OSAE continue in effect as rules, orders, and determinations of the OFCC, until modified or rescinded by the OFCC. The

Director of the Legislative Service Commission shall renumber the OSAE rules related to the design, planning, and construction and energy operations and related management functions to reflect their transfer to the OFCC.

(C) To the extent possible, all employees of the OSAE shall be transferred to the OFCC, as the OFCC determines to be necessary for the successful implementation of this section. All employees of the OSFC shall remain in their current classifications unless the OFCC determines otherwise.

(D) No judicial or administrative action or proceeding, to which the OSAE or an authorized officer of either is a party, that is pending on the effective date of this section, or on such later date as may be established by an authorized officer of the OFCC and that is related to its construction, capital funding, or energy operation or related management functions, is affected by the transfer and consolidation of functions. Any such action or proceeding shall be prosecuted or defended in the name of the OFCC. On application to the court or agency, the OFCC shall be substituted for the OSAE or an authorized officer of either as a party to the action or proceeding.

(E) Notwithstanding any provision of the law to the contrary, and not sooner than 90 days after the effective date of this section, and if requested by the OFCC, the Director of Budget and Management shall make budget changes made necessary by the transfer, if any, including administrative organization, program transfers, the creation of new funds, the transfer of state funds, and the consolidation of funds, as authorized by this section. The Director of Budget and Management may, if necessary, establish encumbrances or parts of encumbrances created in fiscal years 2012 and 2013 in the appropriate fund and appropriation item for the same purpose and for payment to the same vendor in fiscal year 2013. The established encumbrances plus any additional amounts determined to be necessary for the OFCC to perform the construction, energy, and capital funding operation and related management functions of the OSAE are hereby appropriated.

(F) Not later than 30 days after the transfer and consolidation of the construction, energy, and capital funding operations and related management functions of the OSAE to the OFCC, an authorized officer of the OSAE shall certify to the OFCC the unexpended balance and location of any funds and accounts designated for building and facility operation and management functions, and the custody of such funds and accounts shall be transferred to the OFCC.

(G) The OFCC and the Department of Natural Resources (DNR) shall cooperate in a study to determine which operation functions, if any, of the

DNR Division of Engineering should be integrated and consolidated into the OFCC. The study shall be completed not later than December 31, 2012.

SECTION 701.70.20. The Division of Labor in the Department of Commerce is hereby renamed the Division of Industrial Compliance on the effective date of section 121.04 of the Revised Code, as amended by this act. The Division and the Superintendent of Industrial Compliance shall have and perform all the duties, powers, and obligations of the Division and Superintendent of Labor. All rules, actions, determinations, commitments, resolutions, decisions, and agreements pertaining to the duties, powers, obligations, functions, and rights of the Division or Superintendent of Labor, in force or in effect on the effective date of section 121.04 of the Revised Code, as amended by this act, shall continue in force and effect and apply to the Division or Superintendent of Industrial Compliance as applicable and subject to any further lawful action thereon by the Division or Superintendent of Industrial Compliance. Wherever the Superintendent of Labor or Division of Labor are referred to in any provision of law, or in any agreement or document that pertains to those duties, powers, obligations, functions, and rights, the reference is to the Superintendent of Industrial Compliance or Division of Industrial Compliance, as appropriate.

All authorized obligations and supplements thereto of the Superintendent and Division of Labor are binding on the Superintendent or Division of Industrial Compliance and nothing in this act impairs those obligations or rights or the obligations or rights under any contract. The renaming of the Division of Labor and Superintendent of Labor does not affect the validity of agreements or obligations made by that superintendent or division pursuant to Chapters 121., 3703., 3781., 3791., 4104., 4105., and 4740. of the Revised Code or any other provisions of law.

In connection with the renaming of the Division of Labor, all real property and interest therein, documents, books, money, papers, records, machinery, furnishings, office equipment, furniture, and all other property over which the Superintendent and Division of Labor have control and the rights of the Superintendent and Division of Labor to enforce or receive any of those is automatically transferred to the Superintendent and Division of Industrial Compliance without necessity for further action on the part of the Superintendent or Division of Industrial Compliance, or the Director of Commerce. Additionally, all appropriations or reappropriations made to the Superintendent and Division of Labor for the purposes of the performance of their duties, powers, and obligations, are transferred to the Superintendent and Division of Industrial Compliance to the extent of the remaining

unexpended or unencumbered balance thereof, whether allocated or unallocated, and whether obligated or unobligated.

SECTION 701.121. (A) The state of Ohio requests that the Joint Committee on the Library of Congress approve the replacement of Ohio's statue of Governor William Allen in the National Statuary Hall Collection with a statue of Thomas Edison.

(B) In accordance with the Procedure for Replacement of Statues in the National Statuary Hall Collection, Ohio submits the following information for consideration by the Joint Committee on the Library of Congress:

(1) Thomas Edison, a native of Milan, Ohio, was a world famous inventor and highly successful businessperson whose inventions, such as the phonograph, the kinetoscope (a precursor to the film projector), and the first practical incandescent light bulb, have had a tremendous impact on the world. In addition to these inventions, Thomas Edison's service to the United States Government has also impacted world history. During World War I, he consulted for the government, examining inventions submitted for military use and working on defensive devices for submarines and ships. For his service, he eventually was awarded a Distinguished Service Medal by the Department of the Navy. By the time of his death, he had received over one thousand patents.

Thomas Edison also has had a significant impact on the state of Ohio. He established the Edison Steel Company in Cleveland, Ohio, and established one of the first electric power stations in Tiffin, Ohio. His General Electric Company established the first industrial park in Ohio, which has employed hundreds of thousands of people over time. And the Ohio Department of Development sponsors The Thomas Edison Award, which was established in partnership with the Edison Birthplace Museum in Milan, Ohio. The Edison Birthplace Museum also has been instrumental in the issuance of a Thomas Edison stamp and commemorative silver dollar, and has received, on Thomas Edison's behalf, a posthumously awarded GRAMMY Award.

Thomas Edison's impact on the world, and, in particular, on the state of Ohio, through his inventions, business endeavors, and government service, merits inclusion of a statue of him in the National Statuary Hall Collection.

(2) The Ohio Statuary Hall Commission, a nonprofit Ohio corporation, was established in 2009 for the purpose of assisting with the process of recommending an Ohio citizen for statuary representation in the National Statuary Hall Collection, including raising funds and providing financial support for that effort. If the Joint Committee on the Library of Congress

approves this replacement statue request, the Commission shall be responsible for the selection of a sculptor for the Thomas Edison statue as well as for paying all costs incurred for placing the Thomas Edison statue in the United States Capitol, including costs incurred for all of the following:

- (a) Paying the sculptor;
- (b) Carving or casting the statue;
- (c) Creating a pedestal and any inscription;
- (d) Transporting the statue and pedestal to the United States Capitol;
- (e) Removing and transporting the replaced statue;
- (f) Temporarily erecting the new statue in the Rotunda of the Capitol for the unveiling ceremony;
- (g) Expenses related to the unveiling ceremony; and
- (h) Any other expenses that the Ohio Statuary Hall Commission finds it to be necessary to incur.

(C) As required by the Procedure for Replacement of Statues in the National Statuary Hall Collection, the Governor shall submit to the Architect of the Capitol a copy of this act, along with a letter from the Governor, requesting approval from the Joint Committee on the Library of Congress to replace Ohio's statue of Governor William Allen in the National Statuary Hall Collection with a statue of Thomas Edison.

SECTION 701.141. The Department of Administrative Services shall conduct a study of the use of compressed natural gas in the motor vehicle fleets of the state and political subdivisions. The study shall examine the feasibility, budgetary effect, and return on investment from the use of compressed natural gas in the motor vehicle fleets of the state and political subdivisions, including transit fleets operated under Chapter 306. of the Revised Code. In examining the potential return on investment, the Department shall consider the impact of converting all or part of the different motor vehicle fleets over a period of two to four years and shall develop various proposals for funding the conversion of the motor vehicle fleets. The Department may conduct public hearings and may consult with experts and other persons as the Department considers necessary to fulfill its duties under this act.

Not later than six months after the effective date of this section, the Department shall issue a report on its findings and recommendations on using compressed natural gas to fuel the motor vehicle fleets of the state and political subdivisions, including any recommendation for funding the conversion to compressed natural gas. The Department shall furnish copies of its report to the Governor, the Ohio Senate, and the Ohio House of

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

JRK

The above boxed and initialed text was disapproved.

Date: 6-11-12


Governor

(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.

RR
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.

The above boxed and initialed text was disapproved.

Date: 6-11-12

John R. Kasich, Governor

SECTION 733.10. (A) This section applies to a state university, as defined in section 3345.011 of the Revised Code, that has a main campus subsidy-eligible undergraduate enrollment of more than 17,000 but less than 22,000 students for fiscal year 2012.

(B) Notwithstanding section 3313.41 of the Revised Code, when a school district board of education decides to dispose of real property that the board owns in its corporate capacity, exceeds in value ten thousand dollars, and is located within one hundred yards of any classroom or administrative building on the main campus of the state university as described in division (A) of this section, prior to offering that property for sale under divisions (A) to (G) of section 3313.41 of the Revised Code, the board may offer that property to the board of trustees of the state university in either or both of the following manners:

(1) In an "as is" condition in return for an agreement between the board of trustees and the school district board, under which the university will provide the school district with in-kind services, educational programs, or other assistance valued in the aggregate in an amount reasonably related to the appraised fair market value of the property;

(2) For sale for money at a price that is not higher than the appraised fair market value of that property.

(C) If the board of trustees does not accept either offer, or if the agreement is not entered into between the school district board and the board of trustees, within sixty days after the offer is made by the district board, the district board then shall offer the property for sale as provided in division (G) of section 3313.41 of the Revised Code.

(D) This section expires on December 31, 2012.

SECTION 733.15. A new conversion community school established under division (B) of section 3314.02 of the Revised Code may open for operation not later than September 30, 2012, notwithstanding the deadlines prescribed by division (D) of section 3314.02 of the Revised Code for adoption and signing of the contract under section 3314.03 of the Revised Code, but those parties shall adopt and sign the contract, and file a copy of it with the Superintendent of Public Instruction, prior to the school's opening.

SECTION 737.10. ABOLISHMENT OF THE PUBLIC HEALTH COUNCIL

On the effective date of this section, the Public Health Council is abolished and the responsibilities of the Public Health Council are transferred to the Director of Health.

Any business before the Public Health Council commenced but not completed before the effective date of this section shall be completed by the Director of Health. The business shall be completed in the same manner, and with the same effect, as if completed by the Director of Health immediately prior to the effective date of this section.

No validation, cure, right, privilege, remedy, obligation, or liability is lost or impaired by reason of this act's abolishment of the Public Health Council and transfer of responsibility to the Director of Health. Each such validation, cure, right, privilege, remedy, obligation, or liability shall be administered by the Director of Health.

All rules, orders, and determinations of the Public Health Council adopted or made immediately prior to the effective date of this section shall continue in effect as rules, orders, and determinations of the Director of Health until modified or rescinded by the Director of Health. If necessary to ensure the integrity of the numbering system of the Administrative Code, the Director of the Legislative Service Commission shall renumber the rules to reflect the transfer of the Public Health Council's responsibilities to the Director of Health.

Any action or proceeding that is related to the functions or duties of the Public Health Council pending on the effective date of this section is not affected by the transfer and shall be prosecuted or defended in the name of the Director of Health. In all such actions and proceedings, the Director of Health, on application to the court, shall be substituted as a party.

SECTION 737.20. (A) On the effective date of the amendment of the statutes governing the Division of Recycling and Litter Prevention in the Department of Natural Resources by this act or on July 1, 2012, whichever is later, the Division of Recycling and Litter Prevention is abolished, and all of its functions, together with its assets and liabilities, are transferred from within the Department of Natural Resources to within the Environmental Protection Agency.

(B) Any business commenced but not completed by the Division of Recycling and Litter Prevention in the Department of Natural Resources on the effective date of the transfer shall be completed by the Environmental Protection Agency. Any validation, cure, right, privilege, remedy, obligation, or liability is not lost or impaired solely by reason of the transfer required by this section and shall be administered by the Environmental

Protection Agency in accordance with this act.

(C) All of the rules, orders, and determinations of the Division of Recycling and Litter Prevention in the Department of Natural Resources or of the Department of Natural Resources in relation to that Division continue in effect as rules, orders, and determinations of the Environmental Protection Agency until modified or rescinded by the Environmental Protection Agency. If necessary to ensure the integrity of the numbering of the Administrative Code, the Director of the Legislative Service Commission shall renumber rules of the Department of Natural Resources in relation to the former Division of Recycling and Litter Prevention in that Department to reflect the transfer to the Environmental Protection Agency.

(D) Subject to the provisions of the applicable bargaining unit agreements, all of the positions of the Division of Recycling and Litter Prevention in the Department of Natural Resources are transferred to the Environmental Protection Agency. Employees who transfer with the positions shall retain their same or substantially similar positions and all the benefits accruing thereto. Upon completion of the transfer, the employees shall be subject to the policies and procedures of the Environmental Protection Agency.

(E) Whenever the Division of Recycling and Litter Prevention in the Department of Natural Resources or the Chief of the Division of Recycling and Litter Prevention is referred to in any law, contract, or other document, the reference shall be deemed to refer to the Environmental Protection Agency or to the Director of Environmental Protection, whichever is appropriate in context.

(F) Any action or proceeding pending on the effective date of the amendment of the statutes governing the Division of Recycling and Litter Prevention by this act is not affected by the transfer of the functions of that Division by this act and shall be prosecuted or defended in the name of the Environmental Protection Agency. In all such actions and proceedings, the Environmental Protection Agency, upon application to the court, shall be substituted as a party.

SECTION 737.30. The Recycling and Litter Prevention Advisory Council created within the Environmental Protection Agency by section 3736.04 of the Revised Code, as amended and renumbered by this act, is a continuation of the Recycling and Litter Prevention Advisory Council created within the Division of Recycling and Litter Prevention in the Department of Natural Resources by section 1502.04 of the Revised Code prior to its amendment and renumbering by this act.

SECTION 737.40. (A) As used in this section:

(1) "Food service operation," "retail food establishment," and "vending machine location" have the same meanings as in section 3717.01 of the Revised Code.

(2) "Micro market" means an area or room that has displays of not more than two hundred fifty linear feet that offer either of the following:

(a) Prepackaged foods that are not time- or temperature-controlled for food safety purposes;

(b) Prepackaged foods that are refrigerated or frozen and time- or temperature-controlled for food safety purposes and that are stored in equipment that complies with Chapter 3717-1 of the Administrative Code.

(B) Until the Director of Agriculture adopts rules under section 3717.04 of the Revised Code governing the licensure of micro markets, the operation of a micro market is exempt from the licensure requirements for retail food establishments, food service operations, and vending machine locations established under Chapter 3717. of the Revised Code. This division applies to a micro market that was previously exempted under division (B)(5) of section 3717.22 of the Revised Code by the Director from being licensed as a retail food establishment.

(C) Not later than sixty days following the adoption of rules by the Director under section 3717.04 of the Revised Code governing the licensure of micro markets, the operator of a micro market shall apply for a license in accordance with those rules.

SECTION 737.50. Not later than 30 days after the amendment by this act of section 3791.11 of the Revised Code takes effect, the Treasurer of State shall give written notice to each property owner or lessee who, under former division (D) of that section, deposited money or a surety or government-issued bond with the Treasurer of State that the money will be refunded or the bond will be released within the following time period, and that the property owner or lessee must file a bond in the manner required by division (C) of section 3791.11 of the Revised Code immediately after the refund or release:

(A) If money was deposited, the Treasurer of State will refund the money to the property owner or lessee within 180 days after the effective date of section 3791.11 of the Revised Code, as amended by this act;

(B) If a surety bond was deposited, the Treasurer of State will release the bond to the property owner or lessee upon the earlier of the expiration of

the bond or within two years after the effective date of section 3791.11 of the Revised Code, as amended by this act;

(C) If a government-issued bond was deposited, the Treasurer of State will release the bond to the property owner or lessee within 180 days after the effective date of section 3791.11 of the Revised Code, as amended by this act.

SECTION 737.60. LUPUS EDUCATION AND AWARENESS PROGRAM

(A) In establishing the Lupus Education and Awareness Program under sections 3701.77 to 3701.775 of the Revised Code, as enacted by this act, the General Assembly hereby finds the following:

(1) Lupus is a serious, complex, and debilitating autoimmune disease that can cause inflammation and tissue damage to virtually any organ system in the body, including the skin, joints, other connective tissue, blood and blood vessels, heart, lungs, kidneys, and brain.

(2) The Lupus Foundation of America, Inc., estimates that approximately 1.5 to 2 million Americans live with lupus.

(3) According to the Centers for Disease Control and Prevention, the rate of lupus mortality has increased since the late 1970s.

(4) The pain and fatigue associated with lupus can threaten the ability to live independently, maintain employment, and lead a normal life. One in five individuals with lupus is disabled by the disease, and consequently receives support from government programs, including Medicare, Medicaid, Social Security Disability, and Social Security Supplemental Income.

(5) The estimated average annual cost of medical treatment for an individual with lupus is between \$10,000 and \$30,000; for individuals who have the most serious form of lupus, medical costs can greatly exceed this amount, causing a significant economic, emotional, and social burden to the entire family and society.

(6) More than half of individuals with lupus suffer four or more years and visit three or more physicians before obtaining a diagnosis of lupus; early diagnosis of and treatment for lupus can prevent or reduce serious organ damage, disability, and death.

(7) Despite the magnitude of lupus and its impact on individuals and families, health professional and public understanding of lupus remains low; only one in five Americans can provide basic information about lupus, and awareness of lupus is lowest among adults 18 to 34 years of age - the age group most likely to develop lupus.

(8) Lupus is a significant national health issue that deserves a

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;

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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

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Committee. The Speaker and Minority Leader of the House of Representatives each shall appoint two members to the Legislative Committee. Of the two appointments made by each legislative leader, one shall be a member of the General Assembly from the appointing member's chamber. Appointments shall be made as soon as possible but not later than thirty days after the effective date of this section. Vacancies on the Legislative Committee shall be filled in the same manner as the original appointment.

As soon as all members have been appointed to the Legislative Committee, the President of the Senate shall fix a time and place for the committee to hold its first meeting. At that meeting, the committee shall elect from among its membership a chairperson, a vice-chairperson, and a secretary. The Director of Health shall provide the Legislative Committee with meeting and office space, equipment, and professional, technical, and clerical staff as are necessary to enable the Legislative Committee successfully to complete its work.

SECTION 747.10.10. (A) The Manufactured Homes Commission shall adopt the rules required by section 4781.26 of the Revised Code as amended by this act not later than December 1, 2012. After adopting the rules, the Commission immediately shall notify the Director of Health.

(B)(1) The rules governing manufactured home parks adopted by the Public Health Council under former section 3733.02 of the Revised Code shall remain in effect in a health district until the Commission adopts rules under section 4781.26 of the Revised Code as amended by this act.

(2) On the effective date of the rules adopted by the Commission as required by section 4781.26 of the Revised Code as amended by this act, the Public Health Council rules adopted under former section 3733.02 of the Revised Code cease to be effective within the jurisdiction of that board of health.

(C) No board of health of a city or general health district shall invoice or collect manufactured home park licensing fees for calendar year 2013.

(D) As used in this section:

(1) "Manufactured home park," "board of health," and "health district" have the same meanings as in section 4781.01 of the Revised Code, as amended by this act.

(2) "Public Health Council" means the Public Health Council created by section 3701.33 of the Revised Code.

SECTION 747.10.20. Any manufactured home park license and inspection fees collected pursuant to former section 3733.04 of the Revised Code by a board of health prior to the transition of the annual license and inspection program to the Manufactured Homes Commission as required under this act in the amount of two thousand dollars or less may be transferred to the health fund of the city or general health district. Any of those funds in excess of two thousand dollars shall be transferred to the Manufactured Homes Commission Regulatory Fund created in section 4781.54 of the Revised Code as enacted by this act.

SECTION 747.10.30. Notwithstanding the original term of the appointment, the term of the Manufactured Homes Commission member who was appointed by the Governor as a representative of the Department of Health pursuant to division (B)(2)(b) of section 4781.02 of the Revised Code shall end on the effective date of that section as amended by this act. The initial term of the registered sanitarian appointed to the Manufactured Homes Commission pursuant to section 4781.02 of the Revised Code, as amended by this act, shall expire on the date when the representative of the Department of Health's term would have expired, but for this section.

SECTION 747.31. A licensee whose license is in a voluntary hold status under Chapter 4735. of the Revised Code on the effective date of this section may apply to the Superintendent of the Division of Real Estate and Professional Licensing for reactivation of the license in accordance with rules adopted by the Ohio Real Estate Commission or may apply to place the license in a resigned status within the ninety-day period after the effective date of this section. The license of a licensee who does not reactivate or resign a license that is in a voluntary hold status on the effective date of this section shall be automatically suspended. A suspended license may be reactivated within twelve months of the date of suspension, provided that the renewal fee plus a penalty fee of fifty per cent of the renewal fee is paid to the Superintendent. Failure to reactivate the suspended license within twelve months as provided in this section shall result in automatic revocation of the license without the taking of any action by the Superintendent.

SECTION 751.03. TRANSFER OF MEDICAID AND CHILDREN'S

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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disapproved.

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(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.

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(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.

(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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intermediate care facility for the mentally retarded on the effective date of this section shall continue to be exempt from the franchise permit fee under sections 3721.50 to 3721.58 of the Revised Code and instead subject to the franchise permit fee under sections 5112.30 to 5112.39 of the Revised Code for as long as it is certified as an intermediate care facility for the mentally retarded.

(E) Notwithstanding the amendment by this act to section 5123.41 of the Revised Code, a nursing home or part of a nursing home that is certified as an intermediate care facility for the mentally retarded on the effective date of this section shall continue to be a residential facility for the purpose of section 5123.41 of the Revised Code for as long as it is certified as an intermediate care facility for the mentally retarded or is licensed under section 5123.19 of the Revised Code.

(F) Notwithstanding the amendment by this act to section 5126.51 of the Revised Code, a nursing home or part of a nursing home that is certified as an intermediate care facility for the mentally retarded on the effective date of this section shall continue to be a residential facility for the purpose of section 5126.51 of the Revised Code for as long as it is certified as an intermediate care facility for the mentally retarded or otherwise meets the definition of "residential facility" in section 5123.19 of the Revised Code.

SECTION 751.10.10. ADULT CARE FACILITY LICENSURE TRANSITION

Pursuant to the amendment and repeal by this act of sections 5119.22, 5119.70 to 5119.88, and 5119.99 of the Revised Code, the Director of Mental Health may convert an adult care facility's license in effect immediately before the effective date of this section to a license as a residential facility. Until the Director converts the license or issues an order denying the conversion, the adult care facility's license is deemed to be a residential facility license. All rules, orders, and determinations pertaining to the adult care facility license continue in effect as rules, orders, and determinations pertaining to the residential facility license.

SECTION 751.12. TRANSITION FOR CERTIFIED ADULT FOSTER HOMES

Pursuant to the amendment and repeal by this act of sections 5119.22, 5119.692, and 5119.693 of the Revised Code, the Director of Mental Health may convert an adult foster home's certification in effect immediately before the effective date of this section to a license as a residential facility. Until

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.

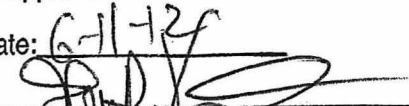
(2) The individual must be a resident of one of the counties in which the pilot program is established.

(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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(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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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:

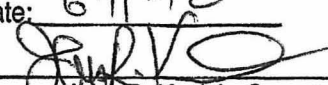
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- (1) The number of individuals in the state who would benefit from the services covered by the pilot program if the services were made available statewide;
 - (2) How governmental and nongovernmental resources can be leveraged most efficiently to 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.

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SECTION 751.31. RULES GOVERNING DATABASE REVIEWS AND CRIMINAL RECORDS CHECKS

The Directors of Aging, Health, Job and Family Services, and Developmental Disabilities shall collaborate with each other when adopting the initial rules to be adopted for the purpose of implementing sections 173.27, 173.394, 3701.881, 5111.032, 5111.033, 5111.034, 5123.081, 5123.16, 5123.169, and 5123.1610 of the Revised Code, as amended or enacted by this act. In the collaboration, the Directors shall strive to do both of the following:

(A) Balance the risk mitigation that the database reviews and criminal records checks to be conducted under those sections are expected to realize with the costs of conducting the database reviews and criminal records checks;

(B) Make the policies established by the rules as similar as possible among the Departments of Aging, Health, Job and Family Services, and Developmental Disabilities.

SECTION 753.11. (A) Notwithstanding section 3313.41 of the Revised Code, during the period beginning June 30, 2005, and ending December 31, 2005, a school district board of education in support of economic development within the territory of the district may dispose of real property that it owns in its corporate capacity, and that exceeds in value ten thousand dollars, by direct sale in lieu of offering the property for sale at public auction as provided in division (A) of that section, in lieu of offering the property for sale to an entity listed in division (C) of that section, or in lieu of offering the property for sale to a community school as provided in division (G) of that section, if all of the following conditions are satisfied:

(1) The real property is encumbered by easements, liens, or other use restrictions that benefit the person acquiring the property under this section;

(2) The real property was part of or adjacent to real property previously disposed of by the board of education;

(3) The real property when sold will be used for commercial development.

(B) Notwithstanding division (A)(3) of this section, on or after the effective date of this section, the real property may be used for residential development as well as commercial development.

SECTION 753.13. That Section 2 of Am. Sub. S.B. 63 of the 121st General Assembly is repealed.

This repeal releases the use, ownership, and conveyance restrictions, and rescinds the state's right of reversion, with respect to real estate conveyed to the City of Broadview Heights under Section 1 of Am. Sub. S.B. 63 of the 121st General Assembly.

SECTION 753.14. Within thirty days after the effective date of Section 753.13 of this act, the Auditor of State, with the assistance of the Attorney General, shall, consistent with that section, prepare a deed to the real estate. The deed shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the office of the Auditor of State for recording, and delivered to the City of Broadview Heights. The City of Broadview Heights shall present the deed for recording in the Office of the Cuyahoga County Recorder.

SECTION 755.10. One year after the effective date of this act, the Director of the Department of Rehabilitation and Correction, after consultation with the State Highway Patrol, the Department of Public Safety, the Fraternal Order of Police of Ohio, and the Buckeye State Sheriff's Association, shall submit a written report to the Governor, the President of the Senate, the Speaker of the House of Representatives, the minority leader of the Senate, and the minority leader of the House of Representatives on the effectiveness of the State Highway Patrol's authority to enforce the criminal laws in the Lake Erie Correctional Institution pursuant to section 5503.03 of the Revised Code, as amended by this act.

SECTION 757.10. A board of township trustees or the legislative authority of a municipal corporation to which section 5705.19 or 5705.252 of the Revised Code applies, as enacted or amended by this act, may adopt the resolution proposing the levy of the tax or the combined questions authorized by those enactments or amendments and certify a copy of the resolution to the proper county board of elections as otherwise prescribed by law after this act becomes law and before the effective date of those enactments or amendments, requesting that the board of elections submit the proposal to the electors at the general election occurring on November 6,

2012. The board of elections, upon receiving a properly certified copy of such a resolution not later than four p.m. on August 8, 2012, shall submit the proposal to electors at that election as otherwise provided under section 5705.25 or 5705.252 of the Revised Code, and such actions of the board of township trustees, municipal legislative authority, and board of elections are hereby ratified.

SECTION 757.20. As used in this section, "qualified property" means real property that either:

(A) Satisfies the qualifications for tax exemption under the terms of section 5709.07 of the Revised Code and is owned by a church as defined in that section;

(B) Satisfies the qualifications for tax exemption under the terms of section 5709.08 of the Revised Code and is owned by a township that acquired the property from a county.

Notwithstanding section 5713.081 of the Revised Code, when qualified property has not received tax exemption due to a failure to comply with Chapter 5713. or section 5715.27 of the Revised Code, the current owner of the property, or the prior owner of the property requesting exemption from prior taxes, at any time on or before twelve months after the effective date of this section, may file with the Tax Commissioner an application requesting that the property be placed on the tax-exempt list and that all unpaid taxes, penalties, and interest on the property be abated.

The application shall be made on the form prescribed by the Tax Commissioner under section 5715.27 of the Revised Code and shall list the name of the county in which the property is located; the property's legal description; its taxable value; the amount in dollars of the unpaid taxes, penalties, and interest; the date of acquisition of title to the property; the use of the property during any time that the unpaid taxes accrued; and any other information required by the Tax Commissioner. The county auditor shall supply the required information upon request of the applicant.

Upon request of the applicant, the county treasurer shall determine if all taxes, penalties, and interest that became a lien on the qualified property before it first was used for an exempt purpose and all special assessments charged against the property have been paid in full. If so, the county treasurer shall issue a certificate to the applicant stating that all such taxes, penalties, interest, and assessments have been paid in full. Prior to filing the application with the Tax Commissioner, the applicant shall attach the county treasurer's certificate to it. The Tax Commissioner shall not consider an application filed under this section unless such a certificate is attached to it.

Upon receipt of the application and after consideration of it, the Tax Commissioner shall determine if the applicant meets the qualifications set forth in this section, and if so shall issue an order directing that the property be placed on the tax-exempt list of the county and that all unpaid taxes, penalties, and interest for every year the property met the qualifications for exemption described in section 5709.07 or 5709.08 of the Revised Code be abated. If the Tax Commissioner finds that the property is not now being so used or is being used for a purpose that would foreclose its right to tax exemption, the Tax Commissioner shall issue an order denying the application.

If the Tax Commissioner finds that the property is not entitled to tax exemption and to the abatement of unpaid taxes, penalties, and interest for any of the years for which the current or prior owner claims an exemption or abatement, the Tax Commissioner shall order the county treasurer of the county in which the property is located to collect all taxes, penalties, and interest due on the property for those years in accordance with law.

The Tax Commissioner may apply this section to any qualified property that is the subject of an application for exemption pending before the Tax Commissioner on the effective date of this section, without requiring the property owner to file an additional application. The Tax Commissioner also may apply this section to any qualified property that is the subject of an application for exemption filed on or after the effective date of this section and on or before twelve months after that effective date, even though the application does not expressly request abatement of unpaid taxes, penalties, and interest.

SECTION 757.51. The amendment by this act of section 5713.03 of the Revised Code applies to the first tax year, after tax year 2012, to which division (A) or (B) of section 5715.24 of the Revised Code applies in the county.

SECTION 757.61. The General Assembly hereby declares that the intent of the amendment by this act of section 5739.02 of the Revised Code is to clarify the law as it existed prior to the amendment by this act of that section.

SECTION 806.10. The items of law contained in this act, and their applications, are severable. If any item of law contained in this act, or if any

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

SECTION 809.10. Sections 301.11 to 301.15 of this act are and remain in full force and effect commencing on July 1, 2012, and terminating on June 30, 2014, for the purpose of drawing money from the state treasury in payment of liabilities lawfully incurred under those sections, and on June 30, 2014, and not before, the moneys hereby appropriated lapse into the funds from which they are severally appropriated. If, under Section 1c of Article II, Ohio Constitution, Sections 301.11 to 301.15 of this act do not take effect until after July 1, 2012, the sections are and remain in full force and effect commencing on that effective date.

SECTION 812.10. **Sections subject to referendum: general effective date.** Except as otherwise provided in this act, the amendment, enactment, or repeal by this act of a section is subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore takes effect on the ninety-first day after this act is filed with the Secretary of State.

SECTION 812.11. **Sections subject to referendum: special effective date.** The amendment by this act of sections 4735.01, 4735.02, 4735.052, 4735.10, 4735.13, 4735.14, 4735.141, and 4735.142 of the Revised Code is subject to the referendum under Ohio Constitution, Article II, Section 1c and takes effect on the ninetieth day after the day on which this section takes effect.

The amendment, enactment, or repeal of sections 173.27, 173.391, 173.394, 1123.23, 1155.03, 1163.05, 1315.141, 1321.37, 1321.53, 1321.531, 1322.03, 1322.031, 1733.47, 1761.26, 2151.86, 3701.881, 4763.05, 5104.012, 5104.013, 5104.09, 5111.031, 5111.032, 5111.033, 5111.034, 5123.16, 5123.161, 5123.162, 5123.163, 5123.164, new 5123.169, 5123.169 (5123.1610), 5123.542, 5126.0221, 5126.28, and 5126.281 of the Revised Code takes effect January 1, 2013.

Sections 610.10, 610.11, 620.10, 620.11, and 751.20 of this act take effect January 1, 2013.

SECTION 812.12. **Sections subject to referendum: mixed effective dates.** The sections listed in the left-hand column of the following table combine amendments by this act that take effect either on the ninety-first day after this act is filed with the Secretary of State or January 1, 2013. The middle column identifies amendments to the listed sections that take effect on the ninety-first day after this act is filed with the Secretary of State. The right-hand column identifies amendments to the listed sections that take effect January 1, 2013.

Section of law	Amendments that take effect on the ninety-first day after this act is filed with the Secretary of State	Amendments that take effect January 1, 2013
109.57	The amendment in division (G)	All except as described in the middle column
109.572	The amendment in relettered division (A)(2) striking the second comma, inserting "or", and striking ", 5119.693, or 5119.85", the amendment in relettered division (A)(12), the amendments in the first paragraph of division (B) and divisions (C)(1), (C)(2), and (C)(3) striking "5119.85," the amendment in division (B)(1) striking "5119.693, 5119.85,", and the amendment in division (C)(3) inserting "2151.33, 2151.412,"	All except as described in the middle column

3712.09	The amendments in divisions (C)(1) and (F)	All except as described in the middle column
3721.121	The amendment in division (A)(1)	All except as described in the middle column
5123.033	All except as described in the right-hand column	The amendment striking "5123.169" and inserting "5123.1610"
5123.081	The amendment in relettered division (I)(1)(e)(ii)	All except as described in the middle column
5123.166	The amendment in division (D)(1)(c)(ii)	All except as described in the middle column

SECTION 812.20. **Sections exempt from referendum: general effective date.** The amendment, enactment, or repeal by this act of the following sections is exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code and therefore takes effect immediately when this act becomes law:

Sections 145.01, 145.012, 167.04, 306.04, 306.36, 340.091, 901.54, 2927.023, 2945.371, 2945.38, 2945.39, 2945.40, 2945.401, 3125.41, 3734.131, 3734.15, 3743.06, 3743.19, 3752.06, 4163.07, 4303.22, 4501.01, 4501.06, 4503.81, 4506.01, 4506.03, 4506.22, 4506.25, 4511.78, 4513.50, 4905.01, 4905.02, 4905.03, 4905.05, 4905.06, 4905.402, 4905.54, 4905.57, 4905.58, 4905.80, 4905.801, 4905.81, 4905.82, 4905.83, 4905.84, 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, 4919.75, 4919.76, 4919.77, 4919.78, 4919.79, 4919.99, 4921.01, 4921.02, 4921.03, 4921.04, 4921.05, 4921.06, 4921.07, 4921.08, 4921.09, 4921.10, 4921.101, 4921.11, 4921.12, 4921.13, 4921.14, 4921.15, 4921.16, 4921.17, 4921.18, 4921.19, 4921.20, 4921.21, 4921.23, 4921.24, 4921.25, 4921.26, 4921.27, 4921.28, 4921.30, 4921.31, 4921.32, 4921.34, 4921.35, 4921.36, 4921.37, 4921.38, 4921.39, 4921.40, 4921.99, 4923.01, 4923.02, 4923.03, 4923.04, 4923.05, 4923.06, 4923.07, 4923.08, 4923.09, 4923.10, 4923.11, 4923.12, 4923.13, 4923.14, 4923.15, 4923.17, 4923.20, 4923.26, 4923.99, 4927.01, 4929.01, 4929.02, 4933.18, 4933.19, 4939.01, 4953.04, 4961.03, 4965.54, 5119.691,

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.

JRY 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

John R. Kasich, Governor

by this act that are and that are not exempt from the referendum. The middle column identifies amendments to the listed sections that are subject to the referendum under Ohio Constitution, Article II, Section 1c and therefore take effect on the ninety-first day after this act is filed with the Secretary of State. The right-hand column identifies amendments to the listed sections that are exempt from the referendum under Ohio Constitution, Article II, Section 1d and section 1.471 of the Revised Code and therefore take effect immediately when this act becomes law.

Section of law	Amendments subject to referendum	Amendments exempt from referendum
4905.90	The amendment in division (A)	All amendments except as described in the middle column
5111.941	The amendment that inserts division (A)(4)	All amendments except as described in the middle column
5119.61	All amendments except as described in the right-hand column	The amendment in division (A) striking "(C)" and inserting "(D)" and the amendment in division (F) striking "abuse" and inserting "addiction"
5119.69	The amendments in relettered divisions (D)(1)(b) and (c)	All amendments except as described in the middle column
5502.01	All amendments except as described in the right-hand column	The amendment in division (F)

SECTION 815.20. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the following sections, presented in this act as composites of the sections as amended by the acts indicated, are the resulting versions of the sections in effect prior to the effective date of the sections as presented in this act:

Section 102.02 of the Revised Code as amended by both Am. Sub. H.B.

153 and Sub. S.B. 171 of the 129th General Assembly.

Section 121.04 of the Revised Code as amended by both Am. Sub. H.B. 153 and Sub. H.B. 229 of the 129th General Assembly.

Section 123.01 of the Revised Code as amended by both Am. Sub. H.B. 133 and Am. Sub. H.B. 153 of the 129th General Assembly.

Section 124.11 of the Revised Code as amended by both Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 149.43 of the Revised Code as amended by both Sub. H.B. 64 and Am. Sub. H.B. 153 of the 129th General Assembly.

Section 1923.01 of the Revised Code as amended by both Sub. H.B. 56 and Am. Sub. S.B. 10 of the 127th General Assembly.

Section 1923.02 of the Revised Code as amended by both Sub. H.B. 56 and Am. Sub. S.B. 10 of the 127th General Assembly.

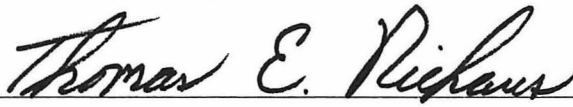
Section 3301.55 of the Revised Code as amended by both Am. Sub. H.B. 1 and Sub. S.B. 79 of the 128th General Assembly.

Section 4123.54 of the Revised Code as amended by both Am. Sub. H.B. 562 and Am. Sub. S.B. 334 of the 127th General Assembly.

Section 4731.22 of the Revised Code as amended by both H.B. 78 and Am. Sub. H.B. 93 of the 129th General Assembly.



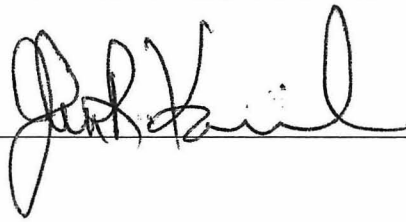
Speaker _____ of the House of Representatives.



President _____ of the Senate.

Passed _____ May 23, 2012

Approved JUNE 11, 2012



Governor.

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

Mark C. Flanders

Director, Legislative Service Commission.

Filed in the office of the Secretary of State at Columbus, Ohio, on the
11 day of June, A. D. 2012.

Joe Husted

Secretary of State.

File No. 127

Effective Date Some sections effective
June 11, 2012. Other
sections effective September 10, 2012

AN ACT

To amend 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, 123.07, 123.09, 123.10, 123.101, 123.13, 123.14, 123.15, 123.152, 123.17, 123.21, 123.48, 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, 1502.12, 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, 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, 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,

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File No. 127

Passed by the House of Representatives,

April 25, 2012

Passed by the Senate,

May 16, 2012

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

11 day of June, A. D. 2012


Secretary of State.

Agreed to report of
Conference Committee
May 23, 2012