

# Ohio Legislative Service Commission

Legislative Budget Office    Office of Research and Drafting

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## Comparison Document

House Bill 110 — 134th General Assembly

Main Operating Budget Bill

(FY 2022-FY 2023)

As Introduced

As Passed by the House

As Reported by Senate Finance

June 8, 2021

## **Introduction**

The Comparison Document provides brief descriptions and fiscal estimates of the provisions that make up the executive recommended version and subsequent versions of the biennial main operating budget bill of the 134th General Assembly, House Bill 110. The document is arranged in alphabetical order by state agency. It also includes three nonagency items for which appropriations are made: Employee Benefits Fund (PAY), Pension Subsidies (PEN), and Revenue Distribution Funds (RDF) as well as sections for Local Government Provisions (LOC) and the Southern Ohio Agricultural and Community Development Foundation (SOA). A Table of Contents follows this Introduction. Two indices are located at the end of the document. The first index gives the page number of each particular item within the sections; the second index lists cross-references by agency.

Generally within an agency's section, items that involve Revised Code changes come first, followed by items that involve uncodified (i.e., temporary) law provisions. The sections for the Department of Education and the Department of Taxation are first arranged by general topic area. If an item affects more than one agency, it is described under one of the affected agencies, rather than all of the agencies. However, the other agencies are listed in the cross-reference index at the end of the document. This index lists, for each agency, all entries that affect the agency but are not included in that agency's section as well as the page numbers for these entries. A reader who is interested in all provisions affecting a certain agency should consult the cross-reference index in addition to the agency's section.

Each item is assigned a unique identification number. This number begins with the three-letter agency code used in the state's accounting system followed by a comparison document reference ("CD") and a number (TAXCD15, for example). A reader who wants to track an item across several versions of the Comparison Document may find the identification number useful.

The Comparison Document does not include appropriation amounts for the agencies. Please see the Appropriation Spreadsheet for that information. For a complete discussion of the statutory changes in the bill, please see the Bill Analysis for H.B. 110.

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Executive

As Passed By House

As Reported By Senate Finance

**ADJCD1 National Guard Benefits**

**Section: 205.20**

(1) Requires GRF appropriation item 745407, National Guard Benefits, to be used to pay reimbursement of active duty members for life insurance premiums (R.C. 5919.31), death benefits where an active duty member dies while performing active duty (R.C. 5919.33), and administrative costs of the associated programs.

(2) Permits the Adjutant General, if necessary in order to pay benefits pursuant to R.C. 5919.31 and 5919.33 in a timely manner, to request the Director of Budget and Management transfer appropriation from any appropriation item used by the Adjutant General to GRF appropriation item 745407, National Guard Benefits. Allows the Adjutant General to seek Controlling Board approval to restore the appropriation in any appropriation item for which such a transfer was made.

(3) Requires, for active duty members of the National Guard who died after October 7, 2001, while performing active duty, the death benefit being paid pursuant to R.C. 5919.33 be paid to the beneficiary or beneficiaries designated on the member's Servicemembers' Group Life Insurance Policy.

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**ADJCD2 Ohio Cyber Reserve**

**Section: 205.20**

Requires GRF appropriation item 745503, Ohio Cyber Reserve, to be used to support the administration of the Ohio Cyber Reserve to educate and protect all levels of state government, critical infrastructure, and the citizens from cyberattacks and incidences under R.C. 5922.01, 5922.02, and 5922.08.

**Section: 205.20**

Same as the Executive.

**Section: 205.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**ADJCD3 Ohio Cyber Range**

**Section: 205.20**

(1) Requires GRF appropriation item 745504, Ohio Cyber Range, to be used to provide cyber training and education to K-12 students, higher education students, members of the Ohio National Guard, federal employees, and state and local government employees, and to provide emergency preparedness exercises and training.

(2) Requires the Adjutant General's Department, in conjunction and collaboration with the departments of Administrative Services, Public Safety, Higher Education, and Education, to establish and maintain a cyber range, and permits the Adjutant General's Department to work with federal agencies to assist in accomplishing this objective.

(3) Permits the state agencies identified in the above provision to procure any necessary goods and services including, but not limited to, contracted services, hardware, networking services, maintenance costs, and the training and management costs of a cyber range. Requires those state agencies to determine the amount of funds each agency will contribute from available funds and appropriations enacted in the bill in order to establish and maintain a cyber range.

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 205.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**ADJCD4 State active duty**

**Section: 205.20**

Requires GRF appropriation item 745505, State Active Duty, to be used to pay expenses related to state active duty of members of the Ohio organized militia, in accordance with a proclamation of the Governor.

**Section: 205.20**

Same as the Executive.

**Section: 205.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DASCD34 State contracts - invalid terms and conditions**

**R.C. 9.27**

Prohibits a state contract for goods or services from including certain provisions that the state generally does not include in its contracts including (1) indemnification clauses, (2) binding arbitration, (3) mandatory venue clauses (other than Franklin County courts), (4) limited liability (to benefit the other party), (5) requiring legal representation other than the Attorney General, (6) automatic renewals obligating future state funds, (7) anything contrary to the Public Records Act, (8) limiting the state's recovery of cover cost for a replacement contractor, or (9) any term or condition unknown to the state at signing, that was not specifically negotiated with the state, that may be unilaterally changed by the other party, or that is electronically accepted by a state employee.

Specifies the above are ab initio (invalid from the outset), and the contract is otherwise enforceable and must be governed by and construed in accordance with Ohio law notwithstanding a term or condition to the contrary.

Specifies this provision does not apply to a contract in effect before the effective date of the section, or to the renewal or extension of a contract in effect before the effective date of the section

**Fiscal effect: Uncertain.**

**R.C. 9.27**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

No provision.

No provision.

No provision.

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <b>DASCD29</b> DAS insurance program  |   |   |
| <b>R.C.</b> 9.821, 9.822, 9.83, 2743.01, 2743.02, 2743.15, 2743.16, and 2743.19   | <b>R.C.</b> 9.821, 9.822, 9.83, 2743.01, 2743.02, 2743.15, 2743.16, and 2743.19 | <b>R.C.</b> 9.821, 9.822, 9.83, 2743.01, 2743.02, 2743.15, 2743.16, and 2743.19   |
| Declares the administration of the state's Risk Management Program to be a public duty for purposes of the Sovereign Immunity/Court of Claims Law.  | Same as the Executive.  | Same as the Executive.  |
| No provision.   | No provision.   | Expands the state's liability insurance program to cover agents of the state in addition to officers and employees of the state.  |
| Replaces the requirement that the state purchase fidelity bonds for state agents and employees with authority to self-insure itself and third parties against loss due to dishonest acts of state officers, employees, and agents.  | Same as the Executive.  | Same as the Executive.  |
| Authorizes the Office of Risk Management to administer a judicial liability program.  | Same as the Executive.  | Same as the Executive.  |
| Requires public official bonds to be purchased when statutorily required.   | Same as the Executive.  | Same as the Executive, but expressly requires DAS to purchase surety bonds, fidelity bonds, performance bonds, or public official bonds, and expressly states that this requirement does not authorize DAS to issue or underwrite such bonds. |
| Expands the authority of the state and political subdivisions to insure against liability, from the losses attributable to the operation of specified vehicles during the course of official duties to any loss that occurs in the course of employment or official responsibilities. | Same as the Executive.  | Same as the Executive.  |
| Specifies that recoveries against the state are to be reduced by other recoveries the claimant is entitled to, as opposed to just those other recoveries the claimant has received.   | Same as the Executive.  | Same as the Executive.  |



| Executive  | As Passed By House     | As Reported By Senate Finance |
|--|------------------------|-------------------------------|
| Prohibits a claim against the state from being filed in the Court of Claims until the claimant has attempted to have the claim compromised by the Office of Risk Management or satisfied by the state's liability insurance. | Same as the Executive. | Same as the Executive.        |
| Specifies that the authority to commence an action against an officer or employee of the state does not affect the immunity provided to state officers or employees in law.  | Same as the Executive. | Same as the Executive.        |
| Requires an instrumentality of the state to notify the Office of Risk Management of any settlement or compromise made in a claim against the instrumentality for the purpose of reserving funds.                             | Same as the Executive. | Same as the Executive.        |
| Requires a copy of a settlement instrument to be forwarded to the Office of Risk Management for payment from the Risk Management Reserve Fund.   | Same as the Executive. | Same as the Executive.        |
| Specifies that the authority of DAS to compromise claims does not extend to compromising claims on behalf of agency programs with direct settlement authority.   | Same as the Executive. | Same as the Executive.        |
| Specifies that all compromises made by the Office of Risk Management are to be paid from the Risk Management Reserve Fund and the conditions of such payment.  | Same as the Executive. | Same as the Executive.        |
| Specifies that information related to claims against the state is to be held in confidence, is not to be released, and is not subject to discovery or introduction in evidence in any federal or state civil action.         | Same as the Executive. | Same as the Executive.        |
| Requires a copy of a judgement against the state to be forwarded to the Office of Risk Management for the judgement to be paid from the Risk Management Reserve Fund.  | Same as the Executive. | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

Requires DAS to administer a "crime and bond" program.

No provision.

Replaces the Executive provision with one that requires DAS to administer a "crime insurance" program.

**Fiscal effect: Liability claims against the state under the self-insurance program are paid from the Risk Management Reserve Fund (Fund 1300). Expansion of the state's self-insurance liability program will likely result in increased expenditures from Fund 1300. However, allowing additional claims to be paid from this reserve may ease budgetary complications an insured entity may suffer in the event of having to pay a large settlement from otherwise appropriated funds. May somewhat reduce the volume of cases before the Court of Claims, thereby reducing the workload of the Court to adjudicate such cases and the Attorney General to defend the state in those cases. The magnitude of any decrease will depend on the number of cases resolved through the Office of Risk Management.**

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

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

**DASCD33 Department of Administrative Services – disposition of land**

**R.C. 123.01**

Authorizes DAS to grant perpetual easements to public utilities regulated by the Public Utilities Commission of Ohio.

**R.C. 123.01**

Same as the Executive.

**R.C. 123.01**

Same as the Executive.

Permits DAS, with Controlling Board approval, to sell, transfer, or otherwise dispose of state-owned real estate worth less than \$1 million as determined through a method considered appropriate by DAS .

Same as the Executive.

Replaces the Executive provision with one that limits the disposition of land under this authority to sales transactions and reduces the value of property that may be disposed of to \$100,000 as appraised by an independent third-party appraiser.

Allows DAS to correct legal descriptions or title defects, or release fractional interests in real property, as necessary to cure title clouds reflected in public records.

Same as the Executive.

Same as the Executive.

**Fiscal effect: DAS may realize a slight reduction of**

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

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

Executive

As Passed By House

As Reported By Senate Finance

**administrative costs. DAS's real estate activities are primarily supported by the Building Management Fund (Fund 1320) and the General Services Fund (Fund 1170).**

**DASCD30 Deeds conveying and records showing ownership of state land**

**R.C. 123.02, 155.011, 1503.03, 1546.06, 4141.131, 5119.43, 5301.13, 5301.14, 5301.15, 5301.18, 5301.21, 5501.331, Repealed 117.49 and 117.50**

**R.C. 123.02, 155.011, 1503.03, 1546.06, 4141.131, 5119.43, 5301.13, 5301.14, 5301.15, 5301.18, 5301.21, 5501.331, Repealed 117.49 and 117.50**

**R.C. 123.02, 155.011, 1503.03, 1546.06, 4141.131, 5119.43, 5301.13, 5301.14, 5301.15, 5301.18, 5301.21, 5501.331, Repealed 117.49 and 117.50**

Transfers responsibility to prepare deeds for the conveyance of state land from the Auditor of State to the Director of Administrative Services. Transfers the responsibility to keep documents showing the state's interest in real estate, other than public lands and highway rights-of-way, and to maintain a recording system open for public inspection, from the Auditor of State to the Director of Administrative Services.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Minimal.**

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

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

**DASCD1 Parental and caregiver leave**

**R.C. 124.136, 124.1312**

**R.C. 124.136, 124.1312**

**R.C. 124.136, 124.1312**

Allows certain state employees to be eligible, on the delivery of a stillborn child, for paid parental leave of absence and parental leave benefits established in continuing law.

Same as the Executive.

Same as the Executive.

Includes, for paid parental leave eligibility purposes, persons employed in state positions for which the authority to determine compensation is given by law to another individual or entity.

Same as the Executive.

Same as the Executive.

Increases the current law adoption expenses benefit an employee may choose to receive in lieu of paid parental leave from \$2,000 to \$5,000.

Same as the Executive.

Same as the Executive.

| Executive  | As Passed By House   | As Reported By Senate Finance   |
|--|--|---|
| <p>Allows foster caregivers and kinship caregivers, as defined in continuing law, to be eligible for up to five days of caregiver leave with full pay in a calendar year on placement of a child with the caregiver.</p> <p><b>Fiscal effect: These changes are likely to result in an increase in expenditures from the Parental Leave Benefit Fund (Fund 8110) which is supported by an assessment on state agencies' gross payroll.</b></p>                   | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>DASCD39 Cooperative purchasing with other government entities</b></p> <p><b>R.C. 125.02</b></p> <p>Clarifies that the Department of Administrative Services can join existing cooperative purchasing contracts of other state agencies with their own purchasing authority, those of other states, and the U.S. government, rather than only enter into such cooperative purchasing contracts as an original party.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 125.02</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 125.02</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>DASCD40 Buy U.S. and Ohio preference for personal protective equipment</b></p> <p>No provision.</p>  | <p><b>R.C. 125.035, 125.05</b></p> <p>Requires state agencies to give preference to U.S. and Ohio products through the "competitive sealed bid process" when the cost of purchasing personal protective equipment that is used to minimize workplace injuries and illness is less than \$50,000. (The same process is generally required for state agency purchases greater than \$50,000 under continuing law.)</p> <p><b>Fiscal effect: Minimal.</b></p> | <p><b>R.C. 125.035, 125.05</b></p> <p>Same as the House, but clarifies that a state agency must apply the same preferences that apply to DAS under the Buy U.S. and Ohio Law rather than requiring the agency making the purchase to comply with R.C. 125.09, a section that specifies a process for DAS.</p> <p><b>Fiscal effect: Same as the House.</b></p> |

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| <p><b>DASCD35 Ohio preference scoring in state purchases</b></p> <p><b>R.C. 125.09</b></p> <p>Expands the types of purchases that under state purchasing law are eligible for an Ohio preference in scoring to include purchases through the competitive sealed proposal and reverse auction processes, in addition to purchases through the competitive sealed bid process under current law.</p> <p><b>Fiscal effect: This change may result in additional procurement contracts between the state and Ohio based businesses or businesses with a significant economic presence in Ohio. It is unclear however, how, or if, this change would affect procurement costs overall.</b></p> | <p><b>R.C. 125.09</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>          | <p><b>R.C. 125.09</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>          |
| <p><b>DASCD37 Proceeds from disposition of state vehicles bought using GRF funding</b></p> <p><b>R.C. 125.14, 125.832</b></p> <p>Allows proceeds from the disposition of state vehicles bought using GRF funding to be transferred from the Investment Recovery Fund (Fund 4270) to the Fleet Management Fund (1220).</p> <p><b>Fiscal effect: Transferring the proceeds of vehicle sales to Fund 1220 could potentially allow DAS to lower rates charged to other state agencies for using the vehicle fleet overseen by DAS.</b></p>  | <p><b>R.C. 125.14, 125.832</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 125.14, 125.832</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| <p><b>DASCD32 Office of Information Technology</b></p> <p><b>R.C. 125.18</b></p> <p>Eliminates the authority, in current law, for the State Chief Information Officer to establish policies and standards for the acquisition of common information technology by state agencies and instead requires the State Chief Information Officer to coordinate with the Office of Procurement Services to establish policies and standards for state agency acquisition of information technology supplies and services.</p> <p><b>Fiscal effect: None.</b></p>            | <p><b>R.C. 125.18</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 125.18</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>DASCD2 DAS fleet management – definition of operating cost</b></p> <p><b>R.C. 125.832</b></p> <p>Modifies the definition of "operating cost" that DAS uses in its formula for determining a state employee's eligibility to receive a state motor vehicle for business use to mean the maintenance cost of a motor vehicle per year divided by the number of miles an average motor vehicle is driven per year (instead of dividing annual maintenance cost by vehicle lifetime miles driven as under current law).</p> <p><b>Fiscal effect: Minimal.</b></p> | <p><b>R.C. 125.832</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 125.832</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>DASCD28 Prescription Drug Transparency and Affordability Advisory Council</b></p> <p><b>R.C. 125.95</b></p> <p>Specifies that the Director of Administrative Services is the chairperson of the existing Prescription Drug Transparency and Affordability Advisory Council. Eliminates the requirement that the Council meet quarterly and instead specifies that it meets at the call of the chairperson.</p>  | <p><b>R.C. 125.95</b></p> <p>Same as the Executive.</p>  | <p><b>R.C. 125.95</b></p> <p>Replaces the Executive provision with one that abolishes the Prescription Drug Transparency and Affordability Advisory Council on the amendment's effective date.</p> |

| Executive  | As Passed By House                           | As Reported By Senate Finance  |
|--|--|--|
| No provision.  | No provision.                                | Permits the Joint Medicaid Oversight Committee (JMOC) to examine any of the topics described in the report on various aspects of the state's prescription drug purchasing programs previously prepared by the Council if requested by any JMOC member. |
| <b>Fiscal effect: None.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Slight decrease in administrative costs for DAS.</b>   |
| <b>DASCD38 Public office employee database</b>   |  |  |
| R.C. 149.434   | R.C. 149.434                                 | R.C. 149.434   |
| Eliminates the requirement that a public office include the date of birth of all public officials and employees on the database or list that must be maintained by the public office.  | Same as the Executive.                       | Same as the Executive.   |
| <b>Fiscal effect: None.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b>   |
| <b>DASCD3 Unemployment Insurance System Lease Rental Payments</b>  |  |  |
| Section: 207.20  | Section: 207.20                              | Section: 207.20  |
| Requires GRF appropriation item 100412, Unemployment Insurance System Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the Unemployment Insurance System.        | Same as the Executive.                       | Same as the Executive.   |
| <b>DASCD4 EDCS Lease Rental Payments</b>   |  |  |
| Section: 207.20  | Section: 207.20                              | Section: 207.20  |
| Requires GRF appropriation item 100413, EDCS Lease Rental Payments, to be used to cover the financing costs for the acquisition, development, implementation, and integration of the Enterprise Data Center Solutions (EDCS) initiative. | Same as the Executive.                       | Same as the Executive.   |

Executive

As Passed By House

As Reported By Senate Finance

**DASCD5 Multi-Agency Radio Communication System Lease Rental Payments**

**Section: 207.20**

Requires GRF appropriation item 100414, MARCS Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the MultiAgency Radio Communication System (MARCS) upgrade.

**Section: 207.20**

Same as the Executive.

**Section: 207.20**

Same as the Executive.

**DASCD6 Ohio Administrative Knowledge System Lease Rental Payments**

**Section: 207.20**

Requires GRF appropriation item 100415, OAKS Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the Ohio Administrative Knowledge System (OAKS).

**Section: 207.20**

Same as the Executive.

**Section: 207.20**

Same as the Executive.

**DASCD7 State Taxation Accounting and Revenue System Lease Rental Payments**

**Section: 207.20**

Requires GRF appropriation item 100416, STARS Lease Rental Payments, to cover the financing costs for the acquisition, development, implementation, and integration of the State Taxation Accounting and Revenue System (STARS).

**Section: 207.20**

Same as the Executive.

**Section: 207.20**

Same as the Executive.

**DASCD8 Administrative Buildings Lease Rental Bond Payments**

**Section: 207.20**

Requires that GRF appropriation item 100447, Administrative Buildings Lease Rental Bond Payments, be used to make payments pursuant to leases and agreements entered into by the state. Specifies that the appropriations are the source of funds pledged for bond service charges on obligations issued pursuant to R.C.152. and R.C. 154.

**Section: 207.20**

Same as the Executive.

**Section: 207.20**

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**DASCD10 Multi-Agency Radio Communication System debt service payments**

**Section: 207.20**

Requires the Director of Administrative Services, in consultation with the Multi-Agency Radio Communication System (MARCS) Steering Committee and the Director of Budget and Management, to determine the share of debt service payments attributable to spending for MARCS components that are not specific to any one agency and requires that these payments be charged to the Public Safety - Highway Purposes Fund (Fund 5TM0). Requires that these payments be calculated for MARCS capital disbursements made beginning July 1,1997.

Requires the Director of Administrative Services, within thirty days of any payment made from GRF appropriation item 100447, Administrative Building Lease Rental Bond Payments, to certify to the Director of Budget and Management the share of debt service payments not attributable to any one agency, and allows the Director of Budget and Management to transfer such amounts to the GRF from Fund 5TM0.

**Section: 207.20**

Same as the Executive.

Same as the Executive.

**Section: 207.20**

Same as the Executive.

Same as the Executive.

**DASCD11 DAS - Building operating payments and Building Management Fund**

**Section: 207.20**

Permits appropriation item 130321, State Agency Support Services, to also be used to provide funding for the cost of property appraisals or building studies that DAS may be required to obtain for property that is being sold by the state or under consideration to be renovated or purchased by the state.

**Section: 207.20**

Same as the Executive.

**Section: 207.20**

Same as the Executive.

| Executive   | As Passed By House            | As Reported By Senate Finance |
|---|-------------------------------|-------------------------------|
| <p>Earmarks \$25.0 million from appropriation item 130321, State Agency Support Services to be used by DAS in FY 2022 in coordination with the Department of Health, to support and or procure a comprehensive and integrated technology solution to align data systems and records and streamline timely data to improve and enhance disease reporting and healthcare delivery systems across the state.</p>   | <p>Same as the Executive.</p> | <p>No provision.</p>          |
| <p>Permits appropriation item 130321, State Agency Support Services, notwithstanding RC 125.28, to also be used to pay the operating expenses or other costs of state facilities maintained by DAS that are not billed to building tenants, or other costs associated with the Voinovich Center in Youngstown. Specifies that these expenses may include the costs for vacant space, space undergoing renovation, and the rent expense of tenants that are relocated because of building renovations. Allows DAS to process these payments through intrastate transfer voucher to the credit of the Building Management Fund (Fund 1320).</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> |
| <p>Requires that, at least once per year, the portion of appropriation item 130321, State Agency Support Services, not used for the regular expenses of the appropriation item be processed by DAS through intrastate transfer voucher to the credit of the Building Improvement Fund (Fund 5KZ0).</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> |
| <p>Allows the DAS Director, on July 1, 2022, or as soon as possible thereafter, to certify to the OBM Director an amount up to the unexpended, unencumbered balance in appropriation item 130321, State Agency Support Services, at the end of FY 2022. Reappropriates the certified amount for FY 2023.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**DASCD12 Cash transfer from the MARCS Administration Fund to the GRF**

**Section: 207.20**

Allows the Director of Budget and Management, upon the request of the Director of Administrative Services, to transfer unobligated cash in the MARCS Administration Fund (Fund 5C20) to the GRF to reimburse the GRF for lease rental payments made on behalf of the MARCS upgrade.

**Section: 207.20**

Same as the Executive.

No provision.

**DASCD13 Professional Development Fund**

**Section: 207.30**

Requires appropriation item 100610, Professional Development, to be used to make payments from the Professional Development Fund (Fund 5L70) under R.C.124.18, covering the cost of programs that provide professional development opportunities for exempt employees. Appropriates additional amounts for these purposes if the Director of Budget and Management determines it is necessary.

**Section: 207.30**

Same as the Executive.

**Section: 207.30**

Same as the Executive.

**DASCD14 911 Program**

**Section: 207.30**

Requires appropriation item 100663, 911 Program, to be used by DAS to pay the administrative, marketing, and educational costs of the Statewide Emergency Services Internet Protocol Network program.

**Section: 207.30**

Same as the Executive.

**Section: 207.30**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DASCD15 Employee Educational Development**

**Section: 207.30**

Requires that appropriation item 100619, Employee Educational Development, be used to make payments from the Employee Development Fund (Fund 5V60) to pay the costs of administering educational programs (generally tuition reimbursement) under existing collective bargaining agreements with District 1199 of the Health Care and Social Service Union, Service Employees International Union; State Council of Professional Educators; Ohio Education Association and National Education Association; the Fraternal Order of Police Ohio Labor Council, Unit 2; and the Ohio State Troopers Association, Units 1 and 15. Appropriates additional amounts for this purpose if determined they are necessary by the Director of Budget and Management.

**Section: 207.30**

Same as the Executive.

**Section: 207.30**

Same as the Executive.

**DASCD16 General service charges**

**Section: 207.40**

Requires DAS to establish, with the approval of the Director of Budget and Management, charges for recovering the costs of administering the programs funded by the General Services Fund (Fund 1170) and the State Printing Fund (Fund 2100).

**Section: 207.40**

Same as the Executive.

**Section: 207.40**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DASCD17 Collective bargaining arbitration expenses**

**Section: 207.40**

Allows DAS to seek reimbursement from state agencies for the actual costs and expenses that DAS incurs in the collective bargaining arbitration process. Requires the reimbursements to be processed through intrastate transfer vouchers and credited to the Collective Bargaining Fund (Fund 1280).

**Section: 207.40**

Same as the Executive.

**Section: 207.40**

Same as the Executive.

**DASCD18 Consolidated IT Purchases**

**Section: 207.40**

Specifies that Fund 2290 appropriation item 100640, Consolidated IT Purchases, be used by DAS to make information technology purchases for the benefit of one or more government entities at a lower aggregate cost than each individual government entity could obtain than if they were making the purchase independently.

**Section: 207.40**

Same as the Executive.

**Section: 207.40**

Same as the Executive.

**DASCD19 Investment Recovery Fund**

**Section: 207.40**

Allows cash balances in the Investment Recovery Fund (Fund 4270) to be used to support the operating expenses of the Federal Surplus Operating Program created in R.C 125.84 through 125.90.

**Section: 207.40**

Same as the Executive.

**Section: 207.40**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DASCD20 Major IT purchases charges**

**Section: 207.40**

Allows the Director of Budget and Management, at the request of the Director of Administrative Services, to transfer up to the amount collected for statewide indirect costs attributable to debt service paid for the enterprise data center solutions project from the GRF to Major Information Technology Purchases Fund (Fund 4N60).

**Section: 207.40**

Same as the Executive.

**Section: 207.40**

Same as the Executive.

**DASCD21 Professions Licensing System**

**Section: 207.40**

Requires Fund 5JQ0 appropriation item 100658, Ohio Professionals Licensing System, to be used to purchase the equipment, products, and services necessary to update and maintain an automated licensing system for the professional licensing boards.

**Section: 207.40**

Same as the Executive.

**Section: 207.40**

Same as the Executive.

Requires DAS to establish charges for recovering the costs of ongoing maintenance of the system that are not otherwise recovered under Section 125.18 of the Revised Code.

Same as the Executive.

Same as the Executive.

Requires that the charges be billed to state agencies, boards, and commissions using the state's enterprise electronic licensing system and deposited via intrastate transfer vouchers to the credit of the Professions Licensing System Fund (Fund 5JQ0).

Executive

As Passed By House

As Reported By Senate Finance

**DASCD22 Building Improvement Fund**

**Section: 207.45**

Requires that Fund 5KZ0 appropriation item 100659, Building Improvement, be used to make payments for major maintenance or improvements required in facilities maintained by DAS.

Requires DAS to conduct or contract for regular assessments of these buildings and allows DAS to maintain a cash balance in the Building Improvement Fund (Fund 5KZ0) equal to the cost of the repairs and improvements that are recommended to occur within the next five years, except that the Director of DAS may request the Director of OBM to permit a cash transfer from Fund 5KZ0 to the Building Management Fund (Fund 1320) to pay costs of operating and maintaining the buildings that are not charged to tenants during the same fiscal year.

Allows the Director of Administrative Services to request the Director of Budget and Management to transfer cash from Fund 1320 to Fund 5KZ0 in an amount equal to the initial transfer plus interest if the cash balance in Fund 1320 is determined to be sufficient.

**Section: 207.45**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 207.45**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DASCD23 Information Technology Development Fund and InnovateOhio**

**Section: 207.45**

Establishes the Information Technology Development Fund (Fund 5LJ0). Specifies that Fund 5LJ0 appropriation item 100661, IT Development, be used by DAS to pay the costs of modernizing the state's information technology management and investment practices to a statewide methodology supporting development of enterprise solutions. Allows the appropriation item to be used to pay the costs of enterprise information technology initiatives affecting state agencies or their customers.

Allows the Director of DAS, with approval from the Director of OBM, to charge state agencies an information technology development assessment based on state agencies' information technology expenditures or other methodology and to entities that are not state agencies to offset the cost of specific technology events or service. Requires the revenues from this assessment to be deposited into Fund 5LJ0.

**Section: 207.45**

Same as the Executive but earmarks \$250,000 in FY 2022 for use by the Office of InnovateOhio to support the web-based liquor permit project under the Department of Commerce.

Same as the Executive.

**Section: 207.45**

Same as the House.

Same as the Executive.

**DASCD24 State EEO Fund**

**Section: 207.45**

Requires the OBM Director, effective July 1, 2021, to cancel any existing encumbrances against appropriation item 100649, Equal Opportunity Division - Operating, and reestablish them against appropriation item 100622, Human Resources Division - Operating and appropriates the reestablished encumbered amount.

Requires any business commenced but not completed under appropriation item 100649, Equal Opportunity Division -

**Section: 207.45**

Same as the Executive.

Same as the Executive.

**Section: 207.45**

Same as the Executive.

Same as the Executive.



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

Operating by July 1, 2021, be completed under appropriation item 100622, Human Resources Division - Operating, in the same manner, and with the same effect as if completed with regard to appropriation item 100649, Equal Opportunity Division - Operating.

Requires the OBM Director to transfer the amount of cash in the State EEO Fund (Fund 1880) that was received from agencies for actual expenditures deposited to the credit of Fund 1880 into the Human Resources Services Fund (Fund 1250). Requires the DAS Director, on July 1, 2021, or as soon as possible thereafter, to certify to the OBM Director the amount to be transferred.

Same as the Executive.

Same as the Executive.

**DASCD25 Enterprise Applications**

**Section: 207.45**

Requires Enterprise Applications Fund (Fund 5PC0) appropriation item 100665, Enterprise Applications, to be used for the operation and management of information technology applications that support state agencies' objectives. Requires charges billed to benefiting agencies be deposited to the credit of Fund 5PC0.

**Section: 207.45**

Same as the Executive.

**Section: 207.45**

Same as the Executive.

**DASCD26 Enterprise IT Strategy Implementation**

**Section: 207.50**

Requires the DAS Director to determine and implement strategies that benefit the enterprise by improving efficiency, reducing costs, or enhancing capacity of IT services. Allows such improvements and efficiencies to result in the consolidation and transfer of such services.

Allows the DAS director to request the OBM Director to consolidate or transfer IT-specific budget authority between

**Section: 207.50**

Same as the Executive.

Same as the Executive.

**Section: 207.50**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

agencies or within an agency as necessary to implement enterprise IT cost containment strategies and related efficiencies.

Allows the OBM Director to transfer appropriations, funds, and cash as needed to implement the proposed initiative if satisfied that the initiative is cost advantageous to the enterprise. Requires any new fund or additional appropriation to be approved by the Controlling Board.

Allows the OBM Director and the DAS Director to transfer any employees, assets, and liabilities, including, but not limited to, records, contracts, and agreements in order to facilitate the improvements.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**DASCD36 Transfer of employees from the Department of Health to the Department of Administrative Services**

**Section: 518.40**

Transfers, subject to the layoff provisions of R.C. Sections 124.321 to 124.328, employees identified as necessary to the operation of a central warehouse from the Department of Health to the Department of Administrative Services on July 1, 2021, or as soon as can be effectuated.

Allows the DAS Director to establish, change, and abolish positions of the Department of Health and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all employees of the Department of Health who are not subject to Chapter 4117 of the Revised Code.

Specifies that the authority granted the DAS Director includes assigning or reassigning exempt employees, as defined in R.C. Section 124.152, to a bargaining unit classification.

**Section: 518.40**

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

| Executive  | As Passed By House                           | As Reported By Senate Finance   |
|--|--|---|
| Specifies that actions taken by the Health Director or DAS Director under the bill are not subject to appeal to the State Personnel Board of Review.   | Same as the Executive.                       | No provision.   |
| Allows the OBM Director, on or after July 1, 2021, and notwithstanding and law to the contrary, to make budget changes made necessary by the aforementioned changes, including canceling encumbrances of the Department of Health and reestablishing them as encumbrances of DAS. Appropriates any reestablished encumbrances. | Same as the Executive.                       | No provision.   |
| Requires the DAS Director to place an employee in the E-1 pay range that is to be assigned, reassigned, etc. to a lower classification, in Step X and specifies that the employee will not receive any increase in compensation until the maximum rate of pay for that classification exceeds the employee's compensation.     | Same as the Executive.                       | No provision.   |
| <b>Fiscal effect: The personnel and other related costs will be transferred from DOH to DAS.</b>   | <b>Fiscal effect: Same as the Executive.</b> |   |
| <b>DASCD41 Aronoff Center Systems Replacements &amp; Upgrades</b>  |  |   |
| No provision.  | No provision.                                | <p><b>Section: 610.14</b></p> <p>Amends Section 213.10 of S.B. 310 of the 133rd General Assembly to increase Administrative Building Fund (Fund 7026) capital appropriation item C10034, Aronoff Center Systems Replacements &amp; Upgrades, by \$400,000 to a total of \$775,000 for the FY 2021-FY 2022 capital biennium.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**DASCD43 Capital appropriations for MARCS towers**

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <p><b>Section: 610.14</b><br/>Amends Sections 213.10 and 227.10 of S.B. 310 of the 133rd G.A. to transfer capital appropriations under the Administrative Building Taxable Bond Fund (Fund 7016) related to MARCS towers from the Department of Public Safety to DAS, as shown below:</p> |
| No provision. | No provision. | <p>Eliminates the following DPS Fund 7016 capital appropriations: C76068, Lorain County MARCS Tower/Sheffield Lake, \$150,000; C76072, Richland County MARCS Tower, \$400,000; C76073, Fredericksburg MARCS Tower, \$500,000; and C76074, Williams County MARCS Tower, \$250,000.</p>     |
| No provision. | No provision. | <p>Creates the following DAS Fund 7016 capital appropriations: C10044, Lorain County MARCS Tower/Sheffield Lake, \$150,000; C10046, Richland County MARCS Tower, \$400,000; C10047, Fredericksburg MARCS Tower, \$500,000; and C10048, Williams County MARCS Tower, \$250,000.</p>        |

**DASCD44 Perpetual easement at 60 E. Broad St.**

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <p><b>Section: 753.30</b><br/>Authorizes the Director of Administrative Services to grant the owner of 60 E. Broad St. in Columbus a perpetual easement over state-owned property at the Rhodes Tower complex, currently subject to a 40-year easement granted in 1974.</p> |
|---------------|---------------|---|

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <p><b>AGECD9 Training programs</b></p> <p><b>R.C. 173.012</b></p> <p>Authorizes the Ohio Department of Aging (ODA) to develop and offer training programs to area agencies on aging, long-term care facilities and providers, and other interested parties.</p> <p><b>Fiscal effect: Potential increase in administrative costs if programs are established.</b></p>  | <p><b>R.C. 173.012</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>R.C. 173.012</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>AGECD1 Provider certification</b></p> <p><b>R.C. 173.39, 173.391-173.393</b></p> <p>Permits ODA to require non-Medicaid providers to be certified by ODA as a condition of payment under programs ODA administers.</p> <p>Applies ODA's certification and payment provisions to providers of any services, not just community-based long-term care services, and, as a result, extends existing criminal records check requirements to the additional providers.</p> <p><b>Fiscal effect: ODA may realize an increase in certification costs. However, some of these costs might be offset if a fee were established.</b></p> | <p><b>R.C. 173.39, 173.391-173.393</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 173.39, 173.391-173.393</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>AGECD12 PACE program expansion</b></p> <p>No provision.</p>   | <p>No provision.</p>   | <p><b>R.C. 173.50</b></p> <p>Requires ODA, no later than December 31, 2021, to issue a request for proposals from organizations interested in serving individuals who meet the Program of All-inclusive Care for the Elderly (PACE) eligibility requirements in the cities of Columbus, Cincinnati, Dayton, Lorain, and Toledo.</p> |

| Executive  | As Passed By House     | As Reported By Senate Finance   |
|--|------------------------|---|
| No provision.  | No provision.          | Specifies requirements a prospective PACE program organization must meet to be selected by ODA.   |
| No provision.  | No provision.          | Requires PACE program organizations selected by ODA to begin providing services to eligible individuals within two years.   |
| No provision.  | No provision.          | Requires the legislature to determine funding for PACE program services in an amount and manner similar to other Medicaid managed care plans serving similarly eligible individuals.<br><br><b>Fiscal effect: There will be an increase in administrative costs, as well as service costs when additional sites open.</b> |
| <b>AGECD2 Long-term care</b>   |                        |   |
| <b>Section: 209.20</b>   | <b>Section: 209.20</b> | <b>Section: 209.20</b>  |
| Permits, pursuant to an interagency agreement, the Ohio Department of Medicaid (ODM) to designate ODA to perform level of care assessments.                              | Same as the Executive. | Same as the Executive.  |
| Requires ODA to provide long-term care consultations to assist individuals in planning for their long-term health care needs.  | Same as the Executive. | Same as the Executive.  |
| Requires ODA to administer the Medicaid waiver-funded PASSPORT Home Care Program, the Assisted Living Program, and PACE as delegated by ODM in an interagency agreement. | Same as the Executive. | Same as the Executive.  |

Executive

As Passed By House

As Reported By Senate Finance

**AGECD3 Performance-based reimbursement**

**Section: 209.20**

Permits ODA to design and utilize a payment method for PASSPORT Administrative Agencies (PAA) that includes a pay-for-performance incentive component that is earned by a PAA when defined consumer and policy outcomes are achieved.

No provision.

**Fiscal effect: Potential impact on earnings received by PAAs depending on whether or not the pay-for-performance is utilized and outcomes are achieved.**

**Section: 209.20**

Same as the Executive, but specifies that the performance-based reimbursement has the purpose of improving health outcomes among populations served by PAAs and requires the payment method to be adopted through rules in accordance with the Administrative Procedure Act.

Requires ODA to submit a report outlining the payment method to the Joint Medicaid Oversight Committee prior to filing the proposed rule with the Joint Committee on Agency Rule Review.

**Fiscal effect: Same as the Executive, but ODA will experience an increase in administrative costs related to submitting reports and promulgating rules.**

**Section: 209.20**

Same as the House.

Same as the House.

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

**AGECD4 MyCare Ohio**

**Section: 209.30**

Extends the authority of the Office of the State Long-Term Care Ombudsman to MyCare Ohio during the period of the federal financial alignment demonstration program.

**Fiscal effect: Potential increase in administrative costs.**

**Section: 209.30**

Same as the Executive.

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

**Section: 209.30**

Same as the Executive.

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

**AGECD5 Senior Community Services**

**Section: 209.30**

No provision.

Permits GRF appropriation item 490411, Senior Community Services, to be used for programs, services, and activities designated by ODA. Permits ODA to use these funds to

**Section: 209.30**

No provision.

Same as the Executive.

**Section: 209.30**

Earmarks \$75,000 in each fiscal year in GRF appropriation item 490411, Senior Community Services, for the Neighborhood Alliance's Senior Nutrition Program.

Same as the Executive, but specifies that the remainder of the appropriation is used for this purpose.

Executive

As Passed By House

As Reported By Senate Finance

provide grants to community organizations to support and expand older adult programing. Requires service priority to be given to low-income, high need persons and/or persons with a cognitive impairment who are 60 years of age or over.

**AGECD6 National Senior Service Corps**

**Section: 209.30**

Permits GRF appropriation item 490506, National Senior Service Corps, to be used by ODA to fund grants to organizations that receive federal funds from the Corporation for National and Community Service to support the following: (1) the Foster Grandparents Program; (2) the Senior Companion Program; and (3) the Retired Senior Volunteer Program.

Requires a grant recipient to use funds to support priorities established by ODA and the Ohio State Office of the Corporation for National and Community Service.

Specifies that neither the ODA nor any area agencies on aging involved in the distribution of funds to lower-tiered grant recipients may use funds to cover administrative costs.

**Section: 209.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 209.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**AGECD8 Statewide Aging Initiatives**

**Section: 209.30**

Earmarks up to \$5,000,000 in FY 2022 in GRF appropriation item 490507, Statewide Aging Initiatives, to be used in coordination with the Ohio Department of Health to incentivize quality improvement initiatives in or regarding long-term care facilities or to connect long-term care facilities with technical assistance programming.

No provision.

No provision.



| Executive   | As Passed By House  | As Reported By Senate Finance |
|---|---|-------------------------------|
| <p>Allows the ODA Director to certify to the Director of Budget and Management, on July 1, 2022 or as soon as possible thereafter, the amount of the unexpended, unencumbered balance of item 490507 remaining at the end of FY 2022 to be reappropriated to FY 2023. Reappropriates the amount certified to the same item for FY 2023.</p> | <p>No provision</p>   | <p>No provision.</p>          |
| <b>AGECD7 Board of Executives of Long-Term Services and Supports</b>  |   |                               |
| <b>Section: 209.30</b>  | <b>Section: 209.30</b>  | <b>Section: 209.30</b>        |
| <p>Permits DPF Fund 5MT0 appropriation item 490627, Board of Executives of Long-Term Care Services and Supports, to be used to administer and enforce the Nursing Home Administration law and rules adopted under it.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p> |
| <b>AGECD10 At Home Technology Pilot Program</b>   |   |                               |
| <p>No provision.</p>  | <b>Section: 209.40</b>  | <p>No provision.</p>          |
| <p>No provision.</p>  | <p>Requires ODA to operate an At Home Technology Pilot Program in FY 2022 and FY 2023 to provide grants for the utilization of remote monitoring technologies that assist older adults in staying in their homes, residential care facilities, or other community-based settings.</p> | <p>No provision.</p>          |
| <p>No provision.</p>  | <p>Requires ODA to prepare a report to the General Assembly regarding the efficacy of the program and outcomes regarding the health of individuals served by the program.</p>   | <p>No provision.</p>          |
| <p>No provision.</p>  | <p>Requires DPF Fund 5XT0 appropriation item 490628, At Home Technology Pilot Program, to be used for the Program.</p>  | <p>No provision.</p>          |
|   | <p><b>Fiscal effect: The bill appropriates \$250,000 in each fiscal year in appropriation item 490628, At Home Technology Pilot Program.</b></p>  |                               |

Executive

As Passed By House

As Reported By Senate Finance

**AGRCD4 Disposition of Ohio Proud Program fees**

**R.C. 901.171**

Requires all fees assessed for participation in the Ohio Proud Program to be credited to the existing Ohio Proud, International, and Domestic Market Development Fund (Fund 4R00) rather than the GRF as under current law.

Authorizes AGR to sell merchandise that promotes the Ohio Proud Program, and requires the AGR Director to deposit proceeds from the merchandise sales into Fund 4R00.

**Fiscal effect: The first part of this provision does not have a fiscal effect since these fees are already deposited into Fund 4R00. The second part could lead to some gains in merchandise sales.**

**R.C. 901.171**

Same as the Executive.

Same as the Executive.

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

**R.C. 901.171**

Same as the Executive.

Same as the Executive.

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

**AGRCD22 Liming material sampling and analyzing**

No provision.

No provision.

**R.C. 905.59**

Allows the Director of Agriculture to enter into an agreement with an individual that authorizes the individual to perform inspections, sampling, and analysis of liming material on behalf of the Department of Agriculture.

No provision.

No provision.

If such an agreement is entered into, requires the Director to annually audit the records related to inspections, sampling, and analysis of liming materials performed by the person.

No provision.

No provision.

Allows the person to enter the premises at any reasonable time to have access to the liming material.

**Fiscal effect: Gives flexibility in the way inspections and analyses for these soil additives are handled. These activities are covered by fees deposited into the Pesticide, Fertilizer, and Lime Program Fund (Fund 6690).**

Executive

As Passed By House

As Reported By Senate Finance

**AGRCD5 Pesticide product registration fee**

**R.C. 921.02**

Increases the annual fee for registering a pesticide with AGR from \$150 to \$250.

No provision.

No provision.

Specifies that, if AGR does not issue or renew the pesticide registration, it must retain the application fee as payment for the application's processing costs.

No provision.

No provision

**Fiscal effect: Increases revenue deposited into the Pesticide, Fertilizer, and Lime Program Fund (Fund 6690). Estimated FY 2021 revenue from this fee is approximately \$2.3 million.**

**AGRCD2 Weighing and measuring device permit fee increase**

**R.C. 1327.501**

Increases, from \$75 to \$100, the fee a person must pay to AGR if the person applies for an annual permit to operate the following six types of commercially used weighing and measuring devices: (1) livestock scales, (2) vehicle scales, (3) railway scales, (4) vehicle tank meters, (5) bulk rack meters, and (6) LPG meters.

No provision

No provision.

Correspondingly, increases the annual permit renewal fee for these devices by the same amount, from \$75 to \$100.

No provision.

No provision.

**Fiscal effect: Increases revenue deposited into the Metrology and Scale Certification Fund (Fund 5H20). Estimated revenue in FY 2021 from these fees are approximately \$550,000.**

Executive

As Passed By House

As Reported By Senate Finance

**AGRCD3 Farmers market registration**

**R.C. 3717.221, 3717.22**

Eliminates the voluntary registration of farmers markets with AGR and the corresponding inspection of registered farmers markets by AGR. (Local boards of health will continue to inspect farmers markets under the law governing retail food establishments and food service operations.)

**Fiscal effect: Reduces expenditures for AGR's Division of Food Safety to inspect farmers markets. In CY 2019, the Division conducted 34 inspections. The Division is funded by GRF line item 700407, Food Safety, and DPF Fund 4P70 line item 700610, Food Safety Inspection.**

**R.C. 3717.221, 3717.22**

Same as the Executive.

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

**R.C. 3717.221, 3717.22**

Same as the Executive.

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

**AGRCD1 Wine tax revenue credited to the Ohio Grape Industries Fund**

**R.C. 4301.43**

Makes permanent the 2¢ per-gallon earmark of wine tax revenue that is credited to the Ohio Grape Industries Fund (Fund 4960), which is used to support and promote the Ohio grape and wine industry. (Currently, the earmark expires on June 30, 2021).

**Fiscal effect: Fund 4960 received approximately \$1.2 million from wine tax proceeds in FY 2020. Receipts from the wine tax are otherwise credited to the GRF. In contrast to prior budgets which have extended this provision every two years, this provision makes the 2¢ per-gallon earmark permanent.**

**R.C. 4301.43**

Same as the Executive.

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

**R.C. 4301.43**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**AGRCD23 Ohio Farm Financial Management Institute**

No provision.

No provision.

**Section: 211.20, 512.150**

Requires that appropriation item 700676, Farm Financial Management Institute, be used to provide funding to the Ohio State University Extension’s Farm Production, Policy, and Financial Management Institute. (See also BORCD86.)

**AGRCD6 Farmland Preservation**

**Section: 211.20**

Earmarks \$7.0 million in FY 2022 from GRF appropriation item 700409, Farmland Preservation, to be used to (1) purchase agricultural easements under R.C. 5301.691 (A), and (2) provide matching grants under R.C. 901.22 to municipal corporations, counties, townships, soil and water conservation districts, and certain charitable organizations for the purchase of agriculture easements.

No provision.

No provision.

**AGRCD7 Soil and Water Phosphorous Program**

**Section: 211.20**

Requires AGR to establish programs to assist in reducing total phosphorous and dissolved reactive phosphorus in the Western Lake Erie Basin and give priority to sub watersheds determined to be the highest in total phosphorus and dissolved reactive phosphorus nutrient loading.

**Section: 211.20**

Same as the Executive.

**Section: 211.20**

Same as the Executive.

Requires that GRF appropriation item 700417, Soil and Water Phosphorus Program, be used to support these programs established by AGR which may include but not be limited to the following: (1) equipment for subsurface placement of nutrients into the soil, (2) equipment for nutrient placement based on geographic information system data, (3) soil

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

testing, (4) implementation of variable rate technology, (5) equipment implementing manure transformation and manure conversion technologies, (6) tributary monitoring, (7) water management and edge-of-field drainage management, and (8) an agricultural phosphorus reduction revolving loan program.

Requires that not more than 40% of GRF appropriation item 700417, Soil and Water Phosphorus Program, be used for any single activity.

Same as the Executive.

Same as the Executive.

**AGRCD8 Dangerous and Restricted Wild Animals**

**Section: 211.20**

Requires that GRF appropriation item 700426, Dangerous and Restricted Animals, be used to administer the Dangerous and Restricted Wild Animal Permitting Program.

**Section: 211.20**

Same as the Executive.

**Section: 211.20**

Same as the Executive.

**AGRCD9 County Agricultural Societies**

**Section: 211.20**

Requires that GRF appropriation item 700501, County Agricultural Societies, be used to reimburse county and independent agricultural societies for expenses related to Junior Fair activities.

**Section: 211.20**

Same as the Executive.

**Section: 211.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**AGRCD10 Western Lake Erie Basin**

**Section: 211.20**

Earmarks \$350,000 in each fiscal year from GRF appropriation item 700509, Soil and Water District Support, to be used by AGR for a program to support soil and water conservation districts in the Western Lake Erie Basin to comply with provisions of Sub. S.B. 1 of the 131st G.A. Specifies that a soil and water district's application for funding must demonstrate that the money will be used for but not limited to providing technical assistance, developing nutrient or manure management plans, hiring and training staff on best conservation practices, or other activities that assist farmers in the Western Lake Erie Basin comply with S.B. 1 of the 131st G.A.

Earmarks \$3,500,000 in each fiscal year from GRF appropriation item 700509, Soil and Water District Support, to be used to support county soil and water conservation districts in the Western Lake Erie Basin for (1) staffing costs and (2) soil testing and nutrient management plan development, including manure transformation and manure conversion technologies, enhanced filter strips, water management, and other conservation support.

No provision.

**Section: 211.20**

Same as the Executive.

Same as the Executive.

No provision.

**Section: 211.20**

Same as the Executive.

Same as the Executive.

Earmarks \$50,000 in each fiscal year from GRF appropriation item 700509, Soil and Water District Support, to assist with the administrative expenses of the Indian Lake Watershed Project.

Executive

As Passed By House

As Reported By Senate Finance

**AGRCD11 Soil and Water Districts**

**Section: 211.20**

Allows AGR, in addition to state payments to soil and water conservation districts authorized by RC 940.15, to use DPF Fund 5BV0 appropriation item 700661, Soil and Water Districts, to pay any soil and water conservation district an annual amount not to exceed \$40,000 upon receipt of request and justification from the district and approval by the Ohio Soil and Water Conservation Commission.

**Section: 211.20**

Same as the Executive.

**Section: 211.20**

Same as the Executive.

**AGRCD15 Coronavirus Relief - Local Fairs**

**Section: 211.20**

Requires DPF Fund 5CV1 appropriation item 700672, Coronavirus Relief - Local Fairs, to be used to support safety in connection with the Ohio State Fair in FY 2022.

**Section: 211.20**

Same as the Executive.

**Section: 211.20**

Same as the Executive.

**AGRCD12 H2Ohio Fund**

**Section: 211.20**

Allows the AGR Director, on July 1, 2022, or as soon as possible thereafter, to certify to the OBM Director an amount up to the unexpended, unencumbered balance of DPF Fund 6H20 appropriation item, 700670, H2Ohio, at the end of FY 2022 to be reappropriated to the same appropriation item for FY 2023. Reappropriates the certified amount.

No provision.

**Section: 211.20**

Same as the Executive, but subjects the reappropriation to Controlling Board approval.

**Section: 211.20**

Same as the House.

Permits the OBM Director, upon written request of the AGR Director and subject to the approval of the Controlling Board, to increase appropriations under DPF Fund 6H20 appropriation item 700670, H2Ohio, by \$10,000,000 in both FY 2022 and FY 2023 and appropriates the increased

No provision.



| Executive  | As Passed By House   | As Reported By Senate Finance                               |
|--|--|---|
| No provision.  | <p>amounts approved by the Controlling Board.</p> <p>Earmarks \$1,800,000 in FY 2022 and \$2,200,000 in FY 2023 under DPF Fund 6H20 appropriation item 700670, H2Ohio, to be used to match federal funding available to establish a water quality pilot program at Shallow Run located in Hardin County in accordance with Section 3 of Sub. H.B. 7 of the 133rd G.A. Specifies the earmark cannot be released until AGR reports to the Controlling Board that federal funding for the pilot program has been committed or obtained.</p> | Same as the House.  |
| <p><b>AGRCD13 Clean Ohio Agricultural Easement Operating Expenses</b></p> <p><b>Section: 211.20</b></p> <p>Requires CLF Fund 7057 appropriation item 700632, Clean Ohio Agricultural Easement Operating, to be used to administer the Clean Ohio Agricultural Easement Purchase Program under RC 901.21, 901.22, and 5301.67 to 5301.70.</p> | <p><b>Section: 211.20</b></p> <p>Same as the Executive.</p>  | <p><b>Section: 211.20</b></p> <p>Same as the Executive.</p> |
| <p><b>AGRCD14 Cash Transfer to Auctioneers Fund</b></p> <p><b>Section: 211.20</b></p> <p>Allows the OBM Director, on or before December 31, 2021 and upon the request of the AGR Director, to transfer up to \$300,000 from the Auction Recovery Fund (Fund 5U10) to the Auctioneer Fund (Fund 5B80).</p>                                    | <p><b>Section: 211.20</b></p> <p>Same as the Executive, but requires Controlling Board approval before cash is transferred from Fund 5U10 to Fund 5B80.</p>  | <p><b>Section: 211.20</b></p> <p>Same as the House.</p>     |

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**AIRCD1 Authority Trust Account**

**Section: 213.20**

Allows the Air Quality Development Authority to reimburse the trust account established under section 3706.10 of the Revised Code, by voucher, from all operating funds of the Authority for expenses pertaining to the administration and shared costs incurred by the Authority in the execution of responsibilities as prescribed in Chapter 3706. of the Revised Code.

**Section: 213.20**

Same as the Executive.

**Section: 213.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**ARTCD1 Federal Support**

**Section: 217.10**

Requires that FED Fund 3140 appropriation item 370601, Federal Support, be used for subsidies only, and not for administrative costs, unless required under conditions of the federal grant.

**Section: 217.10**

Same as the Executive.

**Section: 217.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**AGOCD37 Court settlements that nullify, suspend, or conflict with the Revised Code**

(1) No provision.

(1) No provision.

**R.C. 9.58**

(1) Prohibits a public official from settling a civil action in any way that nullifies, suspends, or is in conflict with any provision of the Revised Code. States that any settlement that does so is void and has no legal effect.

(2) No provision.

(2) No provision.

(2) Specifies that this provision does not limit or restrict constitutional judicial authority.

**AGOCD25 Attorney General's special counsel**

No provision.

**R.C. 109.08**

Permits the Attorney General to adopt rules under the Administrative Procedure Act as necessary to implement the law governing the Attorney General's special counsel to collect claims.

**R.C. 109.08**

Same as the House.

**Fiscal effect: None.**

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

**AGOCD36 Court orders awarding money to the state**

(1) No provision.

(1) No provision.

**R.C. 109.111, 109.112**

(1) Prohibits the Attorney General, in any action in a state or federal court, from agreeing to a settlement that awards money to the state without first obtaining the approval of the Governor, the President of the Senate, and the Speaker of the House of Representatives, except for amounts under \$10,000, and except for any debts the Attorney General is collecting.

(2) No provision.

(2) No provision.

(2) Requires the Attorney General, upon receiving that type of money under a court order, to notify the chairpersons of the House and Senate Finance committees, along with the Director of Budget and Management.

| Executive   | As Passed By House                                       | As Reported By Senate Finance  |
|---|--|--|
| (3) No provision.   | (3) No provision.  | (3) Requires the Controlling Board to approve the transfer of the money from the Attorney General Court Order Fund to the appropriate fund or funds in the state treasury. |
| <b>AGOCD20 Ohio Peace Officer Training Academy</b>  |  |  |
| <b>R.C. 109.79, 109.802 (repealed), 2981.13, 3772.01</b>  | <b>R.C. 109.79, 109.802 (repealed), 2981.13, 3772.01</b> | <b>R.C. 109.79, 109.802 (repealed), 2981.13, 3772.01</b>   |
| (1) Removes the Law Enforcement Assistance Fund (Fund 5L50) and the Peace Officer Training Commission Fund (Fund 5MPO) from the Revised Code.   | (1) Same as the Executive.                               | (1) Same as the Executive.   |
| (2) Expands the functions and purposes of the Ohio Law Enforcement Training Fund (Fund 5LR0) to include those formerly associated with Fund 5MPO. Removes the specification that Fund 5LR0 be used for "additional" training opportunities for the law enforcement community.   | (2) Same as the Executive.                               | (2) Same as the Executive.   |
| (3) Codifies the Peace Officer Training Academy Fee Fund (Fund 4210). Specifies that the fund is in the state treasury, tuition paid by a political subdivision or by the State Public Defender must be deposited in the fund, and the Attorney General must use money in the fund to pay costs associated with operation of the Academy. | (3) Same as the Executive.                               | (3) Same as the Executive.   |
| (4) Clarifies that the Ohio Peace Officer Training Commission must recommend rules to the Attorney General with respect to categories or classifications of additional, rather than advanced, in-service training programs for peace officers.  | (4) Same as the Executive.                               | (4) Same as the Executive.   |
| <b>Fiscal effect: None.</b>   | <b>Fiscal effect: Same as the Executive.</b>             | <b>Fiscal effect: Same as the Executive.</b>   |

Executive

As Passed By House

As Reported By Senate Finance

**AGOCD26** Collection of amounts due to the state, an institution of higher education, or a political subdivision

No provision.

**R.C. 131.02**

Permits the Attorney General to adopt rules to aid the implementation of the law governing the collection of debts, including a rule shortening the time after which the Attorney General may cancel a debt deemed uncollectible, from 40 years under current law.

**Fiscal effect: Potential cost savings for the Attorney General's Collections Enforcement Section.**

**R.C. 131.02**

Same as the House.

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

**AGOCD33** Modification of a public record exemption

No provision.

No provision.

**R.C. 149.43**

Modifies an exemption from the Public Records Law for the telephone number of a victim of crime, a witness to a crime, or a party to a motor vehicle accident by:

(1) No provision.

(1) No provision.

(1) Specifying that except as described below in (2), the exemption always covers telephone numbers for a victim, as defined in the Crime Victims' Rights Law, or a witness to a crime that are listed on any law enforcement record or report;

(2) No provision.

(2) No provision.

(2) Specifying that the exemption generally covers telephone numbers for a party to a motor vehicle accident subject to the requirements of R.C. 5502.11 that are listed on any law enforcement record or report, except that telephone numbers for parties to motor vehicle accidents that appear in such a record or report are not excluded from the definition of "public record" under this exemption on and after the 30th day after the occurrence of the motor vehicle accident; and

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| (3) No provision.   | (3) No provision.   | <p>(3) Repealing the existing criterion requiring that a request for the telephone numbers described above in (2) be made as part of an insurance investigation.</p> <p><b>Fiscal effect: The Ohio State Highway Patrol, local law enforcement agencies, and other state and local governmental entities may incur some administrative costs to implement these new public records procedures.</b></p> |
| <b>AGOCD32 Charitable organizations</b>                         |   |  |
| No provision.   | No provision.   | <p><b>R.C. 1716.21</b></p> <p>Prohibits state agencies, with certain exemptions, from imposing reporting or filing requirements on charitable organizations that are more stringent than those found in the Revised Code or that are already in existence as of the effective date of the prohibition.</p> <p><b>Fiscal effect: None.</b></p>  |
| <b>AGOCD29 Foreclosure sale reports to the Attorney General</b> |   |  |
| (1) No provision.   | <p><b>R.C. 2329.312</b></p> <p>(1) Specifies that the reports submitted to the Attorney General by officers conducting residential property foreclosure sales must contain information of whether the officer met certain deadlines related to sale procedures.</p> | <p><b>R.C. 2329.312</b></p> <p>(1) Same as the House.</p>  |
| (2) No provision.   | <p>(2) Replaces the requirement that the Attorney General establish and maintain a public database of information included in foreclosure sale reports with a requirement that the information be made publicly available.</p>                                      | (2) Same as the House.   |
| (3) No provision.   | (3) Makes technical changes.  | (3) Same as the House.   |
|   | <b>Fiscal effect: Potential minimal increase in administrative</b>  | <b>Fiscal effect: Same as the House.</b>   |

Executive

As Passed By House

As Reported By Senate Finance

costs for levying officers, generally sheriffs, to comply with modified reporting requirements. Appears to codify current practice for the Attorney General.

AGOCD35 Raffles

(1) No provision.

(1) No provision.

R.C. 2915.092

(1) Allows a nonprofit organization that is tax exempt under subsection 501(c)(6) of the Internal Revenue Code (a business league, chamber of commerce, real estate board, board of trade, or professional football league) to conduct a raffle that is not for profit.

(2) No provision.

(2) No provision.

(2) Requires such an organization to distribute at least 50% of the net profit from the raffle to a charitable purpose or to a government agency.

**Fiscal effect: Potentially increases raffle distributions to government agencies.**

AGOCD19 Collecting debts from lottery and casino winnings

R.C. 3770.073, 3772.37, 5701.11

R.C. 3770.073, 3772.37, 5701.11

R.C. 3770.073, 3772.37, 5701.11

(1) Reduces from \$5,000 to \$600 the threshold at which the State Lottery Commission must withhold from lottery winnings any amounts a lottery winner owes to the state or a political subdivision.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Requires the Attorney General to develop and implement a real time data match program and make it available to each casino operator and management company to identify winners who owe amounts to the state or a political subdivision.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Requires a casino operator or management company to use the data match program before disbursing any casino

(3) Same as the Executive.

(3) Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

winnings that exceed \$600 and withhold any amounts a winner owes to the state or a political subdivision.

(4) Requires the casino operator or management company to remit payment to the Department of Job and Family Services for any past due child or spousal support, as required under current law, before remitting the remainder to the Attorney General to pay other government debts.

(5) Requires the casino operator or management company to transmit to the Attorney General, within seven days, any amount withheld and not disbursed to the Department of Job and Family Services for any past due child or spousal support.

(6) Permits the Attorney General, in consultation with the Casino Control Commission, to adopt rules under the Administrative Procedure Act for implementation of the provisions related to the withholding of casino winnings.

(7) Requires, if the casino winner owes the state and a political subdivision, that the amount owed to the state must be satisfied first, except that any personal liabilities for corporate tax debts have first priority.

**Fiscal effect: Potential minimal costs for the state. Potential increase in the amount of debt collected for the state and political subdivisions.**

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

(7) Same as the Executive.

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

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

(7) Same as the Executive.

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

AGOCD34 Victims of Crime

(1) No provision.

(1) No provision.

**Section: 221.20**

(1) Requires GRF appropriation item 055441, Victims of Crime, be allocated for the Crime Victim Compensation Program.

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| (2) No provision.   | (2) No provision.   | (2) Requires the Attorney General, prior to using the funds from this appropriation item, and to the extent possible, first use funds related to the federal Victims of Crime Act. |
| <p><b>AGOCD1 Ohio Center for the Future of Forensic Science</b></p> <p><b>Section: 221.20</b></p> <p>Earmarks \$600,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, for the Ohio Center for the Future of Forensic Science at Bowling Green State University for fostering forensic science research techniques (BCI Eminent Scholar) and creating professional training opportunities to students (BCI Scholars) in the forensic science fields.</p> | <p><b>Section: 221.20</b></p> <p>Same as the Executive.</p> | <p><b>Section: 221.20</b></p> <p>Same as the Executive.</p>  |
| <p><b>AGOCD2 Domestic violence programs</b></p> <p><b>Section: 221.20</b></p> <p>Earmarks \$100,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, to fund domestic violence programs as defined in R.C. 109.46.</p>   | <p><b>Section: 221.20</b></p> <p>Same as the Executive.</p> | <p><b>Section: 221.20</b></p> <p>Same as the Executive.</p>  |
| <p><b>AGOCD3 Narcotics task forces</b></p> <p><b>Section: 221.20</b></p> <p>Earmarks up to \$500,000 in each fiscal year from GRF appropriation item 055321, Operating Expenses, to support narcotics task forces funded by the Attorney General.</p>   | <p><b>Section: 221.20</b></p> <p>Same as the Executive.</p> | <p><b>Section: 221.20</b></p> <p>Same as the Executive.</p>  |

Executive

As Passed By House

As Reported By Senate Finance

**AGOCD4 BCIRS Lease Rental Payments**

**Section: 221.20**

Requires GRF appropriation item 055406, BCIRS Lease Rental Payments, be used for payments during the period from July 1, 2021, through June 30, 2023, pursuant to leases and agreements entered into for the financing of costs associated with the acquisition, development, implementation, and integration of the Bureau of Criminal Investigation Records System.

**Section: 221.20**

Same as the Executive.

**Section: 221.20**

Same as the Executive.

**AGOCD5 County Sheriffs' Pay Supplement**

**Section: 221.20**

(1) Requires GRF appropriation item 055411, County Sheriffs' Pay Supplement, be used to supplement the annual compensation of county sheriffs as required by R.C. 325.06.

(2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to GRF appropriation item 055411 to fund the supplemental annual compensation of county sheriffs.

**Section: 221.20**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 221.20**

(1) Same as the Executive.

(2) Same as the Executive.

**AGOCD6 County Prosecutors' Pay Supplement**

**Section: 221.20**

(1) Requires GRF appropriation item 055415, County Prosecutors' Pay Supplement, be used to supplement the annual compensation of certain county prosecutors as required by R.C. 325.111.

(2) Permits the Director of Budget and Management, at the request of the Attorney General, to transfer appropriation from GRF appropriation item 055321, Operating Expenses, to

**Section: 221.20**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 221.20**

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

GRF appropriation item 055415 to fund the supplemental annual compensation of county prosecutors.

**AGOCD7 Drug Testing Equipment**

**Section: 221.20**

Requires GRF appropriation item 055432, Drug Testing Equipment, be used to purchase drug testing equipment for the Bureau of Criminal Identification and Investigation.

**Section: 221.20**

Same as the Executive.

**Section: 221.20**

Same as the Executive.

**AGOCD28 Rapid DNA Pilot Project**

No provision.

**Section: 221.20**

Requires GRF appropriation item 055440, Rapid DNA Pilot Project, to be used to fund the necessary expenses incurred by the Bureau of Criminal Identification and Investigation to pilot rapid DNA technology with cooperating local law enforcement agencies.

**Section: 221.20**

Same as the House.

**AGOCD8 Ohio Internet Crimes Against Children Task Force**

**Section: 221.20**

Requires GRF appropriation item 055434, ICAC Task Force, be used by the Attorney General in support of the Ohio Internet Crimes Against Children Task Force for the purposes described in R.C. 195.02.

**Section: 221.20**

Same as the Executive.

**Section: 221.20**

Same as the Executive.

**AGOCD9 Battered women's shelters**

**Section: 221.30**

(1) Earmarks \$50,000 in each fiscal year from GRF appropriation item 055501, Rape Crisis Centers, to be distributed to the Battered Women's Shelter of Summit and Medina Counties for the cost of operating the commercial kitchen located at its Market Street Facility.

(1) No provision (see AGOCD12).

(1) No provision (see AGOCD12).

| Executive  | As Passed By House              | As Reported By Senate Finance   |
|--|---------------------------------|---------------------------------|
| (2) Earmarks \$50,000 in each fiscal year from GRF appropriation item 055501, Rape Crisis Centers, to be distributed to the Battered Women's Shelter of Portage County.  | (2) No provision (see AGOCD12). | (2) No provision (see AGOCD12). |
| <b>AGOCD21 Finding my Childhood Again pilot program</b>  |                                 |                                 |
| <b>Section: 221.30</b>   |                                 |                                 |
| Earmarks \$300,000 in each fiscal year from GRF appropriation item 055501, Rape Crisis Centers, to be distributed to the Battered Women's Shelter of Summit and Medina Counties for expenses related to the creation and implementation of a pilot program called "Finding my Childhood Again."  | No provision (see AGOCD12).     | No provision (see AGOCD12).     |
| <b>AGOCD10 Drug Abuse Response Team Grants</b>   |                                 |                                 |
| <b>Section: 221.30</b>   |                                 |                                 |
| (1) Requires the Attorney General to maintain the Drug Abuse Response Team Grant Program to replicate or expand successful law enforcement programs that address the opioid epidemic similar to the Drug Abuse Response Team established by the Lucas County Sheriff's Department, and the Quick Response Teams established in Colerain Township's Department of Public Safety in Hamilton County and Summit County. Permits any grants awarded to include requirements for private or nonprofit matching support. | <b>Section: 221.30</b>          | <b>Section: 221.30</b>          |
|  | (1) Same as the Executive.      | (1) Same as the Executive.      |
| (2) Requires GRF appropriation item 055431, Drug Abuse Response Team Grants, be used by the Attorney General to fund grants to law enforcement or other government agencies primarily for the purpose noted in provision (1) above.  | (2) Same as the Executive.      | (2) Same as the Executive.      |

Executive

As Passed By House

As Reported By Senate Finance

(3) Requires that each recipient of funding submit, within six months of the end date of the grant, a written report describing the outcomes that resulted from the grant to the Governor, President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, and the Minority Leader of the House of Representatives.

(3) Same as the Executive.

(3) Same as the Executive.

**AGOCD11 School Safety Training Grants**

**Section: 221.30**

(1) Requires GRF appropriation item 055502, School Safety Training Grants, be used by the Attorney General, in consultation with the Superintendent of Public Instruction and the Director of Mental Health and Addiction Services, to make grants for school safety and school climate programs and training to public and chartered nonpublic schools, educational service centers, local law enforcement agencies, and schools operated by county boards of developmental disabilities.

**Section: 221.30**

(1) Same as the Executive.

**Section: 221.30**

(1) Same as the Executive.

(2) Specifies that use of the grant includes: (a) school resource officer certification training, (b) any type of active shooter and school safety training or equipment, (c) all grade level type educational resources, (d) training to identify and assist students with mental health issues, (e) school supplies or equipment related to school safety or for implementing the school's safety plan, and (f) any other training related to school safety.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Requires participating schools, educational service centers, and county boards to work with or contract with the county sheriff's office or the appropriate local police department to develop these programs and training. Prohibits any grant awarded directly to a local law

(3) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed By House

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enforcement agency to be used to fund a similar request made by a school located within the jurisdiction of the local law enforcement agency.

(4) Defines "public school" as any school operated by a school district board of education, any community school established under R.C. Chapter 3314., and any STEM school established under R.C. Chapter 3326.

(4) Same as the Executive.

(4) Same as the Executive.

**AGOCD12 Domestic Violence Programs**

**Section: 221.30**

Requires GRF appropriation item 055504, Domestic Violence Programs, be used by the Attorney General to fund domestic violence programs as defined in R.C. 109.46.

(1) No provision.

(2) No provision.

(3) No provision.

(4) No provision.

**Section: 221.30**

Same as the Executive, but makes the following earmarks:

(1) \$25,000 in FY 2022 for grants to Ohio domestic violence groups to purchase travel vouchers, ridesharing credits, and gas cards for eligible clients. Requires the Attorney General to adopt any rules necessary for the administration of the grant program.

(2) \$50,000 in each fiscal year to be distributed to the Battered Women's Shelter of Summit and Medina Counties for the cost of operating the commercial kitchen located at its Market Street Facility. (see AGOCD9).

(3) \$50,000 in each fiscal year to be distributed to the Battered Women's Shelter of Portage County. (see AGOCD9).

(4) \$300,000 in each fiscal year to be distributed to the Battered Women's Shelter of Summit and Medina Counties for expenses related to the creation and implementation of a pilot program called "Finding my Childhood Again." (see AGOCD21).

**Section: 221.30**

Same as the House.

(1) Same as the House.

(2) Same as the House.

(3) Same as the House.

(4) Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**AGOCD27 Pike County Capital Case**

No provision.

**Section: 221.30**

Reappropriates the unexpended, unencumbered balance of GRF appropriation item 055505, Pike County Capital Case, at the end of FY 2021 to FY 2022 for the same purpose.

**Section: 221.30**

Same as the House.

**AGOCD13 Workers' Compensation Section**

**Section: 221.30**

(1) Permits the Workers' Compensation Fund (Fund 1950) to receive quarterly payments from the Bureau of Workers' Compensation and the Ohio Industrial Commission to fund legal services provided by the Attorney General to those two state agencies.

(2) Requires the Bureau of Workers' Compensation to transfer quarterly payments for the support of the Attorney General's Workers' Compensation Fraud Unit.

(3) Requires that the amounts of these quarterly payments be mutually agreed upon by the Attorney General, the Bureau of Workers' Compensation, and the Ohio Industrial Commission.

**Section: 221.30**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 221.30**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**AGOCD14 General Holding Account**

**Section: 221.30**

Requires that HLD Fund R004 appropriation item 055631, General Holding Account, be used to distribute money under the terms of relevant court orders or other settlements received in a variety of cases involving the Attorney General. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section: 221.30**

Same as the Executive.

**Section: 221.30**

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**AGOCD15 Antitrust Settlements**

**Section: 221.30**

Requires that HLD Fund R005 appropriation item 055632, Antitrust Settlements, be used to distribute money under the terms of relevant court orders or other out-of-court settlements in antitrust cases or antitrust matters involving the Attorney General. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section: 221.30**

Same as the Executive.

**Section: 221.30**

Same as the Executive.

**AGOCD16 Consumer Frauds**

**Section: 221.30**

Requires that HLD Fund R018 appropriation item 055630, Consumer Frauds, be used for distribution of money from court-ordered judgments against sellers in actions brought by the Attorney General under R.C. 1334.08, 4549.48 and 1345.07 to provide restitution to consumers victimized by the fraud that generated the court-ordered judgments. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section: 221.30**

Same as the Executive.

**Section: 221.30**

Same as the Executive.

**AGOCD17 Organized Crime Commission Distributions**

**Section: 221.30**

Requires that HLD Fund R042 appropriation item 055601, Organized Crime Commission Distributions, be used by the Organized Crime Investigations Commission, as provided by R.C. 177.011, to reimburse political subdivisions for expenses incurred when their law enforcement officers participate in an organized crime task force. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section: 221.30**

Same as the Executive.

**Section: 221.30**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**AGOCD18 Collection Payment Redistribution**

**Section: 221.30**

Requires that HLD Fund R054 appropriation item 055650, Collection Payment Redistribution, 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 Collections Enforcement Section. Appropriates additional amounts if it is determined that they are necessary for this purpose.

**Section: 221.30**

Same as the Executive.

**Section: 221.30**

Same as the Executive.

**AGOCD30 Funding of annual training of peace officers and troopers**

(1) No provision.

**Section: 701.70, 221.30**

(1) Requires the Attorney General to create and administer a one-year pilot program for state funding of the training of peace officers and troopers that is required under R.C. 109.803. Specifies that the pilot program is the only state funding that will be provided in calendar year 2022 for the training of such peace officers and troopers that is required under that section.

**Section: 701.70, 221.30**

(1) Same as the House.

(2) No provision.

(2) Requires new DPF Fund 5XZ0 appropriation item 055664, Law Enforcement Reimbursement Training Pilot Program, to be used by the Attorney General for the pilot program. Permits the Attorney General to use up to \$25,000 for administrative expenses associated with the program.

(2) Same as the House, but replaces DPF Fund 5XZ0 appropriation item 055664, Law Enforcement Reimbursement Training Pilot Program, with GRF appropriation item 055509, Law Enforcement Reimbursement Training Pilot Program.

(3) No provision.

(3) Reappropriates, with Controlling Board approval, the unexpended, unencumbered balance of appropriation item 055664, Law Enforcement Reimbursement Training Pilot Program, at the end of fiscal year 2022 for the same purpose in fiscal year 2023.

(3) Same as the House, but changes referenced appropriation item from 055664, Law Enforcement Reimbursement Training Pilot Program, to 055509, Law Enforcement Reimbursement Training Pilot Program.

| Executive         | As Passed By House  | As Reported By Senate Finance |
|-------------------|---|-------------------------------|
| (4) No provision. | (4) Requires the Attorney General, not later than January 1, 2022, to create the pilot program and specifies that it is to be a one-year program, to be in existence for calendar year 2022.  | (4) Same as the House.        |
| (5) No provision. | (5) Requires each law enforcement agency, not later than December 2, 2021, to certify to the Attorney General the total of all salaries to be paid in calendar year 2022 to officers or troopers of the agency who will receive that training in calendar year 2022 and the hourly rate of pay for each of those officers and troopers. | (5) Same as the House.        |
| (6) No provision. | (6) Requires the Attorney General, not later than January 1, 2022, to begin the operation of the pilot program. Requires the Attorney General, prior to that date, to establish rules, under R.C. section 111.15, for the operation and administration.   | (6) Same as the House.        |
| (7) No provision. | (7) Requires the Attorney General to pay each law enforcement agency an amount to cover up to 50% of the total cost of the salaries of the officers or troopers of the agency to be paid to officers or troopers who will receive that training in calendar year 2022, as certified by the agency, during the period of the training.   | (7) Same as the House.        |
| (8) No provision. | (8) Specifies that the amounts to be paid cover only the period during which the officers or troopers are receiving that training and not exceed an amount covering twenty-four hours of the training.  | (8) Same as the House.        |
| (9) No provision. | (9) Provides that, if the amount of the money appropriated to the Attorney General is insufficient to pay 50% of the total cost of the salaries of the peace officers or troopers of all law enforcement agencies to be paid in calendar year 2022 to officers or troopers who will receive that training in calendar                   | (9) Same as the House.        |

Executive

As Passed By House

As Reported By Senate Finance

|                           |  |  |
|---------------------------|--|--|
|                           | <p>year 2022, the amount to be paid to each such agency is reduced proportionately so that each agency is paid an equal percentage of its cost in the year for the training.</p>   |  |
| <p>(10) No provision.</p> | <p>(10) Prohibits any payment to any law enforcement agency after January 1, 2023.</p>   | <p>(10) Same as the House.</p>   |
| <p>(11) No provision.</p> | <p>(11) Requires a law enforcement agency that receives money and does not use all of the money for the salaries certified by the agency to return all of the money not used to the Attorney General.</p>  | <p>(11) Same as the House.</p>   |
| <p>(12) No provision.</p> | <p>(12) Requires each law enforcement agency that receives money to submit to the Attorney General a report that states the amount of money the agency received, how that money was used, when it was used, and any other information with respect to the use of the money that is required by the Attorney General. Requires the Attorney General to prepare a report that compiles the information in the reports received from law enforcement agencies and submit the report to the General Assembly and the Legislative Service Commission.</p>   | <p>(12) Same as the House.</p>   |
|                           | <p><b>Fiscal effect: The bill appropriates \$15 million in FY 2022 under DPF 5XZ0 appropriation item 055664, Law Enforcement Reimbursement Training Pilot Program and earmarks \$25,000 for program administration costs. For law enforcement agencies that already voluntarily require continuing education for their officers or troopers, those agencies may realize some savings as the new pilot program would offset some of the training costs that are planned for calendar year 2022. Other law enforcement agencies may experience increases in expenditures incurred for the state mandated up to 24 hours of continuing professional</b></p> | <p><b>Fiscal effect: Same as the House, but provides \$15 million in FY 2022 from GRF appropriation item 055509, Law Enforcement Reimbursement Training Pilot Program, instead of DPF Fund 5XZ0 appropriation item 055664, Law Enforcement Reimbursement Training Pilot Program.</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

training in calendar year 2022 since the pilot program is to cover up to 50% of the salary costs.

**AGOCD31 Law Enforcement Training Funding Study Commission**

**Section: 701.70**

**Section: 701.70**

(1) No provision.

(1) Creates the 12-member Law Enforcement Training Funding Study Commission to study possible long-term methods for the provision of state funding to law enforcement agencies for the training of their peace officers and troopers required under R.C. 109.803 and evaluate the plans for the Law Enforcement Reimbursement Training Pilot Program (see AGOCD30) as part of the study.

(1) Same as the House.

(2) No provision.

(2) Specifies that Commission members serve without compensation.

(2) Same as the House.

(3) No provision.

(3) Requires the Commission to prepare a report of its findings, and recommendations for a method, to be used after the completion of the pilot program, for the provision of state funding to those law enforcement agencies for the training of their peace officers and troopers required under R.C. 109.803. Requires the Commission, not later than March 1, 2022, to submit the report to the Governor, the General Assembly, the Attorney General, and the Legislative Service Commission. Provides that upon submission of the report, the Commission ceases to exist.

(3) Same as the House.

**Fiscal effect: Minimal.**

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

Executive

As Passed By House

As Reported By Senate Finance

**AUDCD11 Chief Deputy Auditor of State**

No provision.

**R.C. 117.04, 117.05, 117.06, and 117.22**

Renames the statutory position of “Deputy Auditor of State” to “Chief Deputy Auditor of State” and requires the person appointed to this position to be a certified public accountant with an active Ohio permit.

**Fiscal effect: None.**

**R.C. 117.04, 117.05, 117.06, and 117.22**

Same as the House.

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

**AUDCD12 Auditor of state employees**

No provision.

**R.C. 117.09, 117.13, 117.22**

Modifies the statutory description of the Auditor of State's authority to specify that the Auditor is the lead public official responsible for the examination, analysis, inspection, and audits of all public offices, as opposed to the chief inspector and supervisor of all public offices, under current law.

**R.C. 117.09, 117.13, 117.22**

Same as the House.

No provision.

Replaces the current statutory prescriptions of the Auditor of State's hiring authority with a general authority to hire, appoint, and fix the compensation of auditors, investigators, and other staff necessary to carry out the duties and responsibilities of the office.

Same as the House.

No provision.

Eliminates from current law (1) the limitation that the Auditor of State appoint not more than six deputy inspectors and supervisors, and a clerk, (2) the requirement that not more than three deputy inspectors and supervisors belong to the same political party, and (3) the requirement that the Auditor of State appoint state examiners known as assistant Auditors of State.

Same as the House.

No provision.

Eliminates the statutory titles of assistant Auditors of State, deputy inspectors, deputy supervisors, and the related qualifications necessary to appoint an assistant Auditor of

Same as the House.

| Executive   | As Passed By House  | As Reported By Senate Finance                                  |
|---|---|--|
| No provision.   | State.<br>Eliminates the entitlement of Auditor of State employees to compensation for testifying when called in legal proceedings.<br><b>Fiscal effect: The overall impact on payroll will depend on staffing decisions made by the Auditor of State under this provision.</b> | Same as the House.<br><b>Fiscal effect: Same as the House.</b> |
| <b>AUDCD10 Compliance with terms of state economic development awards</b> |   |  |
| No provision.   | <b>R.C. 117.55, 125.112</b><br>Transfers to the Auditor of State, from the Attorney General under current law, the duty to determine if an entity is in compliance with the terms and conditions of a state award for economic development.                                     | <b>R.C. 117.55, 125.112</b><br>Same as the House.              |
| No provision.   | Requires the Department of Development (DEV), not later than 30 days after the end of the state fiscal year, to send the Auditor of State a list of state awards for economic development.  | Same as the House.   |
| No provision.   | Requires the Auditor of State to review each award and determine if an entity is in compliance with the terms and conditions of the award received by that entity and publish a report of its review within 90 days after receiving the list of awards from DEV.                | Same as the House.   |
| No provision.   | Requires the Auditor of State to report to the Attorney General that an award recipient is not in compliance with a performance metric specified in the terms and conditions of the award.  | Same as the House.   |
| No provision.   | Modifies the Attorney General's authority to pursue remedies and recoveries, available under current law, against and from a non-compliant entity by permitting, rather than  | Same as the House.   |

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| No provision.  | <p>requiring such actions, when the Attorney General determines appropriate and to the extent of the non-compliance.</p> <p>Requires, if the Auditor of State is authorized to conduct an audit of an entity that has received an award, that the audit be conducted in accordance with the Auditor of State law.</p> <p><b>Fiscal effect: The administrative costs for determining compliance with terms and conditions of state economic development incentives will shift from Attorney General to the Auditor of State.</b></p> | <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p> |
| <p><b>AUDCD1 Audit Management and Services</b></p> <p><b>Section: 223.20</b></p> <p>Specifies that GRF appropriation item 070401, Audit Management and Services, be used to support the Auditor of State's costs that are not recovered through charges to local governments and state agencies, which are deposited into the Public Audit Expense - Intrastate Fund (Fund 1090), including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines.</p> | <p><b>Section: 223.20</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 223.20</b></p> <p>Same as the Executive.</p>               |
| <p><b>AUDCD2 Performance Audits</b></p> <p><b>Section: 223.20</b></p> <p>Specifies that GRF appropriation item 070402, Performance Audits, be used to support costs for providing performance audits for local governments, school districts, state agencies, and colleges and universities that are not recovered through charges to those entities, including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines.</p>                             | <p><b>Section: 223.20</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 223.20</b></p> <p>Same as the Executive.</p>               |



Executive

As Passed By House

As Reported By Senate Finance

**AUDCD3 Local Government Audit Support**

**Section: 223.20**

Specifies that GRF appropriation item 070412, Local Government Audit Support, be used pursuant to RC 117.13 to support the Auditor of State’s costs that are not recovered through charges to local governments and state entities, which are deposited into the Public Audit Expense - Local Government Fund (Fund 4220), including costs that cannot be recovered from audit clients under federal indirect cost allocation guidelines.

**Section: 223.20**

Same as the Executive.

**Section: 223.20**

Same as the Executive.

**AUDCD4 Local Government Audit Support Fund**

**Section: 223.20**

Specifies that DPF appropriation item 070611, Local Government Audit Support Fund, be used pursuant to RC 117.131 to offset the costs of audits that would otherwise be charged to local public offices in the absence of the fund.

**Section: 223.20**

Same as the Executive.

**Section: 223.20**

Same as the Executive.

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| <p><b>ETCCD1 Statehouse News Bureau</b></p> <p><b>Section: 281.20</b></p> <p>Requires that GRF appropriation item 935401, Statehouse News Bureau, be used solely to support the operation of the Ohio Statehouse News Bureau.</p>  | <p><b>Section: 281.20</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 281.20</b></p> <p>Same as the Executive.</p>                               |
| <p><b>ETCCD2 Ohio Government Telecommunications Services</b></p> <p><b>Section: 281.20</b></p> <p>Requires that GRF appropriation item 935402, Ohio Government Telecommunications Services, be used solely to support the operations of Ohio Government Telecommunications Services, which include providing multimedia support to the state government and its affiliated organizations and broadcasting the activities of the legislative, judicial, and executive branches of government.</p>   | <p><b>Section: 281.20</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 281.20</b></p> <p>Same as the Executive.</p>                               |
| <p><b>ETCCD3 Content Development, Acquisition, and Distribution</b></p> <p><b>Section: 281.20</b></p> <p>Requires that GRF appropriation item 935410, Content Development, Acquisition, and Distribution, be used for the development, acquisition, and distribution of information resources by public media and radio reading services and for educational use in the classroom and online. Makes the following earmarks:</p> <p>(1) Up to \$794,977 in each fiscal year to be allocated equally among Ohio's educational television stations for the production of interactive instructional programming, which must be targeted to the needs of the one-third lowest capacity school districts as determined by the state share index calculated by the Department of Education.</p> | <p><b>Section: 281.20</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive, but increases the earmark to up to \$964,496 in each fiscal year.</p> | <p><b>Section: 281.20</b></p> <p>Same as the Executive.</p> <p>(1) Same as the House.</p> |

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

(2) Up to \$2,194,471 in each fiscal year to support the operations of Ohio's qualified public educational television stations and radio stations. Requires these funds to be distributed pursuant to an allocation formula used by the former Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by BEMC in consultation with Ohio's qualified public educational television stations and radio stations

(2) Same as the Executive, but increases the earmark to up to \$2,650,261 in each fiscal year.

(2) Same as the House.

(3) Up to \$232,552 in each fiscal year to support the operations of Ohio's qualified radio reading services. Requires these funds to be distributed pursuant to an allocation formula used by the former Ohio Educational Telecommunications Network Commission unless a substitute formula is developed by BEMC in consultation with Ohio's qualified radio reading services.

(3) Same as the Executive, but increases the earmark to up to \$294,474 in each fiscal year.

(3) Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD9 OBM oversight over certain fund allocations**

R.C. 121.08, 121.084, 169.05, 901.91, 1121.30, 1181.06, 1321.21, 1707.37, 1733.321, 3701.831, 3737.71, 3745.014, 4735.211, 4763.15

Eliminates the Director of Budget and Management's oversight regarding internal agency fund assessments and allocations for the following funds: Division of Administration Fund, Unclaimed Funds Trust Fund, Division of Securities Fund, Industrial Compliance Operating Fund, Division of Real Estate Operating Fund, Real Estate Appraiser Operating Fund, State Fire Marshal's Fund, Banks Fund, Consumer Finance Fund, Credit Unions Fund, and Financial Institutions Fund (all administered by the Department of Commerce); the Department of Agriculture's operating funds; the Department of Health's operating funds; and the Environmental Protection Agency's Central Support Indirect Fund.

**Fiscal effect: None.**

R.C. 121.08, 121.084, 169.05, 901.91, 1121.30, 1181.06, 1321.21, 1707.37, 1733.321, 3701.831, 3737.71, 3745.014, 4735.211, 4763.15

Same as the Executive.

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

R.C. 121.08, 121.084, 169.05, 901.91, 1121.30, 1181.06, 1321.21, 1707.37, 1733.321, 3701.831, 3737.71, 3745.014, 4735.211, 4763.15

Same as the Executive.

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

**OBMCD6 Void income tax refund warrants**

R.C. 126.37

Reduces the amount of time by which the Director of Budget and Management must void any aged warrant that draws on the state treasury for income tax refunds from two years to 90 days, which is consistent with the time for voiding all other warrants drawn from the state treasury.

**Fiscal effect: Will result in a one-time gain of perhaps as much as \$10 million or more from taxpayers that do not cash their income tax refund checks between 91 days and two years after the warrant is issued.**

R.C. 126.37

Same as the Executive.

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

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD8 Budget Stabilization Fund investment earnings**

**R.C. 131.43**

Requires investment earnings of the Budget Stabilization Fund to be credited to the Fund.

**Fiscal effect: Diverts tens of millions of dollars otherwise credited to the GRF to instead be credited to the Budget Stabilization Fund (Fund 7013). Over the past three years, the Fund 7013 balance yielded \$40.4 million (FY 2020), \$54.5 million (FY 2019), and \$26.3 million (FY 2018) of investment earnings to the GRF. In the upcoming fiscal biennium, investment earnings may be lower given the interest rate environment. Fund 7013 had a balance of \$2.69 billion at the close of the three previous fiscal years, FY 2018-FY 2020. If this balance is reduced in FY 2021 or years thereafter, the corresponding investment earnings will also decrease.**

**R.C. 131.43**

Same as the Executive.

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

No provision.

**OBMCD54 Ohio Humanities Council**

No provision.

No provision.

**Section: 229.20**

Requires the OBM Director to consult with the Ohio Humanities Council Board of Directors before distributing funds from item 042517, Ohio Humanities Council. Specifies that this appropriation item be used to support public humanities organizations and to help preserve valuable cultural assets across the state.

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| <b>OBMCD10 Audit costs</b>   |   |   |
| <p><b>Section: 229.20</b></p> <p>Requires all costs associated with single audit schedules or financial statements prepared in conformance with generally accepted accounting principles for the state to be paid from ISA Fund 1050 appropriation item 042603, Financial Management.</p> <p>Requires costs associated with the audit of the Auditor of State to be paid from GRF appropriation item 042321, Operating Expenses.</p>   | <p><b>Section: 229.20</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> | <p><b>Section: 229.20</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> |
| <b>OBMCD11 Shared services center</b>  |   |   |
| <p><b>Section: 229.20</b></p> <p>Requires GRF appropriation item 042321, Operating Expenses, and ISA item 042620, Shared Services Operating, to be used by the Director of OBM to support the Shared Services program pursuant to division (D) of section 126.21 of the Revised Code.</p> <p>Requires the Director of OBM to 1) include the recovery of costs to operate the Shared Services program in the accounting and budgeting services payroll rate and through direct charges billed to agencies for services rendered using a methodology determined by the Director of OBM and 2) deposit cost recovery revenues into ISA Fund 1050.</p> | <p><b>Section: 229.20</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> | <p><b>Section: 229.20</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD12 Internal audit**

**Section: 229.20**

Requires the Director of OBM to include the recovery of costs to operate the Internal Audit Program in the accounting and budgeting services payroll rate billed to agencies using a methodology determined by the Director of OBM. Requires such cost recovery revenues to be deposited

**Section: 229.20**

Same as the Executive.

**Section: 229.20**

Same as the Executive.

**OBMCD13 Forgery recovery**

**Section: 229.20**

Requires Fund 5EH0 appropriation item 042604, Forgery Recovery, to 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. Requires the Director of OBM to reissue a state warrant upon receipt of funds to cover the reissuance of the warrant. Appropriates any additional amounts needed to reissue warrants backed by receipt of funds.

**Section: 229.20**

Same as the Executive.

**Section: 229.20**

Same as the Executive.

**OBMCD14 Personal service expenditures**

**Section: 503.10**

Requires any appropriation from which personal service expenses are paid to bear the employer's share of various costs, unless otherwise prohibited by law. Requires that these costs be determined in conformity with the appropriate sections of law and paid in accordance with procedures specified by OBM. Permits expenditures from appropriation item 070601, Public Audit Expense - Intra-State, to be exempted from this requirement.

**Section: 503.10**

Same as the Executive.

**Section: 503.10**

Same as the Executive.

Executive

As Passed By House

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**OBMCD15 Satisfaction of judgements and settlements against the state**

**Section: 503.20**

Permits the use of certain appropriations to satisfy judgments, settlements, and administrative awards ordered or approved by the Court of Claims or by any other court of competent jurisdiction in connection with civil actions against the state.

**Section: 503.20**

Same as the Executive.

**Section: 503.20**

Replaces the Executive provision with one that limits this authorization only to appropriations in H.B. 110 and specifies that the Court of Claims is the sole court of jurisdiction for determining judgements or awards in connection with legal action against the state.

**OBMCD16 Capital project settlements**

**Section: 503.30**

Specifies an additional and supplemental procedure to provide for payments of judgments and settlements if the Director of OBM determines that sufficient unencumbered moneys do not exist in the particular appropriation to pay the amount of a final judgment rendered against the state or a state agency, including the settlement of a claim approved by a court, in an action upon and arising out of a contractual obligation for the construction or improvement of a capital facility if the costs under the contract were payable in whole or in part from a state capital projects appropriation.

**Section: 503.30**

Same as the Executive.

**Section: 503.30**

Same as the Executive.

**OBMCD17 Re-issuance of voided warrants**

**Section: 503.40**

Provides funds for the reissuance of voided warrants under R.C. 126.37, when approved by OBM.

**Section: 503.40**

Same as the Executive.

**Section: 503.40**

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**OBMCD18 Reappropriation of unexpended unencumbered balances of operating appropriations**

**Section: 503.50**

Reappropriates on July 1 of the following fiscal year an unexpended balance of an operating appropriation or reappropriation that a state agency lawfully encumbered prior to the close of a fiscal year from the fund from which it was originally appropriated or reappropriated for various time periods based on the type of encumbrance.

Requires any operating appropriations for which unexpended balances are reappropriated for an encumbrance for an item of special order manufacture not available on state contract or in the open market to be reported to the Controlling Board by the Director of OBM by December 31 each year. Requires the report on each such item to include the item, the cost of the item, and the name of the vendor. Requires the report to be updated on a quarterly basis for encumbrances remaining open.

Specifies that a reappropriation made pursuant to this provision lapses upon the expiration of the reappropriation time periods referenced in this section and requires the Director of OBM to cancel the encumbrance of the unexpended reappropriation no later than the end of the weekend following the expiration of the reappropriation period.

Specifies that if the Controlling Board approved a purchase, that approval remains in effect so long as the appropriation used to make that purchase remains encumbered.

**Section: 503.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 503.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD19 Correction of accounting errors**

**Section: 503.60**

Permits the Director of OBM to correct accounting errors committed by OBM staff, such as reestablishing encumbrances or appropriations cancelled in error during the cancellation of operating encumbrances in November and of nonoperating encumbrances in December.

Permits the Director of OBM to correct accounting errors committed by the staff of a state agency or state institution of higher education, such as reestablishing prior year nonoperating encumbrances canceled or modified in error. Appropriates the reestablished encumbrance amounts.

**Section: 503.60**

Same as the Executive.

Same as the Executive.

**Section: 503.60**

Same as the Executive.

Same as the Executive.

**OBMCD20 Temporary revenue holding**

**Section: 503.70**

Permits the Director of OBM to create funds in the state treasury for the purpose of temporarily holding revenue required to be credited to a fund in the state treasury, whose disposition is not immediately known at the time of receipt. Requires the Director to credit the revenue to the appropriate fund in the state treasury, once it is identified.

Permits the Director of OBM to create funds in the state treasury, upon certification by the head of a state agency, on behalf of a state agency when the agency is required by law to detain funds in escrow. Permits the Director to transfer cash between funds in the state treasury to satisfy escrow requirements.

**Section: 503.70**

Same as the Executive.

Same as the Executive.

**Section: 503.70**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD21 Appropriations related to cash transfers and re-establishment of encumbrances**

**Section: 503.80**

Appropriates any cash transferred by the Director of OBM under R.C. 126.15 (for the purpose of making adjustments to capital or operating budgets) and any amounts necessary to re-establish appropriations or encumbrances under that section.

**Section: 503.80**

Same as the Executive.

**Section: 503.80**

Same as the Executive.

**OBMCD22 Transfers of Third Frontier appropriations**

**Section: 503.90**

Permits the Director of OBM to transfer appropriations between the Third Frontier Research and Development Fund (Fund 7011) and the Third Frontier Research and Development Taxable Bond Fund (Fund 7014) as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes. Authorizes the Director of OBM to create new appropriation items within Fund 7014 and make transfers of appropriations to Fund 7014 for projects that were originally funded in Fund 7011.

**Section: 503.90**

Same as the Executive.

**Section: 503.90**

Same as the Executive.

**OBMCD23 Income tax distribution to counties**

**Section: 503.100**

Appropriates from the GRF sufficient funds to make income tax distribution payments to counties required by R.C. 5747.03(B)(2).

**Section: 503.100**

Same as the Executive.

**Section: 503.100**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD24 Expenditures and appropriation increases approved by the Controlling Board**

**Section: 503.110**

Appropriates for the period ending June 30, 2023, any money that the Controlling Board approves for expenditure or any appropriation increase approved by the Controlling

**Section: 503.110**

Same as the Executive.

**Section: 503.110**

Same as the Executive.

**OBMCD25 Funds received for use of governor's residence**

**Section: 503.120**

Appropriates to appropriation item 100604, Governor's Residence Gift, any amount received by the Governor's Residence Fund (Fund 4H20) for use of the residence pursuant to R.C. 107.40.

**Section: 503.120**

Same as the Executive.

**Section: 503.120**

Same as the Executive.

**OBMCD26 General obligation debt service payments**

**Section: 504.10**

Specifies that certain appropriations of the main operating budget are for the purpose of paying debt service and financing costs on general obligation bonds or notes of the state. Appropriates additional amounts to fully fund those costs if additional amounts are necessary.

**Section: 504.10**

Same as the Executive.

**Section: 504.10**

Same as the Executive.

**OBMCD27 Lease rental payments for debt service**

**Section: 504.20**

Specifies that certain appropriations of the bill are for the purpose of making lease rental payments pursuant to leases and agreements relating to bonds, notes, or other obligations of the state. Appropriates additional amounts to fully fund those costs if additional amounts are necessary.

**Section: 504.20**

Same as the Executive.

**Section: 504.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD28 Authorization for Treasurer of State and OBM to effectuate certain debt service payments**

**Section: 504.30**

Requires OBM to process payments from general obligation and lease rental payment appropriation items during the FY 2022-FY 2023 biennium relating to bonds, notes, or other obligations of the state. Requires payments to be made upon certification by the Treasurer of State of the dates and the amounts due on those dates.

**Section: 504.30**

Same as the Executive.

**Section: 504.30**

Same as the Executive.

**OBMCD29 Arbitrage rebate authorization**

**Section: 505.10**

Appropriates, from the funds designated by or pursuant to the applicable proceedings authorizing the issuance of state obligations, amounts computed at the time to represent the portion of investment income to be rebated or amounts in lieu of or in addition to any rebate amount to be paid to the federal government in order to maintain the exclusion from gross income for federal income tax purposes of interest on those state obligations under section 148(f) of the Internal Revenue Code. Requires OBM to approve and voucher rebate payments.

**Section: 505.10**

Same as the Executive.

**Section: 505.10**

Same as the Executive.

**OBMCD30 Statewide indirect cost recovery**

**Section: 505.20**

Appropriates from available receipts amounts required for statewide indirect costs when the Director of OBM has determined that an appropriation made to a state agency for this purpose is insufficient.

**Section: 505.20**

Same as the Executive.

**Section: 505.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD31 Transfers on behalf of the statewide indirect cost allocation plan**

**Section: 505.30**

Prohibits total transfers made from the GRF by the Director of OBM under these provisions from exceeding the amounts transferred into the GRF for the purpose of recovering statewide indirect costs under R.C. 126.12.

Allows an agency director to certify to the Director of OBM the amount of expenses not allowed to be included in the Statewide Indirect Cost Allocation Plan (SWICAP) under federal regulations, from any fund included in the SWICAP, prepared as required by R.C. 126.12.

Permits the Director of OBM, upon determining that no alternative source of funding is available to pay for such expenses, to transfer funds from the GRF to the fund for which the certification is made up to the amount of the certification. Requires the director of an agency receiving such funds to include a request for funding for such activities from an alternative source as part of the next budget submission.

Allows the director of an agency to certify to the Director of OBM the amount of expenses paid in error from a fund included in the SWICAP. Allows the Director of OBM to transfer cash from the fund from which the expenditure should have been made into the fund from which the expenses were erroneously paid, up to the amount of the certification.

Allows the director of an agency to certify to the Director of OBM the amount of expenses or revenues not allowed to be included in the SWICAP under federal regulations, for any

**Section: 505.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 505.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

fund included in the SWICAP, for which the federal government requires payment. Appropriates from the available receipts of such a fund, up to the amount of the certification, the amount required by the federal government if the Director of OBM determines that an appropriation made to a state agency is insufficient to make the payment.

**OBMCD32 Federal government interest requirements**

**Section: 505.40**

Authorizes the Director of OBM to designate the funds that are to retain their own interest earnings in order to reduce the payment of adjustments to the federal government, as determined by the Statewide Indirect Cost Allocation Plan prepared pursuant to R.C. 126.12(A).

**Section: 505.40**

Same as the Executive.

**Section: 505.40**

Same as the Executive.

**OBMCD33 Federal Cash Management Improvement Act**

**Section: 505.50**

Allows the Director of OBM to cancel and reestablish all or part of encumbrances in like amounts within the funds identified by the plan required to be prepared under R.C. 131.36 for compliance with the Federal Cash Management Improvement Act. Appropriates the amounts necessary to reestablish all or part of the encumbrances.

**Section: 505.50**

Same as the Executive.

**Section: 505.50**

Same as the Executive.

**OBMCD34 Interest earnings for federal funds**

**Section: 505.60**

Authorizes the Director of OBM to designate any fund in the state treasury that receives federal revenue to be credited with investment earnings to comply with federal law, notwithstanding R.C. 113.09.

**Section: 505.60**

Same as the Executive.

**Section: 505.60**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD35 Transfers to the GRF of interest earned**

**Section: 509.10**

Authorizes the Director of OBM to transfer to the GRF interest earned in any state fund, with the exception of funds that are restricted or protected by the Ohio Constitution, federal tax law, or the federal Cash Management Improvement Act.

**Section: 509.10**

Same as the Executive.

**Section: 509.10**

Same as the Executive.

**OBMCD36 Cash transfers to the General Revenue Fund from non-GRF funds**

**Section: 509.20**

Permits the Director of OBM to transfer up to \$200 million cash during the FY 2022-FY 2023 biennium from non-GRF funds that are not constitutionally restricted to the GRF.

**Section: 509.20**

Same as the Executive.

**Section: 509.20**

Same as the Executive.

**OBMCD63 Cash transfer from State Pay for Success Contract Fund to GRF**

No provision.

No provision.

**Section: 509.25**

Requires the Director of Budget and Management to transfer \$5,000,000 from the State Pay for Success Contract Fund (Fund 5VZ0) to the GRF on July 1, 2022 or as soon as possible thereafter.



Executive

As Passed By House

As Reported By Senate Finance

**OBMCD51 Unclaimed Fund remittance**

No provision.

**Section: 509.30**

Creates the Law Enforcement Reimbursement Training Fund (Fund 5XZ0) in the state treasury and requires the Director of OBM, on July 1, 2021, or as soon as possible thereafter, to request the Director of Commerce to remit \$15,000,000 of unclaimed funds that have been reported by holders of unclaimed funds and remained unclaimed for 30 years or more for deposit into Fund 5XZ0. Requires the Director of Commerce to remit the funds.

No provision.

**OBMCD37 Medical marijuana control program repayments**

**Section: 509.50**

Requires the Director of Commerce and the Executive Director of the Board of Pharmacy to consult with the Director of OBM to determine a repayment schedule for the FY 2022-FY 2023 biennium to fully repay transfers on behalf of each agency from the Emergency Purposes/Contingency Fund (Fund 5KM0) to the Medical Marijuana Control Program Fund (Fund 5YS0). Specifies that such repayments are to be credited to the GRF.

**Section: 509.50**

Same as the Executive.

**Section: 509.50**

Same as the Executive.

**OBMCD64 Cash transfer from the State Fire Marshal Fund to the GRF**

No provision.

No provision.

**Section: 509.60**

Requires the OBM Director to transfer \$1,500,000 cash each fiscal year from the State Fire Marshal Fund (Fund 5460) to the GRF to reimburse the GRF for the costs of providing MARCS fee offsets.

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <b>OBMCD38 GRF transfer to Tourism Ohio Fund</b>  |  |   |
| <p><b>Section: 512.10</b><br/>Authorizes the Director of OBM, on July 1, 2021 or as soon as possible thereafter, to transfer up to \$20,000,000 cash from the GRF to the Tourism Ohio Fund (Fund 5MJ0).</p> | <p><b>Section: 512.10</b><br/>Same as the Executive.</p>   | <p><b>Section: 512.10</b><br/>Same as the Executive but decreases the cash amount that may be transferred up to \$15,000,000.</p> |
| <b>OBMCD42 GRF transfer to Statewide Treatment and Prevention Fund (Fund 4750)</b>  |  |   |
| <p><b>Section: 512.20</b><br/>Authorizes the Director of OBM, in each fiscal year, to transfer up to \$5,000,000 cash from the GRF to the Statewide Treatment and Prevention Fund (Fund 4750).</p>          | <p><b>Section: 512.20</b><br/>Same as the Executive.</p>   | <p><b>Section: 512.20</b><br/>Same as the Executive, but changes the transfer to \$10,000,000 in FY 2022.</p>                     |
| <b>OBMCD44 GRF transfer to Statewide Community Police Relations Fund (Fund 5RS0)</b>  |  |   |
| <p><b>Section: 512.30</b><br/>Authorizes the Director of OBM, in FY 2023, to transfer up to \$1,150,000 cash from the GRF to the Statewide Community Police Relations Fund (Fund 5RS0).</p>                 | <p><b>Section: 512.30</b><br/>Same as the Executive.</p>   | <p><b>Section: 512.30</b><br/>Same as the Executive.</p>  |
| <b>OBMCD43 GRF transfer to Targeted Addiction Program Fund (Fund 5TZ0)</b>  |  |   |
| <p><b>Section: 512.40</b><br/>Authorizes the Director of OBM, in each fiscal year, to transfer up to \$23,750,000 cash from the GRF to the Targeted Addiction Program Fund (Fund 5TZ0).</p>                 | <p><b>Section: 512.40</b><br/>Same as the Executive, but increases the transfer amount to \$24,000,000 in each fiscal year.</p>  | <p><b>Section: 512.40</b><br/>Same as the Executive, but changes the transfer to \$48,000,000 in FY 2022.</p>                     |
| <b>OBMCD50 GRF transfer to State Pay for Success Contract Fund</b>  |  |   |
| <p>No provision.</p>  | <p><b>Section: 512.50</b><br/>Requires the OBM Director to transfer \$1,000,000 cash in FY 2022 from the GRF to the State Pay for Success Contract Fund (Fund 5VZ0).</p> | <p><b>Section: 512.50</b><br/>Same as the House, but increases the transfer amount to \$1,200,000.</p>                            |

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD45 GRF transfer to Student Wellness and Success Fund (Fund 5VS0)**

**Section: 512.70**

Authorizes the Director of OBM to transfer up to \$500,000,000 cash in FY 2022 and up to \$600,000,000 cash in FY 2023 from the GRF to the Student Wellness and Success Fund (Fund 5VS0).

**Section: 512.70**

Same as the Executive.

**Section: 512.70**

Same as the Executive, but increases the transfer amounts to \$661,000,000 in FY 2022 and to \$842,000,000 in FY 2023 and renames Fund 5VS0 as the "Foundation Funding - All Students Fund."

**OBMCD52 Transfers to the Electroencephalogram Combined Transcranial Magnetic Stimulation Fund**

No provision.

No provision.

**Section: 512.75, 337.185**

Makes the following cash transfers to the Electroencephalogram Combined Transcranial Magnetic Stimulation Fund (Fund 5VV0), which is used by the Department of Mental Health and Addiction Services:

No provision.

No provision.

(1) \$9,500,000 in FY 2022 from the GRF; and

No provision.

No provision.

(2) \$1,500,000 in FY 2022 from the Military Injury Relief Fund (Fund 5DB0), which is used by the Department of Veterans Services.

**OBMCD46 GRF transfer to At Home Technology Pilot Fund**

No provision.

**Section: 512.80**

Requires the Director of OBM, on July 1 of each fiscal year, to transfer \$250,000 cash from the GRF to the At Home Technology Pilot Fund (Fund 5TX0).

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD48 GRF transfer to Ohio Commission for the U.S. Semiquincentennial Fund**

No provision.

**Section: 512.90**

Requires the Director of OBM, on July 1, 2021, or as soon as possible thereafter, to transfer \$400,000 cash from the GRF to the Ohio Commission for the U.S. Semiquincentennial Fund (Fund 5XV0).

No provision.

**OBMCD49 GRF transfer to Meat Processing Investment Program Fund**

No provision.

**Section: 512.100**

Creates the Meat Processing Investment Program Fund (Fund 5XX0) in the state treasury and requires the Director of OBM, on July 1, 2021, or as soon as possible thereafter, to transfer \$10,000,000 cash from the GRF to Fund 5XX0.

**Section: 512.100**

Same as the House.

**OBMCD65 GRF transfer to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0)**

No provision.

No provision.

**Section: 512.110**

Requires the OBM Director to transfer \$45,000,000 cash on July 1, 2021, or as soon as possible thereafter, from the GRF to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0).

**OBMCD55 GRF transfer to the OhioMeansJobs Workforce Development Revolving Loan Fund**

No provision.

No provision.

**Section: 512.120**

Requires the Director of OBM to transfer \$10,000,000 cash from the GRF to the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0) in FY 2022 to support the appropriations made for need-based financial aid to the qualifying students enrolled in short-term certificate programs at community, state community, and technical colleges, or an Ohio Technical Center.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD61 GRF transfer to Sports Event Grant Fund**

No provision.

No provision.

**Section: 512.130**

Requires the DEV Director to certify, both on October 1, 2021, and June 1, 2023, or as soon as possible after those dates, to the OBM Director the amount of cash available in the Sports Event Grant Fund (Fund 5UY0). Requires the OBM Director, after the first certification, to transfer an amount of cash equal to the lesser of \$5,000,000 or an amount sufficient to restore the cash balance of Fund 5UY0 to \$10,000,000 from the GRF to Fund 5UY0. Requires the OBM Director, after the second certification, to transfer an amount of cash equal to the lesser of \$5,000,000 minus the amount of the previous transfer or an amount sufficient to restore the cash balance of Fund 5UY0 to \$10,000,000 from the GRF to Fund 5UY0.

**OBMCD58 GRF transfer to Second Chance Grant Pilot Program Fund**

No provision.

No provision.

**Section: 512.140**

Requires the Director of OBM, on July 1, 2021, or as soon as possible thereafter, to transfer up to \$3,000,000 cash from the GRF to the Second Chance Grant Pilot Program Fund (Fund 5YD0).

**OBMCD60 GRF transfer to State Park Fund**

No provision.

No provision.

**Section: 512.150**

Requires the Director of Budget and Management to transfer \$3,650,000 cash from the GRF to the State Park Fund (Fund 5120) on July 1, 2021, or as soon as possible thereafter.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD57 GRF transfer to Workforce and Higher Education Programs Fund**

No provision.

No provision.

**Section: 512.160**

Requires the Director of OBM, on July 1, 2021, or as soon as possible thereafter, to transfer \$2,000,000 cash from the GRF to the Workforce and Higher Education Programs Fund (Fund 5RA0).

**OBMCD62 GRF transfer to the Community Improvements Fund**

No provision.

No provision.

**Section: 512.170**

Creates the Community Improvements Fund (Fund 5YC0) in the state treasury. Requires the Director of Budget and Management to transfer \$1,000,000 cash from the GRF to Fund 5YC0 on July 1, 2021, or as soon as possible thereafter.

**OBMCD59 GRF transfer to the OSU Extension Fund**

No provision.

No provision.

**Section: 512.180**

Creates the OSU Extension Fund (Fund 5YB0) in the state treasury and requires the OBM Director to transfer \$500,000 cash from the GRF to Fund 5YB0 on July 1, 2021, or as soon as possible thereafter.

**OBMCD67 GRF transfer to the Information Technology Development Fund (Fund 5LJ0)**

**Section: 207.45**

Allows the Director of OBM, upon the request of the Director of Administrative Services, to transfer up to \$6,000,000 cash in each fiscal year from the GRF to Fund 5LJ0 to support the operations of the Office of InnovateOhio.

**Section: 207.45**

Same as the Executive.

**Section: 512.190**

Same as the Executive, but changes the amount of the transfer to up to \$12,000,000 in FY 2022 only.

Executive

As Passed By House

As Reported By Senate Finance

**OBMCD68 GRF transfer to the Wildlife Fund**

No provision.

No provision.

**Section: 512.200**

Requires the Director of Budget and Management, on July 1 of each fiscal year or as soon as possible thereafter, to transfer \$350,000 from the GRF to the Wildlife Fund (Fund 7015), used by the Department of Natural Resources.

**OBMCD39 Fiscal year 2021 General Revenue Fund ending balance**

**Section: 513.10**

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2021, and transfer cash, up to the actual surplus revenue amount, from the GRF as follows:

- (1) No provision;
- (2) No provision;
- (3) No provision;
- (4) No provision.
- (5) Up to \$25,000,000 to the Emergency Purposes Fund (Fund 5KM0);
- (6) Up to \$25,000,000 to the Disaster Services Fund (Fund 5E20);
- (7) Up to \$16,300,000 to the Tobacco Use Prevention Fund (Fund 5BX0);

**Section: 513.10**

Same as the Executive, but makes the following changes to the transfers:

- (1) Up to \$1,200,000,000 to the Health and Human Services Fund (Fund 5SA4);
- (2) Up to \$190,000,000 to the Ohio Residential Broadband Expansion Grant Program Fund (Fund 5XU0);
- (3) Up to \$155,000,000 to the Investing in Ohio Fund (Fund 5XM0);
- (4) Up to \$132,000,000 to the H2Ohio Fund (Fund 6H20).
- (5) Same as the Executive;
- (6) Same as the Executive.
- (7) Same as the Executive;

**Section: 513.10**

Same as the House, but makes the following changes to the transfers:

- (1) Same as the House;
- (2) No provision;
- (3) Same as the House;
- (4) Same as the House;
- (5) Same as the Executive;
- (6) Same as the Executive;
- (7) Same as the Executive;

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| <p>(8) Up to \$16,000,000 to the Ohio Governor Imagination Library Fund (Fund 5VJ0);</p> <p>Requires that the remaining amount of the surplus revenue remain in the GRF.</p>   | <p>(8) Same as the Executive;</p> <p>Same as the Executive.</p>   | <p>(8) No provision;</p> <p>Same as the Executive.</p>  |
| <b>OBMCD47 FY 2022 GRF ending balance</b>  |   |   |
| <p>No provision.</p>   | <p><b>Section: 513.20</b></p> <p>Provides that the remaining balance in the GRF as of June 30, 2022 must remain in the GRF, notwithstanding section 131.44 of the Revised Code.</p> | <p><b>Section: 513.20</b></p> <p>Same as the House.</p>   |
| <b>OBMCD40 Utility Radiological Safety Board assessments</b>   |   |   |
| <p><b>Section: 514.10</b></p> <p>Specifies the maximum amounts, unless the agency and nuclear electric utility mutually agree to a higher amount by contract, that may be assessed against nuclear electric utilities under RC 4937.05 (B) (2) and deposited into the following funds:</p> <p>\$101,130 in each of FY 2022 and FY 2023 to the Utility Radiological Safety Fund (Fund 4E40) used by the Department of Agriculture;</p> <p>\$1,300,000 in each of FY 2022 and FY 2023 to the Radiation Emergency Response Fund (Fund 6100) used by the Department of Health;</p> <p>\$325,370 in FY 2022 and \$332,287 in FY 2023 to the ER Radiological Safety Fund (Fund 6440) used by the Environmental Protection Agency; and</p> <p>\$1,368,624 in FY 2022 and \$1,378,304 in FY 2023 to the Emergency Response Plan Fund (Fund 6570) used by the</p> | <p><b>Section: 514.10</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>                               | <p><b>Section: 514.10</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> |



Executive

As Passed By House

As Reported By Senate Finance

Department of Public Safety.

**OBMCD41 Cash transfers and abolishment of funds**

**Section: 516.10**

For purposes of abolishing various funds that are no longer needed, authorizes the Director of OBM to carry out necessary accounting procedures, including transferring the remaining cash balances from the funds that are to be abolished, canceling existing encumbrances, and reestablishing those encumbrances against appropriate funds.

Lists the funds to be abolished, including funds used by: the Attorney General's Office, the Department of Natural Resources, the Department of Public Safety, the Department of Education, and the Department of Medicaid.

**Section: 516.10**

Same as the Executive.

Same as the Executive.

**Section: 516.10**

Same as the Executive.

Same as the Executive, but adds the OhioCorps Fund (Fund 5UK0), used by the Department of Higher Education, and the System Transformation Supports Fund (Fund 5QM0), used by the Department of Developmental Disabilities, to the list of funds to be abolished.

Executive

As Passed By House

As Reported By Senate Finance

**CSRCD5 Indefinite delivery indefinite quantity contract**

No provision.

No provision.

**R.C. 105.41, 153.013**

Authorizes the Capitol Square Review and Advisory Board to enter into an indefinite delivery indefinite quantity contract for the services of an architect or engineer on an on-call, multi-project basis, to advise and consult with the Board for a defined contract period, not to exceed two years.

**Fiscal effect: None.**

**CSRCD1 Personal Services**

**Section: 231.10**

Permits the Executive Director of the Board to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 874100, Personal Services, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and appropriates those amounts.

**Section: 231.10**

Same as the Executive.

**Section: 231.10**

Same as the Executive.

**CSRCD2 Maintenance and Equipment**

**Section: 231.10**

(1) Permits the Executive Director of the Board to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 874320, Maintenance and Equipment, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and appropriates those amounts.

(2) No provision.

**Section: 231.10**

(1) Same as the Executive.

(2) No provision.

**Section: 231.10**

(1) Same as the Executive.

(2) Earmarks up to \$100,000 of GRF appropriation item 874320, Maintenance and Equipment, in fiscal year 2022 for a comprehensive security assessment of the Capitol Square

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| (3) No provision.   | (3) No provision.  | <p>Complex, which consists of the Statehouse, Senate Building, Underground Parking Garage, and related grounds.</p> <p>(3) Earmarks up to \$50,000 of GRF appropriation item 874320, Maintenance and Equipment, in fiscal year 2022 for a Statehouse display of borrowed or purchased United States, Ohio, or Ohio military flags that have historical significance to the state of Ohio. Specifies that the use of these funds be subject to the approval of the Capitol Square Review and Advisory Board and requires the Board to consult with the Ohio History Connection regarding the display.</p> |
| <p><b>CSRCD3    Underground Parking Garage Fund</b></p> <p><b>Section:    231.10</b></p> <p>Permits the Underground Parking Garage Fund (Fund 2080) to be used for personnel and operating costs related to the operations of the Statehouse and the Statehouse Underground Parking Garage.</p>                     | <p><b>Section:    231.10</b></p> <p>Same as the Executive.</p> | <p><b>Section:    231.10</b></p> <p>Same as the Executive.</p>   |
| <p><b>CSRCD4    House and Senate parking reimbursement</b></p> <p><b>Section:    231.10</b></p> <p>Requires the Director of Budget and Management to transfer \$500,000 in each fiscal year from the GRF to the Underground Parking Garage Fund (Fund 2080) for the reimbursement of legislative parking costs.</p> | <p><b>Section:    231.10</b></p> <p>Same as the Executive.</p> | <p><b>Section:    231.10</b></p> <p>Same as the Executive.</p>   |

Executive

As Passed By House

As Reported By Senate Finance

CIVCD1 Use of medical marijuana in violation of employer's policy

No provision.

No provision.

**R.C. 3796.28**

Provides that an employer does not violate the Ohio Civil Rights Law when the employer takes an adverse employment action against a person who uses medical marijuana in contravention of a workplace policy regulating medical marijuana use.

**Fiscal effect: Potential savings effect for state and political subdivisions, as the provision may reduce filings with the Ohio Civil Rights Commission or courts of common pleas.**

Executive

As Passed By House

As Reported By Senate Finance

**COMCD19 Holder of unclaimed funds held harmless**

**R.C. 169.07, Section 701.30**

Holds harmless the holder of unclaimed funds upon delivery of the funds to the COM Director so long as the holder acted in good faith and in compliance with the Unclaimed Funds Law.

No provision.

**R.C. 169.07, Section 803.110**

Same as the Executive.

Imposes a 14-days-after-service-of-process timeframe on the requirement that the holder notify the Director of any proceedings instituted against the holder.

No provision.

Same as the Executive.

Absolves the state of liability it may otherwise have beyond the value of the unclaimed funds delivered to the Director if the holder fails to timely give such notice.

No provision.

Same as the Executive.

Permits the Director to take any action the Director considers necessary or expedient to protect the interests of the state, including permitting, rather than requiring as under current law, the Director to intervene and assume the defense of the proceedings described above.

No provision.

Same as the Executive.

Requires the Director to reimburse the holder for the amount paid to the Director by the holder if the Director does not intervene and judgment is entered against the holder.

No provision.

Same as the Executive.

Provides that no person has a claim for any change in the market value of unclaimed funds occurring after delivery to the state or after sale of such property by the state.

No provision.

Same as the Executive.

States that the amendment to the provisions of the Unclaimed Funds Law holding a holder harmless following delivery of unclaimed funds to the state is intended to clarify that the Director is not required to hold the holder harmless or intervene on behalf of a holder if the holder failed to act in

No provision.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

good faith or in compliance with the Unclaimed Funds Law.

**Fiscal effect: Potential reduction in defense costs incurred by COM.**

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

**COMCD14 Unclaimed funds finder agreements**

**R.C. 169.13**

Prohibits a person from receiving compensation for, or engaging in any activity for the purpose of, recovering unclaimed funds or the contents of a safe deposit box without first having entered into an agreement with the owner or owner's legal representative that complies with the Unclaimed Funds Law.

No provision.

No provision.

**Fiscal effect: None.**

**COMCD16 Unclaimed funds small estate affidavit**

**R.C. 169.18**

Creates an affidavit to allow the heirs or next of kin of a decedent to claim the decedent's unclaimed funds without requiring letters testamentary or letters of administration to be issued upon the estate.

No provision.

No provision.

**Fiscal effect: Potentially could increase the number of claims filed under the Unclaimed Funds Law, and most likely affects smaller claims. Claims are paid from DPF Fund 5430 appropriation item 800625, Unclaimed Funds – Claims.**

Executive

As Passed By House

As Reported By Senate Finance

**COMCD35 Banks Fund conversion to a custodial fund**

No provision.

No provision.

**R.C. 1121.30, 1121.29**

Converts the Banks Fund from a state treasury fund to a custodial fund. Requires the Treasurer of State to disburse money from the fund upon order of the Superintendent of Financial Institutions, and requires the disbursements be used to defray the administrative costs of the Division of Financial Institutions.

**Fiscal effect: This would allow for the Division of Financial Institutions to use the Banks Fund (Fund 5440) without legislative appropriation. Fund 5440 is used to cover the cost of overseeing state-chartered financial institutions.**

**COMCD18 Residential Mortgage Lending Act fee increase**

**R.C. 1322.09, 1322.10, 1322.20, 1322.21**

Increases from \$500 to \$750 the initial registration and renewal fee for mortgage brokers, lenders, and servicers for each office maintained by the registrant. Increases from \$100 to \$150 the late fee for renewal for each registered office maintained by a mortgage broker, lender, and servicer.

Increases from \$150 to \$250 the initial license and renewal fee for mortgage loan originators. Increases from \$100 to \$150 the late renewal fee for mortgage loan originators.

Authorizes the Superintendent of Financial Institutions to charge an additional assessment for renewal fees for mortgage brokers, lenders, servicers, and mortgage loan originators if the amount billed under the statute are less than the estimated expenditures for the following fiscal year.

**Fiscal effect: Increases revenue deposited into the Consumer Finance Fund (Fund 5530). The estimated gain is**

**R.C. 1322.09, 1322.10, 1322.20, 1322.21**

Same as the Executive, but reduces the increase in initial registration and renewal fees to \$700.

Same as the Executive, but reduces the increase in initial license and renewal fees to \$200.

No provision.

**Fiscal effect: Same as the Executive, except with a smaller gain in revenue for Fund 5530.**

**R.C. 1322.09, 1322.10, 1322.20, 1322.21**

Same as the House.

Same as the House.

No provision.

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

Executive

As Passed By House

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**\$1.9 million annually.**

**COMCD5 Ohio Investor Recovery Fund**

**R.C. 1707.47, 1707.471, and Section 243.30**

Establishes the Ohio Investor Recovery Fund (Fund 5XK0) for victims of securities fraud that have not received restitution from the person that committed the violation pursuant to a final order issued by COM's Division of Securities or a final court order in civil or criminal proceeding initiated by the Division.

Requires the Division to adopt rules necessary to administer Fund 5XK0, including rules governing the processes for both of the following: (1) reviewing applications for restitution assistance awards, and (2) suspending awards or making a prorated payment of awards when the fund balance approaches or reaches a balance below \$250,000.

Requires Fund 5XK0 to consist of cash transfers from the Division of Securities Fund (Fund 5500) and limits the cash transfers to not more than \$2.5 million in any fiscal year. Specifies the maximum award from Fund 5XK0 for each claimant is the lesser of \$25,000 or 25% of the amount of monetary injury suffered by the victim as specified in the final order.

Subrogates the state to the rights of a person awarded restitution assistance from Fund 5XK0.

Allows the OBM Director, upon request of the COM Director and with Controlling Board approval, to transfer \$2.5 million in both FY 2022 and FY 2023 from Fund 5500 to Fund 5XK0.

**Fiscal effect: Reduces the cash balance in Fund 5500.**

**R.C. 1707.47, 1707.471, and Section 243.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 1707.47, 1707.471, and Section 243.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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



Executive

As Passed By House

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**COMCD4 Elder financial exploitation**

**R.C. 1707.49**

Requires an employee of a securities dealer or investment adviser to report suspected financial exploitation of an account holder (age 60 or older or eligible to receive adult protective services) using the employer's protocols and permits the securities dealer or investment advisor to place a hold on any transaction impacted by the suspected exploitation.

Defines financial exploitation as either (1) the wrongful or unauthorized taking, withholding, directing, appropriation, or use of money, assets, or property of an eligible adult, or (2) any act or omission by a person, including the use of a power of attorney or guardianship of an eligible adult, to do certain activities.

Requires a securities dealer or investment adviser to report any transactional hold placed to COM's Division of Securities and the county department of job and family services.

Provides a qualified immunity to a person who in good faith makes a report or places a transactional hold.

Considers records made available to a state agency under these provisions to be "investigatory records" and requires records relating to reports and transactional holds to be held for five years.

**Fiscal effect: None.**

**R.C. 1707.49**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 1707.49**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| <p><b>COMCD9 Plumbing inspector certification</b></p> <p><b>R.C. 3703.01, conforming change in R.C. 3703.03</b></p> <p>Removes certification of plumbing inspectors from COM's Division of Industrial Compliance's responsibility and authority but retains the Board of Building Standard's plumbing inspector certification.</p> <p>Eliminates prohibitions on boards of health that do not employ certified plumbing inspectors from inspecting plumbing or collecting fees for inspecting plumbing and contracting with other boards of health to inspect plumbing on their behalf.</p> <p><b>Fiscal effect: Eliminating the double certification for some plumbing inspectors will reduce revenue deposited into the Industrial Compliance Operating Fund (Fund 5560). The certification fee is \$100 for the initial certification and \$60 for the renewal certification.</b></p> | <p><b>R.C. 3703.01, conforming change in R.C. 3703.03</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 3703.01, conforming change in R.C. 3703.03</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>COMCD3 Sale of second-hand bedding and toys</b></p> <p><b>R.C. 3713.02</b></p> <p>Requires any person or entity wishing to sell second-hand bedding or used toys to register with the Superintendent of Industrial Compliance within COM.</p> <p><b>Fiscal effect: None. According to COM, this is a technical change. The registration fee (\$50) is deposited into the Industrial Compliance Operating Fund (Fund 5560).</b></p>   | <p><b>R.C. 3713.02</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p>No provision.</p>  |

|                  |                           |                                      |
|------------------|---------------------------|--------------------------------------|
| <b>Executive</b> | <b>As Passed By House</b> | <b>As Reported By Senate Finance</b> |
|------------------|---------------------------|--------------------------------------|

**COMCD12 Small Government Fire Department Services Revolving Loan Fund**

**R.C. 3737.17, Section 243.30**  
Permits the OBM Director, after certification of the COM Director, to transfer funds from the State Fire Marshal Fund (Fund 5460) to the Small Government Fire Department Services Revolving Loan Fund (Fund 5F10), if additional resources are needed.

Specifies that certified amount cannot exceed the amount appropriated to the program for the biennium period for which the certification is made.

Allows the OBM Director, upon the request of the COM Director and Controlling Board approval, to transfer up to \$600,000 in cash from Fund 5460 to Fund 5F10 during the biennium.

**R.C. 3737.17, Section 243.30**  
Same as the Executive.

Same as the Executive.

Same as the Executive.

**R.C. 3737.17, Section 243.30**  
Same as the Executive.

Same as the Executive.

Same as the Executive.

**COMCD11 Self-service gas stations**

**R.C. 3741.14**  
Requires self-service gas stations to comply with the most recent version of National Fire Protection Association Standard Number 30A, as incorporated into the State Fire Code, instead of the outdated version 30A-1990 cited in current law.

**R.C. 3741.14**  
Same as the Executive.

**R.C. 3741.14**  
Same as the Executive.

**Fiscal effect: None.**

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

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

**COMCD10 Building inspection fee adoption**

**R.C. 3791.07**  
Transfers the authority to establish fees for inspections carried out by the Division of Industrial Compliance from the Board of Building Standards to the Superintendent of Industrial Compliance.

**R.C. 3791.07**  
Same as the Executive.

No provision.

| Executive   | As Passed By House  | As Reported By Senate Finance                |
|---|---|--|
| <b>Fiscal effect: Uncertain.</b>  | <b>Fiscal effect: Same as the Executive.</b>  |  |
| <b>COMCD13 Fire investigation</b>   |   |  |
| R.C. 3929.87  | R.C. 3929.87  | R.C. 3929.87                                 |
| Specifies that when conducting an arson investigation as required by law, the State Fire Marshal or other authorized person must do so "to the extent practicable and in a manner consistent with accepted standards of investigation." | Same as the Executive.  | Same as the Executive.                       |
| <b>Fiscal effect: None.</b>   | <b>Fiscal effect: Same as the Executive.</b>  | <b>Fiscal effect: Same as the Executive.</b> |
| <b>COMCD27 Historical boiler licenses</b>   |   |  |
|   | R.C. 4104.32, 4104.33, 4104.34, 4104.35, 4104.36, 4104.37; Sections 741.10 and 741.11   |  |
| No provision.   | Re -establishes the seven-member Historical Boiler Licensing Board and reconfers on it the responsibility for issuing certificates of operation and licenses for operators of historical boilers that existed before H.B. 442 of the 133rd G.A., which eliminated the historical boiler operator’s license and the Board and transferred its non-licensing duties to the Division of Industrial Compliance. Requires the Division of Industrial Compliance to provide administrative support, office space, and supplies for the Board. | No provision.                                |
| No provision.   | Requires the Board to issue a license to a person who held an active license to operate historical boilers in public on April 12, 2021 (the effective date of H.B. 442).  | No provision.                                |
|   | <b>Fiscal effect: Potential gain in fee revenue for the Industrial Compliance Operating Fund (Fund 5560) from issuance of the lifetime \$50 historical boiler operator licenses. In FY 2020, COM issued five new licenses. As of February 2021, there were 722 active licenses. Also, Fund 5560 could incur a minimal cost to reimburse board member expenses.</b>  |  |

Executive

As Passed By House

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These expenses amounted to about \$2,700 in FY 2020.

**COMCD37** Serving containers permitted for use in DORAs

No provision.

No provision.

**R.C. 4301.82**

Requires qualified liquor permit holders in designated outdoor refreshment areas (DORAs) to serve beer or intoxicating liquor in plastic bottles or other “non-glass” containers, rather than only in plastic bottles or other plastic containers.

**Fiscal effect: None.**

**COMCD31** B-2a liquor permit changes

No provision.

**R.C. 4303.071**

Eliminates the brand owner or U.S. importer of wine and their designated agents from B-2a permit eligibility.

**R.C. 4303.071**

Same as the House.

No provision.

Expands eligibility for the B-2a permit to a person that manufactures any amount of wine by eliminating both of the following: (1) a requirement that a manufacturer may only produce under 250,000 gallons annually, and (2) a requirement that a manufacturer must be eligible for a specified federal tax credit.

Same as the House.

No provision.

Specifies that a B-2a permit holder may not sell wine that has been assigned an Ohio distribution territory.

Same as the House.

**Fiscal effect: Potential gain in B-2a liquor permit fee deposited into the Undivided Liquor Permit Fund (Fund 7066) or the State Liquor Regulatory Fund (Fund 5PL0). The B-2a liquor permit fee is \$25.**

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

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <p><b>COMCD15 D-4 liquor permit – club oaths</b></p> <p><b>R.C. 4303.17</b></p> <p>Eliminates the requirement that the following submissions required of a club applying to the Division of Liquor Control for a D-4 liquor permit be done under oath: (1) A statement of the organization controlling the club certifying that the club is operated in the interests of a reputable organization, and (2) the roster of the membership of the club.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 4303.17</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>R.C. 4303.17</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>COMCD17 To-go cocktails - 2 oz. limitation</b></p> <p><b>R.C. 4303.185</b></p> <p>Prohibits a to-go cocktail sold by a liquor permit holder from containing more than two ounces of spirituous liquor.</p> <p><b>Fiscal effect: None.</b></p>   | <p>No provision.</p>   | <p>No provision.</p>  |
| <p><b>COMCD28 New S-1 liquor permit created</b></p> <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>  | <p><b>R.C. 4303.232, 4301.10, 4301.12, 4301.30, 4301.42, 4301.62, 4303.03, 4303.031, 4303.2010, 4303.234 (renumbered 4303.235), 4303.33, 4303.99</b></p> <p>Renames the S liquor permit (for sale of wine to personal consumer via mail order) the S-1 permit and eliminates the following from eligibility for the permit: (1) a brand owner or U.S. importer of beer and its designated agent, and (2) a brand owner or U.S. importer of wine or its designated agent.</p> <p>Expands the eligibility for the S-1 permit to a person (inside or outside Ohio) that manufactures beer.</p> <p>Retains eligibility for the S-1 permit for a person (inside or outside Ohio) that manufactures less than 250,000 gallons of</p> | <p><b>R.C. 4303.232, 4301.10, 4301.12, 4301.30, 4301.42, 4301.43, 4301.432, 4301.62, 4303.03, 4303.031, 4303.2010, 4303.234 (renumbered 4303.235), 4303.33, 4303.99</b></p> <p>Same as the House.</p> <p>Same as the House.</p> <p>Same as the House.</p> |

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As Passed By House

As Reported By Senate Finance

|               |   |   |
|---------------|---|---|
| No provision. | <p>wine annually, but eliminates the requirement that a wine manufacturer must be eligible for a specified federal tax credit in order to qualify for the S-1 permit.</p>   | <p>Requires S-1 holders to pay the current 30 cents per-gallon tax on wine that supports the Ohio Grape Industries Fund. (Current law does not specifically require that S permit holders pay this tax.) Requires S-1 permit holders to pay the current additional two cents per-gallon tax on wine. (Current law requires that S permit holders pay this tax.)</p> |
|               | <p>No provision.</p>  |   |
|               | <p><b>Fiscal effect: Potential gain in S-1 liquor permit fee deposited into the Undivided Liquor Permit Fund (Fund 7066) and the State Liquor Regulatory Fund (Fund 5LP0). The fee for a S-1 liquor permit is \$25.</b></p> | <p><b>Fiscal effect: Same as the House, but may also result in some additional revenue for the Ohio Grape Industries Fund from current S permit holders that might not have been paying the 30 cents per gallon wine tax.</b></p>   |

COMCD29 New S-2 liquor permit created

|               |  |   |
|---------------|--|---|
| No provision. | <p><b>R.C. 4303.233</b><br/>Creates the S-2 liquor permit to be issued to a person (inside or outside Ohio) that manufactures 250,000 gallons or more of wine annually. Authorizes an S-2 permit holder to sell and ship its wine directly to personal consumers.</p>        | <p><b>R.C. 4303.233, 4301.43, 4301.432</b><br/>Same as the House.</p>   |
| No provision. | <p>Requires an S-2 permit holder to collect and pay the taxes relating to the delivery of wine to a personal consumer</p>  | <p>Same as the House.</p>   |
| No provision. | <p>Requires an S-2 permit holder to send a shipment of wine that has been paid for by a personal consumer via a carrier possessing an H permit. Requires the carrier to verify that the recipient of the wine shipment is at least 21 years of age by checking valid ID.</p> | <p>Same as the House.</p>   |
| No provision. | <p>No provision.</p>   | <p>Requires S-2 holders to pay the current 30 cents per-gallon tax on wine that supports the Ohio Grape Industries Fund. (Current law does not specifically require that S permit</p> |

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holders pay this tax.) Requires S-2 permit holders to pay the current additional two cents per-gallon tax on wine. (Current law requires that S permit holders pay this tax.)

**Fiscal effect: Potential gain in S-2 liquor permit fee deposited into the Undivided Liquor Permit Fund (Fund 7066) and the State Liquor Regulatory Fund (Fund 5PL0). The initial S-2 liquor permit fee is \$250 and the renewal liquor permit fee is \$100.**

**Fiscal effect: Same as the House, but may also result in some additional revenue for the Ohio Grape Industries Fund from current S permit holders that might not have been paying the 30 cents per gallon wine tax.**

COMCD32 Illegal shipment of wine or beer

No provision.

R.C. 4303.233, (renumbered 4303.236), 4303.99

Except for the delivery of a to-go serving of wine by a retail permit holder, prohibits a person from knowingly sending a shipment of wine to a personal consumer unless the person holds an S-1 or S-2 permit or is a fulfillment warehouse.

R.C. 4303.233, (renumbered 4303.236), 4303.236, 4303.99

Same as the House, but clarifies that the prohibitions apply to the transport of a shipment of beer or wine, and clarifies that specified permit holders may continue to deliver or ship beer or wine.

No provision.

Except for the delivery of a to-go serving of beer by a retail permit holder, prohibits a person from knowingly sending a shipment of beer to a personal consumer without an S-1 permit.

Same as the House.

No provision.

Specifies that a violator may be fined between \$500 and \$5,000, depending on the number of violations.

Same as the House.

**Fiscal effect: Fines are deposited into the State Liquor Regulatory Fund (Fund 5PL0).**

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

COMCD33 Retail permit holder prohibition

No provision.

R.C. 4303.233, (renumbered 4303.236)

Prohibits a person that is not a beer or wine manufacturer, including the holder of any retail permit in this state or outside of this state, from obtaining or attempting to obtain a B-2a, S-1, or S-2 permit.

R.C. 4303.233, (renumbered 4303.236)

Same as the House.



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**Fiscal effect: None.**

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

**COMCD30 Wine fulfillment warehouse**

No provision.

**R.C. 4303.234**

Authorizes a fulfillment warehouse to send a shipment of an S-2 permit holder's wine to a personal consumer under specified conditions, including that the fulfillment warehouse is located outside of this state and has entered into a written agreement with an S-2 permit holder to fulfill orders on behalf of the S-2 permit holder. Requires the Division of Liquor Control to adopt rules needed to administer and enforce this provision.

**Fiscal effect: Minimal.**

**R.C. 4303.234**

Same as the House, but authorizes, rather than requires, the Division of Liquor Control to adopt rules necessary to administer and enforce provisions regarding wine fulfillment warehouses.

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

**COMCD36 Repackaging of alcohol (R-permits)**

No provision.

No provision.

**R.C. 4303.237**

Provides authority for the repackaging of beer wine or mixed beverages, which is the process by which containers of these products are rebundled into new configurations.

No provision.

No provision.

Provides that a repackaged bundle may include promotional merchandise.

No provision.

No provision.

Authorizes the Division of Liquor Control to issue an R liquor permit to either: (1) a manufacturer or supplier of beer, wine or mixed beverages for purposes of repackaging; or (2) an entity operating under a written authorization from the manufacturer or supplier to operate a repackaging facility.

No provision.

No provision.

Authorizes an R permit holder to only deliver beer, wine, or mixed beverages that the permit holder repackages to the following: (1) the manufacturer or supplier that supplied the beer, wine, or mixed beverages to the R permit holder for

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|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | repackaging; (2) a B permit holder that is authorized by the beer, wine, or mixed beverages manufacturer or supplier to sell or distribute the repackaged beer, wine, or mixed beverages in Ohio; or (3) an entity outside the state if so authorized by the beer, wine, or mixed beverages manufacturer or supplier. |
| No provision. | No provision. | Establishes a \$750 permit fee for this new R permit and imposes various requirements on permit holders.<br><b>Fiscal effect: Potential increase in permit fee revenue for this new permit, which would be deposited into the Undivided Liquor Permit Fund (Fund 7066).</b>   |

COMCD39 Beer and wine tax exemption

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <b>R.C. 4303.332, 4303.333</b><br>Expands the tax exemption related to wine production to S-1 and S-2 permit holders.   |
| No provision. | No provision. | Eliminates the tax credit for small breweries (A-1c permit holders) for purposes of the state beer tax that applies to the first 9.3 million gallons of annual production of beer sold and distributed in Ohio, and instead establishes a tax exemption for A-1c permit holders that only produce up to 9.3 million gallons or less of beer per calendar year.<br><b>Fiscal effect: Potential GRF revenue loss.</b> |

COMCD7 Authority to recommend an ancillary trustee

|   |   |   |
|---|---|---|
| <b>R.C. 4735.05</b><br>Expands the authority of the Superintendent of Real Estate and Professional Licensing to recommend ancillary trustees relating to deceased, revoked, suspended, incapacitated, or incarcerated licensed brokers. | <b>R.C. 4735.05</b><br>Same as the Executive. | <b>R.C. 4735.05</b><br>Same as the Executive. |
|---|---|---|

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As Passed By House

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**Fiscal effect: None.**

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

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

**COMCD8 Real estate broker and salesperson contact information**

**R.C. 4735.14**

Requires each licensed real estate broker or salesperson to notify the Superintendent of Real Estate and Professional licensing of a change in personal residence address within 30 days after the change.

Requires each licensee to maintain a valid email address on file with the Division of Real Estate and Professional Licensing and to notify the Superintendent of any changes in its email address within 30 days after the change.

**R.C. 4735.14**

Same as the Executive.

Same as the Executive.

**R.C. 4735.14**

Same as the Executive.

Same as the Executive.

**Fiscal effect: None.**

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

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

**COMCD1 Real Estate Education and Research Fund**

**R.C. 4735.15**

Reduces the portion of triennial real estate broker's and salesperson's license fees to be credited to the Real Estate Education and Research Fund (Fund 5470) from \$3 per fee to \$1.50 per fee.

**Fiscal effect: Reduces revenue deposited into Fund 5470, however, will increase the revenue deposited into the Division of Real Estate Operating Fund (Fund 5490), the fund into which these license fees are first deposited. Revenue deposited into Fund 5470 amounted to nearly \$69,000 in FY 2020.**

**R.C. 4735.15**

Same as the Executive.

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

**R.C. 4735.15**

Same as the Executive.

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

|                  |                           |                                      |
|------------------|---------------------------|--------------------------------------|
| <b>Executive</b> | <b>As Passed By House</b> | <b>As Reported By Senate Finance</b> |
|------------------|---------------------------|--------------------------------------|

**COMCD6 Division of Real Estate and Professional Licensing rule making authority**

**R.C. 4781.04**

Explicitly states that COM's Division of Real Estate and Professional Licensing has authority to adopt rules with respect to manufactured home dealers, brokers, and salespersons.

**Fiscal effect: None.**

**R.C. 4781.04**

Same as the Executive.

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

No provision.

**COMCD2 Division of Industrial Compliance manufactured homes oversight**

**R.C. 4781.07, 4781.281, 4781.56, and 4781.57**

Makes several technical changes to replace references to the former Manufactured Homes Commission with references to the Division of Industrial Compliance (the current Division holding the responsibility for these duties).

**Fiscal effect: None.**

**R.C. 4781.07, 4781.281, 4781.56, and 4781.57**

Same as the Executive.

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

**R.C. 4781.07, 4781.281, 4781.56, and 4781.57**

Same as the Executive.

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

**COMCD20 Unclaimed fund payments**

**Section: 243.20**

Requires DPF Fund 5430 appropriation item 800625, Unclaimed Funds-Claims, to be used to pay claims under R.C. 169.08 and permits the COM Director to request that the OBM Director appropriate additional amounts if needed. Appropriates the additional amounts.

**Section: 243.20**

Same as the Executive.

**Section: 243.20**

Same as the Executive.

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**COMCD21 Division of Real Estate and Professional Licensing**

**Section: 243.20**

Requires DPF Fund 4B20 appropriation item 800631, Real Estate Appraisal Recovery, to be used to pay settlements, judgements, and court orders under R.C. 4763.16. Permits the COM Director to request that the OBM Director appropriate additional amounts if needed. Appropriates the additional amounts.

Requires DPF Fund 5480 appropriation item 800611, Real Estate Recovery, to be used to pay settlements, judgments, and court orders under R.C. 4735.12 and, as above, appropriates additional amounts for this purpose if necessary.

Requires DPF Fund 5VD0 appropriation item 800653, Real Estate Home Inspector Recovery, to be used to pay settlements, judgements, and court orders under R.C. 4764.21 and, as above, appropriates additional amounts for this purpose if necessary.

**Section: 243.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 243.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**COMCD22 Fire Department Grants**

**Section: 243.20**

(1) Requires that DPF Fund 5460 appropriation item 800639, Fire Department Grants, be used to make grants to 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.

**Section: 243.20**

(1) Same as the Executive.

**Section: 243.20**

(1) Same as the Executive.

| Executive  | As Passed By House                | As Reported By Senate Finance     |
|--|-----------------------------------|-----------------------------------|
| <p>(2) Requires the grants to be used 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 the grant recipient's jurisdiction.</p>  | <p>(2) Same as the Executive.</p> | <p>(2) Same as the Executive.</p> |
| <p>(3) Earmarks up to \$1,000,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to pay for the State Fire Marshal's costs of providing certain firefighter training classes at no cost to selected students, and allows the State Fire Marshal to establish the qualification and selection process for such classes.</p>  | <p>(3) Same as the Executive.</p> | <p>(3) Same as the Executive.</p> |
| <p>(4) Earmarks up to \$3,500,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to be used for Multi-Agency Radio Communication System (MARCS) grants. Establishes the criteria for the awarding of these grants, including authority for the State Fire Marshal to give a preference to grants that will enhance emergency communication networks in the geographic region that includes and is adjacent to the applicant's jurisdiction. Specifies that the awards may be up to \$50,000 annually per recipient.</p> | <p>(4) Same as the Executive.</p> | <p>(4) Same as the Executive.</p> |
| <p>(5) Limits grant awards for firefighter or rescue equipment or gear or fire department costs of providing fire protection services 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, and up to \$15,000 per fiscal year for full or partial reimbursement of the documented costs of firefighter training, which could be</p>  | <p>(5) Same as the Executive.</p> | <p>(5) Same as the Executive.</p> |

Executive

As Passed By House

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in addition to any grant funds awarded for equipment or fire protection services. Requires the State Fire Marshal to determine the total amounts to be allocated for each eligible purpose.

(6) Requires the State Fire Marshal to administer the grant program in accordance with rules adopted as part of the State Fire Code, which may further define eligible entities and establish criteria for the awarding and expenditure of grant funds.

(7) No provision.

(8) No provision.

(9) No provision.

(10) No provision.

(11) No provision.

(6) Same as the Executive.

(7) Earmarks \$200,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, for fire departments in Trumbull County for equipment and training costs.

(8) No provision.

(9) No provision.

(10) No provision.

(11) No provision.

(6) Same as the Executive.

(7) Same as the House.

(8) Earmarks \$125,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to fire departments in Lorain County for equipment and training costs, with priority given to grant applications from part-time or volunteer fire departments.

(9) Earmarks \$50,000 in each fiscal year from DPF Fund 5460 appropriation item 800639, Fire Department Grants, to fire departments in Huron County for equipment and training costs, with priority given to grant applications from part-time or volunteer fire departments.

(10) Earmarks \$150,000 in fiscal year 2022 from DPF Fund 5460 appropriation item 800639, Fire Department Grants, for the Village of Lisbon Fire Department to buy land for a new fire station.

(11) Earmarks \$250,000 in fiscal year 2022 from DPF Fund 5460 appropriation item 800639, Fire Department Grants,

Executive

As Passed By House

As Reported By Senate Finance

(12) Permits any appropriation in excess of the amount allocated for the grants to be used to administer the grant program.

(12) No provision.

for Northfield Center Township to support construction of a new fire station and safety center.  
(12) Same as the Executive.

**COMCD23 Cash transfers to Division of Real Estate Operating Fund**

**Section: 243.30**

Allows the OBM Director, upon the request of the COM Director and Controlling Board approval, to transfer up to \$500,000 in cash from the Real Estate Education and Research Fund (Fund 5470) to the Division of Real Estate Operating Fund (Fund 5490) during the biennium.

**Section: 243.30**

Same as the Executive.

**Section: 243.30**

Same as the Executive.

Allows the OBM Director, upon the request of the COM Director and Controlling Board approval and if the Real Estate Recovery Fund (Fund 5480) cash balance exceeds \$250,000 during the biennium, to transfer cash from Fund 5480 to Fund 5490, such that the amount available in Fund 5480 is not less than \$250,000.

Same as the Executive.

Same as the Executive.

**COMCD24 Cash transfers to Real Estate Appraiser Operating Fund**

**Section: 243.30**

Allows the OBM Director, upon the request of the COM Director and Controlling Board approval and if the Real Estate Appraiser Recovery Fund (Fund 4B20) cash balance exceeds \$200,000 during the biennium, to transfer cash from Fund 4B20 to the Real Estate Appraiser Operating Fund (Fund 6A40), such that the amount available in Fund 4B20 is not less than \$200,000.

**Section: 243.30**

Same as the Executive.

**Section: 243.30**

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**COMCD25 Cash transfers to Home Inspector Operating Fund and the Home Inspector Recovery Fund**

**Section: 243.30**

Allows the OBM Director, upon the request of the COM Director and Controlling Board approval, to transfer up to \$500,000 in cash from the Division of Securities Fund (Fund 5500) as follows: up to \$400,000 in cash to the Home Inspector Operating Fund (Fund 5VC0) and up to \$100,000 in cash to the Home Inspector Recovery Fund (Fund 5VD0).

Requires the OBM Director, in consultation with the COM Director, to establish a repayment schedule to fully repay the cash transferred from the Divisions of Securities Fund (Fund 5500) when revenue deposited into Fund 5VC0 and Fund 5VD0 are deemed sufficient to sustain operations.

**Section: 243.30**

Same as the Executive.

Same as the Executive.

**Section: 243.30**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**OCCCD1 Virtual attendance at board meetings**

**R.C. 4911.17**

Removes the codified reference to "in person" attendance for purposes of Ohio Consumers' Counsel Governing Board member compensation (thereby allowing virtual attendance without jeopardizing board members' compensation, if such attendance is otherwise allowed).

**Fiscal effect: None.**

**Section: 749.20**

Same as the Executive, but places the in-person attendance exception in uncodified law and limits it to the period of emergency declared by Executive Order 2020-01D, issued on March 9, 2020.

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

No provision.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**CEBCD3 Controlling Board agenda**

No provision.

**R.C. 127.13**

Increases the number of days that the Controlling Board President must publish the Board's meeting agenda before each meeting, from seven to 14, and makes the change effective January 1, 2022.

**Fiscal effect: None.**

No provision.

**CEBCD1 Federal share**

**Section: 247.20**

Requires the Controlling Board, in transferring appropriations to and from appropriation items that have federal shares identified in the bill, to add or subtract corresponding amounts of federal matching funds at the percentages indicated by the state and federal division of the appropriations in the bill, and appropriates such changes.

**Section: 247.20**

Same as the Executive.

**Section: 247.20**

Same as the Executive.

**CEBCD2 Disaster Services Fund**

**Section: 247.20**

(1) Requires the Controlling Board to use the Disaster Services Fund (Fund 5E20), pursuant to requests submitted by state agencies, to transfer cash used for the payment of state agency disaster relief program expenses for disasters having a written Governor's authorization, if the Director of Budget and Management determines that sufficient funds exist.

**Section: 247.20**

(1) Same as the Executive.

**Section: 247.20**

(1) Same as the Executive.

(2) Permits the Department of Public Safety to request, and the Controlling Board to approve, cash transfers from Fund 5E20 to any fund used by the Department to provide for assistance to political subdivisions made necessary by natural

(2) Same as the Executive.

(2) Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

disasters or emergencies. Permits such transfers to be requested and approved prior to the occurrence of any specific natural disasters or emergencies in order to facilitate the provision of timely assistance.

(3) Requires Public Safety's Emergency Management Agency (EMA) to use the cash to fund: (a) the State Disaster Relief Program for disasters that qualify for the program by written authorization of the Governor, and (b) the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization from the Governor. Requires the EMA to publish and make available application packets for those two programs.

(3) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

COSCD2 Barber teacher exams

No provision.

No provision.

**R.C. 4709.10**

Eliminates a requirement that an individual who does not pass the barber teacher license examination must wait one year and remain employed as an assistant barber teacher before applying to retake the examination.

**Fiscal effect: None.**

COSCD3 Barber member

No provision.

No provision.

**R.C. 4713.02, Section 747.10**

Changes the requirement that the board member who is required to be employed as a barber under current law instead hold a current, valid barber or barber teacher license at the time of appointment, and specifies that a board member's term is not affected if the member is serving on the provision's effective date.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

COSCD1 Cosmetology or barber services at limited events

No provision.

No provision.

**R.C. 4713.351**

Allows an individual who is licensed to provide services under the Cosmetology Law or Barber Law to provide those services on premises other than a licensed salon or a licensed barber shop, as applicable, for limited events only if the services provided are incidental to the licensee's practice in a salon or barber shop. Specifies that limited events include but are not limited to charity events, on-location weddings or event preparation, bridal or hair shows, on-location spa events, on-location events at nursing homes, hospitals, or other care facilities, and on-location events at private residences of people who are unable to go to fixed location salons or barber shops.

No provision.

No provision.

Prohibits the State Cosmetology and Barber Board from requiring an individual who provides incidental services as described above to obtain an additional license or permit to provide those services.

**Fiscal effect: Minimal at most. Under current administrative rule the Board may issue temporary event salon licenses. The fee for these licenses is \$10.**

Executive

As Passed By House

As Reported By Senate Finance

**CSWCD1 Extension of registration for graduates**

**R.C. 4757.10**

Provides a six-month registration extension for the following Master's level individuals if the individual has graduated but not yet completed all requirements for licensure: counselor trainees; social worker trainees; and marriage and family therapist trainees.

**Fiscal effect: Potential minimal increase in administrative costs.**

**R.C. 4757.10**

Same as the Executive.

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

**R.C. 4757.10**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**CLACD1 Court of Claims procedure for Open Meetings Law violations**

(1) No provision.

(1) No provision.

**R.C. 2743.76, 121.22, 2323.52, 2743.03, 2746.04**

(1) Creates a procedure within the Court of Claims to hear complaints alleging a violation of the Open Meetings Law.

(2) No provision.

(2) No provision.

(2) Allows the Court to assign a special master to refer the case to mediation or to proceed with the case and submit a report and recommendation to the Court.

(3) No provision.

(3) No provision.

(3) Requires that any appeal from an order of the Court be taken to the court of appeals of the appellate district where the principal place of business of the public body that is alleged to have violated the Open Meetings Law is located.

(4) No provision.

(4) No provision.

(4) Allows a court of appeals to award reasonable attorney's fees to an aggrieved person if the court determines that the public body violated the Open Meetings Law and obviously filed the appeal with the intent to delay compliance with the Court of Claims' order or to unduly harass the aggrieved person.

(5) No provision.

(5) No provision.

(5) Provides that a determination that a public body violated the Open Meetings Law does not void or invalidate any actions taken by the public body.

(6) No provision.

(6) No provision.

(6) Provides that all filing fees collected by a clerk of the common pleas court are to be paid to the county treasurer for deposit into the county general revenue fund.

(7) No provision.

(7) No provision.

(7) Provides that all filing fees collected by the clerk of the Court of Claims are to be kept by the Court of Claims to assist in paying for its costs to implement the above-described provisions.

**Fiscal effect: Increase in Court of Claims' operating**



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**expenses of approximately \$705,000 annually, with an additional \$34,000 in one-time costs; Potential savings effect for courts of common pleas; Minimal annual gain in filing fee revenue for state and counties.**

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**BDPCD2 Secretary of the Board of Deposit**

No provision.

**R.C. 135.02**

Requires the Treasurer of State to designate an employee of that office to serve as Secretary of the Board of Deposit (current law specifies that the Cashier of the State Treasury serves in that position).

**R.C. 135.02**

Same as the House.

**BDPCD1 Board of Deposit Expense Fund**

**Section: 257.10**

Requires that after receiving certification of expenses from the Treasurer of State, the Director of Budget and Management transfer cash from the Investment Earnings Redistribution Fund (Fund 6080) to the Board of Deposit Expense Fund (Fund 4M20) to pay for any and all necessary expenses of the Board of Deposit or for banking charges and fees required for the operation of the State of Ohio Regular Account.

**Section: 257.10**

Same as the Executive.

**Section: 257.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD2 Rename agency as Department of Development**

R.C. 121.02, 121.03, 122.01, 122.011, 122.60, 122.601, 122.603, 149.311, 166.01, 166.03, 174.01, 174.02, 184.01, 1551.01, 1551.33, 1551.35, Section 518.20, Repealed: R.C. 184.011, 3735.01, and 5701.15

Changes the name of the Development Services Agency and Director of Development Services back to the Department of Development and Director of Development, respectively.

**Fiscal effect: None.**

R.C. 121.02, 121.03, 122.01, 122.011, 122.60, 122.601, 122.603, 149.311, 166.01, 166.03, 174.01, 174.02, 184.01, 1551.01, 1551.33, 1551.35, Section 518.20, Repealed: R.C. 184.011, 3735.01, and 5701.15

Same as the Executive.

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

R.C. 121.02, 121.03, 122.01, 122.011, 122.60, 122.601, 122.603, 149.311, 166.01, 166.03, 174.01, 174.02, 184.01, 1551.01, 1551.33, 1551.35, Section 518.20, Repealed: R.C. 184.011, 3735.01, and 5701.15

Same as the Executive.

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

**DEVCD4 Transfer of Equal Employment Opportunity Division and Contractor Compliance Program from DAS to DEV**

R.C. 121.07, 122.92, with conforming changes in numerous other RC sections; Sections 518.10-518.16

Transfers responsibility for administering the Minority Business Enterprise Program, the Encouraging Diversity, Growth, and Equity (EDGE) Program, the Women-Owned Business Enterprise Program, and the Veteran-Friendly Business Enterprise Program to the Director of Development and the Department of Development (DEV), rather than the Director of Administrative Services (DAS) and the Equal Opportunity Employment Coordinator within DAS.

Transfers the administration of these function effective July 1, 2021. Specifies that business related to these functions ongoing as of this date be completed by DEV in the same manner and with the same effect as being done by DAS. Provides for the continuation of DAS rules for these programs under DEV until modified or rescinded by the latter agency. Specifies that no judicial or administrative matter related to these programs pending on the transfer date is affected by the transfer of these programs from DAS to DEV.

R.C. 121.07, 122.92, with conforming changes in numerous other RC sections; Sections 518.10-518.16

Same as the Executive.

Same as the Executive.

R.C. 121.07, 122.92, with conforming changes in numerous other RC sections; 9.47 and 153.59; Sections 518.10-518.16

Same as the Executive, but also transfers responsibility to administer the Contractor Compliance Program from DAS to DEV. (The program ensures state contractors adhere to state affirmative action policies.)

Same as the Executive.

| Executive   | As Passed By House     | As Reported By Senate Finance |
|---|------------------------|-------------------------------|
| Specifies that the transfer of these programs and any reassignment of certain functions from DAS to DEV are not appropriate subjects for collective bargaining.   | Same as the Executive. | Same as the Executive.        |
| Provides for the transfer of DAS employees who administer these programs from DAS to DEV. Authorizes the Director of DEV to establish, change, and abolish positions and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all employees of DEV who are not subject to public employee collective bargaining. Specifies that this authority extends to assigning or reassigning exempt employees to bargaining unit positions when appropriate and how this is to be accomplished under the state's job classification plan. Specifies that actions taken under this authority are not subject to appeal to the State Personnel Board of Review. | Same as the Executive. | Same as the Executive.        |
| Allows the Director of DEV to enter into contracts with private or government entities for staff training and development to facilitate the transfer of the business certification functions from DAS to DEV.   | Same as the Executive. | Same as the Executive.        |
| Gives the Controlling Board authority to increase appropriations for any fund (except GRF) as needed to pay for increases in employee compensation pursuant to collective bargaining contracts or increases that are provided for exempt employees under current law. Appropriates the increased amounts.   | Same as the Executive. | Same as the Executive.        |
| Requires the Director of Budget and Management to make the needed budget and accounting changes resulting from this transfer, such as renaming or creating new funds or consolidating existing ones, and canceling and establishing encumbrances. Appropriates the amounts of the established encumbrances. Specifies that all records, documents, files,   | Same as the Executive. | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

equipment, assets, and other materials are transferred from DAS to DEV.

Requires the Director of the Legislative Service Commission to renumber the rules pertaining to the programs to move them from DAS to DEV.

No provision.

Same as the Executive.

Requires DEV, on September 1, 2023, and with the cooperation of DAS, to submit a report to the General Assembly and Governor regarding the effect of the transfer of these business certification programs from DAS to DEV and requires the report to include data comparing the efficiency of the two departments in administering the program on all of the following if available: (1) the number of businesses certified by DSA as compared to before by DAS, (2) the length of time required for DEV to process certifications compared to DAS, and (3) the number of complaints received from applicants regarding the certification process under DEV versus under DAS. Requires the report to also contain information about the transfer of employees to DEV from DAS.

Same as the Executive.

Same as the House.

**Fiscal effect: Increases costs to the Minority Business Development Division within DEV for overseeing these additional programs, and simultaneously reduces costs for DAS. The executive provides funding for these purposes under GRF appropriation item 195405, Minority Business Development.**

**Fiscal effect: Same as the Executive with some additional administrative cost for preparing the report regarding the effect of transferring the business certification programs from DAS to DEV.**

**Fiscal effect: Same as the House, but funding for the Contractor Compliance Program is also transferred from DAS to DEV.**

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD51 Development loan and grant program information**

No provision.

No provision.

**R.C. 122.013**

Requires the Department of Development to provide on its website a description of and eligibility and application requirements for loans and grants the Department offers.

**Fiscal effect: None.**

**DEVCD57 Rural Industrial Park Loan program eligibility**

No provision.

No provision.

**R.C. 122.23**

Expands eligibility for loans from the Rural Industrial Park Loan Program to include projects that are located in any rural area, meaning any Ohio county that is not designated as part of a Metropolitan Statistical Area by the U.S. Office of Budget and Management, in addition to those located in distressed, labor surplus, or situational distress areas under continuing law.

**Fiscal effect: Potentially increases the number of projects that qualify for loans under the program. The bill provides \$15,000,000 in each fiscal year for this purpose under Fund 4Z60 line item 195647, Rural Industrial Park Loan.**

**DEVCD40 Ohio Residential Broadband Expansion Grant Program**

No provision.

**R.C. 122.401, 122.40, 122.403 through 122.4077; 133.13, 188.01 through 188.30; 303.251, 505.881, and 727.01; 4926.01 through 4926.60**

Does the following to address broadband expansion and infrastructure (these provisions are identical to those in H.B. 2 of the 134th G.A., As Passed by the House. See the LSC Bill Analysis for more details of these provisions at <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA134-HB-2>).

**R.C. 122.403, 122.404 (repealed)**

Replaces the House provisions with a provision that makes the following changes to H.B. 2, which was enacted on May 5, 2021 and became effective May 17, 2021:

Executive

As Passed By House

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(1) No provision.

(1) Creates the Ohio Residential Broadband Expansion Grant Program and the five-member Ohio Broadband Expansion Program Authority to award program grants to fund the construction of broadband projects in unserved areas of the state. Specifies that members of the Authority are to receive a monthly stipend in an amount that will qualify each member for one year of retirement service credit under OPERS for each year of the member's term. Allows up to two members of the Authority to attend meetings electronically under certain conditions.

(1) Replaces the House provision with provisions eliminating: (A) the monthly stipend and Ohio Public Employees Retirement System (OPERS) service credit for the members of the Broadband Expansion Program Authority and (B) the ability for up to two Authority members at a time to attend meetings electronically. (Members will receive reimbursements for their actual expenses under continuing law.)

(2) No provision.

(2) Requires DEV to adopt rules for the grant program including rules for an application form and application procedures and procedures for periodic program grant disbursements. Requires DEV, in consultation with the Authority, to establish a weighted scoring system to evaluate and select applications for program grants and make it available on its website.

(2) No provision.

(3) No provision.

(3) Requires DEV to publish certain grant program and application information on its website. Requires DEV to accept, receive, and review applications for program grants and send completed applications to the Authority for review and award of program grant money for eligible projects.

(3) No provision.

(4) No provision.

(4) Requires up to 30% of the program grant to be disbursed before project construction begins, up to 60% of the program grant to be disbursed periodically over the course of the project construction according to DEV rules, and the remaining portion to be disbursed not later than 60 days after notification that construction is complete.

(4) No provision.

(5) No provision.

(5) Requires a broadband provider to construct last mile broadband infrastructure after receiving a program grant

(5) No provision.

| Executive          | As Passed By House  | As Reported By Senate Finance |
|--------------------|---|-------------------------------|
| (6) No provision.  | award.<br>(6) Permits a board of county commissioners, by resolution, to request DEV to solicit applications from broadband providers for program grants for eligible projects in the municipal corporations and townships of the county.   | (6) No provision.             |
| (7) No provision.  | (7) Permits a challenging provider to challenge, in writing, all or part of a completed application for a program grant not later than 65 days (or longer if an extension is granted) after the close of the submission period (or extension period).   | (7) No provision.             |
| (8) No provision.  | (8) Permits a broadband provider to enter into an arrangement to designate video service provider fees remitted by the provider for contribution towards an eligible project’s broadband funding gap under certain circumstances.   | (8) No provision.             |
| (9) No provision.  | (9) Permits a municipal corporation, county, or township to fund a portion of the broadband funding gap for an eligible project through a property tax assessment made by the municipal corporation, county, or township.   | (9) No provision.             |
| (10) No provision. | (10) Permits DEV to withhold payments for failure to meet at least the minimum broadband service speeds required under the bill until the speeds are achieved. Permits DEV to require the broadband provider to refund state and local government funds if the provider fails to cure the identified noncompliance. | (10) No provision.            |
| (11) No provision. | (11) Requires each broadband provider that receives a program grant to submit progress and certain other reports.   | (11) No provision.            |
| (12) No provision. | (12) Requires the Authority to complete an annual report that evaluates the grant program’s success on DEV’s website and to provide the report to the Governor and the General Assembly by December 1 each year.  | (12) No provision.            |



| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| (13) No provision.  | (13) Expands the use of electric cooperative easements for the provision of broadband service and creates a process for addressing damages to servient estates (land burdened by an easement).  | (13) No provision.  |
| (14) No provision.  | <p>(14) Establishes a process for granting broadband providers, telecommunication service providers, video service providers, and wireless service providers access to electric cooperatives pole facilities through pole attachments.</p> <p><b>Fiscal effect: The bill appropriates \$170.0 million in FY 2022 and \$20.0 million in FY 2023 under DPF Ohio Residential Broadband Expansion Grant Program Fund (Fund 5XU0) line item 195567, Residential Broadband Expansion Grants, to awards grants under the Ohio Residential Broadband Expansion Grant Program. See also DEVCD41 and OBMCD39.</b></p> | (14) No provision.  |
| <b>DEVCD3 Minority Development Financing Advisory Board authority</b>   |   |   |
| <p><b>R.C. 122.72, 122.73, 122.74, 122.78, 122.79, 122.82</b></p> <p>Clarifies, by modifying several cross-references, that the responsibility for oversight of the diesel emissions reduction grant program and the motion picture and theatre tax credit and several other tax credits rests with the Director of Development, and not the Minority Development Financing Advisory Board.</p> | <p><b>R.C. 122.72, 122.73, 122.74, 122.78, 122.79, 122.82</b></p> <p>Same as the Executive.</p>   | <p><b>R.C. 122.72, 122.73, 122.74, 122.78, 122.79, 122.82</b></p> <p>Same as the Executive.</p> |
| <b>Fiscal effect: None.</b>   | <b>Fiscal effect: Same as the Executive.</b>  | <b>Fiscal effect: Same as the Executive.</b>  |

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD52 JobsOhio Chief Investment Officer's annual report**

No provision.

No provision.

**R.C. 187.03**

Requires the Chief Investment Officer of JobsOhio to deliver an annual report of JobsOhio's activities by July 1 instead of March 1 to the Governor, Speaker and Minority Leader of the House of Representatives, and President and Minority Leader of the Senate.

**Fiscal effect: None.**

**DEVCD5 Coal Research and Development Program**

**Section: 259.20**

Requires GRF appropriation item 195402, Coal Research and Development Program, to be used for the operating expenses of the Community Services Division in support of the Ohio Coal Development Office.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

**DEVCD6 Minority Business Development**

**Section: 259.20**

Requires GRF appropriation item 195405, Minority Business Development, to support the activities of the Minority Business Development Division, including providing grants to local nonprofit organizations to support economic development activities that promote minority business development, in conjunction with local organizations funded through GRF appropriation item 195454, Small Business and Export Assistance.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD7 Business Development Services**

**Section: 259.20**

Requires GRF appropriation item 195415, Business Development Services, to be used for the operating expenses of the Office of Strategic Business Investments and the regional economic development offices.

Earmarks \$1,800,000 in each of FY 2022 and FY 2023 for Development Projects, Inc. for various Department of Defense- and aerospace industry-related workforce economic development activities.

**Section: 259.20**

Same as the Executive.

Same as the Executive.

**Section: 259.20**

Same as the Executive.

Same as the Executive.

**DEVCD8 Redevelopment Assistance**

**Section: 259.20**

Requires GRF appropriation item 195426, Redevelopment Assistance, to be used to fund the costs of administering energy, redevelopment, and other revitalization programs that DEV may implement, and allows the line item to be used to match federal grant funding.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

**DEVCD9 Technology Programs and Grants**

**Section: 259.20**

Requires GRF appropriation item 195453, Technology Programs and Grants, to be used for operating expenses incurred in administering the Ohio Third Frontier Programs and other technology focused programs that DEV may implement.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD10 Small Business and Export Assistance**

**Section: 259.20**

Allows GRF appropriation item 195454, Small Business and Export Assistance, to be used to provide a range of business assistance, including grants to local organizations to support economic development activities that promote small business development, entrepreneurship, and exports of Ohio's goods and services, in conjunction with local organizations funded through GRF line item 195405, Minority Business Development.

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

**Section: 259.20**

Same as the Executive.

Same as the Executive.

**Section: 259.20**

Same as the Executive.

Same as the Executive.

**DEVCD11 Appalachia Assistance**

**Section: 259.20**

(1) Allows GRF appropriation item 195455, Appalachia Assistance, to be used for (A) the administrative costs of planning and liaison activities for the Governor's Office of Appalachia; (B) financial assistance to projects in Ohio's Appalachian counties; (C) support of the four local development districts; (D) payment of dues for the Appalachian Regional Commission; and (E) match of federal funding received from the Appalachian Regional Commission.

(2) Requires that programs funded through the appropriation item be identified and recommended by the local development districts and approved by the Governor's Office of Appalachia.

(3) Requires DEV to conduct compliance and regulatory review of the programs recommended by the local

**Section: 259.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 259.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

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development districts, and allows moneys allocated under the appropriation item to be used to fund projects including, but not limited to, those designated by the local development districts as community investment and rapid response projects.

(4) Earmarks the following amounts from the line item to support four local development districts in each fiscal year: (A) \$170,000 to Ohio Valley Regional Development Commission, (B) \$170,000 to Ohio Mid-Eastern Government Association, (C) \$170,000 to Buckeye Hills - Hocking Valley Regional Development District, and (D) \$70,000 to Eastgate Regional Council of Governments. Requires the districts receiving this funding to use the funds for the implementation and administration of programs and duties under RC 107.21.

(4) Same as the Executive, but increases the earmark under (D) for Eastgate Regional Council of Governments from \$70,000 to \$170,000.

(4) Same as the House.

**DEVCD12 CDBG Operating Match**

**Section: 259.20**

Requires GRF appropriation item 195497, CDBG Operating Match, to be used as matching state funds for federal assistance received from the U.S. Department of Housing and Urban Development according to the requirements of the Community Development Block Grant Program.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

Executive

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**DEVCD13 BSD Federal Programs Match**

**Section: 259.20**

Requires GRF appropriation item 195499, BSD Federal Programs Match, to be used as matching state funds for grants from the U.S. Department of Commerce, National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership Program and Defense Logistics Agency Procurement Technical Assistance Program, and other federal agencies. Allows the appropriation item to be used for operating expenses of the Business Services Division.

**Section: 259.20**

Same as the Executive.

**Section: 259.20**

Same as the Executive.

**DEVCD37 iBELIEVE**

No provision.

**Section: 259.20**

Specifies that GRF line item 195501, iBELIEVE, be used for the iBELIEVE Foundation to provide opportunities for Appalachian youth to develop twenty-first century skills, including leadership, communication, and problem-solving for college access and retention.

**Section: 259.20**

Same as the House.

**DEVCD14 Local Development Projects**

**Section: 259.20**

Makes the following earmarks from the appropriations to GRF line item 195503, Local Development Projects:

- (1) \$5,000,000 in each fiscal year for the Foundation for Appalachian Ohio;
- (2) Up to \$4,000,000 in each fiscal year for the GRIT Program, to be used by DEV and the Governor's Office of Appalachia to establish virtual workforce development centers and place un- and under-employed adults into jobs within 11 counties of the Ohio Valley Regional Development Commission's

**Section: 259.20**

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive, but increases the earmark to \$10,000,000 in each fiscal year.
- (2) Same as the Executive.

**Section: 259.20**

Same as the House, but makes the following changes to the earmarks:

- (1) Same as the House, but reduces the FY 2022 earmark to \$7,500,000.
- (2) Same as the Executive, but specifies that up to \$1,250,000 in each fiscal year may be used for youth assessments and career development activities and up to \$1,150,000 in each fiscal year may be used to support the development of virtual workforce centers. Removes the

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p>service territory. Allows up to \$800,000 in each fiscal year to be used for assessments and up to \$800,000 in each fiscal year to be used for operating costs. Allows the Governor's Office of Appalachia and DEV to establish other guidelines for the use of this line item;</p> |   | <p>ability of the Governor's Office of Appalachia and DEV to establish other guidelines for the use of this earmark since the \$4,000,000 per fiscal year would be totally earmarked under the amendment.</p> |
| <p>(3) Up to \$2,250,000 in FY 2022 for DEV, in coordination with DOH, to support stable housing initiatives for pregnant mothers and to improve maternal and infant health outcomes;</p>   | <p>(3) Same as the Executive.</p>   | <p>(3) Same as the Executive.</p>   |
| <p>(4) \$150,000 in each fiscal year for the Stark County Minority Business Association to work in partnership with the Canton Regional Chamber of Commerce to support a demonstration pilot program.</p>   | <p>(4) Same as the Executive.</p>   | <p>(4) Same as the Executive.</p>   |
| <p>(5) No provision.</p>  | <p>(5) \$300,000 in each fiscal year to support the Camp James A. Garfield Joint Military Training Center and the Youngstown Air Reserve Station.</p>   | <p>(5) Same as the House.</p>   |
| <p>(6) No provision.</p>  | <p>(6) \$300,000 in each fiscal year to Cleveland Neighborhood Progress for the Cleveland Chain Reaction Project.</p>   | <p>(6) Same as the House.</p>   |
| <p>(7) No provision.</p>  | <p>(7) \$500,000 in each fiscal year to the Center for Advanced Manufacturing and Logistics for workforce development, supply chain management, automation, research and development, and entrepreneurship to foster manufacturing and logistic industry jobs and company creation.</p>   | <p>(7) Same as the House, but increases the earmark to \$1,000,000 in each fiscal year.</p>   |
| <p>(8) No provision.</p>  | <p>(8) \$1,000,000 in each fiscal year to the Lucas County Land Reutilization Corporation for the Lucas County Commercial Site Clean-Up Pilot Program to demolish vacant commercial or industrial buildings located in Lucas County. Requires a dollar-for-dollar match by any of the following entities: City of Toledo, Lucas County, Toledo-Lucas County Port Authority,</p> | <p>(8) Same as the House, but reduces the earmark to \$500,000 in each fiscal year.</p>   |

Executive

As Passed By House

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|                           |   |   |
|---------------------------|---|---|
|                           | <p>Lucas County Land Reutilization Corporation, the municipality, village, or township where the project is located, or any private entities or nonprofit organizations. Requires the program to prioritize the demolition of blighted or nuisance buildings at locations having the greatest negative impact on surrounding property values and locations that have the greatest potential for new construction or development.</p>  |   |
| <p>(9) No provision.</p>  | <p>(9) \$250,000 in each fiscal year to Fulton County or Fulton County Land Reutilization Corporation to demolish vacant commercial or industrial buildings located in Fulton County. Requires a dollar-for-dollar match by any of the following entities: Fulton County, the municipality, village, or township where the project is located, or any private entities or nonprofit organizations. Requires the program to prioritize the demolition of blighted or nuisance buildings as described in (8) above.</p> | <p>(9) No provision.</p>  |
| <p>(10) No provision.</p> | <p>(10) \$50,000 in FY 2022 to the Adams County Community Foundation.</p>   | <p>(10) No provision.</p>   |
| <p>(11) No provision.</p> | <p>(11) \$100,000 in FY 2022 to Medina County Board of Commissioners to support the financing of a homeless shelter.</p>  | <p>(11) No provision.</p>   |
| <p>(12) No provision.</p> | <p>(12) No provision.</p>   | <p>(12) \$100,000 in each fiscal year for the Lincoln Community Center in Troy.</p>   |
| <p>(13) No provision.</p> | <p>(13) No provision.</p>   | <p>(13) \$60,000 in FY 2022 to East Liverpool to create a downtown plan.</p>  |
| <p>(14) No provision.</p> | <p>(14) No provision.</p>   | <p>(14) \$150,000 in FY 2022 for East Liverpool to acquire, demolish, or rehabilitate abandoned houses and conduct property cleanup activities.</p> |



| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| (15) No provision.   | (15) No provision.   | (15) \$4,000,000 in FY 2022 to support the Cleveland Water Alliance Sustainable Water Technologies Initiative.   |
| (16) No provision.   | (16) No provision.   | (16) \$900,000 in FY 2022 and \$600,000 in FY 2023 to support the SkillUp Coalition for rapid reskilling initiatives in Ohio's Appalachian counties.   |
| (17) No provision.   | (17) No provision.   | (17) \$1,000,000 in FY 2022 for Mahoning Valley Campus of Care.  |
| <b>DEVCD38 Ohio-Israel Agricultural Initiative</b>   |  |  |
| No provision.  | <p><b>Section: 259.20</b><br/>Requires GRF appropriation item 195537, Ohio-Israel Agricultural Initiative, to be used for the Ohio-Israel Agricultural Initiative and prohibits the appropriation from being used for travel and entertainment expenses incurred under the initiative.</p>   | <p><b>Section: 259.20</b><br/>Same as the House.</p>   |
| <b>DEVCD15 Industry Sector Partnerships</b>  |  |  |
| <p><b>Section: 259.20</b><br/>Requires GRF appropriation item 195553, Industry Sector Partnerships, to be used for the grant program described in R.C. 122.179.</p> <p>Reappropriates the unexpended, unencumbered balance of the appropriation in FY 2022 for the same purpose in FY 2023.</p> <p>No provision.</p> | <p><b>Section: 259.20</b><br/>Same as the Executive, except requires the remainder of GRF appropriation item 195553 to be used for the grant program.</p> <p>Same as the Executive.</p> <p>Earmarks, notwithstanding R.C. 122.179, \$46,250 in each fiscal year under GRF appropriation item 195553, Industry Sector Partnerships, for Jewish Vocational Service of Cincinnati to support workforce development costs involved with assisting in employment services for the financially indigent.</p> | <p><b>Section: 259.20</b><br/>Same as the House.</p> <p>Same as the Executive.</p> <p>Same as the House but earmarks an additional amount of up to \$5,000,000 in FY 2022 to be allocated to the National Additive Manufacturing Innovation Institute, in partnership with Eastern Gateway Community College, to create workforce initiatives for fifth through twelfth grade students, adult workers, and minority and economically disadvantaged</p> |

| Executive                                       | As Passed By House  | As Reported By Senate Finance                        |
|---|---|--|
| <b>DEVCD47 TechCred Program</b>                 | <p><b>Section: 259.20</b><br/>Requires GRF appropriation item 195556, TechCred Program, to be used for the TechCred Program under R.C. 122.178.</p>   | individuals.   |
| No provision.                                   |   | No provision.  |
| <b>DEVCD39 Main Street Job Recovery Program</b> | <p><b>Section: 259.20</b><br/>Requires GRF appropriation item 195566, Main Street Job Recovery Program, to be used for grants to nonprofit organizations to create permanent business development and employment opportunities targeted to low- and moderate-income individuals or individuals of the reentry population.</p> <p>Requires the grants to be awarded based on the following criteria: (1) number of businesses created and expanded, (2) number of jobs created for low- and moderate-income individuals, and (3) the amount of funds leveraged as a result of the program.</p> | <p><b>Section: 259.20</b><br/>Same as the House.</p> |
| No provision.                                   |   | Same as the House.                                   |
| No provision.                                   | <p>Requires DEV to submit a written report describing the outcomes of the Main Street Job Recovery Program to the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of Representatives, and the Legislative Service Commission no later than June 30 each year of the FY 2022-FY 2023 biennium.</p>   | Same as the House.                                   |

| Executive   | As Passed By House         | As Reported By Senate Finance |
|---|----------------------------|-------------------------------|
| <b>DEVCD16 Residential Broadband Expansion Grants</b>   |                            |                               |
| <b>Section: 259.20</b>  | <b>Section: 259.20</b>     |                               |
| Requires GRF appropriation item 195651, Residential Broadband Expansion Grants, to be used for grants to expand broadband service.  | Same as the Executive.     | No provision.                 |
| Allows up to \$2,000,000 in the biennium under the line item to be used for a statewide initiative to support providing behavioral health in schools through telehealth.  | Same as the Executive.     | No provision.                 |
| <b>DEVCD17 General Obligation bond debt service payments</b>  |                            |                               |
| <b>Section: 259.25</b>  | <b>Section: 259.25</b>     | <b>Section: 259.25</b>        |
| (1) Requires GRF appropriation item 195901, Coal Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2022 and FY 2023 for obligations issued to fund the Coal Research and Development Program. | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) Requires GRF appropriation item 195905, Third Frontier Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2022 and FY 2023 for obligations issued to fund the Third Frontier Program.      | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) Requires GRF appropriation item 195912, Job Ready Site Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2022 and FY 2023 for obligations issued to fund the Job Ready Site Program.                   | (3) Same as the Executive. | (3) Same as the Executive.    |

Executive

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**DEVCD48 Community Improvements Fund**

No provision.

No provision.

**Section: 259.30**

Requires Fund 5YCO appropriation item 195569, Community Improvements, to be allocated to the City of Zanesville to support the financing of road slip repairs.

**DEVCD49 Sports Events Grants**

No provision.

No provision.

**Section: 259.30**

Requires Sports Event Grant Fund appropriation item 195496, Sports Events Grants, to be used for grants as described in R.C. 122.12 and 122.121.

No provision.

No provision.

Requires the Director of Development, on July 1, 2022, or as soon as possible thereafter, to certify to the OBM Director the amount of the unexpended, unencumbered balance of appropriation item 195496, Sports Events Grants, to be reappropriated in FY 2023. Reappropriates the certified amount to the appropriation item in FY 2023 for the same purpose.

**DEVCD18 Minority Business Bonding Fund**

**Section: 259.30**

(1) Permits the DEV Director, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10.0 million in unclaimed funds in the FY 2022-FY 2023 biennium allocated to the Minority Business Bonding Program.

**Section: 259.30**

(1) Same as the Executive.

**Section: 259.30**

Same as the Executive.

(2) Permits any transfer of unclaimed funds from the Unclaimed Funds Trust Fund (Fund 5430) to the Minority Bonding Fund (Fund 4490), but specifies that the transfer shall only occur after proceeds of the initial transfer of \$2.7

(2) Same as the Executive.

Same as the Executive.

**Executive**

**As Passed By House**

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million authorized by the Controlling Board have been used for that purpose.

(3) Requires that any expenditures made to pay losses arising from the Minority Business Bonding Program be made from Fund 4490 appropriation item 195658, Minority Business Bonding Contingency in the Minority Business Bonding Fund, and appropriates such amounts.

(3) Same as the Executive.

Same as the Executive.

**DEVCD19 Business Assistance Program**

**Section: 259.30**

Requires Fund 4510 appropriation item 195649, Business Assistance Programs, to be used to cover the administrative expenses associated with the operation of loan incentives within the Office of Strategic Business Investments.

**Section: 259.30**

Same as the Executive.

**Section: 259.30**

Same as the Executive.

**DEVCD20 State Special Projects**

**Section: 259.30**

Permits the State Special Projects Fund (Fund 4F20) to be used for the deposit of funds from private utility companies and other miscellaneous state funds, and allows funds to be used to match federal funding and to support programs of the Community Services Division.

**Section: 259.30**

Same as the Executive.

**Section: 259.30**

Same as the Executive.

Executive

As Passed By House

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**DEVCD21 Minority Business Enterprise Loan**

**Section: 259.30**

Requires Minority Business Enterprise Loan Fund (Fund 4W10) appropriation item 195646, Minority Business Enterprise Loan, to be used for awards under the Minority Business Enterprise Loan Program and to cover operating expenses of the Minority Business Enterprise Division. Requires all repayments from program to be credited to the Fund 4W10.

**Section: 259.30**

Same as the Executive.

**Section: 259.30**

Same as the Executive.

**DEVCD22 Advanced Energy Loan Programs**

**Section: 259.30**

Requires Fund 5M50 appropriation item 195660, Advanced Energy Loan Programs, to be used to provide financial assistance to customers for eligible advanced energy projects for residential, commercial, and industrial businesses; local governments; educational institutions; nonprofits; and agriculture customers. Allows the line item to be used to match federal grant funding and to pay administrative costs of the program.

**Section: 259.30**

Same as the Executive.

**Section: 259.30**

Same as the Executive.

**DEVCD23 MBD Financial Assistance Fund**

**Section: 259.30**

Creates the MBD Financial Assistance Fund (Fund 5XH0) and permits the OBM Director on July 1, 2021, or as soon as possible thereafter, to transfer \$20,000,000 cash from the State Small Business Credit Initiative Fund (Fund 3FJ0) to Fund 5XH0.

**Section: 259.30**

Same as the Executive.

**Section: 259.30**

Same as the Executive.

Requires Fund 5XH0 appropriation item 195694, Micro-Enterprise Loan, to be used to operate the Minority Business

Same as the Executive.

Same as the Executive.

Executive

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Microloan Program.

Requires Fund 5XH0 appropriation item 195632, Women-Owned Business Loan, to be used to operate the Women-Owned Business Loan Program.

Same as the Executive.

Same as the Executive.

**DEVCD42 Entertainment Venues**

No provision.

**Section: 259.30**

Requires Fund 5XM0 appropriation item 195608, Entertainment Venues, to be used for grants to entertainment venues impacted by the COVID-19 pandemic.

**Section: 259.30**

Same as the House.

No provision.

Requires grants to be awarded in amounts of \$10,000, \$20,000, and \$30,000 and awarded based on factors such as demonstrated loss of revenue due to canceled events or performances.

Same as the House.

**DEVCD43 Bar and Restaurant Assistance**

No provision.

**Section: 259.30**

Requires Fund 5XM0 appropriation item 195677, Bar and Restaurant Assistance, to be used for grants to bars and restaurants that have been impacted by the COVID-19 pandemic.

**Section: 259.30**

Same as the House.

No provision.

Requires grants to be awarded in amounts of \$10,000, \$20,000, and \$30,000 and awarded based on factors such as demonstrated loss of revenue and the number of employees that eligible bars and restaurants employ.

Same as the House.

| Executive   | As Passed By House   | As Reported By Senate Finance                        |
|---|--|--|
| <b>DEVCD44 Lodging Industry Grants</b>                |  |  |
| No provision.   | <p><b>Section: 259.30</b><br/>Requires Fund 5XM0 appropriation item 195685, Lodging Industry Grants, to be used for grants to lodging industry businesses impacted by the COVID-19 pandemic.</p>                               | <p><b>Section: 259.30</b><br/>Same as the House.</p> |
| No provision.   | <p>Requires grants to be awarded in amounts of \$10,000, \$20,000, and \$30,000 and awarded based on factors such as a demonstrated loss of revenue and occupancy rates.</p>   | Same as the House.                                   |
| <b>DEVCD45 New Business Relief Grant</b>              |  |  |
| No provision.   | <p><b>Section: 259.30</b><br/>Requires Fund 5XM0 appropriation item 195697, New Business Relief Grant, to be used for relief grants of \$10,000 for new businesses in this state opening after January 1, 2020.</p>            | <p><b>Section: 259.30</b><br/>Same as the House.</p> |
| <b>DEVCD41 Residential Broadband Expansion Grants</b> |  |  |
| No provision.   | <p><b>Section: 259.30</b><br/>Requires Fund 5XU0 line item 195567, Residential Broadband Expansion Grants, to be used for grants under the Ohio Residential Broadband Expansion Grant Program established in R.C. 122.401.</p> | No provision.  |
| No provision.   | <p>Reappropriates the unexpended, unencumbered balance of the appropriation in FY 2022 for the same purpose in FY 2023.</p>  | No provision.  |



Executive

As Passed By House

As Reported By Senate Finance

**DEVCD24 Volume Cap Administration**

**Section: 259.30**

Requires Fund 6170 appropriation item 195654, Volume Cap Administration, to be used for expenses related to the administration of the Volume Cap Program, and specifies that 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.

**Section: 259.30**

Same as the Executive.

**Section: 259.30**

Same as the Executive.

**DEVCD25 Supportive Services Fund**

**Section: 259.40**

Permits the OBM Director on July 1, 2021 and July 1, 2022, or as soon as possible thereafter, to transfer up to \$2,000,000 from the State Special Projects Fund (Fund 4F20) to the Supportive Services Fund (Fund 1350).

**Section: 259.40**

Same as the Executive.

**Section: 259.40**

Same as the Executive.

**DEVCD26 Development Services Operations**

**Section: 259.40**

Authorizes the Director of Development Services to assess DEV's divisions for the costs of central service operations, requires assessments to contain the characteristics of administrative ease and uniform application, and requires such payments to be credited to the Supportive Services Fund (Fund 1350) using an intrastate transfer voucher.

**Section: 259.40**

Same as the Executive.

**Section: 259.40**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD27 Development Services Reimbursable Expenditures**

**Section: 259.40**

Requires Fund 6850 appropriation item 195636, Development Services Reimbursable Expenditures, to be used for reimbursable costs. Specifies that revenues to the General Reimbursement Fund (Fund 6850) consist of moneys charged for administrative costs that are not central service costs and repayment of loans, including the interest thereon, made from the Water and Sewer Fund (Fund 4440).

**Section: 259.40**

Same as the Executive.

**Section: 259.40**

Same as the Executive.

**DEVCD28 Capital Access Loan Program**

**Section: 259.50**

Requires Fund 5S90 appropriation item 195628, Capital Access Loan Program, to be used for operating, program, and administrative expenses of the Capital Access Loan Program, and requires program funds to 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.

Allows the OBM Director, with Controlling Board approval, to transfer of up to \$2,000,000 cash in each fiscal year from the Minority Business Enterprise Loan Fund (Fund 4W10) to the Capital Access Loan Fund (Fund 5S90).

**Section: 259.50**

Same as the Executive.

**Section: 259.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**DEVCD29 Innovation Ohio**

**Section: 259.50**

Requires Fund 7009 appropriation item 195664, Innovation Ohio, to be used for Innovation Ohio Program loan guarantees and loans pursuant to RC 166.12 to 166.16.

**Section: 259.50**

Same as the Executive.

**Section: 259.50**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD30 Research and Development**

**Section: 259.50**

Requires Fund 7010 appropriation item 195665, Research and Development, to be used for research and development purposes, including loans, pursuant to RC 166.17 to 166.21.

**Section: 259.50**

Same as the Executive.

**Section: 259.50**

Same as the Executive.

**DEVCD31 Facilities Establishment**

**Section: 259.50**

(1) Specifies that Fund 7037 appropriation item 195615, Facilities Establishment, be used for the purposes of the Facilities Establishment Fund (Fund 7037) under Chapter 166. of the Revised Code.

**Section: 259.50**

(1) Same as the Executive.

**Section: 259.50**

(1) Same as the Executive.

(2) Permits the Controlling Board, notwithstanding R.C. 127.14 and R.C. 131.35, in the FY 2022-FY 2023 biennium to authorize expenditures, in excess of the amount appropriated under Fund 7037 for purposes consistent with Chapter 166. of the Revised Code. Appropriates the authorized amounts.

(2) Same as the Executive.

(2) No provision.

(3) Allows the transfer of cash, with Controlling Board approval, from Fund 7037, in the following amounts:

(3) Same as the Executive, but also makes the following change:

(3) Same as the House.

Up to \$3,500,000 cash in each fiscal year to the Business Assistance Fund (Fund 4510).

Same as the Executive.

Same as the Executive.

Up to \$2,000,000 cash in each fiscal year to the Capital Access Loan Fund (Fund 5S90)

Same as the Executive.

Same as the Executive.

Up to \$5,000,000 cash in each fiscal year to the Minority Business Enterprise Loan Fund (Fund 4W10)

Same as the Executive.

Same as the Executive.

No provision.

\$8,000,000 cash in FY 2022 to the Rural Industrial Park Loan Fund (Fund 4Z60).

Same as the House, but increases the transfer amount to \$20,000,000.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD32 Third Frontier Operating Costs**

**Section: 259.60**

Requires appropriation items 195686 and 195620 to be used for Third Frontier Program operating expenses under RC 184.10 to 184.20.

Restricts expenses paid from line item 195686 to costs related to the administration of projects funded from the Third Frontier Research and Development Fund (Fund 7011), and expenses paid from line item 195620 to costs related the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

**Section: 259.60**

Same as the Executive.

Same as the Executive.

**Section: 259.60**

Same as the Executive.

Same as the Executive.

**DEVCD33 Third Frontier Program funding for research and development projects**

**Section: 259.60**

Requires appropriation items 195687 and 195692 to be used to fund selected projects, which may include the internship programs. Specifies that eligible costs are the costs of the projects to which the Third Frontier Research and Development Fund (Fund 7011) and the Research and Development Taxable Bond Project Fund (Fund 7014) are to be applied.

**Section: 259.60**

Same as the Executive.

**Section: 259.60**

Same as the Executive.

**DEVCD34 Transfers of appropriations supporting the Third Frontier Program**

**Section: 259.60**

Permits OBM to approve written requests from DEV for the transfer of appropriations between appropriation items 195687 and 195692 based upon Third Frontier Program awards recommended by the Third Frontier Commission.

**Section: 259.60**

Same as the Executive.

**Section: 259.60**

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

Authorizes DEV to request that OBM reappropriate any unexpended, unencumbered balance of the FY 2022 appropriations to line items 195687 and 195692 for the same purposes in FY 2023. Allows OBM to request additional information to evaluate the requests before making the cash transfers. Reappropriates the cash transfer amounts approved by OBM in FY 2023.

Same as the Executive.

Same as the Executive.

**DEVCD35 HEAP Weatherization**

**Section: 259.70**

Allows up to 25% of the federal funds credited to the Home Energy Assistance Block Grant Fund (Fund 3K90) to be spent from appropriation item 195614, HEAP Weatherization, to be used to provide home weatherization services as determined by DEV.

**Section: 259.70**

Same as the Executive.

**Section: 259.70**

Same as the Executive.

**DEVCD36 Ohio Incumbent Workforce Job Training Fund**

**Section: 259.80**

No provision.

**Section: 259.80**

No provision.

**Section: 259.80**

Requires that Fund 5HR0 appropriation item 195606, TechCred Program, be used for the TechCred Program under R.C. 122.178.

Requires the DEV Director, in consultation with the Treasurer of State, on July 1, 2021, or as soon as possible thereafter, to certify to the OBM Director the amount of bond proceeds collected under Chapter 3366. of the Revised Code in the semiannual period beginning January 1, 2021, and ending June 30, 2021.

Same as the Executive.

Same as the Executive.

Requires the OBM Director to transfer the amount of cash equal to the certified amount from the fund designated by the Treasurer of State to receive the bond proceeds to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0).

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DEVCD46 Meat Processing Investment Program**

| Executive     | As Passed By House  | As Reported By Senate Finance   |
|---------------|---|---|
|               | <b>Section: 259.30</b>  | <b>Section: 701.90, 259.30</b>  |
| No provision. | No provision.   | Requires the Director of Development to establish a grant program for meat processing plants, including prescribing the grant application form.   |
| No provision. | No provision.   | Specifies that a meat processing plant is a facility that is located in Ohio, is in operation as of July 1, 2021, and provides processing services for livestock and poultry producers.   |
| No provision. | No provision.   | Authorizes the owner or operator of a meat processing plant to apply to the Director for a grant and, on the receipt of a grant application from a plant, requires the Director to review the application and score it based on the specified criteria, including: (1) whether the grant will improve the applicant's processing efficiencies for livestock and poultry; (2) whether the grant will be used for expansion or new construction for the processing of livestock and poultry; and (3) project readiness. |
| No provision. | No provision.   | Prohibits the Director from considering certain expenditures by a plant for a grant, including improvements to personal residences, nonfarm commercial property, and any other nonfarm structures.  |
| No provision. | No provision.   | Prohibits the Director from awarding a grant of more than \$250,000.  |
| No provision. | Requires that DPF Fund 5XX0 appropriation item 195408, Meat Processing Investment Program, be used to make grants to meat processing plants for facility improvements and capacity expansion, including but not limited to equipment purchases or upgrades, training, and process | Replaces the House provision with one that specifies that Fund 5XX0 appropriation item 195408, Meat Processing Investment Program, be used to make grants to meat processing plants in accordance with the provisions described above.  |

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

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improvements.

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| Executive  | As Passed By House  | As Reported By Senate Finance  |
|--|---|--|
| <p><b>DDDCD1 Technology First Task Force and technology first policy</b></p> <p><b>R.C. 5123.025, 5123.026, Section 261.160</b></p> <p>Declares that it is the policy of the state to provide individuals with developmental disabilities with access to innovative technology solutions and requires the Ohio Department of Developmental Disabilities (ODODD) to coordinate with other state agencies to implement the policy.</p> <p>Requires the ODODD Director to establish, in coordination with other state agencies, the Technology First Task Force.</p> <p>Earmarks up to \$1,000,000 in FY 2022 in GRF appropriation item 322509, Community Supports and Rental Assistance, to be used to increase access to innovative technology for individuals with developmental disabilities in accordance with the Technology First initiative. Reappropriates the unencumbered, unexpended balance of this earmark at the end of FY 2022 for the same purpose in FY 2023.</p> | <p><b>R.C. 5123.025, 5123.026, Section 261.160</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive, but increases the earmark to \$1,500,000 in FY 2022.</p> | <p><b>R.C. 5123.025, 5123.026, Section 261.160</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive, but increases the earmark to \$1,100,000 in FY 2022, and specifies that not less than \$100,000 in FY 2022 from this earmark must be distributed to Creative Housing, Inc. to increase or provide technology.</p> |
| <p><b>DDDCD2 Developmental centers services and cost recovery</b></p> <p><b>R.C. 5123.034</b></p> <p>Permits an ODODD developmental center to provide services to (1) individuals with developmental disabilities who reside in the community in which the developmental center (DC) is located and (2) providers who provide services to these individuals.</p> <p>Permits ODODD to develop a method for recovering costs associated for providing these services.</p> <p><b>Fiscal effect: ODODD is allowed to develop a cost recovery method for any services a DC chooses to provide .</b></p>   | <p><b>R.C. 5123.034</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>R.C. 5123.034</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |



Executive

As Passed By House

As Reported By Senate Finance

DDDCD24 Transfer of residential facility license

No provision.

R.C. 5123.19

Makes the following provisions for residential facilities that were leased by the residential facility operator between July 1, 1995, and July 1, 1996, and have been operating without a lease agreement for at least four years: (1) provides that a license that specifies the location of a residential facility is not transferrable to a different location if the licensee is not the owner of the building where the residential facility is located; and (2) specifies that if the licensee no longer operates the residential facility at the location specified in the license, the building owner is permitted to request ODODD to transfer the license to a different licensee or contractor that is willing to operate the facility at that location.

R.C. 5123.19

Replaces the House provision with a provision that provides that the ODODD Director must grant a new license for a residential facility if: (1) the facility is certified as an ICF/IID; (2) the building was operated as a residential facility for at least 20 years before the date of application for the new license; (3) the former operator relocated the facility beds to another licensed residential facility; (4) the facility is located in Preble, Claremont, or Warren County; (5) the facility will contain eight beds; and (6) the licensee will make a good faith effort to serve multi-system youth or adults with severe challenges.

No provision.

Clarifies that these provisions do not require the ODODD Director to issue additional residential facility licenses.

**Fiscal effect: Minimal.**

Replaces the House provision with a provision that limits the ODODD Director to issuing no more than 5 such licenses.

**Fiscal effect: There could be costs associated with granting new licenses for these facilities; there could also be a gain in fee revenues, if any are collected.**

DDDCD3 Ohio Developmental Disabilities Council

R.C. 5123.35

Updates citations to federal law regarding the creation and operation of the Ohio Developmental Disabilities Council.

**Fiscal effect: None.**

R.C. 5123.35

Same as the Executive.

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

R.C. 5123.35

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD27 Protection and advocacy transparency**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <b>R.C. 5123.603, 261.190</b><br>Requires the Senate President and Speaker of the House of Representatives to establish every two years a joint committee to examine the activities of the state's advocacy and protection system and client assistance program. |
| No provision. | No provision. | Permits the current entity serving as the state's protection and advocacy system and client assistance program to appear before, and offer testimony to, the joint committee.  |
| No provision. | No provision. | Requires the joint committee to submit to the Senate President, Speaker, Governor, and JMOC a report containing its recommendations, if any, every two years.  |
| No provision. | No provision. | Designates the amendment as the "Protection and Advocacy Transparency Amendment."  |
|               |               | <b>Fiscal effect: Minimal administrative costs associated with the committee.</b>  |

**DDDCD5 Release of records and reports by county boards of developmental disabilities**

|  |   |  |
|--|---|--|
| <b>R.C. 5123.89, 5126.044</b><br>Adds an exception to the general requirement that a certificate, application, record, or report that directly or indirectly identifies a resident or former resident of an institution for persons with intellectual disabilities be kept confidential for when disclosure is needed for a guardianship proceeding. | <b>R.C. 5123.89, 5126.044</b><br>Same as the Executive. | <b>R.C. 5123.89, 5126.044</b><br>Same as the Executive.  |
| Adds two new exceptions to the general prohibition against the release of a record or report maintained by a county developmental disabilities (DD) board or an entity under contract with a county DD board if the release is requested   | Same as the Executive.                                  | Same as the Executive, but makes the bill's authorization to release records and reports to the parties of a guardianship proceeding in a probate court permissive instead of mandatory. |

Executive

As Passed By House

As Reported By Senate Finance

by: (1) a probate court pursuant to a guardianship proceeding; (2) ODODD for the purposes of a proceeding for admission to an institution for persons with intellectual disabilities or to comply with a court order regarding a person's competence.

**Fiscal effect: None.**

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

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

**DDDCD21 Medicaid rates for ICF/IID services**

R.C. 5124.01, 5124.101, 5124.15, 5124.151, 5124.152, 5124.17, 5124.19, 5124.191, 5124.21, 5124.23, 5124.29, 5124.30, 5124.38-5124.41, 5124.45, 5124.46, 5168.60, 5168.61, Repealed: 5124.171, 5124.195, 5124.196, 5124.197, 5124.198, 5124.199, 5124.211, 5124.231, 5124.28; Section 261.150

R.C. 5124.01, 5124.101, 5124.15, 5124.151, 5124.152, 5124.17, 5124.19, 5124.191, 5124.21, 5124.23, 5124.29, 5124.30, 5124.38-5124.41, 5124.45, 5124.46, 5168.60, 5168.61, Repealed: 5124.171, 5124.195, 5124.196, 5124.197, 5124.198, 5124.199, 5124.211, 5124.231, 5124.28; Section 261.150

R.C. 5124.01, 5124.101, 5124.15, 5124.151, 5124.152, 5124.17, 5124.19, 5124.191, 5124.21, 5124.23, 5124.29, 5124.30, 5124.38-5124.41, 5124.45, 5124.46, 5168.60, 5168.61, Repealed: 5124.171, 5124.195, 5124.196, 5124.197, 5124.198, 5124.199, 5124.211, 5124.231, 5124.28; Section 261.150

Eliminates an obsolete formula used to determine Medicaid rates for intermediate care facilities for individuals with intellectual disabilities (ICF/IID) services.

Same as the Executive.

Same as the Executive.

Provides that the mean FY 2022 and FY 2023 Medicaid rates for ICFs/IID in peer group 1, peer group 2, peer group 3, peer group 4, and peer group 5 cannot exceed \$350.87.

Same as the Executive.

Replaces the Executive provision with provisions that: (1) for FY 2022 establishes the following rates (a) for a provider that has a valid Medicaid provider agreement for an ICF/IID on June 30, 2021 and during FY 2022, the rate in effect for the ICF/IID on June 30, 2021, increased by 2%; (b) for an ICF/IID that undergoes a change of operator during FY 2022 and the existing operator has a valid Medicaid provider agreement for the ICF/IID on the day immediately preceding the effective date of the change of operator, and the entering operator has a valid agreement for FY 2022, a rate that equals the rate in effect for the ICF/IID on the day immediately preceding the effective date of the change of operator; and (c) for a new ICF/IID for which a provider obtains an initial provider agreement during FY 2022, a rate

Executive

As Passed By House

As Reported By Senate Finance

Requires that if the indirect guarantee percentage changes during a fiscal year, the franchise permit fee rate must be adjusted so as not to exceed the indirect guarantee percentage.

**Fiscal effect: The provision holds the statewide average ICF rate at the FY 2021 level. As ICF/IID rates are done prospectively, it is difficult to determine the total impact.**

Same as the Executive.

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

that equals \$357.89; and (2) for FY 2023, prohibits the mean fiscal year Medicaid rate from exceeding \$365.05.

Same as the Executive.

**Fiscal effect: The bill increases appropriations by \$11,384,549 in FY 2022 and \$22,911,149 in FY 2023. Of these amounts, \$3,916,114 in FY 2022 and \$8,240,258 in FY 2023 is appropriated in GRF line item 653407, Medicaid Services. The remaining amounts of \$7,468,435 in FY 2022 and \$14,670,891 in FY 2023 are appropriated in FED Fund 3A40 line item 654654, Medicaid Services.**

**DDDCD4 County DD boards annual cost reports**

**R.C. 5126.05, 5126.131, 5126.12 (repealed)**

Eliminates a duplicative provision of law requiring county boards of developmental disabilities to submit annual cost reports to ODODD.

Permits, rather than requires, ODODD, or an entity designated by ODODD, to audit annual cost reports submitted by a regional council or county DD boards.

Specifies that such an audit must be conducted utilizing methodology approved by the United States Centers for Medicare and Medicaid Services.

**Fiscal effect: Since ODODD is allowed to audit annual reports instead of required to do so, it is possible that there could be a reduction in audit costs.**

**R.C. 5126.05, 5126.131, 5126.12 (repealed)**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 5126.05, 5126.131, 5126.12 (repealed)**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| <p><b>DDDCD7 Waiver allocation plan</b></p> <p><b>R.C. 5126.054, 5123.046 (repealed), 5126.055, 5126.056</b></p> <p>Eliminates a requirement that each county DD board submit to ODODD for approval an annual plan, and instead requires each county board to annually submit to ODODD both of the following:</p> <p>(1) An annual waiver allocation projection that contains the projected number of individuals to whom the board intends to provide home and community-based services based on available funding as projected in the board's annual five-year projection report;</p> <p>(2) Assurances that the county DD board employs or contracts with both a business manager and a Medicaid services manager, or that the county board has entered into an agreement with another county DD board that employs or contracts with both a business manager and a Medicaid services manager.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 5126.054, 5123.046 (repealed), 5126.055, 5126.056</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 5126.054, 5123.046 (repealed), 5126.055, 5126.056</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>DDDCD6 Employment of business manager</b></p> <p><b>R.C. 5126.121, (repealed)</b></p> <p>Eliminates law that permits a county DD board to receive a subsidy from ODODD for employing a business manager.</p> <p><b>Fiscal effect: None. ODODD does not believe that there has ever been a subsidy for this purpose.</b></p>  | <p><b>R.C. 5126.121, (repealed)</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 5126.121, (repealed)</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD8 Special Olympics**

**Section: 261.20**

Requires GRF appropriation item 320411, Special Olympics, be distributed to the Special Olympics of Ohio.

**Section: 261.20**

Same as the Executive.

**Section: 261.20**

Same as the Executive.

**DDDCD9 Developmental Disabilities Facilities Lease-Rental Bond Payments**

**Section: 261.30**

Requires ODODD to use GRF appropriation item 320415, Developmental Disabilities Facilities Lease Rental Bond Payments, to meet all payments pursuant to leases and agreements made under state law regarding capital facilities.

Specifies that these appropriations are the source of funds pledged for bond service charges on obligations issued for certain capital facilities.

**Section: 261.30**

Same as the Executive.

Same as the Executive.

**Section: 261.30**

Same as the Executive.

Same as the Executive.

**DDDCD22 Part C Early Intervention**

No provision.

**Section: 261.35**

Earmarks \$1,000,000 in each fiscal year in GRF line item 322421, Part C Early Intervention, to be used to contract with the Cleveland Sight Center, the Cincinnati Association for the Blind and Visually Impaired, and the Sight Center of Northwest Ohio to provide early intervention special instruction services and family support to children under the age of three years old with blindness or low vision.

**Section: 261.35**

Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD10 Multi-System Youth**

**Section: 261.40**

Permits a portion of GRF appropriation item 322422, Multi-System Youth, to be used to provide a subsidy to eligible county DD boards for the provision of respite services and other services and supports for youth with complex or multi-system needs.

Specifies that the ODODD Director must establish: the total amount available for the subsidy, a formula for distributing the subsidy, and the eligibility requirements that must be satisfied to receive the subsidy.

**Section: 261.40**

Same as the Executive.

Same as the Executive.

**Section: 261.40**

Same as the Executive.

Same as the Executive.

**DDDCD11 Employment First Initiative**

**Section: 261.50**

Requires that GRF appropriation item 322508, Employment First Initiative, be used to increase employment opportunities for individuals with developmental disabilities through the existing Employment First Initiative.

Requires the ODODD Director in each fiscal year to transfer from GRF appropriation item 322508, to the Opportunities for Ohioans with Disabilities Agency (OOD), an amount agreed upon by the ODODD Director and the OOD Executive Director to support the Employment First Initiative and requires that the transfer be made via an intrastate transfer voucher.

Requires OOD to use the funds transferred as state matching funds to obtain available federal grant dollars for vocational rehabilitation services, and requires that any federal match dollars received by OOD be used for the initiative.

**Section: 261.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 261.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

| Executive   | As Passed By House                                  | As Reported By Senate Finance                       |
|---|---|---|
| <p>Requires the ODODD Director and the OOD Executive Director to enter into an interagency agreement that will specify the responsibilities of each agency under the initiative, and specifies that OOD must retain responsibility for eligibility determination, order of selection, plan approval, plan amendment, and release of vendor payments.</p>  | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Requires that the remainder of GRF appropriation item 322508 be used to develop a long term, sustainable system that places individuals with developmental disabilities in community employment.</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p><b>Fiscal effect: Potential gain in federal vocational rehabilitation (VR) dollars to OOD in each fiscal year depending upon the amount that is transferred to OOD.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>DDDCD12 Community Supports and Rental Assistance</b></p>  |   |   |
| <p><b>Section: 261.60</b></p>   | <p><b>Section: 261.60</b></p>                       | <p><b>Section: 261.60</b></p>                       |
| <p>Allows the ODODD Director to use GRF appropriation item 322509, Community Supports and Rental Assistance, to provide funding to county DD boards for rental assistance to individuals with developmental disabilities receiving home and community based services under certain circumstances and individuals with developmental disabilities who enroll in a Medicaid waiver component providing home and community-based services after receiving preadmission counseling.</p> | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Requires the ODODD Director to establish a methodology for determining the amount and distribution of the funding to county DD boards for rental assistance.</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |



Executive

As Passed By House

As Reported By Senate Finance

**DDDCD26 Best Buddies Ohio**

No provision.

No provision.

**Section: 261.65**

Requires GRF appropriation item 322510, Best Buddies Ohio, to be distributed to the Best Buddies Ohio program to support the delivery and expansion of inclusion services throughout Ohio colleges and communities.

**DDDCD13 Medicaid Services**

**Section: 261.70**

Requires GRF appropriation item 653407, Medicaid Services, to be used for the following: (1) to fund home and community-based services; (2) to implement the requirements of the agreements settling the consent decrees in Sermak v. Manuel and Martin v. Strickland; (3) ICF/IID services; and (4) other programs identified by the ODODD Director.

**Section: 261.70**

Same as the Executive.

**Section: 261.70**

Same as the Executive.

**DDDCD14 Operating and Services**

**Section: 261.80**

Earmarks \$100,000 in each fiscal year in DPF Fund 5GE0 appropriation item 320606, Central Office Operating Expenses, be provided to the Ohio Center for Autism and Low Incidence to establish a lifespan autism hub to support families and professionals.

**Section: 261.80**

Same as the Executive.

**Section: 261.80**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD15 Community Social Service Programs**

**Section: 261.90**

Allows a portion of FED Fund 3250 appropriation item 322612, Community Social Service Programs, to be used by the Early Intervention Services Advisory Council for the following purposes, in addition to other necessary and allowed uses of funds:

- (1) Conduct forums and hearings;
  - (2) Reimburse council members for reasonable and necessary expenses, including child care expenses for parent representatives, for attending council meetings and performing council duties;
  - (3) Pay compensation to a council member if the member is not employed or must forfeit wages from other employment when performing official council business;
  - (4) Hire staff; and
  - (5) Obtain the services of professional, technical, and clerical personnel as necessary to carry out the performance of its lawful functions.
- Specifies that council members must otherwise serve without compensation or reimbursement.

**Section: 261.90**

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.

Same as the Executive.

**Section: 261.90**

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD16 County board share of waiver services**

**Section: 261.100**

Requires the ODODD Director to establish a methodology to be used in FY 2022 and FY 2023 to estimate the quarterly amount each county DD board is to pay of the nonfederal share of home and community-based services for which the county board is responsible.

Requires the ODODD Director to provide written notice of the amount owed by each county DD board for each quarter and also specify when the payment is due.

**Fiscal effect: Potential administrative costs to establish the methodology.**

**Section: 261.100**

Same as the Executive.

Same as the Executive.

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

**Section: 261.100**

Same as the Executive.

Same as the Executive.

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

**DDDCD17 Withholding of funds owed ODODD**

**Section: 261.110**

Permits ODODD to withhold any amount due to a county DD board if the county DD board does not fully pay any amount owed to ODODD by the due date established by ODODD. Allows the ODODD Director to transfer cash to any other fund used by ODODD in an amount equal to the amount owed to ODODD that the county DD board did not pay. Specifies that transfers under this section must be made using an intrastate transfer voucher.

**Fiscal effect: Any impact will depend on how many county DD boards do not pay in full amounts owed.**

**Section: 261.110**

Same as the Executive.

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

**Section: 261.110**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD18 ODODD innovative pilot projects**

**Section: 261.120**

Permits the ODODD Director to authorize the continuation or implementation of innovative pilot projects that are likely to assist in promoting the objectives of state law governing ODODD and county DD boards.

Requires the ODODD Director, before authorizing a pilot project, to consult with entities interested in the issue of developmental disabilities, including the Ohio Provider Resource Association, the Ohio Association of County Boards of Developmental Disabilities, the Ohio Health Care Association/Ohio Centers for Intellectual Disabilities, the Values and Faith Alliance, and ARC of Ohio.

Specifies that the ODODD Director may not authorize a pilot project to be implemented in a manner that would cause the state to be out of compliance with any requirements for a program funded in whole or in part with federal funds.

**Section: 261.120**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 261.120**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DDDCD19 Nonfederal share of ICF/IID services**

**Section: 261.130**

Requires the ODODD Director to pay the nonfederal share of a claim for ICF services using funds otherwise allocated to county DD boards if (1) Medicaid covers the services, (2) the services are provided to a Medicaid recipient who is eligible for the services and who does not occupy a bed in the ICF that used to be included in the Medicaid-certified capacity of another ICF certified before June 1, 2003, (3) the services are provided by an ICF whose Medicaid certification was initiated or supported by a county DD board, and (4) the provider has a valid Medicaid provider agreement for the time the services are provided.

Requires the ODODD Director to use certain funds from GRF appropriation item 653407, Medicaid Services, to pay any claims.

**Section: 261.130**

Same as the Executive.

Same as the Executive.

**Section: 261.130**

Same as the Executive.

Same as the Executive.

**DDDCD20 Payment rates for homemaker/personal care services provided to qualifying enrollees**

**Section: 261.140**

Provides that, for the first 12 months of the biennium that homemaker/personal care services are provided to a qualifying Individual Options (IO) Waiver Program enrollee, the Medicaid payment rate for each 15 minutes of services provided to the qualifying enrollee be 52 cents higher than the Medicaid payment rate for each 15 minutes of such services provided to an IO enrollee who is not a qualifying enrollee.

Specifies that portions of GRF appropriation item 653407, Medicaid Services, and FED Fund 3A40 appropriation item 653654, Medicaid Services, are to be used to pay the

**Section: 261.140**

Same as the Executive.

Same as the Executive.

**Section: 261.140**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

Medicaid payment rate determined for routine homemaker/personal care services provided to qualifying IO enrollees.

**Fiscal effect: This provision is a continuation of current policy. The fiscal impact depends on service utilization and the number of individuals who qualify for the increased rate.**

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

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

DDDCD23 Payment rates for waiver services

No provision.

**Section: 261.170**

Requires ODODD to use \$5,000,000 in each fiscal year to increase the payment rates during FY 2022 and FY 2023 for home and community-based services waiver adult day care services provided by Medicaid-funded and state-funded providers.

**Section: 261.170**

Replaces the House provision with a provision that increases the payment rate for adult day and residential services provided under a ODODD-administered waiver in FY 2022 by 2% over the rates in effect on June 30, 2021 and in FY 2023 by 2% over the rates in effect on June 30, 2022.

No provision.

Requires ODODD to establish a methodology for calculating the rate increase.

No provision.

**Fiscal effect: The bill appropriates a total of \$5.0 million in each fiscal year for this purpose. Of this amount, about \$1.7 million in FY 2022 and \$1.8 million in FY 2023 is appropriated in GRF line item 653407, Medicaid Services. The remaining approximate \$3.3 million in FY 2022 and \$3.2 million in FY 2023 is appropriated in FED Fund 3A40 line item 654654, Medicaid Services.**

**Fiscal effect: The bill increases appropriations by \$42,100,000 in FY 2022 and \$85,042,000 in FY 2023. Of these amounts, \$14,481,767 in FY 2022 and \$30,586,333 in FY 2023 is appropriated in GRF line item 653407, Medicaid Services. The remaining amounts of \$27,618,233 in FY 2022 and \$54,455,667 in FY 2023 are appropriated in FED Fund 3A40 line item 654654, Medicaid Services.**

Executive

As Passed By House

As Reported By Senate Finance

DDDCD28 DD-administered waiver slots

No provision.

No provision.

**Section: 261.180**

Prohibits, during FY 2022 and FY 2023, ODODD from using funds appropriated in GRF appropriation item 653407, Medicaid Services, DPF Fund 5GE0 appropriation item 653606, ICF/IID and Waiver Match, DPF Fund 5Z10 appropriation item 653624, County Board Waiver Match, or FED appropriation item 653654, Medicaid Services, to reserve a portion of the total number of DD-administered waivers to give preference to people living in intermediate care facilities for individuals with intellectual disabilities and authorizes the funds to be used for any DD-administered waiver.

Executive

As Passed By House

As Reported By Senate Finance

**School Funding**

**EDUCD139 Traditional school districts – base cost**

No provision.

**R.C. 3317.011, 3317.018, 3317.02**  
Replaces the uniform per-pupil "formula amount" (currently, \$6,020) with a variable per-pupil base cost computed for each school district, which is generally computed as follows:

**R.C. 3317.011, 3317.02**  
Replaces the House provisions with provisions that specify the method by which a uniform base cost per pupil – “formula amount” – is to be calculated and updated, and uses that method to calculate a base cost per pupil of \$6,110 for FY 2022 and FY 2023 based on FY 2019 data (adjusts the amount for purposes of the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)).

No provision.

Specifies that a district’s base cost is made up of the following components: (1) teacher base cost, (2) student support base cost, (3) district leadership and accountability base cost, (4) building leadership and operations base cost, and (5) athletic co-curricular activities base cost. Calculates these components using various inputs, such as statewide average staff and teacher salary data, district-paid insurance costs, district spending data, and certain pupil-to-staff ratios.

Replaces the House provisions with provisions that determine the base cost per pupil as the sum of the following components: (1) base classroom teacher compensation, based on (a) the average classroom teacher salary, (b) a state share multiplier (generally representing the percentage of school district operating funding attributable to the state and local share of foundation funding plus a supplemental percentage determined by the General Assembly to enhance the model's funding for teacher salaries), (c) a teacher to student ratio, and (d) an average benefits percentage; (2) building administration and operation costs, based on (a) the ratio of building administration and operations costs to classroom teacher salaries and benefits and (b) the amount for per-pupil teacher compensation; (3) district administration salaries and benefits, based on (a) the ratio of district administration salaries and benefits to classroom teacher salaries and benefits and (b) the amount for per-pupil classroom teacher compensation; (4) student support, based on (a) the ratio of student support costs to classroom teacher salaries and benefits and (b) the amount for per-pupil classroom teacher compensation and (5) teacher



Executive

As Passed By House

As Reported By Senate Finance

No provision.

Specifies that the average salaries and costs within the base cost computations are calculated using data from FY 2018.

professional development, based on (a) the ratio of funded professional development days to teacher contract days and (b) the amount for per-pupil classroom teacher compensation.

Replaces the House provision with provisions that (1) calculate the base cost per pupil for FY 2022 and FY 2023 using (a) staff employment records and district expenditure data from FY 2019 and (b) certain values determined by the General Assembly, including (i) a teacher to student ratio of 1:20, (ii) a percentage of 10% used to calculate the supplemental percentage that is part of the state share multiplier, (iii) funding for 8 professional development days, and (iv) 180 teacher contract days; and (2) specify the General Assembly's intent regarding the reexamination and recalculation of variables in the base cost per pupil calculation following its initial calculation for FY 2022 and FY 2023 as part of the deliberations for each biennial budget act.

No provision.

No provision.

Requires the Legislative Service Commission to conduct analyses of the data (to be supplied by ODE) required to update the specified base cost per pupil model for FY 2024 and FY 2025 and as part of every third biennial budget thereafter and to present these analyses to the General Assembly by November 30 prior to a calendar year in which the General Assembly intends for an update to occur.

No provision.

Uses a district's base cost enrolled ADM (see EDUCD138) for those factors of the base cost computation which are paid on a per-pupil basis.

No provision.

No provision.

Prescribes a unique base cost per pupil for traditional school district that is equal to the district's base cost divided by the district's base cost enrolled ADM.

No provision.

| Executive         | As Passed By House   | As Reported By Senate Finance   |
|-------------------|--|---|
| No provision.     | Specifies that the "statewide average base cost per pupil" is equal to the following:  | No provision.   |
| (1) No provision. | (1) For FY 2022, the sum of the aggregate base cost calculated for all traditional school districts in the state for that fiscal year divided by the sum of the base cost enrolled ADMs of all traditional school districts in the state for that fiscal year;   | (1) No provision.   |
| (2) No provision. | (2) For fiscal years 2023 through 2027, the amount calculated for FY 2022; and   | (2) No provision.   |
| (3) No provision. | (3) For FY 2028 and for each fiscal year thereafter, the sum of the aggregate base cost calculated for all traditional school districts in the state for that fiscal year divided by the sum of the base cost enrolled ADMs of all traditional school districts in the state for that fiscal year.   | (3) No provision.   |
| No provision.     | Calculates the "statewide average career-technical base cost per pupil" in substantially the same manner as the statewide average base cost per pupil except that the calculations are based on the base cost of joint vocational school districts (see EDUCD61).<br><br><b>Fiscal effect: The base cost, including state and local shares, amounts to an estimated \$10.9 billion in each fiscal year, with the estimated statewide average base cost per pupil being \$7,202 and the statewide average career-technical base cost per pupil being \$8,334. However, the base cost is phased-in during the biennium (see EDUCD148).</b> | No provision.<br><br><b>Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), the base cost for traditional districts totals \$9.29 billion.</b> |

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD140 Traditional school districts – per-pupil local capacity amount/state share index**

|                   | R.C. 3317.017   | R.C. 3317.017  |
|-------------------|---|--|
| No provision.     | Replaces the state share index, the current law formula component used to equalize payments based upon district capacity to raise local revenues, with a per-pupil local capacity amount for each district based on a district’s base cost enrolled ADM (see EDUCD138), property valuation, and income. Determines a district’s per-pupil local capacity amount as follows: | Replaces the House provision with a provision that generally restores the current law computation of the state share index, except that the index is translated from a district's wealth index (which compares its income index and property value index) as follows: (a) if the district's wealth index is less than or equal to 0.425 (rather than 0.35 as under current law), the district's state share index equals 90%; (b) if the district's wealth index is greater than 0.425 (rather than 0.35 as under current law) but less than or equal to 0.895 (rather than 0.90 as under current law), the district's state share index equals a scaled amount between 50% and 90%; (c) if the district's wealth index is greater than 0.895 (rather than 0.90 as under current law) but less than 1.575 (rather than 1.8 as under current law), the district's state share index equals a scaled amount between 5% and 50%; and (d) if the district's wealth index is greater than or equal to 1.575 (rather than 1.8 as under current law), the district's state share index equals 5%. |
| No provision.     | Calculates a district’s "per-pupil local capacity percentage," by doing the following:  | No provision.  |
| (1) No provision. | (1) Ranking all districts using each district’s ratio of the district’s median federally adjusted gross income (FAGI) for the most recent tax year for which data is available and the statewide median FAGI for the most recent tax year for which data is available, from the highest ratio to the lowest ratio;  | (1) No provision.  |
| (2) No provision. | (2) If the district’s ratio is less than the ratio of the district with the 40th highest quotient but greater than 1.0,   | (2) No provision.  |

| Executive         | As Passed By House  | As Reported By Senate Finance |
|-------------------|---|-------------------------------|
| (3) No provision. | <p>specifying that the district's "per-pupil local capacity percentage" is equal to a percentage between 2.25% and 2.5% that is calculated based on a sliding scale;</p> <p>(3) If the district's ratio is less than or equal to 1.0, specifying that the district's "per-pupil local capacity percentage" is equal to the district's ratio times 2.25%; and</p>  | (3) No provision.             |
| (4) No provision. | <p>(4) If the district's ratio is greater than or equal to the ratio of the district with the 40th highest quotient, specifying that the district's "per-pupil local capacity percentage" is equal to 2.5%.</p>   | (4) No provision.             |
| No provision.     | <p>Specifies that a district's per-pupil local capacity amount is equal to the sum of the following three factors, which are calculated using the district's base cost enrolled ADM:</p>  | No provision.                 |
| (1) No provision. | <p>(1) Valuation per pupil, which is calculated by multiplying the per-pupil local capacity percentage by 60% of the minimum of (a) the average valuation for the three most recent tax years for which data is available and (b) the district's taxable value for the most recent tax year for which data is available;</p>  | (1) No provision.             |
| (2) No provision. | <p>(2) FAGI per pupil, which is calculated by multiplying the per-pupil local capacity percentage by 20% of the minimum of (a) the average of the total federal adjusted gross income of the district's residents for the three most recent tax years for which data is available and (b) the total federal adjusted gross income of the district's residents for the most recent tax year for which data is available; and</p> | (2) No provision.             |
| (3) No provision. | <p>(3) Adjusted FAGI per pupil, which is calculated by multiplying the per-pupil local capacity percentage by 20% of the per-pupil amount of the product of (a) the median federal adjusted gross income of the district's residents for</p>  | (3) No provision.             |

Executive

As Passed By House

As Reported By Senate Finance

the most recent tax year for which data is available and (b) the number of state tax returns filed by taxpayers residing in the district for the most recent tax year for which data is available.

**Fiscal effect: The statewide average per-pupil local capacity amount is estimated at about \$4,121 in FY 2022 and \$4,457 in FY 2023.**

**Fiscal effect: In general, the bill's changes to the state share index provide more state funds to lower wealth districts and less state funds to higher wealth districts compared to current law.**

EDUCD138 Enrolled ADM and base cost enrolled ADM

No provision.

R.C. 3317.02, 3313.979, conforming changes in numerous R.C. sections

Modifies how students are counted for school funding purposes by replacing "formula ADM," which counts students in the district in which they reside (even if they attend a nonpublic school under the performance-based Educational Choice Scholarship Program, the Jon Peterson Special Needs Scholarship Program, or the Autism Scholarship Program; or a public school that is not part of the district, such as a school in a different district under open enrollment, a community or STEM school, or a JVSD), with "enrolled ADM," which counts students in the district in which they are educated and excludes students attending a community or STEM school or the state scholarship programs described above (see EDUCD153).

R.C. 3317.02, conforming changes in numerous R.C. sections

Same as the House, but removes provisions that count interdistrict open enrollment students in the district in which they are educated (these students are funded through the deduct-and-transfer mechanism as under current law).

No provision.

Specifies that a district's "base cost enrolled ADM" is equal to the greater of (1) the district's enrolled ADM for the prior fiscal year or (2) the average of the district's enrolled ADM for the three prior fiscal years.

No provision.

**Fiscal effect: In FY 2020, statewide formula ADM for traditional school districts was 1.66 million full-time**

**Fiscal effect: Same as the House, but open enrollment students are counted in their resident school district.**

Executive

As Passed By House

As Reported By Senate Finance

equivalent (FTE) students. In contrast, enrolled ADM for traditional districts in FY 2020 was 1.51 million FTE students, a difference of about 149,000 students (-9.0%). Districts whose student count decreases as a result of the bill would, all else equal, look wealthier on a per-pupil basis, which may lead to reduced funding from the state.

**EDUCD141 Traditional school districts – state share of the base cost/opportunity grant**

|               | R.C. 3317.022, 3317.017  | R.C. 3317.022, Sections 265.215 and 265.220  |
|---------------|--|--|
| No provision. | Replaces the current law calculation of the Opportunity Grant, generally calculated as the district's formula ADM times the formula amount times the district's state share index, with a district's "state share," which is equal to the following: | Replaces the House provision with a provision that generally restores the current law computation of the opportunity grant with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and FY 2023, this payment is recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)). |
| No provision. | If the district's per-pupil local capacity amount divided by the district's base cost per pupil is greater than 95%, the district's base cost per pupil times 5% times the district's enrolled ADM (see EDUCD138);                                   | No provision.  |
| No provision. | Otherwise, the district's enrolled ADM times the difference between the district's base cost per pupil and the district's per-pupil local capacity amount.   | No provision.  |
| No provision. | Specifies that the district's "state share percentage" is equal to the district's state share divided by the district's aggregate base cost (this percentage is used in the calculation of certain formula components).                              | No provision. (The state share index (as amended in the bill, see EDUCD140) continues to be used in the calculation of other formula components.)  |
|               | <b>Fiscal effect: The statewide total state share calculated by formula is estimated to be \$4.7 billion in FY 2022 and \$4.4 billion in FY 2023.</b>  | <b>Fiscal effect: In FY 2023, when 100% of a district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), the opportunity grant totals</b>   |

Executive

As Passed By House

As Reported By Senate Finance

**\$4.5 billion.**

**EDUCD142 Traditional school districts – targeted assistance and capacity aid**

**R.C. 3317.022, 3317.0217, 3317.0218**

**R.C. 3317.022, 3317.0217, 3317.0218, Sections 265.215 and 265.220**

No provision.

Replaces the current law computations of targeted assistance and capacity aid with two main elements: (1) a wealth amount based on a district’s weighted wealth per pupil and (2) a capacity amount based on a district’s aggregate weighted wealth. Creates a supplemental tier of targeted assistance for lower wealth districts whose enrolled ADM (see EDUCD138) is less than 88% of its total ADM for FY 2019, based on a scaled amount between \$75 and \$750 per pupil. For additional details, please see the LSC Bill Analysis for H.B. 1 of the 134th General Assembly, As Introduced (<https://www.legislature.ohio.gov/download?key=15538&format=pdf>) on page 9, 10, and 15.

Replaces the House provision with a provision that generally restores the current law computations of targeted assistance and capacity aid with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and FY 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)).

**Fiscal effect: The statewide total targeted assistance wealth and capacity amounts calculated by the formula is estimated to be roughly \$1.0 billion in each fiscal year. The total supplemental tier of targeted assistance is estimated to be \$56.4 million in each fiscal year.**

**Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), targeted assistance and capacity aid total \$1.13 billion.**

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD143 Traditional school districts – special education additional aid**

|                   | R.C. 3317.022, 3317.013, 3317.0214, 3317.0215,  | R.C. 3317.022, 3317.02, 3317.013, 3317.0214, 3317.0223, Sections 265.215 and 265.220  |
|-------------------|---|---|
| No provision.     | Makes the following changes to the calculation of special education additional aid:   | Replaces the House provisions with provisions that generally restore the current law computation with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and FY 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)). |
| (1) No provision. | (1) Replaces the per-pupil dollar amounts for each of the six categories of special education students (\$1,578, \$4,005, \$9,622, \$12,841, \$17,390, \$25,637, respectively) with multiples, also referred to as "weights," (0.2435, 0.6179, 1.4845, 1.9812, 2.6830, 3.9554, respectively) that are multiplied by the statewide average cost per pupil; and | (1) No provision.   |
| (2) No provision. | (2) Equalizes the funding using the district's state share percentage instead of its state share index under current law (see EDUCD141).  | (2) No provision.   |
| No provision.     | Sets aside 10% of a district's aggregate special education funds for catastrophic costs (see EDUCD60).  | Same as the House, but makes conforming changes to align with the bill's method of computing special education additional aid, renames the "threshold catastrophic cost" for special education students as the "threshold cost," and names the amount set aside as the "special education cost supplement pool."                        |
|                   | <b>Fiscal effect: The statewide total special education additional aid calculated by the formula is estimated to be \$766.0 million in FY 2022 and \$746.4 million in FY 2023.</b>  | <b>Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), special education additional aid totals \$723.6 million.</b>  |



Executive

As Passed By House

As Reported By Senate Finance

**EDUCD147 Traditional school districts – K-3 literacy funds and performance bonuses**

|               | R.C. 3317.022, Repealed: 3317.0215, 3317.0216   | R.C. 3317.022, 3317.02, 3317.0215, 3317.0216, Sections 265.215 and 265.220  |
|---------------|---|---|
| No provision. | Eliminates the K-3 literacy funds component, which is based on a district's K-3 ADM and per-pupil amounts of \$193 (equalized by the state share index) and \$127 (unequalized).  | Replaces the House provisions with provisions that generally restore the current law computation with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and FY 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)).   |
| No provision. | <p>Eliminates the performance bonuses, which are two components based on school district four-year graduation rates and third grade reading proficiency rates.</p> <p><b>Fiscal effect: In FY 2019, the last year in which the current formula was operational, the calculated amounts for K-3 literacy funds, before the application of the formula's gain cap, totaled \$111.7 million while the calculated amounts for the performance bonuses totaled \$31.0 million.</b></p> | <p>Replaces the House provisions with provisions that generally restore the current law computation (however, for FY 2022 and FY 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)).</p> <p><b>Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), K-3 literacy funds total \$100.2 million and the performance bonuses total \$31.5 million.</b></p> |

**EDUCD144 Traditional school districts – disadvantaged pupil impact aid**

|                   | R.C. 3317.022, 3317.02, 3317.25   | R.C. 3317.022, 3317.02, 3317.25, Sections 265.215 and 265.220  |
|-------------------|---|--|
| No provision.     | Makes the following changes to the calculation of economically disadvantaged funds, renamed "disadvantaged pupil impact aid": | Same as the House, but makes the following changes (however, for FY 2022 and FY 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)): |
| (1) No provision. | (1) Increases the base per-pupil amount from \$272 to \$422; and  | (1) No provision.  |

| Executive         | As Passed By House  | As Reported By Senate Finance  |
|-------------------|---|--|
| (2) No provision. | (2) Makes conforming changes in recognition of the new formula to the calculation of the economically disadvantaged index, such that the index for a district equals the square of the quotient of (a) the percentage of a district's enrolled ADM (see EDUCD138) identified as economically disadvantaged divided by (b) the percentage of students in the statewide ADM identified as economically disadvantaged, which continues to include community school and STEM school students. | (2) Same as the House, but includes community and STEM school students residing in the district when calculating (a), counts open enrollment students in their resident district when calculating (a) and (b), and includes all JVSD students in the denominators of (a) and (b), instead of 20% of those students and 20% of contract vocational students as in the House's calculation of the index. |
| No provision.     | Adds certain initiatives for which disadvantaged pupil impact aid must be spent, including those for which student wellness and success funds may be spent under current law.   | No provision.  |
| No provision.     | Requires a district to develop a plan for utilizing its disadvantaged pupil impact aid in coordination with both of the following:  | No provision.  |
| (1) No provision. | (1) A board of alcohol, drug, and mental health services; and   | (1) No provision.  |
| (2) No provision. | (2) One of the following: an educational service center (ESC), a county board of developmental disabilities, a community-based mental health treatment provider, a board of health of a city or general health district, a county department of job and family services, a nonprofit organization with experience serving children, a public hospital agency, or a federally qualified health center or a federally qualified health center look-alike.                                   | (2) No provision.  |
| No provision.     | Requires a district's annual report of the initiatives on which its disadvantaged pupil impact aid was spent to (a) include the amount of money that was spent on each initiative, and (b) be submitted to ODE through the Education Management Information System (EMIS).  | Same as the House, but eliminates the requirement in (b).  |

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: The statewide total disadvantaged pupil impact aid calculated by the formula is estimated to be \$620.5 million in each fiscal year.**

**Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), disadvantaged pupil impact aid totals \$410.9 million.**

**EDUCD145 Traditional school districts – English learner funds**

|                   | R.C. 3317.022, 3317.016  | R.C. 3317.022, 3317.02, Sections 265.215 and 265.220   |
|-------------------|--|--|
| No provision.     | Makes the following changes to the calculation of English learner funds:   | Replaces the House provisions with provisions that generally restore the current law computation with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)). |
| (1) No provision. | (1) Modifies the students included in categories two and three of English learner students to consist of students who have been enrolled for more than 180 days until they successfully achieve proficiency on the assessments and students who have achieved proficiency for two successive school years, respectively; | (1) No provision.  |
| (2) No provision. | (2) Replaces the per-pupil dollar amounts for each of the three categories of English learners (\$1,515, \$1,136, \$758, respectively) with weights (0.2104, 0.1577, 0.1053, respectively) that are multiplied by the statewide average base cost per pupil (see EDUCD139).  | (2) No provision.  |
| (3) No provision. | (3) Equalizes the funding using the district's state share percentage instead of its state share index under current law (see EDUCD141).   | (3) No provision.  |
| No provision.     | Specifies that English learner funds must be spent only for services for English learners.   | No provision.  |

**Fiscal effect: The statewide total English learner funds**

**Fiscal effect: In FY 2023, when 100% of the district's**

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calculated by the formula is estimated to be \$36.1 million in FY 2022 and \$35.6 million in FY 2023. Reduces school district flexibility in spending state foundation aid.

"recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), English learner funds total \$29.6 million.

**EDUCD120 Traditional school districts - gifted funds and reports**

No provision.

**R.C. 3317.022, 3317.051, 3324.05, 3324.09**

Makes the following changes to the calculation of gifted funds:

**R.C. 3317.022, 3317.02, 3317.051**

Replaces the House provisions with provisions that generally restore the current law computations with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)).

(1) No provision.

(1) Increases the per-pupil amount for gifted identification funds from \$5.05 to \$24, but uses a district's enrolled ADM (see EDUCD138) for grades K-6, instead of the district's formula ADM to calculate the funds;

(1) No provision.

(2) No provision.

(2) Modifies the calculation of the number of gifted intervention specialist units from one unit for every 1,100 students in a districts gifted unit ADM (the number of students in the district's formula ADM minus the number of students that reside in the district but attend a community or STEM school) to one unit for every 140 gifted students enrolled in grades K-8 and one unit for every 140 gifted students enrolled in grades 9-12 (maintains the minimum of 0.3 units that applies under current law);

(2) No provision.

(3) No provision.

(3) Increases the salary associated with each gifted intervention specialist and coordinator unit from \$37,370 to \$85,776 for gifted coordinator units, \$89,378 for gifted intervention specialist units for students in grades K-8, and \$80,974 for gifted intervention specialist units for students in grades 9-12;

(3) No provision.

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|-------------------|---|-------------------------------|
| (4) No provision. | (4) Establishes new funding for gifted referrals at \$2.50 per pupil;   | (4) No provision.             |
| (5) No provision. | (5) Establishes new funding for gifted professional development based on per pupil amounts of \$7 for FY 2022, \$14 for FY 2023, \$21 for FY 2024, or \$28 for FY 2025 (gifted professional development funds are not paid after FY 2025) and the greater of (a) the number of gifted students enrolled in the district and (b) 10% of the district’s enrolled ADM; and | (5) No provision.             |
| (2) No provision. | (6) Equalizes all gifted funding elements according to a district’s state share percentage (EDUCD141) instead of providing a state share of those elements that is effectively 100% under current law (that is, the state share index is not currently applied to gifted funding elements).   | (6) No provision.             |
| No provision.     | Requires a school district to spend the gifted funds it receives through the school funding formula on the identification of gifted students, gifted coordinator services, gifted intervention specialist services, other service providers approved by ODE, and gifted professional development.   | No provision.                 |
| No provision.     | Requires ODE, if it determines that a district is not in compliance with the spending requirements, to reduce the district's foundation funding payments by the amount not spent in accordance with the requirements.   | No provision.                 |
| No provision.     | Requires each district to submit, as part of its annual report to ODE regarding the identification of gifted students required by current law, the number of students receiving gifted services in each category of gifted students.  | No provision.                 |
| No provision.     | Requires ODE's annual report of each district's expenditures of gifted funding (as required under continuing law) to also include the amount of gifted funding received by each   | No provision.                 |

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|-------------------|--|--|
| No provision.     | district.<br>Requires ODE to publish the following by October 31 each year, using data submitted by school districts:  | No provision.  |
| (1) No provision. | (1) Services offered by districts to students identified as gifted in each of the K-3, 4-8, and 9-12 grade bands; and  | (1) No provision.  |
| (2) No provision. | (2) The number of licensed gifted intervention specialists and coordinators employed or contracted by each district.   | (2) No provision.  |
| No provision.     | Requires ODE to audit each district's gifted service numbers in the same manner it audits each district's gifted identification numbers under current law.   | No provision.  |
| No provision.     | Requires, rather than permits as under current law, ODE to reduce a district's foundation funding if the district is not in compliance with existing requirements regarding identification of gifted students and the reporting requirement regarding the services provided to gifted students.<br><br><b>Fiscal effect: The statewide total gifted funds calculated by the formula is estimated to be \$83.7 million in FY 2022 and \$79.2 million in FY 2023. Reduces school district flexibility in spending state foundation aid. Increases ODE and school district administrative workload.</b> | No provision.  |
|                   |  | <b>Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), gifted identification and unit funds total \$78.7 million.</b> |

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**EDUCD146 Traditional school districts – career-technical education funds**

|                   | R.C. 3317.022, 3317.014  | R.C. 3317.022, 3317.02, Sections 265.215 and 265.220  |
|-------------------|--|---|
| No provision.     | Makes the following changes to the calculation of career-technical education funds:  | Replaces the House provisions with provisions that generally restore the current law computation with changes to conform to the bill's direct funding mechanism (see EDUCD138 and EDUCD153) (however, for FY 2022 and FY 2023, these payments are recalculated under the bill's temporary payment mechanism (see EDUCD80 and EDUCD81)). |
| (1) No provision. | (1) Replaces the per-pupil dollar amounts for each of the five categories of career-technical education students (\$5,192, \$4,921, \$1,795, \$1,525, \$1,308, respectively) with weights (0.6230, 0.5905, 0.2154, 0.1830, 0.1570, respectively) that are multiplied by the statewide average career-technical base cost per pupil (see EDUCD139); | (1) No provision.   |
| (2) No provision. | (2) Replaces the per-pupil dollar amount for career-technical education associated services funds (\$245) with a weight (0.0294) that is multiplied by the statewide average career-technical base cost per pupil.   | (2) No provision.   |
| (3) No provision. | (3) Equalizes the funding using the district's state share percentage instead of its state share index under current law (see EDUCD141).   | (3) No provision.   |
|                   | <b>Fiscal effect: The statewide total career-technical education funds and associated services funds calculated by the formula is estimated to be \$54.3 million in FY 2022 and \$53.7 million in FY 2023.</b>   | <b>Fiscal effect: In FY 2023, when 100% of the district's "recalculated funding for FY 2019" is used to determine its foundation aid (see EDUCD81), career-technical education and associated services funds total \$57.9 million.</b>  |

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**EDUCD154 Career awareness and exploration funds**

**R.C. 3317.014, 3314.089, 3317.023, 3326.39**

**R.C. 3317.022, 3317.16, 3317.023, Sections 265.215 and 265.220**

No provision.

Establishes a career awareness and exploration funds payment (outside of the school funding formula) to traditional districts, JVSDs, and community and STEM schools in an amount equal to a district or school's enrolled ADM (see EDUCD138) times \$2.50 for FY 2022, \$5 for FY 2023, \$7.50 for FY 2024, or \$10 for FY 2025 and each fiscal year thereafter.

Same as the House, but incorporates these funds into the school funding formulas (see EDUCD81 and EDUCD61) and uses the Senate calculation of "enrolled ADM" (see EDUCD138).

No provision.

Requires a district's or school's career awareness and exploration funds to be transferred to the lead district of the career-technical planning district (CTPD) to which the district belongs.

Same as the House.

No provision.

Requires each lead district of a CTPD to disperse career awareness and exploration funds to districts and schools receiving services from the CTPD that provide plans for the use of those funds that are consistent with the CTPD's plan that is on file with ODE.

Same as the House.

No provision.

Specifies that career awareness and exploration funds must be spent only for certain purposes.

Same as the House.

No provision.

Permits ODE to deny payment of these funds to any district that ODE determines is using the funds for other purposes.

Same as the House.

No provision.

No provision.

For FY 2022 and FY 2023, requires these funds to be calculated for a school district using the district's "enrolled ADM" for FY 2020 determined in accordance with the bill's direct funding mechanism (see EDUCD81, EDUCD138, and EDUCD153) and for a community or STEM school using the school's enrolled ADM for the given fiscal year.



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Fiscal effect: The bill earmarks \$4.2 million in FY 2022 and \$8.4 million in FY 2023 from GRF appropriation item 200545, Career-Technical Education Enhancements (see EDUCD52).

Fiscal effect: Same as the House, but pays these funds through the foundation formula line items (GRF line item 200550, DPF Fund 5SV0 line item 200604, and SLF Fund 7017 line item 200612, each renamed "Foundation Funding - All Students").

EDUCD196 Career-technical education lab program supplement

No provision.

No provision.

R.C. 3317.022, 3317.16, Section 265.220, 265.225  
Requires ODE to pay a career-technical education lab program supplement to traditional districts, JVSDs, and community and STEM schools that is calculated as the product of (1) \$225, for FY 2022, or \$1,050, for FY 2023 and each fiscal year thereafter and (2) the full-time equivalency of the district's or school's career-technical education students that is equivalent to the amount of time those students participate in lab programs, as determined by ODE.

No provision.

No provision.

Requires this supplement to be spent in the same manner as other funds received for career-technical education under current law.

No provision.

No provision.

For FY 2022 and FY 2023, requires this supplement to be calculated for a school district using the district's career-technical education student count for FY 2020 determined in accordance with the bill's direct funding mechanism (see EDUCD81, EDUCD138, and EDUCD153) and for a community or STEM schools using the school's count of those students for the given fiscal year.

**Fiscal effect: The lab program supplement totals to an estimated \$12.4 million in FY 2022 and \$58.0 million in FY 2023.**

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**EDUCD207 Minimum state share opportunity grant supplement**

No provision.

No provision.

**R.C. 3317.022, Sections 265.220, 265.223**

Creates a minimum state share opportunity grant supplement for traditional districts that is equal to (1) the product of a district's enrolled ADM, the formula amount (\$6,110), and 7.5% minus (2) the district's state share of the opportunity grant, when the calculation results in a positive number for the district (the supplement does not alter the calculation of the state share index under either permanent law or the bill's temporary payment structure).

No provision.

No provision.

For FY 2022 and FY 2023, includes the supplement in a district's "recalculated foundation funding for FY 2019," requires it to be calculated using the district's enrolled ADM for FY 2019, subjects the supplement to the bill's guarantee and cap provisions, and includes the supplement in the calculation of the bill's formula transition supplement and cap relief payments (see EDUCD81, EDUCD150, and EDUCD149).

**Fiscal effect: The minimum state share opportunity grant supplement increases state aid by an estimated \$1.5 million in FY 2022 and \$2.5 million in FY 2023.**

**EDUCD148 Traditional school districts – application of phase-in**

No provision.

**R.C. 3317.022, 3317.02, Sections 265.215 and 265.220**

Phases in most of a district's foundation funding payments over a period of time to be determined by the General Assembly. Specifies a "general phase-in percentage" of 16.67% for FY 2022 and 33.33% for FY 2023 and a "phase-in percentage for disadvantaged pupil impact aid" of 0% for FY 2022 and 14% for FY 2023.

No provision.

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|-------------------|--|-------------------------------|
| No provision.     | Specifies that it is the intent of the General Assembly that the general phase-in occurs over the course of no more than six fiscal years. Specifies that the phase-in percentage for disadvantaged pupil impact aid equals the general phase-in percentage for FY 2024 and each fiscal year thereafter.   | No provision.                 |
| No provision.     | Calculates the phase-in of a district’s foundation funding (before application of the guarantee) as follows:   | No provision.                 |
| (1) No provision. | (1) Determine the district’s "funding base," which equals the district’s FY 2020 foundation funding under current law (excluding base and "other" transportation funding and the current law transportation supplement) prior to any state budget reductions ordered by the Governor, after adjusting for transfers for (a) students attending community and STEM schools (other than those for transportation), (b) students receiving state scholarships, and (c) students open enrolling; | (1) No provision.             |
| (2) No provision. | (2) Determine the district's "general funding base," which is equal to the district's "phase-in funding base" minus the district's FY 2020 economically disadvantaged funds adjusted for transfers as described above;   | (2) No provision.             |
| (3) No provision. | (3) Determine the sum of the district’s state core foundation funding components that are subject to the general phase-in (the district’s state share of the base cost, targeted assistance, special education funds, English learner funds, gifted funds, career-technical education funds, and career-technical associated services funds under the formula);  | (3) No provision.             |
| (4) No provision. | (4) Compute the difference between the district’s "general funding base" and the sum of the district’s state core foundation funding components that are subject to the general phase-in;  | (4) No provision.             |

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|-------------------|--|-------------------------------|
| (5) No provision. | (5) Multiply that difference by the district’s general phase-in percentage to determine the general phase-in amount;   | (5) No provision.             |
| (6) No provision. | (6) Determine the district's "disadvantaged pupil impact aid funding base," which is equal to the district's FY 2020 economically disadvantaged funds adjusted for transfers as described above;   | (6) No provision.             |
| (7) No provision. | (7) Compute the difference between the district's "disadvantaged pupil impact aid funding base" and the district's disadvantaged pupil impact aid;   | (7) No provision.             |
| (8) No provision. | (8) Multiply that difference by the district's phase-in percentage for disadvantaged pupil impact aid to determine the disadvantaged pupil impact aid phase-in amount; and   | (8) No provision.             |
| (9) No provision. | (9) Add the district’s general phase-in amount, disadvantaged pupil impact aid phase-in amount, and "funding base" to determine the district’s foundation funding (before application of the guarantee).<br><br><b>Fiscal effect: The total statewide foundation funding after the application of the phase-in, including components outside the phase-in (transportation and supplemental targeted assistance), is estimated to be \$7.08 billion in FY 2022 and \$7.15 billion in FY 2023.</b> | (9) No provision.             |

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**EDUCD153** Direct funding of community schools, STEM schools, and state scholarship programs

R.C. 3314.08, 3310.41, 3310.51, 3310.54, 3310.56, 3313.979, 3317.02, 3317.03, 3326.33, Section 265.210

R.C. 3317.022, 3314.08, 3310.41, 3313.979, 3317.02, 3317.03, 3302.04, Section 265.220. Repealed: 3310.08, 3310.09, 3310.55, 3310.56, 3314.085, 3326.33, 3326.41, 3328.33; conforming changes in numerous R.C. sections

No provision.

Replaces the current law mechanism that finances foundation aid payments for community schools, STEM schools, and state scholarships awarded under the performance-based EdChoice Scholarship Program, Autism Scholarship Program, and Jon Peterson Special Needs Scholarship Program through a deduction of the foundation aid of the student's resident school district with direct state payments using state core foundation funding. Makes a similar change for the Cleveland Scholarship and Tutoring Program, which is currently financed by both a deduction of the Cleveland Municipal School District's state foundation aid and direct state payments.

Same as the House, but provides for the direct payments in a different manner by doing all of the following:

No provision.

No provision.

Establishing a "community and STEM school funding unit," "Educational Choice Scholarship funding unit," "Pilot Project Scholarship funding unit," "Autism Scholarship funding unit," and "Jon Peterson Special Needs Scholarship funding unit."

No provision.

No provision.

Requiring ODE to distribute funding paid to these units to each community or STEM school or on behalf of each scholarship recipient (in accordance with current law requirements for distribution of the scholarships) in an amount that equals what that school or provider would otherwise receive if funding were calculated for the school or scholarship recipient on an individual basis.

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|--|----------------------|---|
| <p>No provision.</p>   | <p>No provision.</p> | <p>Providing for these funding units to be paid under the same section of statutory law as funds are paid to traditional school districts.</p>  |
| <p>No provision.</p>   | <p>No provision.</p> | <p>Establishing a temporary payment mechanism for state scholarship programs for FY 2022 and FY 2023 in the same section of uncodified law as the temporary payment mechanisms for traditional school districts (see EDUCD81), community schools (see EDUCD62), and STEM schools (see EDUCD63).</p> |
| <p><b>Fiscal effect: Increases state expenditures by committing the state to pay the entire foundation aid amount for a community or STEM school student or scholarship amount for a scholarship recipient. In contrast, under current law, the cost of educating these students is generally a shared responsibility between the state and the student's resident school district. The state pays a portion of the foundation formula cost for the student depending on the relative wealth of the district, with the remainder supported by local funds. Since the full amount of a community or STEM school or scholarship student's funding is deducted from the resident district's foundation aid under current law, the direct funding mechanism in the bill may result in school districts retaining more of their state foundation aid allocations.</b></p> |                      |   |
| <p><b>Fiscal effect: Same as the House.</b></p>  |                      |   |

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**EDUCD62 Community school funding**

**Section: 265.230**

Specifies all of the following with respect to state aid payments for community schools: (1) maintains the FY 2019 dollar amounts used to calculate per-pupil deductions from school districts and transfers to community schools for FY 2022 and FY 2023, (2) specifies that the per-pupil amounts deducted and paid to community schools for targeted assistance and economically disadvantaged funds, which are computed based on an amount calculated for the student's resident district, must be the same amounts deducted and paid for FY 2019, (3) specifies that the per-pupil amounts deducted and paid to a community school that accepts responsibility to transport its students must be the same amount deducted and paid for FY 2019, and (4) requires ODE to pay each community school graduation and third-grade reading bonuses using a formula amount of \$6,020.

No provision.

No provision.

**R.C. 3314.08, 3314.085, 3314.089, 3314.0810, 3314.091, Sections 265.215 and 265.225**

Replaces the Executive provisions by making the following changes to the calculation of operating funding for community schools:

Replaces the current law mechanism that finances payments to community schools through a deduction of the foundation aid of the community school student's resident school district with direct state payments.

Replaces the uniform per-pupil "formula amount" (currently, \$6,020) used to calculate the opportunity grant for community schools with a variable per-pupil base cost, using the same five components for the base cost that are calculated for traditional school districts, with all of the average salaries and costs within the base cost computation calculated using data from FY 2018 (see EDUCD139), but with the following changes:

**R.C. 3317.022, 3314.08, 3314.085 (repealed), 3314.091, 3317.0212, Sections 265.215, 265.220, and 265.233**

Replaces the House provisions with provisions that generally restore the current law computations, with changes to conform to the bill's direct funding mechanism and temporary payment mechanism for traditional school districts (see EDUCD80 and EDUCD81), as described below.

Same as the House, but provides for the direct payment of state funding to community schools in a different manner by establishing a "community and STEM school funding unit" (see EDUCD153).

Replaces the House provision with a provision that sets the formula amount for community schools at \$6,065 for FY 2022 and \$6,110 for FY 2023 in recognition of the bill's temporary funding mechanism for traditional districts and JVSJs (see EDUCD81 and EDUCD61) and determination of the base cost per pupil (see EDUCD139).

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| (1) No provision. | (1) For purposes of the school’s teacher cost component, does not require a minimum of special teachers funded;  | (1) No provision.                          |
| (2) No provision. | (2) Calculates the school’s student support base cost as the product of (a) the school’s enrollment and (b) the per-pupil statewide average student support base cost for all city, local, and exempted village school districts;  | (2) No provision.                          |
| (3) No provision. | (3) Calculates the school’s leadership and accountability base cost as the product of (a) the school’s enrollment and (b) the per-pupil statewide average leadership and accountability base cost for all traditional school districts;  | (3) No provision.                          |
| (4) No provision. | (4) Calculates the school’s building leadership and operations base cost as the product of (a) the school’s enrollment and (b) the per-pupil statewide average building leadership and operations base cost for all city, local, and exempted village school districts; and  | (4) No provision.                          |
| (5) No provision. | (5) Provides the athletic co-curricular activities base cost component to the school if it is either a member of an organization that regulates interscholastic athletics or has teams in at least three different sports that participate in an interscholastic league, and calculates this component as the product of (a) the school’s enrollment and (b) the per-pupil statewide average athletic co-curricular activities base cost for all city, local, and exempted village school districts. | (5) No provision.                          |
| No provision.     | Replaces the per-pupil dollar amounts for each of the categories of special education students and English learner students with weights that are multiplied by the statewide average base cost per pupil (see EDUCD143 and EDUCD145).   | No provision. (See EDUCD143 and EDUCD145.) |
| No provision.     | Replaces the per-pupil dollar amounts for each of the categories of career-technical education students with   | No provision. (See EDUCD146.)              |



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|---------------|---|--|
| No provision. | weights that are multiplied by the statewide average career-technical base cost per pupil (see EDUCD146).   |  |
| No provision. | Increases the base per pupil amount for disadvantaged pupil impact aid from \$272 to \$422 and multiplies this amount by the school's "economically disadvantaged index" instead of the index for the student's resident school district (the school's "economically disadvantaged index" is equal to the square of the quotient of the percentage of the school's students who are economically disadvantaged divided by the statewide percentage of economically disadvantaged students in all public schools). | No provision. (See EDUCD144.)  |
| No provision. | Eliminates community school payments for targeted assistance, K-3 literacy funds, and the third grade reading and graduation performance bonuses.   | No provision. (However, the bill's temporary payment mechanism for traditional districts for FY 2022 and FY 2023 results in a recalculated per-pupil amount of targeted assistance for a community school student's resident school district and the formula amount is increased, as described above.) |
| No provision. | Provides a phase-in of a community school's funding components described above that is substantially similar to the phase-in of a school district's foundation funding, except all components are subject to the general phase-in percentage for school districts (see EDUCD148).   | No provision.  |
| No provision. | No provision.   | Funds career awareness and exploration funds in the school funding formula (under the House version, these funds were paid outside of the formula, see EDUCD154) and provides a new CTE lab program supplement (see EDUCD196).   |
| No provision. | Guarantees that a community school's total foundation funding (including transportation payment) on a per-pupil basis for FY 2022 and FY 2023 does not fall below its "funding base for FY 2021," which consists of its (1) FY 2021   | Same as the House, but (1) a school's FY 2022 or FY 2023 per-pupil funding subject to this guarantee consists of its foundation funding (including career awareness and exploration funds and CTE lab program supplement, see  |

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No provision.

**Fiscal effect:** In FY 2021, transfers of state aid to community schools are estimated to be about \$921.1 million. The graduation bonus, which is directly paid (not deducted from the resident district) amounts to an additional \$1.2 million for FY 2021 (the third grade reading bonus is not paid in FY 2021 due to the suspension of the spring 2020 state tests).

foundation aid before any state budget reductions ordered by the Governor and (2) FY 2021 student wellness and success funds and enhancement funds.

Maintains current law regarding the payments for internet- and computer-based community schools (e-schools), requiring payment of the base cost per pupil, special education funds, and career-technical education funds.

**Fiscal effect:** Community school payments are estimated to total \$884.5 million in FY 2022 and \$902.2 million in FY 2023.

EDUCD154 and EDUCD196) for those years, and student wellness and success funds and enhancement funds (see EDUCD83) and (2) item (1) in the "funding base for FY 2021" is FY 2021 foundation aid after any state budget reductions ordered by the Governor.

Same as the House, but also permits e-schools to receive career awareness and exploration funds (see EDUCD154) and the CTE lab program supplement (see EDUCD196).

**Fiscal effect:** Community school payments are estimated to total \$867.6 million in FY 2022 and \$877.2 million in FY 2023 (community schools also receive student wellness and success funds and enhancement funds, see EDUCD83).

EDUCD63 STEM school funding

Section: 265.235

Specifies all of the following with respect to state aid payments for STEM schools: (1) maintains the FY 2019 dollar amounts used to calculate per-pupil deductions from school districts and transfers to STEM schools for FY 2022 and FY 2023; (2) specifies that the per-pupil amounts deducted and paid to STEM schools for targeted assistance and economically disadvantaged funds, which are computed based on an amount calculated for the student's resident district, must be the same amounts deducted and paid for FY 2019; and (3) requires ODE to pay each STEM school graduation and third-grade reading bonuses using a formula amount of \$6,020.

R.C. 3326.33, 3326.39, 3326.43, Sections 265.215 and 265.225

Replaces the Executive provisions with provisions that make changes to the calculation of operating funding for STEM schools that are substantially similar to those described for community schools (see EDUCD62).

R.C. 3317.022, 3326.33 (repealed), 3326.39, Sections 265.215, 265.220, and 265.233

Replaces the House provisions with provisions that make changes to the calculation of operating funding for STEM schools that are substantially similar to those described for community schools (see EDUCD62).

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Fiscal effect: In FY 2021, transfers of state aid to STEM schools are estimated to be about \$28.4 million. The graduation bonus, which is directly paid (not deducted from the resident district), amounts to an additional \$172,000 for FY 2021 (no STEM school qualified for a third grade reading bonus for FY 2021).

Fiscal effect: STEM school payments are estimated to total \$28.0 million in FY 2022 and \$28.4 million in FY 2023.

Fiscal effect: STEM school payments are estimated to total \$27.9 million in FY 2022 and \$28.6 million in FY 2023 (STEM schools also receive student wellness and success funds and enhancement funds, see EDUCD83).

EDUCD155 Special education transportation

No provision.

R.C. 3317.024

Changes the method used to determine a district’s payment for the approved cost of transporting eligible students with disabilities whom it is impossible or impractical to transport by regular school bus from a method determined through rules adopted by the State Board of Education to an amount, determined in statute, that is equal to the actual costs incurred when transporting those students multiplied by the greater of the district’s state share percentage (see EDUCD141) or 29.17% for FY 2022, 33.33% for FY 2023, 37.5% for FY 2024, 41.66% for FY 2025, 45.83% for FY 2026, and 50% for FY 2027 and for each fiscal year thereafter.

No provision. (Payments, however, will be calculated for the biennium using the recalculated state share index under temporary provisions in the Senate school funding plan. See EDUCD80.)

No provision.

Requires the State Board of Education to establish the deadline for each district to report its actual costs for transporting eligible students with disabilities whom it is impossible or impractical to transport by regular school bus, and specifies that costs reported by each district or ESC must be subject to periodic, random audits by ODE.

No provision.

**Fiscal effect: The bill increases the earmark for special education transportation payments from GRF appropriation item 200502, Pupil Transportation, by \$57.0 million in FY 2022 and \$63.0 million in FY 2023 (see EDUCD29).**

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**EDUCD77 Payment for school district with nuclear plant in its territory**

**R.C. 3317.029, (Repealed)**

Repeals the law that requires ODE, for each of FYs 2019, 2020, and 2021, to make an additional payment to a school district with (1) a nuclear power plant in its territory and (2) a total taxable value of public utility personal property for tax year 2017 that is at least 50% less than that value for tax year 2016.

**Fiscal effect: None. The provision applies only through FY 2021.**

**R.C. 3317.029, (Repealed)**

Same as the Executive.

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

**R.C. 3317.029, (Repealed)**

Same as the Executive.

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

**EDUCD30 Traditional school districts - student transportation funding**

**R.C. 3317.0212, Sections 265.220, 265.215**

Makes the following changes to the calculation of regular transportation funding (however, for FY 2022 and 2023, these payments are suspended and every school district is provided with the same amount of transportation aid as the district received for FY 2019 (see EDUCD80 and EDUCD81)):

(1) Revises the computation of a traditional school district's "qualifying ridership," which is used to calculate its state transportation funding, to equal the greater of the average number of qualifying riders counted in the morning or counted in the afternoon during the first full week of October that the district is in session with students in attendance, instead of the average number of qualifying riders who are provided school bus service during the first full week of October.

(2) No provision.

**R.C. 3317.0212, 3317.019, 3301.0714**

Same as the Executive, but makes the transportation formula operational with the following changes:

(1) Same as the Executive, but (a) removes the specification that a district's qualifying ridership is determined during the first full week of October "that the district is in session with students in attendance" and (b) includes preschool students and students who live less than one mile away from school in the district's qualifying rider count;

(2) Applies a weight of 1.5 for community and STEM school students and a weight of 2.0 for nonpublic school students when calculating a district's cost for the number of students

**R.C. 3317.0212, Sections 265.220, 265.215**

Same as the Executive, but establishes a different temporary payment mechanism for school districts for FY 2022 and FY 2023 (see EDUCD80 and EDUCD81).

(1) Same as the Executive.

(2) No provision.

| Executive  | As Passed By House  | As Reported By Senate Finance                            |
|--|---|--|
| (3) No provision.  | <p>transported used in the base transportation formula;</p> <p>(3) Increases the state share of the base transportation formula from the greater of 25% or the district's state share index to the greater of the district's state share percentage (see EDUCD141) or 29.17% for FY 2022, 33.33% for FY 2023, 37.5% for FY 2024, 41.66% for FY 2025, 45.83% for FY 2026, and 50% for FY 2027 and for each fiscal year thereafter;</p> | (3) No provision.  |
| (4) No provision.  | <p>(4) Creates an efficiency adjustment based on the district's demonstration of efficiency by transporting more than a target number of students per bus, calculated based on the district's base transportation funding times a percentage that increases from 0% to 15% as the district's efficiency increases;</p>  | (4) No provision.  |
| (5) No provision.  | <p>(5) Modifies the transportation supplement for low density school districts by calculating density based on a district's qualifying riders, instead of total ADM, and qualifying for the supplement districts with a density less than 28 riders per square mile, instead of less than 50 per square mile; and</p>   | (5) No provision.  |
| (6) No provision.  | <p>(6) Guarantees, for fiscal years 2022 and 2023, that each district's regular transportation funding does not fall below an amount equal to the sum of the district's base transportation funding, transportation supplement, and "other" transportation funding for FY 2020 prior to any state budget reductions ordered by the Governor.</p>  | (6) No provision.  |
| No provision.  | <p>Requires each district to report the average number of students riding on school buses routed to community schools, STEM schools, and nonpublic schools to the Department of Education through the Education Management Information System (EMIS).</p>   | No provision.  |
| <b>Fiscal effect: Increases school district administrative</b> | <b>Fiscal effect: Same as the Executive, but the provision</b>  | <b>Fiscal effect: Transportation aid is estimated at</b> |

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workload to conduct a second daily count during the designated count week and report it to ODE (under current law, qualifying riders are counted once daily during the designated count week and the five-day average is reported to ODE). State transportation funding to school districts may increase beginning in FY 2024 if the second count results in a higher number of qualifying riders.

requiring a second count begins to affect transportation funding immediately in conjunction with the implementation of the new funding formula. The statewide total regular transportation funds calculated by the formula is estimated to be \$534.6 million in FY 2022 and \$552.6 million in FY 2023.

approximately \$465 million in each fiscal year.

EDUCD159 Preschool special education funding

No provision.

**R.C. 3317.0213**

Makes changes to the calculation of preschool special education funding in recognition of the new school funding formula by replacing (1) the state share index with the state share percentage (see EDUCD141) and (2) the applicable special education dollar amount with the applicable special education weight times the statewide average base cost per pupil (see EDUCD139 and EDUCD143).

**Fiscal effect: The bill increases the amount allocated for preschool special education payments from GRF appropriation item 200540, Special Education Enhancements, by \$24 million in FY 2022 and by \$29 million in FY 2023 (the increased funding amounts are mainly designed to lift the proration of the payments that has been typically applied in recent years to avoid exceeding the appropriation).**

No provision. (Payments, however, will be calculated for the biennium using the recalculated state share index under temporary provisions in the Senate school funding plan. See EDUCD80.)

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**EDUCD83 Student wellness and success funding**

**R.C. 3317.0219, 3314.088, 3317.163, 3317.26, 3326.42, Sections 265.323 and 265.234**

Modifies the formula for calculating student wellness and success funds and enhancement funds for city, local, exempted village, and joint vocational school districts, community schools, and STEM schools as follows:

Requires ODE to use the five-year estimates published by the Census Bureau in the 2015-2019 American Community Survey, rather than the most recent American Community Survey, when computing each city, local, and exempted village school district's percentage of resident children with family incomes below 185% of the federal poverty guidelines (for purposes of grouping them into quintiles that determine per-pupil funding amounts).

Requires ODE to use the number of students enrolled in the district or school for FY 2022, instead of the preceding year's count, to calculate student wellness and success funds and enhancement funds for FY 2022.

Increases the per-pupil amounts used to calculate student wellness and success funds for city, local, and exempted village school districts as follows:

(1) For a district in the highest poverty quintile, \$457 for FY 2022 and \$562 for FY 2023 (from \$250 for FY 2020 and \$360 for FY 2021);

(2) For a district in the second highest poverty quintile, \$368 for FY 2022 and \$452 for FY 2023 (from \$200 for FY 2020 and \$290 for FY 2021);

**R.C. 3317.0219, (Repealed), Also Repealed: 3314.088, 3317.163, 3317.26, 3326.42**

Replaces the Executive provision with a provision that repeals the requirement for ODE to pay student wellness and success funds and enhancement funds to school districts, community schools, and STEM schools.

No provision.

No provision.

No provision.

(1) No provision.

(2) No provision.

**R.C. 3317.0219, 3317.0220, 3317.0221, 3317.163, Section 265.323. Repealed: 3314.088, 3326.42**

Same as the Executive, but makes the following changes:

Same as the Executive.

Same as the Executive.

Same as the Executive, but decreases the per-pupil amounts as follows:

(1) Same as the Executive, but decreases the amounts to \$304 for FY 2022 and \$242 for FY 2023;

(2) Same as the Executive, but decreases the amounts to \$245 for FY 2022 and \$194 for FY 2023;

| Executive   | As Passed By House | As Reported By Senate Finance  |
|---|--------------------|--|
| (3) For a district in the third highest poverty quintile, \$197 for FY 2022 and \$242 for FY 2023 (from \$110 for FY 2020 and \$155 for FY 2021);   | (3) No provision.  | (3) Same as the Executive, but decreases the amounts to \$131 for FY 2022 and \$104 for FY 2023;           |
| (4) For a district in the fourth highest poverty quintile, \$89 for FY 2022 and \$109 for FY 2023 (from \$50 for FY 2020 and \$70 for FY 2021); and   | (4) No provision.  | (4) Same as the Executive, but decreases the amounts to \$59 for FY 2022 and \$47 for FY 2023;             |
| (5) For a district in the lowest poverty quintile, \$38 for FY 2022 and \$47 for FY 2023 (from \$20 for FY 2020 and \$30 for FY 2021).  | (5) No provision.  | (5) Same as the Executive, but decreases the amounts to \$25 for FY 2022 and \$20 for FY 2023.             |
| Increases the minimum amount of student wellness and success funds each school district, site-based community school, and STEM school will receive to \$45,720 for FY 2022 and \$56,160 for FY 2023 (from \$25,000 for FY 2020 and \$36,000 for FY 2021).   | No provision.      | Same as the Executive, but decreases the minimum amount to \$30,404 for FY 2022 and \$24,149 for FY 2023.  |
| Maintains the base per-pupil amount of \$75 used to calculate student wellness and success enhancement funds for FY 2022 and FY 2023 (these funds are paid to city, local, and exempted village school districts that received supplemental targeted assistance funding for FY 2019).   | No provision.      | Same as the Executive, but increases the base per-pupil amount to \$100 for FY 2022 and \$125 for FY 2023. |
| Increases the payment of student wellness and success funds for e-schools to \$45,720 for FY 2022 and \$56,160 for FY 2023 (from \$25,000 for FY 2020 and \$36,000 for FY 2021).  | No provision.      | Same as the Executive, but decreases the payment to \$30,404 for FY 2022 and \$24,149 for FY 2023.         |
| Guarantees that each district and school receives at least the same amount of student wellness and success funds and enhancement funds in FY 2022 and FY 2023 as it received in the previous fiscal year. Requires that these guarantee funds be spent in the same manner as other student wellness and success funds and that ODE make the guarantee payment not later than February 28 of the respective fiscal year. | No provision.      | No provision.  |



| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <p>Requires ODE to distribute any remaining funds from DPF appropriation item 200604, Student Wellness and Success, in each fiscal year through a methodology determined by ODE in consultation with OBM not later than February 28 of that fiscal year.</p>                                | <p>No provision.</p>   | <p>Same as the Executive, but renames item 200604 as "Foundation Funding - All Students."</p>   |
| <p>Changes the list of initiatives for which student wellness and success funds and enhancement funds may be spent, as follows:</p>   | <p>Replaces the Executive provision with a provision that repeals the spending requirements for student wellness and success funds and enhancement funds, but incorporates the current law initiatives on which these funds may be spent within the spending requirements for disadvantaged pupil impact aid (see EDUCD144).</p> | <p>Same as the Executive.</p>   |
| <p>(1) Specifies that mental health services and physical health services may include telehealth services;</p>  | <p>(1) No provision.</p>   | <p>(1) Same as the Executive.</p>   |
| <p>(2) Adds culturally appropriate, evidence-based or evidence-informed prevention education, including youth-led programming and social and emotional learning curricula to promote mental health and prevent substance use and suicide;</p>   | <p>(2) No provision.</p>   | <p>(2) Same as the Executive.</p>   |
| <p>(3) Adds programs that connect students to community resources, including City Connects (permitted under current law), Communities in Schools, or other similar programs;</p>  | <p>(3) No provision.</p>   | <p>(3) Same as the Executive.</p>   |
| <p>(4) Removes professional development regarding the provision of trauma-informed care and professional development regarding cultural competencies.</p>   | <p>(4) No provision.</p>   | <p>(4) Same as the Executive.</p>   |
| <p>Increases the number of community partners with which districts and schools must coordinate the spending of student wellness and success funds and enhancement funds from one to two, one of which must be either an alcohol, drug, and mental health services board or a community-</p> | <p>Replaces the Executive provision with a provision that repeals the requirement for districts and schools to coordinate the spending of student wellness and success funds and enhancement funds with a community partner, but incorporates a similar provision into the spending</p>  | <p>Same as the Executive, but does not increase the number of community partners (maintains the Executive's reference to a community-based mental health treatment or prevention provider).</p> |

| Executive  | As Passed By House   | As Reported By Senate Finance  |
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| <p>based mental health treatment or prevention provider (rather than a community-based mental health treatment provider as under current law).</p> <p><b>Fiscal effect: The bill appropriates \$500 million in FY 2022 and \$600 million in FY 2023 from DPF Fund 5VSO appropriation item 200604, Student Wellness and Success (which is supported by cash transfers from the GRF), to support the payments (see EDUCD84).</b></p> | <p>requirements for disadvantaged pupil impact aid (see EDUCD144).</p> <p><b>Fiscal effect: The bill maintains the Executive appropriation in item 200604, but redirects its purpose to paying disadvantaged pupil impact aid under the House's new formula and portions of the state share of the base cost that are attributable to the staffing cost for the student wellness and success component of the base cost.</b></p> | <p><b>Fiscal effect: Same as the Executive, but earmarks \$350 million in FY 2022 and \$300 million in FY 2023 from renamed item 200604, Foundation Funding - All Students, to support the payments (see EDUCD84).</b></p>   |
| <b>EDUCD195 Traditional school districts - gap aid</b>   |  |  |
| No provision.  | No provision.  | <p><b>R.C. 3317.0222, Sections 265.231, 265.220</b></p> <p>Requires ODE to pay gap aid to each traditional school district for each fiscal year in an amount equal to the difference between (1) the district's local share of foundation funding and transportation funding and (2) the district's "local tax revenue."</p>   |
| No provision.  | No provision.  | <p>For this purpose, defines a district's "local tax revenue" as the sum of (1) the district's taxes charged and payable that are not attributable to a JVSD and (2) the district's tax distribution for the preceding fiscal year under any school district income tax levied for current expenses.</p>   |
| No provision.  | No provision.  | <p>For FY 2022 and FY 2023, requires each traditional school district to receive an amount of gap aid calculated in accordance with the above formula with (1) the district's recalculated state share index for FY 2019 (which is determined when recalculating the district's foundation funding for FY 2019 (see EDUCD81)), (2) the district's local share of its recalculated foundation funding and recalculated transportation funding for FY 2019, (3) the district's taxes charged and payable that are not attributable to a JVSD for</p> |

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tax year 2017, and (4) the district's tax distribution for FY 2018 under any school district income tax levied for current expenses.

**Fiscal effect: Gap aid totals to an estimated \$15.8 million in each of FY 2022 and FY 2023.**

**EDUCD156 School bus purchase grants**

No provision.

**R.C. 3317.071**

Establishes a program to distribute bus purchasing grants of not less than \$45,000 to traditional school districts for the purpose of replacing the oldest and highest mileage buses in the state assigned to routes.

No provision.

No provision.

Requires ODE to annually collect age, mileage, and vehicle condition data from districts through its transportation data collection system.

No provision.

**Fiscal effect: The bill appropriates \$45 million in each fiscal year from GRF appropriation item 200503, Bus Purchase Allowance, to support the grants (see EDUCD137).**

**EDUCD157 Transportation collaboration grants**

No provision.

**R.C. 3317.072**

Establishes a program to award transportation collaboration grants of no more than \$10,000 each fiscal year to traditional school districts for efforts that lead to shared resource management, routing consolidation, regional collaboration, or other activities that have the potential to reduce transportation operating costs. Establishes the Transportation Collaboration Fund to be used for this purpose.

No provision.

**Fiscal effect: The bill earmarks \$250,000 in each fiscal year**

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from GRF appropriation item 200502, Pupil Transportation, to support the grants (see EDUCD29).

**EDUCD158 Funding for county boards of development disabilities**

No provision.

**R.C. 3317.20**

Makes changes to the calculation of state funding for county board of developmental disabilities educating school-age children in recognition of the new school funding formula by replacing (1) the state share index with the state share percentage (see EDUCD141), (2) the formula amount with the statewide average base cost per pupil, and (3) the applicable special education dollar amount with the applicable special education weight times the statewide average base cost per pupil (see EDUCD139 and EDUCD143).

**Fiscal effect: The bill increases the amount earmarked from GRF appropriation item 200540, Special Education Enhancements, for payments to county boards by \$4 million in each fiscal year (see EDUCD51).**

No provision. (Payments, however, will be calculated for the biennium using a formula amount of \$6,065 for FY 2022 and \$6,110 for FY 2023 and the recalculated state share index under temporary provisions in the Senate school funding plan. See EDUCD80.)

**EDUCD78 Recommendations for compensating districts with certain valuation losses**

**R.C. 3317.27, (Repealed)**

Repeals the law that requires ODE to annually recommend to the General Assembly a structure to compensate each city, local, exempted village, and joint vocational school district that experiences at least a 50% decrease in public utility personal property valuation from one year to the next for a percentage of the effect that decrease has on the district's state funding.

**Fiscal effect: Minimal decrease in ODE's administrative workload.**

**R.C. 3317.27, (Repealed)**

Same as the Executive.

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

**R.C. 3317.27, (Repealed)**

Same as the Executive.

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

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**EDUCD152 School Funding Oversight Commission**

No provision.

**R.C. 3317.60**

Creates the 19-member School Funding Oversight Commission to oversee the implementation of the new K-12 formula funding provisions in the bill, analyze and make recommendations regarding appropriate adjustments to the formula, and review and analyze the findings of any of the education studies that are prepared under current law.

**Fiscal effect: May increase the state's administrative costs.**

No provision.

**EDUCD80 Operating funding for FY 2022 and FY 2023**

**Section: 265.215**

Suspends most school funding payments under R.C. Chapter 3317., including foundation aid to school districts (see EDUCD81) and JVSDs (see EDUCD61), but requires ODE to continue to make some specified payments under that chapter, including (1) certain foundation aid adjustments; (2) special education transportation reimbursements, (3) auxiliary services, (4) nonpublic school administrative cost reimbursement; (5) preschool special education; (6) special education catastrophic cost reimbursements; (7) special education for school-age children at county developmental disabilities boards and institutions, and (8) student wellness and success funds (see EDUCD83).

Requires ODE to use the state share index or state share percentage computed for a district for FY 2019 for purposes of computing FY 2022 and FY 2023 amounts for payments, other than foundation aid, for which the state share index or state share percentage is a factor.

No provision. (Replaced by provisions that, in general, phase in the school funding formula proposed in H.B. 1 of the 134th General Assembly. The main new formula Compare Doc items are EDUCD138 through EDUCD150, EDUCD30, EDUCD120, and EDUCD61.)

No provision.

**Section: 265.215**

Same as the Executive.

Same as the Executive, but requires ODE to use the state share index or state share percentage recalculated for each district (see EDUCD81 and EDUCD61).

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Specifies that, for purposes of open enrollment, College Credit Plus, and any other payments for which the “formula amount” is used, the formula amount for FY 2022 and FY 2023 is \$6,020 (the formula amount for FY 2019).

No provision.

Same as the Executive, but increases the “formula amount” used for purposes of open enrollment, children with disabilities who are served by county boards of developmental disabilities, and College Credit Plus to \$6,065 for FY 2022 and \$6,110 for FY 2023 and any other payments for which the “formula amount” is used, unless otherwise specified in the bill, to \$6,110 for each of FY 2022 and FY 2023 (see EDUCD81, EDUCD61, and EDUCD139).

Specifies that the special education catastrophic cost threshold for FY 2022 and FY 2023 is \$27,375 for students in categories two through five special education ADM and \$32,850 for students in category six special education ADM.

No provision.

Same as the Executive, but renames the “threshold catastrophic cost” as the “threshold cost” (see EDUCD143).

Requires, for the purpose of making school funding payments (1) school districts and ESCs to continue reporting student enrollment data and (2) the Tax Commissioner to continue to reporting property valuation and receipts for school districts, as prescribed by current law.

No provision.

Same as the Executive, but also requires community and STEM schools to report student enrollment data.

**EDUCD81 Traditional school district funding**

**Section: 265.220, 265.215**

Suspends the use of the current law foundation aid formula for city, local, and exempted village school districts for FY 2022 and FY 2023 and, instead, provides every school district with the same amount of foundation aid as the district received for FY 2019.

No provision. (Replaced by provisions that, in general, phase in the school funding formula proposed in H.B. 1 of the 134th General Assembly. The main new formula Compare Doc items are EDUCD138 through EDUCD150, EDUCD30, and EDUCD120.)

**Section: 265.220, 265.215, 265.223, 265.229**

Same as the Executive, but establishes a different temporary payment mechanism for school districts for FY 2022 and FY 2023, as follows:

No provision.

No provision.

Requires each school district to receive an amount of funding equal to the sum of the following, subject to a funding adjustment for career-technical education (see EDUCD82):

No provision.

No provision.

(1) For FY 2022, both of the following: (a) the sum of (i) 50% of the district's "recalculated funding for FY 2019" (see

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|                      |                      |  |
|----------------------|----------------------|--|
| <p>No provision.</p> | <p>No provision.</p> | <p>below) as further adjusted by the bill's cap and guarantee provisions (see EDUCD149) and (ii) 50% of the district's "recalculated funding for FY 2021" (see below) and (b) the sum of (i) 50% of the district's "recalculated transportation funding for FY 2019" (see below) as further adjusted by the bill's cap and guarantee provisions (see EDUCD149) and (ii) 50% of the district's "recalculated transportation funding for FY 2021" (see below).</p> |
| <p>No provision.</p> | <p>No provision.</p> | <p>(2) For FY 2023, both of the following: (a) 100% of the district's "recalculated funding for FY 2019" (see below) as further adjusted by the bill's cap and guarantee provisions (see EDUCD149) and (b) 100% of the district's "recalculated transportation funding for FY 2019" (see below).</p>   |
| <p>No provision.</p> | <p>No provision.</p> | <p>(3) For FY 2022 and FY 2023, career awareness and exploration funds calculated in accordance with the bill's permanent law formula for this payment (see EDUCD154) but using the district's "enrolled ADM" for FY 2020 (its student count for FY 2020 determined in accordance with the bill's direct funding mechanism, see EDUCD138 and EDUCD153);</p>  |
| <p>No provision.</p> | <p>No provision.</p> | <p>(4) For FY 2022 and FY 2023, a career-technical education lab program supplement calculated in accordance with the bill's permanent law formula for this payment (see EDUCD196) but determining a district's student count for purposes of this provision using FY 2020 data in accordance with the bill's direct funding mechanism (see EDUCD138 and EDUCD153).</p>  |
| <p>No provision.</p> | <p>No provision.</p> | <p>Requires ODE to calculate each district's "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" as follows:</p>   |

| Executive  | As Passed By House | As Reported By Senate Finance  |
|--|--------------------|--|
| No provision.  | No provision.      | (1) Recalculate the state share index in accordance with the bill's changes to the permanent law calculation of the state share index (including using the district's "enrolled ADM" rather than "formula ADM") (see EDUCD138 and EDUCD140);   |
| No provision.  | No provision.      | (2) Recalculate the district's foundation funding or transportation funding payments for FY 2019 using the district's student enrollment and other data used for calculating those payments for FY 2019 as calculated in accordance with the bill's direct funding mechanism, see EDUCD138 and EDUCD153), its recalculated state share index (see EDUCD140), and the base cost per pupil calculated under the bill (\$6,110, see EDUCD139).  |
| No provision.  | No provision.      | Requires ODE to calculate each district's "recalculated foundation funding for FY 2021" by determining the amount of foundation funding calculated for the district for FY 2021, prior to any funding reductions ordered by the Governor, and subtracting from that amount any payments deducted from the district and paid to a community or STEM school (other than transportation payments to community schools) or deducted from the district for a state scholarship program for FY 2021. |
| No provision.  | No provision.      | Requires ODE to calculate each district's "recalculated transportation funding for FY 2021" by determining the amount of transportation funding calculated for the district for FY 2019 prior to any funding reductions ordered by the Governor and subtracting from that amount any transportation payments deducted from the district and paid to a community school for FY 2021.  |
| Requires ODE, in FY 2022 and FY 2023, to make an additional payment to each school district with at least 50 students that | No provision.      | No provision.  |



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experienced a positive average annual percentage change in its enrollment between FY 2016 and FY 2019, calculated as follows: (that percentage change for the district X 100) X (\$30 X the number of students enrolled in the district in FY 2019).

**Fiscal effect: Allocates \$8.07 billion in each of FY 2022 and FY 2023 for foundation aid for traditional school districts (prior to any deductions and transfers) and an additional \$23 million in each fiscal year for the enrollment growth supplement from SLF Fund 7017 appropriation item 200636, Enrollment Growth Supplement (see EDUCD98).**

**Fiscal effect: Allocates an estimated \$7.01 billion for FY 2022 and \$7.25 billion for FY 2023 for foundation aid for traditional districts, including transportation aid, career awareness and exploration funds, and the CTE lab program supplement (community schools, STEM schools, and state scholarships are paid directly (see EDUCD153)).**

**EDUCD149 Traditional school districts – temporary transitional aid (guarantee) and cap**

No provision.

**R.C. 3317.019**

Guarantees, for FY 2022 and FY 2023, each district a total amount of foundation funding equal to its "funding base" (see EDUCD148).

**Section: 265.223, 265.235**

Replaces the House provision with provisions that do the following:

No provision.

Guarantees, for FY 2024 and for each fiscal year thereafter, each district a per-pupil amount of foundation funding equal to the district's "guaranteed funding" for the third preceding fiscal year divided by the average of the district's enrolled ADM for the third, fourth, and fifth preceding fiscal years. (For this purpose, a district's "guaranteed funding" is, for FY 2021, the district's "funding base" and, for each fiscal year thereafter, the foundation funding guaranteed under the bill's provisions.)

No provision.

No provision.

During the general phase-in, requires that, if a district has a decrease in incoming open enrollment students between one fiscal year and the next that equals the greater of 20 students or a 10% decrease in open enrollment students, its guaranteed funding must be reduced by an amount equal to

No provision.

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|---------------|--|---------------|--|
| No provision. | the statewide average base cost per pupil times the reduction in the number of students in excess of that prescribed minimum decrease. | No provision. | Guarantees that each traditional school district's sum of "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" (excluding its amount of recalculated foundation funding for career-technical education and for associated services) (see EDUCD81) is at least equal to the state aid the district received for FY 2019 (minus the district's career-technical education and associated services funding and the amount that was deducted for community and STEM school payments and state scholarships for FY 2019), except as follows: |
| No provision. | No provision.  | No provision. | (1) If the district's percentage change in total ADM (adjusted for the bill's new student counting mechanism, see EDUCD138) between FY 2016 and FY 2018 is a decrease of 10% or more, the district is guaranteed 95% of the district's state aid for FY 2019 (after subtracting the amount that was deducted for community and STEM school payments and state scholarships for FY 2019);   |
| No provision. | No provision.  | No provision. | (2) If the district's percentage change in total ADM (adjusted for the bill's new student counting mechanism, see EDUCD138) between FY 2016 and FY 2018 is a decrease between 5% and 10%, the district is guaranteed, for each fiscal year of the biennium, a scaled amount between 95% and 100% of the district's state aid for FY 2019 (after subtracting the amount that was deducted for community and STEM school payments and state scholarships for FY 2019).   |

| Executive     | As Passed By House | As Reported By Senate Finance  |
|---------------|--------------------|--|
| No provision. | No provision.      | Separately guarantees that a traditional school district must receive at least 100% of the district's career-technical education and associated services funding for FY 2019, minus the amount that was deducted for community and STEM school payments for career-technical education funding for FY 2019.  |
| No provision. | No provision.      | Adjusts a traditional school district's sum of "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" (excluding its amount of recalculated foundation funding for career-technical education, associated services, the third-grade reading bonus, and the graduation bonus) (see EDUCD149) by imposing a cap that restricts the increase in this funding over the funding the district received for FY 2018 (minus the district's funding for career-technical education, associated services, the third-grade reading bonus, and the graduation bonus, and the amount that was deducted for community and STEM school payments and state scholarships for FY 2018), as follows: |
| No provision. | No provision.      | (1) An increase of up to 15% if (a) the district's total ADM for FY 2019 calculated under the bill's new student counting mechanism (see EDUCD138) is less than 90% of the district's total ADM as it was calculated for FY 2019 or (b) the percentage change in the district's total ADM calculated under the bill's new student counting mechanism (see EDUCD138) between FY 2019 and FY 2020 is at least 2%.  |
| No provision. | No provision.      | (2) An increase of up to 10% for all other traditional school districts.   |
| No provision. | No provision.      | Modifies the cap for an "eligible school district" (a district which is eligible for an adjustment to its state share index  |

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No provision.

No provision.

due to satisfying specified criteria related to total taxable value of public utility personal property and total taxable value of power plants) so that the district receives the greater of the following:

(1) The amount calculated for the district under the cap described above; or

No provision.

No provision.

(2) The lesser of (a) the district's aggregate core foundation funding and transportation funding for the current fiscal year or (b) the district's previous year's state aid plus the district's taxes charged and payable on all real and public utility property for tax year 2016 minus the district's taxes charged and payable on all real and public utility property for tax year 2017.

No provision.

No provision.

Requires ODE to adjust, as necessary, the guarantee and cap bases of school districts that participate in the establishment of a joint vocational school district that first begins receiving funding in FY 2022 or FY 2023.

No provision.

No provision.

For FY 2022 and FY 2023, requires ODE to make a cap relief payment to each "eligible school district" equal to the product of (1) \$225, for FY 2022, or \$425, for FY 2023, (2) the district's enrolled ADM for FY 2019 (see EDUCD138), and (3) the percent that represents the portion of the district's "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" that is subject to the cap that the district is not paid after application of the cap under the bill's provisions (see above). Specifies that, for purposes of this payment, an "eligible school district" meets both of the following conditions: (1) its "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" is

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No provision.

No provision.

otherwise capped and (2) its percentage change in total ADM calculated under the bill's new student counting mechanism (see EDUCD138) between FY 2019 and FY 2020 is greater than zero.

For FY 2022 and FY 2023, requires ODE to make an additional cap relief payment to each "eligible school district" equal to the product of (1) \$225, for FY 2022, or \$425, for FY 2023, and (2) the district's enrolled ADM for FY 2019 (see EDUCD138). Specifies that, for purposes of this additional payment, an "eligible school district" meets all of the following conditions: (1) its "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" is otherwise capped, (2) the portion of the district's "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" that is subject to the cap that the district is not paid after application of the cap is greater than or equal to 50% of the portion of the district's "recalculated foundation funding for FY 2019" and "recalculated transportation funding for FY 2019" that is subject to the cap, and (3) the district's "recalculated state share index for FY 2019" is greater than or equal to 50%.

No provision.

No provision.

Specifies that an eligible district's cap relief payments cannot exceed the district's amount that is not paid after application of the cap.

**Fiscal effect: The statewide total for temporary transitional aid is estimated to be \$71.6 million in FY 2022 and \$177.8 million in FY 2023.**

**Fiscal effect: In FY 2023, when 100% of school district "recalculated funding for FY 2019" is used to determine foundation aid (see EDUCD81), temporary transitional aid totals \$176.8 million, career-technical temporary transitional aid totals \$5.6 million, and the cap limits**

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**funding by \$439.9 million after taking into account cap relief payments.**

**EDUCD61 Joint vocational school district funding**

Section: 265.225, 265.215

Suspends the use of the current law foundation aid formula for JVSDs for FY 2022 and FY 2023 and, instead, provides every JVSD with the same amount of foundation aid as the district received for FY 2019.

(1) No provision.

(2) No provision.

(3) No provision.

R.C. 3317.16, 3317.012, 3317.014, 3317.162, Sections 265.215, 265.220, and 265.225

Replaces the Executive provision with provisions that implement a new funding formula for joint vocational school districts (JVSDs) that is substantially similar to that proposed for traditional school districts, including the phase-in and guarantee (see EDUCD139 and EDUCD143 through EDUCD149), with the following changes:

(1) Replaces the "special teacher" cost in the base cost computation with the "cost for teachers providing health and physical education, instruction regarding employability and soft skills, development and coordination and internships and job placements, career-technical student organization activities, pre-apprenticeship and apprenticeship coordination, and any assessment related to career-technical education, including any nationally recognized job skills or end-of-course assessment," but calculates the cost in the same manner;

(2) Does not specify a minimum for the number of staff members for the staffing cost for student wellness and success for the district in the base cost computation;

(3) Replaces the cost computations for academic and athletic co-curricular activities in the base cost computation, combines them into one cost computation for "career-technical curriculum specialists and coordinators, career assessment and program placement, recruitment and orientation, student success coordination, analysis of test

Section: 265.225, 265.215, 265.226, 265.233, R.C. 3317.16, 3317.02

Same as the Executive, but establishes a different temporary payment mechanism for JVSDs for FY 2022 and FY 2023 that is substantially similar to that proposed for traditional school districts (see EDUCD81) except that the funding cap for JVSDs is eliminated.

(1) No provision.

(2) No provision.

(3) No provision.

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|  |   |  |
|--|---|--|
|  | <p>results, development of intervention and remediation plans and monitoring of those plans, and satellite program coordination," and calculates this cost as the district's base cost enrolled ADM (see EDUCD138) multiplied by the sum of the per-pupil academic co-curricular costs and the per-pupil athletic co-curricular costs for traditional school districts; and</p> |  |
| <p>(4) No provision.</p>   | <p>(4) Calculates a JVSD's state share using a 1/2 mill charge-off times the lesser of the district's three-year average valuation or most recent valuation.</p>  | <p>(4) No provision.</p>   |
| <p>No provision.</p>   | <p>Guarantees that a JVSD's total foundation funding in FY 2022 and FY 2023 does not fall below its "funding base for FY 2021," which consists of its (1) FY 2021 foundation aid after adjusting for transfers for students open enrolling and (2) FY 2021 student wellness and success funds and enhancement funds.</p>  | <p>Same as the House, but a district's FY 2022 or FY 2023 funding subject to this guarantee consists of (1) its combined amount of funding from the temporary payment mechanism above and student wellness and success funds and enhancement funds (see EDUCD83) and (2) item (1) in the "funding base for FY 2021" is not adjusted for transfers for students open enrolling.</p>   |
| <p>No provision.</p>   | <p>No provision.</p>  | <p>Makes conforming changes to align with the bill's direct funding mechanism by establishing a "joint vocational school district funding unit."</p>   |
| <p><b>Fiscal effect: Allocates \$307.9 million in each of FY 2022 and FY 2023 for foundation aid to JVSDs.</b></p> | <p><b>Fiscal effect: Total foundation funding for JVSDs is estimated to be \$344.1 million in FY 2022 and \$365.2 million in FY 2023.</b></p>   | <p><b>Fiscal effect: Allocates an estimated \$318.0 million for FY 2022 and \$343.8 million for FY 2023 for foundation aid for JVSDs, including career awareness and exploration funds and the CTE lab program supplement (see EDUCD154 and EDUCD196). These figures are not comparable to the House, mainly due to differences in the manner of funding open enrollment students but also due to the Senate's reinstatement of the formula for student wellness and success funds, which is discussed separately (see EDUCD83).</b></p> |

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**EDUCD82 Funding adjustment for career-technical education students**

**Section: 265.227**

Requires ODE, in the case of a city, local, or exempted village school district (traditional school district) that provided a career-technical education (CTE) program in FY 2019 but entered into an agreement to become a member of a JVSD that provides that CTE program beginning in FY 2020, to adjust the amounts paid to those districts for FY 2022 and FY 2023 to account for the decrease in students served by the traditional school district and the increase in students served by the JVSD. Specifies that the adjustment equals the amount of CTE funds paid to the traditional school district for FY 2019, minus the CTE funds deducted from the district for community and STEM school students for FY 2019.

Prohibits ODE from increasing the aggregate amount of foundation aid paid to traditional school districts and JVSDs when making this adjustment.

**Fiscal effect: The provision only applies to Hamilton City School District and Butler Tech JVSD. The amount of the adjustment is about \$750,000 in each fiscal year, the same amount as in FY 2020 and FY 2021.**

No provision. (Replaced by provisions that, in general, phase in the school funding formula proposed in H.B. 1 of the 134th General Assembly. See EDUCD61 and EDUCD146.)

No provision.

**Section: 265.227**

Same as the Executive, but makes conforming changes in recognition of the Senate's school funding formula (see EDUCD80 and EDUCD61).

Same as the Executive.

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



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**EDUCD150 Traditional school districts – formula transition supplement**

No provision.

**Section: 265.225**

Guarantees that a traditional school district's total foundation funding (including transportation aid and supplemental targeted assistance) in FY 2022 and FY 2023 does not fall below its "funding base for FY 2021," which consists of its (1) FY 2021 foundation aid before any state budget reductions ordered by the Governor and after adjusting for transfers for (a) students attending community and STEM schools, (b) students receiving state scholarships, and (c) students open enrolling; (2) FY 2021 student wellness and success funds and enhancement funds; and (3) the enrollment growth supplement for FY 2021.

**Fiscal effect: The statewide total for the traditional school district formula transition supplement is estimated to be \$112.5 million in FY 2022 and \$81.2 million in FY 2023.**

**Section: 265.233**

Same as the House, but (1) a district's FY 2022 or FY 2023 funding subject to this guarantee consists of its combined amount of funding from the temporary payment mechanism (see EDUCD81), gap aid (see EDUCD195), and student wellness and success funds and enhancement funds (see EDUCD83) and (2) item (1) in the "funding base for FY 2021" is FY 2021 foundation aid after any state budget reductions ordered by the Governor and is not adjusted for transfers for students open enrolling.

**Fiscal effect: The formula transition supplement for traditional districts totals to an estimated \$4.1 million in FY 2022 and \$6.9 million in FY 2023.**

**EDUCD32 Power plant valuation adjustment**

**Section: 265.237**

Requires ODE to make an additional payment to school districts that have at least one power plant in their territory and that experience at least a 10% decrease in public utility tangible personal property (PUTPP) value between tax year (TY) 2017 and the preceding tax year (e.g., TY 2021, for purposes of the FY 2022 payment) or between the preceding tax year and the second preceding tax year (e.g., between TY 2020 and TY 2021, for purposes of the FY 2022 payment).

Calculates the payment for an eligible district generally based on a recomputation of the district's FY 2019 foundation aid using the preceding year's total taxable valuation (instead of

**Section: 265.237**

Same as the Executive.

Same as the Executive.

**Section: 265.237**

Same as the Executive.

Same as the Executive, but makes conforming changes to, in general, recompute a district's recalculated foundation funding and, if applicable, recalculated transportation

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the three-year average valuation used to determine funding for FY 2019) and the change in local property taxes between TY 2017 and the preceding tax year.

Requires ODE to make payments for FY 2022 in June 2022, and payments for FY 2023 in June 2023.

**Fiscal effect: The bill earmarks \$7 million in each of FY 2022 and FY 2023 from GRF appropriation item 200550, Foundation Funding, to make the payments (see EDUCD60).**

Same as the Executive.

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

funding (see EDUCD81).

Same as the Executive.

**Fiscal effect: Same as the Executive, but item 200550 is renamed "Foundation Funding - All Students."**

**EDUCD55 Educational service centers funding**

**Section: 265.360**

Sets the per-pupil state payment amount in each fiscal year to \$26 for high-performing ESCs and \$24 for all other ESCs and, if necessary, requires ODE to prorate the payment amounts to fit the earmark for state payment of ESCs.

**R.C. 3317.11**

Replaces the Executive provision with a provision that codifies and computes each ESC's state payment, subject to a phase-in, using a formula that provides tiered funding based on the ESC's student count as follows: (1) if the ESC has a student count of 5,000 or less, a lump sum of \$356,250; (2) if the ESC has a student count greater than 5,000 but less than or equal to 35,000, the lump sum amount specified above, plus a per-pupil payment of \$24.72 for each student above 5,000 in the ESC's student count; or (3) if the ESC has a student count greater than 35,000, the lump sum amount specified above, plus a per pupil payment of \$24.72 for each student above 5,000 in the ESC's student count, plus an additional per pupil payment for each student above 35,000 in the ESC's student count.

**Section: 265.360**

Same as the Executive, but increases the per-pupil amounts to \$28 for high-performing ESCs and \$26 for all other ESCs for FY 2022 and to \$29 for high-performing ESCs and \$27 for all other ESCs for FY 2023.

No provision.

Phases in each ESC's funding under this new formula over a period of time to be determined by the General Assembly, and specifies that an ESC's general phase-in percentage equals the same general phase-in percentage for FY 2022 and FY 2023 as for school districts (16.67% for FY 2022 and

No provision.

| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| No provision.  | <p>33.33% for FY 2023).</p> <p>Calculates the phase-in of each ESC's funding for a fiscal year by (1) determining the ESC's "funding base," which equals the amount paid to the ESC for FY 2020, (2) computing the difference between the ESC's funding base and the amount computed for the ESC for a given fiscal year as described above, (3) multiplying that difference by the general phase-in percentage for that fiscal year, and (4) adding that product to the ESC's funding base to determine its funding for that fiscal year.</p> | No provision.  |
| No provision.  | No provision.  | <p>Specifies that, for FY 2022 and FY 2023, an ESC's student count used to calculate its state reimbursement is the sum of the total student counts of all the school districts with which the ESC has entered into an agreement as reported on the report cards issued for each district for the 2019-2020 school year, instead of on the most recent report cards issued for each district as under current law.</p> |
| <p>Establishes a moratorium on additional school districts joining ESCs during FY 2022 and FY 2023.</p> <p><b>Fiscal effect: The bill earmarks \$40 million in each fiscal year for state funding of ESCs (see EDUCD60).</b></p> | <p>No provision.</p> <p><b>Fiscal effect: Increases the earmark for state funding of ESCs to \$42.5 million in FY 2022 and \$45.0 million in FY 2023.</b></p>  | <p>Same as the Executive.</p> <p><b>Fiscal effect: Increases the earmark for state funding of ESCs to \$43 million in FY 2022 and decreases the earmark for state funding of ESCs to \$44.5 million in FY 2023.</b></p>  |

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**EDUCD68 Foundation and transitional aid funding reimbursement**

**Section: 265.430**

Specifies that no school district for which a reduction was made in its reported formula ADM for FY 2005 based on community school enrollment reports and, accordingly, for which a reduction was made in its foundation or transitional aid funding for FY 2005, FY 2006, or FY 2007, has a legal right to reimbursement for that reduction in funding except as expressly provided in a final court judgment or a settlement agreement executed on or before June 1, 2009.

**Fiscal effect: None.**

**Section: 265.430**

Same as the Executive.

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

**Section: 265.430**

Same as the Executive.

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

**EDUCD58 Flexible funding for families and children**

**Section: 265.440**

Permits school districts, community schools, STEM schools, JVSDs, ESCs, and county DD boards that receive state aid to transfer portions of their allocations to a flexible funding pool created by a county family and children first council to support the provision of services to families and children.

**Fiscal effect: None.**

**Section: 265.440**

Same as the Executive.

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

**Section: 265.440**

Same as the Executive.

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

**EDUCD124 Pilot program funding for dropout recovery e-schools**

No provision.

(1) No provision.

**Section: 610.04, 610.05**

Amends Section 5 of H.B. 123 of the 133rd General Assembly to do the following:

(1) Extend to FY 2022 and FY 2023 the pilot program established for FY 2021 to provide additional funding on a per-pupil basis for certain internet- or computer-based community schools (e-schools) operating dropout prevention and recovery programs for students in grades 8-12;

**Section: 610.04, 610.05**

Same as the House, but makes the following changes.

(1) Same as the House, but increases the formula amount for those payments to \$6,065 for FY 2022 and \$6,110 for FY 2023 (rather than \$6,020 as under current law).

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|-------------------|---|--|
| (2) No provision. | (2) Require that an e-school must have participated in the program for FY 2021 to be eligible for FY 2022 and FY 2023; and  | (2) Same as the House.                   |
| (3) No provision. | (3) Delay the deadline for ODE's report on the program from December 31, 2021, to December 31, 2022.  | (3) Same as the House.                   |
|                   | <b>Fiscal effect: The bill earmarks \$2.5 million in each fiscal year from GRF appropriation item 200550, Foundation Funding, to support the pilot program (see EDUCD60).</b> | <b>Fiscal effect: Same as the House.</b> |

Scholarship Programs

EDUCD185 Eligibility for EdChoice scholarships

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <b>R.C. 3310.02, 3310.03, 3310.033, 3310.034, 3310.036</b><br>Eliminates the cap (currently 60,000) on the number of EdChoice scholarships that ODE may award each year.                           |
| No provision. | No provision. | Extends eligibility for the performance-based EdChoice Scholarship Program to the following students, regardless of if they would be enrolled in a designated building:                            |
| No provision. | No provision. | (1) Students whose sibling received a scholarship for the school year immediately prior to the school year for which the student is seeking a scholarship.   |
| No provision. | No provision. | (2) Students who are placed as a foster child.   |
| No provision. | No provision. | (3) Students who are placed with a guardian, legal custodian, or kinship caregiver.  |
| No provision. | No provision. | (4) Students who resided in the same household for at least 45 consecutive days within the last calendar year with a student who is placed with a guardian, legal custodian, or kinship caregiver. |

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| No provision. | No provision.      | (5) Students who reside in a home certified as a foster home even if not a foster child themselves.  |
| No provision. | No provision.      | (6) Students who have a parent or guardian residing in Ohio and who are not foster children and are not placed with a guardian, legal custodian, or kinship caregiver, but who have resided in the household of an individual who is not the student's parent or guardian for at least 45 consecutive days within the last calendar year and, if not for residing in that household, would have been homeless. |
| No provision. | No provision.      | (7) Students who are not described in (6) but have resided in the same household as a child described in (6) for at least 45 consecutive days within the last calendar year.   |
| No provision. | No provision.      | (8) Students who received an Autism or Jon Peterson Special Needs scholarship but no longer qualify for either of those scholarships because they no longer are in need of special education and related services.   |
| No provision. | No provision.      | Permits ODE to request that individuals applying for a scholarship under any criteria between (1) and (7) listed above provide appropriate documentation that the student meets the eligibility qualifications and specifies that for students who otherwise would be homeless the documentation must be provided by the student's parent, guardian, or caretaker.   |
| No provision. | No provision.      | Makes eligible for a scholarship high school students (including incoming 9th grades) who would otherwise be assigned to an eligible school and who were either enrolled in a public or nonpublic school or were homeschooled in the year prior to which the scholarship is sought.  |

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| No provision. | No provision.      | Phases out the requirement that a student first be enrolled, or enrolling, in a school building operated by the student's resident school district or a community school to qualify for a performance-based EdChoice scholarship on the following schedule:  |
| No provision. | No provision.      | (1) For scholarships sought for the 2021-2022 school year, exempts students entering any of grades K-2.  |
| No provision. | No provision.      | (2) For 2022-2023, exempts students entering grades K-4.   |
| No provision. | No provision.      | (3) For 2023-2024, exempts students entering grades K-6.   |
| No provision. | No provision.      | (4) For 2024-2025, exempts students entering grades K-8.   |
| No provision. | No provision.      | (5) For 2025-2026, and each school year thereafter, exempts students entering grades K-12.   |
| No provision. | No provision.      | Specifies that a student eligible for a performance-based EdChoice scholarship as of the first day of the priority application period retains eligibility if, after the first day of the priority application period, ODE changes the identification code (IRN) of the building in which the student is enrolled or would otherwise be assigned. |
|               |                    | <b>Fiscal effect: Payments for performance-based EdChoice scholarships are estimated to increase by \$43.0 million in FY 2022 and \$55.7 million in FY 2023.</b>   |

|           |                    |                               |
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| Executive | As Passed By House | As Reported By Senate Finance |
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**EDUCD188 Educational Choice scholarship - Performance Index score ranking**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <p><b>R.C. 3310.03, Section 812.20</b></p> <p>Changes the criteria by which a student enrolled in, or otherwise assigned to, a district building qualifies for performance-based Educational Choice scholarship as follows:</p>  |
| No provision. | No provision. | <p>(1) For a scholarship sought for the 2023-2024 school year, the district building ranked in the lowest 20% of the performance index in each of the 2018-2019 and 2021-2022 school years</p>   |
| No provision. | No provision. | <p>(2) For a scholarship sought for the 2024-2025 school year, the district building ranked in the lowest 20% of the performance index in each of the 2021-2022 and 2022-2023 school years.</p> <p><b>Fiscal effect: May increase or decrease the school buildings that meet the criteria, and thus the number of students that qualify for the scholarship.</b></p> |

**EDUCD192 EdChoice eligibility notification**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <p><b>R.C. 3310.07</b></p> <p>Requires ODE to create a system by February 1, 2022, through which families may provide a student's address and receive a response within ten days informing the family if the student is eligible for the performance-based EdChoice program.</p> |
| No provision. | No provision. | <p>Prohibits a student's resident district from contesting a determination that the student is eligible for the scholarship program.</p> <p><b>Fiscal effect: May increase ODE's administrative workload</b></p>   |



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to create and maintain the system.

**EDUCD193 Scholarship administrative procedures**

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <b>R.C. 3310.16, 3317.022, 3313.978</b><br>Requires ODE to make monthly partial payments of scholarships rather than periodic partial payments.   |
| No provision. | No provision. | Requires the application window for EdChoice and Cleveland scholarships to open on February 1 prior to the school year for which a scholarship is sought, rather than a priority application window opening on February 1 and running not less than 75 days as under current law. |
| No provision. | No provision. | Requires ODE to determine if an applicant who submits an application is eligible for an EdChoice or Cleveland scholarship within 45 days of receiving the application and provide notification to the applicant regarding the determination.                                      |
| No provision. | No provision. | Specifies that scholarships awarded after the school year begins must be prorated based on the amount of the school year remaining.   |
| No provision. | No provision. | Requires ODE to do all of the following regarding EdChoice scholarships:  |
| No provision. | No provision. | (1) Accept applications for conditional approval of a scholarship sought for the current or next school year.   |
| No provision. | No provision. | (2) Within five days of receiving an application for conditional approval, grant such approval if the applicant is eligible and notify the applicant of whether or not approval was granted.  |
| No provision. | No provision. | (3) Award a scholarship to a student who receives conditional approval provided that the student enrolls in an eligible chartered nonpublic school within a year of receiving   |

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No provision.

No provision.

conditional approval and does not change addresses after receiving approval and prior to enrolling.

Requires ODE to notify applicants who submitted an application that contains errors or deficiencies within 14 days of receiving the application.

No provision.

No provision.

Prohibits school districts from having access to EdChoice scholarship applications.

No provision.

No provision.

Requires ODE, the Department of Job and Family Services, and the Department of Taxation to enter into a data sharing agreement to assist ODE in determining, when administering EdChoice applications, if a student is eligible for a performance-based EdChoice scholarship or meets the residency requirement for an income-based EdChoice scholarship (that is, the student does not live in Cleveland).

**Fiscal effect: May increase ODE's administrative workload to comply with the new timelines. The data sharing agreement with JFS and ODT may increase costs for the three agencies to establish a data sharing infrastructure.**

EDUCD164 Autism Scholarship intervention services providers

No provision.

R.C. 3310.41

Includes registered behavior technicians and certified Ohio behavior analysts as those who may provide intervention services under the Autism Scholarship Program.

**Fiscal effect: None.**

R.C. 3310.41

Same as the House.

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

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EDUCD165 Autism Scholarship Program providers

|               | R.C. 3310.411   | R.C. 3310.411  |
|---------------|---|--|
| No provision. | Subjects private providers approved to participate in the Autism Scholarship Program and any of its employees to criminal records check requirements.   | Same as the House.   |
| No provision. | Requires the private providers to submit the results of criminal records checks to ODE.   | Same as the House.   |
| No provision. | Requires ODE to use the information submitted by Autism Scholarship Program providers to enroll individuals in the Retained Applicant Fingerprint Database (RAPBACK) in the same manner as licensed educators.<br><br><b>Fiscal effect: ODE may pay more in fees for the RAPBACK service if additional individuals become enrolled. The Attorney General’s Bureau of Criminal Investigation charges participating agencies an initial fee for each individual entered in RAPBACK and an ongoing annual fee per individual, both of which are \$5. Providers and their employees must undergo criminal records checks under current practice, per administrative rule.</b> | Same as the House.<br><br><b>Fiscal effect: Same as the House.</b> |

EDUCD191 Cleveland Scholarship Program building eligibility

|               |               | R.C. 3313.976  |
|---------------|---------------|--|
| No provision. | No provision. | Qualifies a chartered nonpublic school located outside the Cleveland Municipal School District that serves grades K-8 to accept students with Cleveland scholarships on the same basis permitted under current law for a school serving grades 9-12 if the school is both located within five miles of the district border and within a municipal corporation having a population of at least 15,000.<br><br><b>Fiscal effect: May increase scholarship payments if more</b> |

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students apply and receive scholarships to the newly eligible chartered nonpublic schools.

**EDUCD183 Jon Peterson Special Needs Scholarship**

No provision.

**R.C. 3310.56**

Replaces the formula amount used in the Jon Peterson Special Needs Scholarship computation with a fixed amount of \$6,020, and adds to that amount the dollar amount specified for a child’s special education program under existing law (rather than tying those amounts to the bill’s proposed school funding formula). (The scholarship must be the least of this amount and two other amounts specified in current law.)

**Fiscal effect: None.**

**R.C. 3317.022, Section 265.220**

Same as the House, but increases the formula amount to \$6,065 for FY 2022 and \$6,110 for FY 2023, for the Jon Peterson Special Needs Scholarship computation (see EDUCD80).

**Fiscal effect: Scholarship payments for this program are estimated to increase by \$500,000 in FY 2022 and \$1,000,000 in FY 2023.**

**EDUCD184 Autism Scholarship Program scholarship amount**

No provision.

No provision.

**R.C. 3317.022**

Increases the maximum scholarship amount for the Autism Scholarship Program from \$27,000 to \$31,500, for FY 2022, and \$32,455, for FY 2023 and thereafter.

**Fiscal effect: Scholarship payments for this program are estimated to increase by \$15 million in FY 2022 and \$20 million in FY 2023.**

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**EDUCD187** Maximum scholarship for performance-based EdChoice, income-based EdChoice, and Cleveland scholarship programs

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <p><b>R.C. 3317.022, Section 265.220</b></p> <p>Increases the maximum scholarship amounts for performance-based EdChoice, income-based EdChoice, and Cleveland scholarship programs for grades K-8 from \$4,650 to \$5,500 and for grades 9-12 from \$6,000 to \$7,500.</p>   |
| No provision. | No provision. | <p>Requires the dollar amounts specified for the EdChoice Scholarship Program and the Cleveland Scholarship Program to increase in future fiscal years by the same percentage that the base cost per pupil increases in future fiscal years (see EDUCD139).</p> <p><b>Fiscal effect: Increases state costs for the scholarships by approximately \$77.0 million in FY 2022 and \$86.5 million in FY 2023.</b></p> |

**EDUCD204** Eligibility for EdChoice Scholarships - 2021-2022 school year only

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <p><b>Section: 733.70</b></p> <p>In addition to permanent eligibility changes (see EDUCD185), makes students who meet the following criteria eligible for an EdChoice scholarship for the 2021-2022 school year:</p>       |
| No provision. | No provision. | <p>(1) Students enrolled in a public school, receiving home instruction, or new to Ohio who are or would be assigned to a school included on the EdChoice designated list issued by ODE for the 2019-2020 school year.</p> |
| No provision. | No provision. | <p>(2) Any student enrolling in kindergarten who would be assigned to a school on the EdChoice designated list for either the 2019-2020 school year or the 2021-2022 school year.</p>                                      |

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|---------------|--------------------|---|
| No provision. | No provision.      | (3) Any student enrolled in a public school, nonpublic school, receiving home instruction, or new to Ohio during the 2020-2021 school year who was or would have been assigned to a school during the 2019-2020 school year that was on the EdChoice designated list for that year and who subsequently relocated and was or would have been assigned to a building on the designated list for the 2020-2021 school year. |
| No provision. | No provision.      | (4) Any student enrolled in a public school, nonpublic school, receiving home instruction, or new to Ohio during the 2020-2021 school year who is entering the ninth grade in the 2021-2022 school year and is enrolled in or otherwise would be assigned to a building that appeared on either the EdChoice designated list for the 2019-2020 school year or the 2021-2022 school year.                                  |
| No provision. | No provision.      | (5) Siblings of any student determined to be eligible under the provisions above or who received a scholarship during the 2020-2021 school year.  |
| No provision. | No provision.      | Requires ODE to do both of the following by July 15, 2021:  |
| No provision. | No provision.      | (1) Develop eligibility guidance consistent with the provisions above and post the guidance on a prominent location on the ODE's website and provide the guidance documents to every chartered nonpublic school that accepts EdChoice scholarships.   |
| No provision. | No provision.      | (2) Begin accepting and processing applications for the 2021-2022 school year for students eligible under the provisions listed above.  |
| No provision. | No provision.      | Requires that applications submitted by August 1, 2021, receive notice of award and details of any additional   |

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information required to process the application or denial no later than September 15, 2021.

**Fiscal effect: ODE may incur additional administrative costs to comply with the guidance provisions. Payments for performance-based EdChoice scholarships are estimated to increase by \$10.0 million in each fiscal year.**

Community Schools

EDUCD175 Establishing new community schools

No provision.

No provision.

R.C. 3302.036, 3314.02, 3314.021, 3314.05, 3314.353

Removes the requirement that a new start-up community school only may be created in a "challenged school district" (a "challenged school district" is any of the following: a "Big Eight school district" (Akron, Canton, Cincinnati, Cleveland, Columbus, Dayton, Toledo, or Youngstown), a poorly performing school district based on certain report card results, or a school district in the original community school pilot project area (Lucas County)).

No provision.

No provision.

Prohibits ODE from prohibiting the establishment of a new start-up community school solely based on the school being located in a district not identified as a "challenged school district."

No provision.

No provision.

Permits a community school governing authority of a school established in two school districts under the same contract to modify the primary location of the school.

**Fiscal effect: May increase state foundation aid if the removal of the siting restriction leads to the establishment of more community schools and increased community school enrollment (the Senate school funding plan supports community school students through direct state funding,**

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instead of the current law method of transferring foundation aid from the student's resident district).

**EDUCD172 Automatic withdrawal of e-school students**

No provision.

No provision.

**R.C. 3313.6412, 3314.262**

Prohibits automatic withdrawal determinations for students enrolled in internet- or computer-based community schools and district-operated internet- or computer-based schools who fail to take required state spring assessments prior to the 2020-2021 school year.

**Fiscal effect: May increase state funding for these students.**

**EDUCD6 Community school sponsor evaluations**

**R.C. 3314.016**

Specifies that a sponsor rated "exemplary" for the two most recent years the sponsor was evaluated, instead of for at least two consecutive years, may take advantage of certain sponsor incentives.

Specifies that a sponsor rated "exemplary" or "effective" for the three most recent years in which the entity was evaluated, instead of for at least three consecutive years, need to be evaluated by ODE once every three years.

No provision.

**R.C. 3314.016**

Same as the Executive.

Same as the Executive.

No provision.

**R.C. 3314.016, 3314.013**

Same as the Executive.

Same as the Executive.

Creates an exception to the current law restriction on the number of new e-schools that may open per year (five) by permitting a sponsor rated "exemplary" on its most recent evaluation to open up to two computer- or internet-based schools (e-schools) that will primarily serve students in a dropout prevention and recovery program, not to exceed six new schools in a five-year period.

**Fiscal effect: None apparent. The provisions clarify that the**

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

**Fiscal effect: Permitting exemplary sponsors to open**



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various incentives are based on the most recent years in which an entity was evaluated given that an exception to annual evaluations exists for certain higher performing sponsors.

additional e-schools may increase state foundation aid if more community schools are established and community school enrollment increases (the Senate school funding plan supports community school students through direct state funding, instead of the current law method of transferring foundation aid from the student's resident district).

**EDUCD174** Sectarian programs at community schools

No provision.

No provision.

R.C. 3314.029, 3314.03

Removes the requirement that the contract between a community school sponsor and governing authority, including a school sponsored by ODE's Office of School Sponsorship, state that the school will be nonsectarian in its programs, admissions policies, employment practices, and all other operations and will not be operated by a sectarian school or religious institution.

**Fiscal effect: None. Community schools, as public schools, remain subject to the restrictions and requirements related to the Establishment Clause of the First Amendment of the U.S. Constitution.**

**EDUCD173** Changing community school sponsors

No provision.

No provision.

R.C. 3314.034

Exempts low-performing community schools in which a majority of the enrolled students are children with disabilities receiving special education and related services from the requirement to obtain approval from ODE before entering into a contract with a new sponsor.

**Fiscal effect: May reduce administrative costs for ODE and certain community schools.**

|           |                    |                               |
|-----------|--------------------|-------------------------------|
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**EDUCD170 Community school deadline to accept transportation responsibility**

R.C. 3314.091

Extends from January 1 of the prior school year to August 1 the deadline for a community school to submit written notification to a school district that the school is unilaterally accepting responsibility for transporting the district's resident students attending that school.

**Fiscal effect: Potential increase in administrative workload for school districts to adjust bus routes, depending on when the routes are planned.**

R.C. 3314.091

Same as the Executive.

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

R.C. 3314.091

Same as the Executive.

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

**EDUCD176 Disenrollment by internet- or computer-based community schools (e-schools)**

No provision.

No provision.

No provision.

No provision.

R.C. 3314.261

Reduces the amount of time that a student who is disenrolled by an e-school is prohibited from re-enrolling in the same school from one school year from the date of the student's disenrollment to the remainder of the school year in which the student was disenrolled.

Removes completely the amount of time that such a student is prohibited from re-enrolling in another e-school.

**Fiscal effect: Minimal.**

**EDUCD3 Community school funds elimination**

R.C. 3314.30, (Repealed), 3314.31 (Repealed)

Eliminates the Community School Revolving Loan Fund and the Community School Security Fund, the latter of which was created to accept payment of funds borrowed from the Revolving Loan Fund.

**Fiscal effect: None. Both funds, created in FY 2003, were never used and have no cash balance.**

R.C. 3314.30, (Repealed), 3314.31 (Repealed)

Same as the Executive.

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

R.C. 3314.30, (Repealed), 3314.31 (Repealed)

Same as the Executive.

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

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**EDUCD162 Automatic closure of community schools**

No provision.

**R.C. 3314.355**

Prohibits the automatic closure of community schools on the basis of any report card rating issued prior to the 2022-2023 school year.

**Fiscal effect: May result in community schools that otherwise would have closed to remain open.**

**R.C. 3314.355**

Same as the House.

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

**EDUCD57 Community school operation from residential facilities**

**Section: 265.410**

Permits a community school that was open for operation as of May 1, 2005, to operate from certain institutions, foster homes, group homes, or other residential facilities.

**Fiscal effect: None.**

**Section: 265.410**

Same as the Executive.

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

**Section: 265.410**

Same as the Executive.

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

**EDUCD163 Automatic withdrawal of community school students**

No provision.

**Section: 733.40**

Waives, for the 2021-2022 school year only, the requirement that a community school automatically withdraw a student who fails to participate in 72 consecutive hours of learning opportunities without legitimate excuse.

**Fiscal effect: Because the state's school funding formula is based on student enrollment, this provision may increase state aid for some site-based community schools (e-school students are funded based on the number of hours of documented learning opportunities in which the student participates, so this change generally would not have an impact on the amount of state funding an e-school student generates).**

No provision.

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**EDUCD94 Employment of contractors**

**R.C. 3319.0812, 3314.03, 3326.11, 3328.24**

Requires that any contractor that is providing services to a public school, chartered nonpublic school, or county board of developmental disabilities must hold a license that the individual would be required to hold if employed directly. Requires the district or school to obtain licensure verification from the contractor’s employer prior to commencing services.

**Fiscal effect: May increase license fee revenue to the Teacher Certification and Licensure Fund (Fund 4L20), used by ODE to process license applications and administer the teacher disciplinary process. May increase the administrative workload of school districts and other public schools to obtain licensure verification.**

**R.C. 3319.0812, 3314.03, 3326.11, 3328.24**

Same as the Executive.

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

No provision.

**EDUCD93 Teach for America licenses**

**R.C. 3319.227**

Requires the Superintendent of Public Instruction to inactivate a resident educator license issued to a Teach for American participant if the participant resigns or is dismissed from the program prior to its completion. Specifies that this inactivation does not constitute suspension or revocation and that an opportunity for a hearing is not required.

**Fiscal effect: Minimal.**

**R.C. 3319.227**

Same as the Executive.

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

**R.C. 3319.227**

Same as the Executive.

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

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|--|--|---|
| <p><b>EDUCD4 Career-technical educator license requirements</b></p> <p><b>R.C. 3319.229</b></p> <p>Qualifies an individual holding a certificate of high school equivalence, in addition to an individual holding a high school diploma as under current law, for a two-year initial career-technical workforce development educator license or a five-year advanced career-technical workforce development educator license.</p> <p><b>Fiscal effect: May provide school districts with a greater pool of individuals to teach career-technical education courses.</b></p>  | <p><b>R.C. 3319.229</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 3319.229</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>EDUCD91 Disciplinary actions for educator licenses</b></p> <p><b>R.C. 2953.25, 3314.101, 3319.151, 3319.221, 3319.31, 3319.311, 3319.313, 3319.316, 3319.319, 3319.40, 3319.99, 3326.081, 3328.18, 5153.176; Section 803.10</b></p> <p>Eliminates a provision prohibiting the State Board of Education from refusing to issue a license because of a criminal record unless the refusal is in accord with the limits and requirements that were recently enacted by H.B. 263 of the 133rd General Assembly.</p> <p>Expands the grounds for automatic denial or revocation of a license to include (1) judicial finding of eligibility for intervention in lieu of conviction for certain offenses and (2) conspiracy to commit, attempt to commit, or complicity in committing certain offenses.</p> <p>Specifies that a judicial finding of eligibility for intervention in lieu of conviction for those criminal offenses that are not grounds for automatic revocation or denial of licenses may still be used as a reason for the State Board to deny,</p> | <p><b>R.C. 2953.25, 3314.101, 3319.151, 3319.221, 3319.31, 3319.311, 3319.313, 3319.316, 3319.319, 3319.40, 3319.99, 3326.081, 3328.18, 5153.176; Section 803.10</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> | <p><b>R.C. 3319.31</b></p> <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>                     |

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suspend, revoke, or limit a license.

Prohibits a court, when issuing a certificate of qualification for employment, from granting an individual relief from collateral sanctions for licensure action taken by the State Board for specified criminal offenses.

Same as the Executive.

No provision.

Permits the State Board to deny, suspend, revoke, or limit a license if the applicant engages in an immoral act, incompetence, negligence, or conduct that is unbecoming of the teaching profession, rather than unbecoming to the applicant's "position."

Same as the Executive.

No provision.

Requires the Superintendent of Public Instruction to inactivate the license of a school employee under investigation for an alleged violation of specified offenses who is suspended from all duties that require the care, custody, or control of a child.

Same as the Executive.

No provision.

Permits the State Board to conduct disciplinary investigations without the Attorney General and removes a requirement that information received during the investigation be expunged within two years if no disciplinary action was taken.

Same as the Executive.

No provision.

Permits a school district or school in Ohio or another state to request any report of misconduct that ODE has received regarding an individual under consideration for employment by the district or school and establishes a protocol for that release of information.

Same as the Executive.

No provision.

Specifies that, for the purposes of mandatory denial or revocation, the definition of "license" include registrations issued to unlicensed individuals to teach in a high performing school district and those licensed through other boards to provide pupil services.

Same as the Executive.

No provision.

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|--|---|---|
| <p>Adds trafficking in persons to the list of offenses for which the State Board must revoke or deny teacher licensure, including collateral sanctions employment certificates.</p> <p>Specifies that the amendments to teacher licensure disciplinary actions are remedial in nature and apply to any proceeding, investigation, or citation involving an applicant for an initial license, that, as of the act's effective date, has not reached final disposition, including all available appeals.</p> <p><b>Fiscal effect: May, on balance, decrease the administrative costs of ODE’s Office of Professional Conduct, as most provisions are expected to increase the efficiency with which alleged educator misconduct is investigated and disciplinary actions are processed and adjudicated. In addition, some future cases may be resolved administratively, instead of through litigation. However, the provision requiring ODE to provide the contents of any report of misconduct it has received may increase administrative costs since it will be a new service.</b></p> | <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>                   | <p>Same as the Executive.</p> <p>No provision.</p> <p><b>Fiscal effect: Minimal.</b></p>  |
| <p><b>EDUCD92</b> Assisting individuals in obtaining school employment</p> <p>R.C. 3319.318, 3314.03, 3326.11, 3328.24</p> <p>Prohibits a "school representative" from knowingly assisting another individual in obtaining school or county board of developmental disabilities employment if the individual knows or has reasonable cause to believe that the individual has committed a sex offense involving a student.</p> <p><b>Fiscal effect: Minimal.</b></p>   | <p>R.C. 3319.318, 3314.03, 3326.11, 3328.24</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p>R.C. 3319.318, 3314.03, 3326.11, 3328.24</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |

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**EDUCD95 Pre-employment applications and screening**

**R.C. 3319.393**

Requires each public and chartered nonpublic school to include a written notice on all employment applications explaining that any person knowingly making a false statement on the application is guilty of falsification, which is a first degree misdemeanor.

Requires each public and chartered nonpublic school to consult ODE's "educator profile" database before making hiring decisions and permits the district or school to consult with the Office of Professional Conduct to determine whether an applicant has been subject to a disciplinary report.

Permits a district or school to offer conditional employment to an individual pending the completion of the screening process and permits termination of employment if the process uncovers an absolute bar offense.

Permits each public or nonpublic school to require an applicant or volunteer to undergo additional background checks in addition to the criminal records checks already required under continuing law.

**Fiscal effect: May increase the administrative workload of school districts and other public schools if they do not already have such procedures in place. Many school districts and other public schools may already comply with some portion of the bill's pre-employment screening requirements or carry out the bill's optional activities. The cost for optional procedures will depend on district or school implementation decisions.**

**R.C. 3319.393**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 3319.393**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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



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| <p><b>EDUCD96 Review of personnel files</b></p> <p><b>R.C. 3319.394, 3314.03, 3326.11, 3328.24</b></p> <p>Requires each public and chartered nonpublic school to review the personnel file of an employee against whom a complaint of misconduct is filed to determine if related instances are contained in the file.</p> <p>Establishes a protocol for reviewing and sending personnel files of a current or former employee to a different public or chartered nonpublic school regarding that employee's application, whereby the school that receives the request must either (1) send that file to the requestor within 20 business days of receiving the request or (2) if the school determines it is not possible to send the file within 20 business days, promptly notify the requestor and indicate the reason the information cannot be sent within that time.</p> <p><b>Fiscal effect: May increase the administrative workload of school districts and other public schools if they do not already have such procedures in place.</b></p> | <p><b>R.C. 3319.394, 3314.03, 3326.11, 3328.24</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p>No provision.</p> <p>No provision.</p>  |
| <p><b>EDUCD97 Victim counseling</b></p> <p><b>R.C. 3319.47</b></p> <p>Permits public and chartered nonpublic schools to provide counseling to victims of sexual harassment or sexually-related conduct.</p> <p><b>Fiscal effect: Permissive.</b></p>   | <p><b>R.C. 3319.47</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>R.C. 3319.47</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |

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**EDUCD21 School counselor standards**

**R.C. 3319.61**

Requires the Educator Standards Board to include knowledge of the career-technical credit transfer program (Career-Technical Assurance Guide, or CTAG) into the Board's standards for school counselors (CTAG is a result of criteria, policies, and procedures established by the Chancellor of Higher Education under current law to ensure transfer of credit for career-technical courses "without unnecessary duplication or institutional barriers").

**Fiscal effect: Minimal.**

**R.C. 3319.61**

Same as the Executive.

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

**R.C. 3319.61**

Same as the Executive.

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

**EDUCD109 Computer science education licensure**

**Section: 610.10, 610.11 (amending Section 733.61 of H.B. 166 of the 133rd General Assembly), R.C. 3319.236**

Specifies that, for the purposes of computer science licensure or endorsements, a "computer science course" is any course reported in EMIS as a computer science course.

Extends through the 2022-2023 school year a current law exemption for the 2019-2020 and 2020-2021 school years that generally permits school districts, community schools, and STEM schools to have an individual who does not hold a license or endorsement to teach computer science to nevertheless teach computer science courses, provided that individual meets other prescribed licensure and professional development requirements.

**Fiscal effect: May provide school districts and community and STEM schools with a greater pool of individuals to teach computer science courses in the 2021-2022 and 2022-2023 school years.**

**Section: 610.10, 610.11 (amending Section 733.61 of H.B. 166 of the 133rd General Assembly), R.C. 3319.236**

Same as the Executive, but specifies that a "computer science course" also must be aligned with computer science standards adopted by the State Board of Education.

Same as the Executive.

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

**Section: 610.10, 610.11 (amending Section 733.61 of H.B. 166 of the 133rd General Assembly), R.C. 3319.236**

Same as the House.

Same as the Executive.

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

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Early Childhood

**EDUCD22 Montessori preschool payments**

**R.C. 3314.06**

Eliminates the requirement that ODE pay the formula amount (currently \$6,020) for each student under age four admitted to a Montessori preschool operated by a community school and, instead, prohibits such a school from receiving state community school funds for students under age five. Continues to permit community schools to operate Montessori preschools.

**Fiscal effect: None. The only school that previously took advantage of this provision is now closed. H.B. 166 of the 133rd General Assembly earmarked \$100,000 in each of FY 2020 and FY 2021 from GRF appropriation item 200550, Foundation Funding, to make the payments.**

**R.C. 3314.06**

Same as the Executive.

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

**R.C. 3314.06**

Same as the Executive.

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

**EDUCD47 Early Childhood Education**

**Section: 265.20**

Continues the GRF-funded early childhood education program at school districts, JVSs, ESCs, community schools sponsored by an exemplary sponsor, chartered nonpublic schools, and licensed childcare providers that meet at least the third highest tier of the "Step Up to Quality Program" established in R.C. 5104.29 for children who are at least four years old but not yet eligible for kindergarten, and whose families earn not more than 200% of the federal poverty guidelines. Permits providers that have remaining funding after awards are made for eligible four year-olds to seek approval from ODE to consider qualified three-year-olds eligible for funding.

**Section: 265.20**

Same as the Executive.

**Section: 265.20**

Same as the Executive, but eliminates the requirement that an early childhood education program meet at least the third highest tier through the Step Up to Quality Program in order to provide services (see JFSCD49).

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| <p>Earmarks up to 2% of GRF appropriation item 200408, Early Childhood Education, to be used by ODE for program support and technical assistance. Requires ODE to distribute the remainder to pay the costs of early childhood programs that serve eligible children, first to existing providers that received early childhood education funds in the previous fiscal year and the balance to new eligible providers or to existing providers to serve more eligible children or for purposes of program expansion, improvement, or special projects to promote quality and innovation.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p>Requires ODE to distribute new or remaining funds to serve more eligible children where there is a need, as determined by ODE, and specifies that such funds be distributed based on community economic disadvantage, limited access to high quality preschool or childcare services, and demonstration of high quality preschool services as determined by ODE using new metrics developed pursuant to Ohio's Race to the Top-Early Learning Challenge Grant.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p>Requires awards to providers be distributed on a per-pupil basis and that per-pupil funding be sufficient to provide eligible children with services for a standard early childhood schedule, defined as a minimum of 12.5 hours per week, for the minimum school year.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p>Requires ODE to conduct an annual survey of each provider to determine whether the provider charges families tuition or fees, the amount the families are charged relative to family income levels, and the number of families and students charged.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p>Specifies the following for participating programs: (1) prohibits development and administration costs from</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive, but removes items (4), (5), and (6) (see JFSCD49).</p> |

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exceeding 15% of the cost of each program, (2) requires maintenance of fiscal records, (3) requires implementation of a corrective action plan, when needed, (4) requires participation in the Step Up to Quality (SUTQ) program, (5) requires providers who are not highly rated under the SUTQ program to meet certain program requirements, including (a) certain qualifications for teachers, (b) alignment of curriculum to the early learning content standards, (c) documentation and reporting of child progress, (d) adherence to early learning program standards, and (e) administration of certain child or program assessments, (6) requires providers who are highly rated to comply with the requirements under the Step Up to Quality system, and (7) requires charging a fee, based on a sliding scale, to families who earn more than the 200% of the federal poverty guidelines.

Requires eligible expenditures to be claimed each fiscal year to help meet the state's TANF maintenance of effort requirement and requires the Superintendent of Public Instruction and the Director of Job and Family Services to enter into an interagency agreement to fulfill this requirement including developing reporting guidelines for these expenditures.

Requires ODE and the Department of Job and Family Services to continue to align the application process, program eligibility, funding, attendance policies, and attendance tracking for early childhood programs in both agencies.

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

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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Fiscal effect: The bill appropriates \$68.1 million in both FY 2022 and 2023 to GRF appropriation item 200408 for early childhood education programs, including an earmark of 2% for ODE's administrative costs.

Fiscal effect: Same as the Executive.

Fiscal effect: Same as the Executive.

Other Education Provisions

**EDUCD168 Regional council of governments cost of health care benefits**

No provision.

**R.C. 167.03**

Specifies that a regional council of governments, with an educational service center as its fiscal agent, established to provide health care benefits, may acquire, establish, manage, or operate a separate business entity, and utilize its unencumbered reserve funds for that acquisition, establishment, management, or operation, to cover potential costs of health care benefits.

No provision.

**Fiscal effect: Permissive.**

**EDUCD73 Dyslexia diagnostic assessments**

**R.C. 3301.079, 3313.608**

Requires that diagnostic assessments for grades K-3 in reading, except for the kindergarten readiness assessment (KRA), and any comparable reading skill assessment tool approved by ODE for grades K-3 for the Third Grade Reading Guarantee include a sufficient number of certain items to identify students who may need further measures to determine if the student has dyslexia.

Requires the vendor of such assessments to share information with schools regarding performance on identification items related to dyslexia and provide a summary of such information to ODE.

**R.C. 3301.079, 3313.608**

Same as the Executive.

Same as the Executive.

**R.C. 3301.079, 3313.608**

Same as the Executive.

Same as the Executive.

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Permits any K-3 diagnostic assessment adopted by the State Board of Education, except for the KRA, to be used to meet the current law requirement to administer a "tier one" dyslexia screening beginning in the 2022-2023 school year.

Same as the Executive.

Same as the Executive.

**Fiscal effect: May increase ODE's assessment system costs. GRF funds in appropriation item 200437, Student Assessment, may be used to update and develop diagnostic assessments (see EDUCD26).**

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

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

EDUCD105 Computer science standards and curriculum

R.C. 3301.079

Requires ODE to update the standards and model curriculum for computer science in grades K-12 within one year of the bill's effective date.

R.C. 3301.079

Same as the Executive.

R.C. 3301.079

Same as the Executive.

**Fiscal effect: May increase ODE's administrative costs. The executive budget appropriates \$3.9 million in each fiscal year in GRF appropriation item 200427, Academic Standards, to develop and disseminate academic content standards and model curriculum (see EDUCD25).**

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

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

EDUCD132 Nationally standardized college admission assessment

No provision.

R.C. 3301.0712

Permits the parent or guardian of a high school student to opt the student out of the requirement to take a nationally standardized college admission assessment beginning with the class of 2026 (currently, the prescribed test is either the ACT or SAT) and prohibits a district or school from administering the test to those that opt out.

R.C. 3301.0712

Same as the House.

**Fiscal effect: May decrease the state's cost for the tests beginning in FY 2025 depending on the number of students whose parents or guardians opt them out of taking the**

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

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tests. Generally, for every 1% decrease in participation, the state’s costs for the tests are projected to decrease by about \$49,000 each fiscal year.

**EDUCD79 Kindergarten assessment administration windows**

**R.C. 3301.0715, 3313.608**

Adjusts the period of time in which a school must administer the kindergarten readiness assessment (KRA) and the kindergarten reading skills assessment (for the Third Grade Reading Guarantee) to July 1 through the 20th day of instruction of the school year (from July 1 through November 1 under current law).

**Fiscal effect: None apparent, but may provide less flexibility for school districts in administering the assessments (the intent is to ensure that the assessments more accurately reflect children’s preparedness for kindergarten).**

**R.C. 3301.0715, 3313.608**

Same as the Executive.

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

**R.C. 3301.0715, 3313.608**

Same as the Executive.

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

**EDUCD23 Obsolete reports, plans, or recommendations**

**R.C. 3301.0724, (Repealed), 3311.741, 3313.488, 3313.603, 3314.013, 3314.017, Also Repealed: 3301.122, 3301.46, 3301.922, 3313.901, 3314.033, 3314.30, 3314.37**

Repeals the following reports, plans, and recommendations that are out of date, expired, no longer have data available, or for which other reporting mechanisms exist:

(1) An annual report regarding aggregate spending on specified compensation components for the previous school year for teachers and other school employees employed by each school district.

(2) A ten-year strategic plan developed by the Superintendent of Public Instruction that is aligned with the

**R.C. 3301.0724, (Repealed), 3311.741, 3313.488, 3313.603, 3314.013, 3314.017, Also Repealed: 3301.122, 3301.46, 3301.922, 3313.901, 3314.033, 3314.30, 3314.37**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

**R.C. 3301.0724, (Repealed), 3311.741, 3313.488, 3313.603, 3314.013, 3314.017, Also Repealed: 3301.122, 3301.46, 3301.922, 3313.901, 3314.033, 3314.30, 3314.37**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.



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strategic plan developed for higher education (due December 1, 2009).

(3) A plan proposing a standard method and form for documenting high school transcripts, credit transfer and articulation, and any electronic clearing house for student transcript transfer developed jointly by ODE and the Chancellor of Higher Education (due April 30, 2009).

(4) An annual report regarding participation by public and chartered nonpublic schools screening students for body mass index and weight status.

(5) A report evaluating the Cleveland Municipal School District’s performance (due November 15, 2017).

(6) A monthly report for each month that a school district is unable to meet its expenses.

(7) A report that analyzes student performance data to determine if there are mitigating factors that warrant extending graduation qualification exemptions for students who entered 9th grade between July 1, 2010 and July 1, 2016 (due December 1, 2015).

(8) A plan for accelerating the modernization of the career-technical education curriculum (to be presented July 1, 1990, with annual progress reports issued through FY 2000).

(9) Standards for operation of internet- or computer-based community schools, also known as e-schools (due July 1, 2012).

(10) Study committee recommendations regarding community schools that primarily serve students enrolled in dropout prevention and recovery programs that offer

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

(7) Same as the Executive.

(8) Same as the Executive.

(9) Same as the Executive.

(10) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

(6) Same as the Executive.

(7) Same as the Executive.

(8) Same as the Executive.

(9) Same as the Executive.

(10) Same as the Executive.

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blended learning, portfolio learning, and credit flexibility (due April 17, 2020).

(11) Recommendations regarding the standards governing the operation of e-schools and other educational courses delivered by electronic media (due September 30, 2003).

(12) An annual report regarding the adequacy of moneys on hand in the Community School Revolving Loan Fund (see EDUCD3).

(13) A five-year research and development initiative to collect and analyze data with which to improve community school dropout prevention and recovery programs, known as the ISUS Institutes (initiative ended on June 30, 2013).

**Fiscal effect: None.**

(11) Same as the Executive.

(12) Same as the Executive.

(13) Same as the Executive.

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

(11) Same as the Executive.

(12) Same as the Executive.

(13) Same as the Executive.

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

**EDUCD104 Computer science education - state plan**

**R.C. 3301.23**

Requires ODE, in consultation with the Chancellor of Higher Education to establish a committee to develop a state plan for primary and secondary computer science education.

Requires the committee to consider various information related to computer science education, including best practices, challenges, demographic data of computer science students, benchmarks to create a sustainable supply of computer science teachers, a requirement to complete a computer science course in order to graduate, and establishment of a work-based learning pilot program.

Requires the committee to include the following in the state's plan: (1) an examination of the challenges that prevent school districts from offering computer science

**R.C. 3301.23**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**R.C. 3301.23**

Same as the Executive.

Same as the Executive.

Same as the Executive, but also requires the state plan to include a requirement that the committee determine the best ways to compile data on computer science courses,

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courses, (2) a requirement that ODE collect data on existing computer science courses offered in the state, and to post it on ODE's website, and (3) any findings the committee deems appropriate.

Requires the committee to complete the plan not later than one year after the bill's effective date and to post it on its website.

**Fiscal effect: May increase the administrative expenses of ODE and the Department of Higher Education to support the committee and the development of the state plan.**

Same as the Executive.

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

teachers, and undergraduate students studying computer science in universities.

Same as the Executive.

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

**EDUCD107 Computer science education - online course offered by education provider**

**R.C. 3301.231**

Requires ODE, in consultation with computer science stakeholders, to establish a program to provide high school students with access to online computer science courses and to solicit and review proposals from educational providers to offer those courses.

Requires ODE to approve a proposal only if (1) each course included in it is high-quality, rigorous, and aligned with the State Board of Education's computer science standards and model curriculum (see EDUCD105) and (2) a student may earn high school credits toward the state's minimum curriculum requirements under continuing law in each course included in the proposal.

Requires ODE to determine a method to calculate and make payments to educational providers for the courses using deductions from a district's or school's foundation payments. Specifies that the method must be similar to the College Credit Plus (CCP) Program under continuing law.

**R.C. 3301.231**

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

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**Fiscal effect: Potentially increases deductions of school district and other public school state foundation aid. As a point of reference, the formula for CCP payments calculates per-credit hour amounts that correspond to certain methods of course delivery and instruction, based on the per-pupil formula amount (currently, \$6,020) used in the state foundation aid formula. The current default rate for CCP courses delivered online is \$167 per credit hour  $(\$6,020 \times 0.83) / 30$ . May increase ODE's administrative costs to implement the program.**

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

**EDUCD106 Computer science education - requirement to offer computer science courses**

**R.C. 3301.232, 3314.03, 3326.11**

Requires that students enrolled in a school district, community school, or STEM school generally have the option to enroll in computer science courses approved by ODE, either through a course offered by the student's district or school or a course approved by ODE that is offered by an education provider (see EDUCD107). Phases-in the requirement starting with students in grades 11 or 12 for the 2022-2023 school year; extending to students enrolled in grades 9 or 10 beginning with the 2023-2024 school year, and extending to students enrolled in grades K-8 beginning with the 2024-2025 school year (students in grades K-8 must be offered an age-appropriate general education course that incorporates CS principles offered by the district or school).

Requires a district or school to offer computer science or integrated courses as described above, but permits a district or school to submit to the Superintendent of Public Instruction a request for a waiver for up to five years from that requirement with respect to students enrolled in a

**R.C. 3301.232, 3314.03, 3326.11**

Same as the Executive.

Same as the Executive.

No provision.

No provision.

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particular school building.

Requires each district or school to annually submit to ODE data reporting the number of students enrolled in computer science courses, the types of such courses, and to disaggregate the types by course code and whether the courses are offered by the district or a provider.

**Fiscal effect: Increases costs for school districts and other public schools to incorporate computer science courses into the curriculum, the amount of which will depend on local implementation decisions and the extent that such courses are not offered currently (the course waiver, if granted, may provide some flexibility in how quickly a district or school must meet the requirement). May also increase district and school administrative costs to report additional data.**

Same as the Executive.

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

No provision.

EDUCD108 Computer science education - annual report

R.C. 3301.233

Requires ODE, in consultation with the Chancellor of Higher Education, to issue an annual report on computer science education that contains specified information on computer science courses and teachers in public schools and undergraduate students studying computer science in college.

**Fiscal effect: May increase ODE and the Department of Higher Education's administrative costs to produce the report.**

R.C. 3301.233

Same as the Executive.

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

No provision.

| Executive | As Passed By House | As Reported By Senate Finance |
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|-----------|--------------------|-------------------------------|

**EDUCD167 JCARR review of EMIS changes**

|               |  |   |
|---------------|--|---|
| No provision. | <p><b>R.C. 3301.85</b><br/>Requires ODE to submit to the Joint Committee on Agency Rule Review (JCARR) any proposed changes to EMIS or the department's business rules that may affect community schools .</p>         | <p><b>R.C. 3301.85</b><br/>Same as the House.</p> |
| No provision. | <p>Requires JCARR to hold public hearings and consider testimony provided at the hearings regarding the proposed changes and vote to determine whether community schools can reasonably comply with the proposals.</p> | <p>Same as the House.</p>                         |
| No provision. | <p>Prohibits ODE from implementing any such changes that may affect community schools without JCARR's determination that those schools can reasonably comply with the proposed changes.</p>                            | <p>Same as the House.</p>                         |
|               | <p><b>Fiscal effect: Increases the administrative responsibilities of both ODE and JCARR to comply with the requirements.</b></p>  | <p><b>Fiscal effect: Same as the House.</b></p>   |

**EDUCD133 Career Promise Academy**

|               |   |                      |
|---------------|---|----------------------|
| No provision. | <p><b>R.C. 3302.043, Section 812.20</b><br/>Requires ODE to establish the Career Promise Academy Summer Demonstration Pilot Program to provide one grant to an eligible city school district to operate a career promise academy in the summers of 2021 and 2022 to provide students entering ninth grade who are at risk of not qualifying for a high school diploma with prescribed literacy, academic preparedness, and life skills instruction and internship or mentoring experiences.</p> | <p>No provision.</p> |
| No provision. | <p>Specifies that an eligible school district is a city school district that has persistently low ratings on the state report card and is not subject to an academic distress commission.</p>   | <p>No provision.</p> |

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No provision.

Requires ODE to adopt guidelines and procedures to operate the pilot program and the criteria used to approve a proposal, including requirements with respect to the length of the program each summer (four and five consecutive weeks, respectively), the maximum number of students that may participate in each summer (75), and data reporting; a method to determine student eligibility; a description of the instruction and internship or mentoring experiences that students will receive; and agreements with the district's business advisory council, other organizations and businesses, and at least one institution of higher education with respect to internship or mentoring activities.

No provision.

No provision.

Makes the provision effective immediately when the bill becomes law.

No provision.

**Fiscal effect: The bill earmarks \$250,000 in each fiscal year from FED Fund 3HS0 appropriation item 200640, Federal Coronavirus School Relief, to support the Career Promise Academy Demonstration Pilot Program (see EDUCD134).**

**EDUCD181 Academic distress commissions - phase out of ADC control**

No provision.

No provision.

**R.C. 3302.103, 812.20**

Establishes a process by which a school district for which an academic distress commission (ADC) was established (1) in 2010 or 2013 under former law and is currently subject to an ADC that was re-established under continuing law, as enacted in 2015; or (2) in 2018 under current law may be relieved from the oversight of its ADC prior to meeting the conditions prescribed by continuing law.

No provision.

No provision.

Specifies that the process does all of the following:

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|---------------|--------------------|--|
| No provision. | No provision.      | (1) Requires the district to develop and implement a three-year academic improvement plan and submit annual reports on its improvement progress. Permits the district to apply for up to two one-year extensions of the plan.  |
| No provision. | No provision.      | (2) Requires the State Superintendent to review the plan and approve or suggest modifications to the plan not later than 30 days after receiving it.   |
| No provision. | No provision.      | (3) If modifications are suggested by the Superintendent, requires the district to submit modifications to the plan within 15 days of receiving suggested modifications. Requires the Superintendent to review and approve the plan within 30 days of receiving the re-submission.   |
| No provision. | No provision.      | (4) Specifies the ADC will continue to exist, with the removal of the chief executive officer (CEO), and provide assistance but relinquishes operational and managerial control to the district.   |
| No provision. | No provision.      | (5) Specifies that if the district meets the majority of the plan's improvement benchmarks at the end of the initial or extended evaluation period, the ADC is dissolved, and if the district does not meet the majority of improvement benchmarks, the district once again becomes subject to an ADC, including oversight by a CEO. |
| No provision. | No provision.      | Permits a district board of education of a school district to which the bill applies to employ as superintendent the individual that previously held the CEO position.   |
| No provision. | No provision.      | Requires ODE, if the district board enters into a contract to employ the former CEO as superintendent while the district is implementing the academic improvement plan, to continue providing compensation under the terms of the  |



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No provision.

No provision.

individual's CEO contract until the district either again becomes subject to its ADC or its ADC is dissolved.

Requires the district's ADC to appoint a new CEO if the district again becomes subject to its ADC.

No provision.

No provision.

Requires the Auditor of State, once during the improvement plan three-year implementation period, to complete a performance audit of a school district to which the bill applies and submit the audit results to the district board and its ADC. Requires the Auditor to pay for the performance audit.

No provision.

No provision.

Specifies that these provisions are exempt from the referendum and therefore take effect immediately when the act becomes law.

**Fiscal effect: Will increase ODE's administrative responsibilities to assist the State Board of Education in reviewing Lorain, Youngstown, and East Cleveland CSD's improvement plans, evaluating their progress at the end of the three-year period, and, if applicable, reviewing requests for up to two one-year extension periods. The three school districts will likely incur costs to develop and, if ultimately approved by the Superintendent, implement their academic improvement plan, and annually make progress reports. These costs will depend on the strategies each district board chooses to improve academic performance and could utilize existing resources. The Auditor of State will incur costs to conduct the performance audits, though they will depend on the audit's scope and could reduce the number of performance audits the Auditor conducts for other entities (see AUDCD2).**

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**EDUCD199 Online learning and blended learning**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <b>R.C. 3302.42, 3302.41 and 3301.079</b><br>Permits a school district, with the approval of the Superintendent of Public Instruction, to operate a school using an online learning model.   |
| No provision. | No provision. | Requires a school to notify ODE about changes in the use of online learning models no later than July 1 of the school year for which the change is effective, or within 60 days if a school is currently operated using an online learning model on the effective date of the provision. |
| No provision. | No provision. | Requires a district to do all of the following if operating a school using an online learning model:   |
| No provision. | No provision. | (1) Assign all students engaged in online learning to a single school which ODE will designate as a district online school;  |
| No provision. | No provision. | (2) Provide all students engaged in online learning a computer, at no cost, for instructional use, with a filtering device or filtering software that protects against internet access to materials that are obscene or harmful to juveniles;  |
| No provision. | No provision. | (3) Provide all students engaged in online learning access to the internet, at no cost, for instructional use;   |
| No provision. | No provision. | (4) Provide a comprehensive orientation for students and their parent or guardian; and   |
| No provision. | No provision. | (5) Implement a learning management system that tracks the time students participate in online learning activities. Specifies that off-line student learning activities must be documented with all participation records checked and approved by the teacher of record.                 |

| Executive     | As Passed By House | As Reported By Senate Finance  |
|---------------|--------------------|--|
| No provision. | No provision.      | Requires the State Board of Education to revise operating standards for school districts to include standards for the operation of online learning models to provide for all of the following:   |
| No provision. | No provision.      | (1) Student-to-teacher ratios of not greater than one teacher for every 125 students in online learning classrooms;  |
| No provision. | No provision.      | (2) The ability of all students, at any grade level, to earn credits or advance grade levels upon demonstrating mastery of knowledge or skills through competency-based learning models. Prohibits credits or grade level advancement to be based on a minimum number of days or hours in a classroom;   |
| No provision. | No provision.      | (3) Require online schools operated by a school district to have an annual calendar of not less than 910 hours, rather than exempting schools operating on a blended learning model from minimum school year and school day requirements as in current law;  |
| No provision. | No provision.      | (4) Require ODE to review and adjust state funding payments to districts based upon student participation in online learning; and  |
| No provision. | No provision.      | (5) Adequate provisions for the licensing and assignment of teachers, administrators, and other professional personnel and other aspects of school operations.   |
| No provision. | No provision.      | Specifies "blended learning" occurs "primarily" in a supervised physical location away from home combined with online delivery whereby the student has some element of control over time, place, path, or pace of learning (current law does not specify "primarily" in the definition). Defines "online learning" as a model in which students work primarily from their residences on assignments delivered via an |

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| No provision.  | No provision.   | <p>internet- or other computer-based instructional method.</p> <p>Requires ODE to include information on the use of online learning (in addition to blended and digital learning as under current law) for the delivery of standards or curricula to students, whenever the State Board adopts standards or model curricula.</p> <p><b>Fiscal effect: Permissive for school districts. Increases the administrative workload for ODE to assist the State Board in developing revised operating standards.</b></p> |
| <b>EDUCD169 State Teachers Retirement Board meetings</b> |   |   |
| No provision.  | <p><b>R.C. 3307.091</b></p> <p>Authorizes the State Teachers Retirement Board to adopt a permanent policy that allows Board members to attend Board meetings by means of teleconference or video conference.</p>  | No provision.   |
| No provision.  | <p>Requires, if the Board adopts the policy, that at least one-third of the Board members (4 of 11) be present in person where the meeting is being held for other members to attend via teleconference or video conference.</p> <p><b>Fiscal effect: None.</b></p> | No provision.   |

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**EDUCD206 Educational savings accounts**

No provision.

No provision.

**R.C. 3310.70, Section 733.60**

Establishes the Afterschool Child Enrichment (ACE) Educational Savings Account Program to provide \$500 in each fiscal year upon the request of the parent or guardian of a student ages six to 18 who is enrolled in a public or nonpublic school or receiving home instruction and whose family income is at or below 300% of the Federal Poverty Guidelines. Requires ODE, not later than 30 days after the provision's effective date, to adopt emergency rules that prescribe procedures for the establishment of the accounts.

No provision.

No provision.

Requires these accounts to be established on a first-come, first-served basis according to the availability of funds appropriated for the accounts and requires ODE to deposit funds into accounts established for FY 2022 by December 1, 2021.

No provision.

No provision.

Requires ODE to contract with a vendor for purposes of administering the accounts, and permits ODE to contract with the Treasurer of State for technical assistance. For FY 2022 or FY 2023, requires ODE to pay the vendor not more than 3% of the amount appropriated in support of the accounts for that fiscal year. Requires the vendor to adhere to certain account monitoring and reporting requirements.

No provision.

No provision.

Requires moneys credited to an account to be used by a student's parent or guardian for any of the following purposes, whether secular or nonsecular: (1) before- or after-school educational programs, (2) day camps, including camps for academics, athletics, and arts, (3) tuition at learning extension centers or learning pods, (4) if a student is receiving home instruction, purchase of curriculum and

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No provision.

No provision.

materials, (5) educational, learning, or study skills services, (6) field trips to historical landmarks, museums, science centers, and theaters, including admission, exhibit, and program fees, (7) language classes, (8) instrument lessons, or (9) tutoring.

Prohibits moneys credited to an account from being used for the purchase of electronic devices and requires ODE to make available to parents and guardians a list of the purposes for which moneys credited to an account may be spent.

No provision.

No provision.

Requires ODE to prepare a report regarding the administration of the accounts, including feedback from a random sampling of parents and guardians who request accounts for FY 2022, FY 2023, or both and submit the report to the General Assembly by December 31, 2023.

**Fiscal effect: Appropriates \$50,000,000 in FY 2022 and \$75,000,000 in FY 2023 from FED Fund 3HS0 appropriation item 200640, Federal Coronavirus School Relief, to support the savings accounts (see EDUCD134).**

**EDUCD178 ESC considered a "local education agency" to apply for grants**

No provision.

No provision.

**R.C. 3312.01**

Specifies that an educational service center must be considered a "local education agency," in addition to a school district as in current law, for the purposes of eligibility in applying for any state or competitive federal grant, rather than any state or federal grant as in current law.

**Fiscal effect: May allow ESCs to participate in additional grant opportunities.**

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**EDUCD190 Definition of unused school facility**

No provision.

No provision.

**R.C. 3313.411, Section 812.10**

Adds to the definition of an "unused school facility" in the law governing a district's involuntary disposition of such facilities, any school building that has been used for direct academic instruction but less than 60% of the building was used for that purpose in the preceding school year.

No provision.

No provision.

Makes the provision effective July 1, 2022.

**Fiscal effect: May increase the number of facilities a district board of education has to offer for sale or lease to community, STEM, or college-preparatory boarding schools located within the district's territory.**

**EDUCD118 Interscholastic athletics**

No provision.

**R.C. 3313.5315, 3313.5316 (Repealed)**

Reinstates the limit (lifted in 2019) on participation of international students with U.S. F-1 visas in K-12 interscholastic athletics to only those who attend a school that began operating a dormitory on its campus prior to 2014.

No provision.

No provision.

Repeals the requirement (enacted in 2019) that school districts, interscholastic conferences, and organizations that regulate interscholastic athletics have uniform transfer rules for public and nonpublic schools.

No provision.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD76 School district health curriculum - effects of vaping**

**R.C. 3313.60**

Requires school districts to include instruction on the harmful effects and legal restrictions against the use of electronic smoking devices (vaping) in its health education curriculum, in addition to the instruction on the harmful effects and legal restrictions against the use of drugs of abuse, alcoholic beverages, and tobacco required under current law.

**Fiscal effect: A school district may incur minimal costs to update health curriculum if it does not already provide this instruction. However, various learning modules and curriculum resources can generally be found online at no cost.**

**R.C. 3313.60**

Same as the Executive.

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

**R.C. 3313.60**

Same as the Executive.

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

**EDUCD205 Venereal disease instruction**

No provision.

No provision.

**R.C. 3313.6011**

Requires a school district or school to notify all parents and guardians if the district or school chooses to offer additional instruction in venereal disease or sexual education not specified under continuing law. Specifically requires this notification to include the name of any instructors, vendor name if applicable, and the name of the curriculum being used.

No provision.

No provision.

Prohibits a district or school from offering such instruction to a student unless a parent or guardian has submitted written permission for that student to receive that instruction.

No provision.

No provision.

Upon request, requires a district or school to provide any instructional materials associated with venereal disease or sexual education to a parent or guardian.



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No provision.

No provision.

Requires ODE to conduct an annual audit at the beginning of each school year of school districts to ensure compliance with continuing law requirements regarding venereal disease education and to publish the findings of the audits not later than 120 days after the start of each school year. Requires the audits to be prominently posted on ODE's website.  
**Fiscal effect: May increase administrative costs for school districts, other public schools, and ODE.**

**EDUCD130 Advanced standing programs**

No provision.

**R.C. 3313.6013**  
Specifies that a public or chartered nonpublic school's presentation of information to its students on advanced standing programs (as required under continuing law) be done at least annually.  
**Fiscal effect: No more than minimal.**

No provision.

**EDUCD101 Graduation requirements - alternative demonstrations of competency**

**R.C. 3313.61, 3313.618; conforming change in 3301.0714**  
Makes the following changes to the alternative demonstrations of competency that a student may use to demonstrate math and English language arts competency in order to qualify for a high school diploma, if the student is unable to attain a competency score on the Algebra I and English Language Arts II end-of-course exams:  
(1) Specifies that a student may use a remediation-free score on the ACT or SAT as an alternative demonstration of competency in a subject area in which a student did not attain a competency score. Specifies that, for alternative demonstrations of competency in English Language Arts II, a student must be remediation-free in the subjects of English

**R.C. 3313.61, 3313.618; conforming change in 3301.0714**  
Same as the Executive.  
  
(1) Same as the Executive.

**R.C. 3313.61, 3313.618; conforming change in 3301.0714**  
Same as the Executive.  
  
(1) Same as the Executive.

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and reading on the ACT or SAT.

(2) Requires a student to earn a cumulative score of proficient or higher on three or more state technical assessments in order to use those assessments as a "foundational" option when using alternative demonstrations of competency, instead of earning a score of proficient or higher on three state technical assessments.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Clarifies that an apprenticeship used as a "foundational" option must be registered with the Ohio State Pre-Apprenticeship Council and that a pre-apprenticeship used as a "foundational" option must align with standards established under continuing law.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Qualifies a student with an individualized education program (IEP) for a high school diploma without demonstrating math and English language arts competency, provided that:

(4) Same as the Executive.

(4) Same as the Executive.

(a) The student's IEP specifically exempts the student from that requirement;

(a) Same as the Executive.

(a) Same as the Executive.

(b) The student takes the required Algebra I and English Language Arts II end-of-course exams or alternate math or English language arts assessments and fails to attain the required scores on them;

(b) Same as the Executive.

(b) Same as the Executive.

(c) The student's district or school offered, and the student received, remedial support in each area the student didn't attain the established score;

(c) Same as the Executive.

(c) Same as the Executive.

(d) The student retook each exam or assessment for which the student did not attain a required score and still did not attain that score.

(d) Same as the Executive.

(d) Same as the Executive.

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(5) Specifies obtaining a state-issued license for practice in a vocation that requires an examination is one of the "foundational" options that a student might use to help qualify for a high school diploma after failing to obtain a competency score on a retake of an end-of-course examination.

(5) Same as the Executive.

(5) Same as the Executive.

**Fiscal effect: May result in more students graduating on time. According to ODE, these changes mainly clarify issues that were not addressed when the graduation requirements were modified in H.B. 166 of the 133rd General Assembly.**

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

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

**EDUCD74 Graduation requirements - FAFSA requirement**

**R.C. 3313.618, 3313.619**

Requires public and chartered nonpublic school students to complete the Free Application for Federal Student Aid (FAFSA) to qualify for a high school diploma, unless either:

No provision.

No provision.

(1) The student's parent or guardian has submitted a written letter, in a manner prescribed by ODE, to the student's district or school stating that the student will not complete and submit the FAFSA; or

(1) No provision.

(1) No provision.

(2) The district or school makes a record, in a manner prescribed by ODE, describing the circumstances that make it impossible or impracticable for the student to complete the FAFSA.

(2) No provision.

(2) No provision.

**Fiscal effect: Minimal.**

Executive

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**EDUCD99 Graduation requirements - chartered nonpublic schools**

**R.C. 3313.618, 3313.619**

Specifies that students enrolled in chartered nonpublic schools that use a nationally standardized assessment (ACT or SAT) to meet state testing requirements under continuing law may demonstrate math and English language arts competency for the purposes of qualifying for a high school diploma by attaining a remediation-free score in English, math, and reading on that assessment. Clarifies that such students are not required to take the Algebra I or English language arts II end-of-course exams.

Clarifies that chartered nonpublic school students do not have to meet the requirements to demonstrate math and English language arts competency and earn state diploma seals to qualify for a high school diploma, if they are enrolled in a school that administers an alternative assessment approved by ODE, in lieu of the end-of-course exams or the nationally standardized assessment (ACT or SAT). Expressly states that those students must complete the new FAFSA requirement, unless they meet one of the exemptions prescribed for that requirement (see EDUCD74).

Requires chartered nonpublic schools offer remedial support to any student that fails to attain a competency score in any of Algebra I or English language arts II end-of-course exams (public schools already have to offer such support).

**Fiscal effect: None.**

**R.C. 3313.618, 3313.619**

Same as the Executive.

Same as the Executive, but removes the new FAFSA requirement to conform with the elimination of that requirement (see EDUCD74).

Same as the Executive.

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

**R.C. 3313.618, 3313.619**

Same as the Executive.

Same as the House

Same as the Executive.

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

Executive

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**EDUCD100 Graduation requirements - students transferring into public and chartered nonpublic schools**

**R.C. 3313.618, 3313.6114**

Requires, generally, transfer students who, in the prior school year, were homeschooled or attended an out-of-state or non-chartered, nonpublic school, to comply with continuing law's requirements to demonstrate competency and earn state diploma seals.

Exempts, for the purposes of demonstrating competency in math and English language arts, such students who transfer in 12th grade and fail to attain a competency score on the Algebra I or English Language Arts II end-of-course exams from having to retake that exam prior to using alternative demonstrations of competency.

Permits such students who attained the equivalent of a "B" or higher in American history and American government courses, a specified science course, or an "appropriate" technology course, as determined by the student's district or school, prior to enrolling in an Ohio public or chartered nonpublic high school to use those grades to satisfy the requirements of the Citizenship state diploma seal, the Science state diploma seal, or the Technology state diploma seal.

**Fiscal effect: May result in more students graduating on time. According to ODE, these changes mainly clarify issues that were not addressed when the graduation requirements were modified in H.B. 166 of the 133rd General Assembly.**

**R.C. 3313.618, 3313.6114**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 3313.618, 3313.6114**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

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**EDUCD20 Graduation requirements - industry-recognized credentials**

**R.C. 3313.6113**

Requires the Superintendent of Public Instruction's committee regarding industry-recognized credentials and licenses to assign a point value for each credential and to establish the total number of points necessary to earn a high school diploma under continuing law.

**Fiscal effect: None. Appears to codify current practice.**

**R.C. 3313.6113**

Same as the Executive.

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

**R.C. 3313.6113**

Same as the Executive.

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

**EDUCD102 Graduation requirements - diploma seals**

**R.C. 3313.6114**

Makes the following changes to the system of diploma seals a student may use to qualify for a high school diploma:

(1) Permits a student to use a final course grade equivalent to a "B" or higher in an American history course or an American government course to qualify for the Citizenship state diploma seal, in addition to scores on the relevant end-of-course exams, scores on relevant AP or IB exams, or final course grades equivalent to a "B" or higher in relevant College Credit Plus (CCP) courses as under continuing law.

(2) Permits a student to use a final course grade equivalent to a "B" or higher in specified science courses to qualify for the Science state diploma seal, in addition to scores on the relevant end-of-course exams, scores on relevant AP or IB exams, or final course grades equivalent to a "B" or higher in relevant CCP courses as under continuing law.

(3) Permits a student with an IEP and significant cognitive disabilities who is administered alternative assessments in accordance with continuing law to qualify for the Citizenship state diploma seal or the Science state diploma seal by

**R.C. 3313.6114**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**R.C. 3313.6114**

Same as the Executive, but makes the following changes:

(1) No provision.

(2) No provision.

(3) Same as the Executive.

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attaining scores established by the State Board of Education on the alternate assessments in social studies or science.

(4) Qualifies for an industry-recognized credential diploma seal a student who obtains a state-issued license for practice in a vocation that requires an examination, in addition to a student who earns an industry-recognized credential as under continuing law. Specifies that the industry-recognized credential must be at least equal to the total number of points established by the Superintendent of Public Instruction's committee.

(5) Requires guidelines for a locally-defined state diploma seal developed by a district or school to include a method to give a transfer student a proportional amount of credit for any progress made toward completing that state seal at the district or school from which the student transfers.

**Fiscal effect: May result in more students graduating on time. According to ODE, these changes mainly clarify issues that were not addressed when the graduation requirements were modified in H.B. 166 of the 133rd General Assembly.**

(4) Same as the Executive.

(5) Same as the Executive.

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

(4) Same as the Executive.

(5) Same as the Executive.

**Fiscal effect: Same as the Executive, but may result in a smaller increase of students graduating on time.**

**EDUCD166 Policy for nonpublic school employees to administer prescription drugs to students**

No provision.

**R.C. 3313.713**

Requires chartered nonpublic schools to adopt a policy for school employees to administer prescription drugs, other than for medications that school employees are expressly permitted to administer under current law, to students and specifies certain conditions under which the employees may administer prescription drugs (the same provisions apply to public schools under current law).

**R.C. 3313.713**

Same as the House.

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| No provision.   | Grants immunity from liability for civil damages to authorized employees at chartered nonpublic schools for administering, or failing to administer, the drug (immunity is not granted for gross negligence or wanton or reckless misconduct).<br><br><b>Fiscal effect: None.</b>   | Same as the House.<br><br><b>Fiscal effect: Same as the House.</b>                                    |
| <b>EDUCD131 Adult Diploma Pilot Program age eligibility</b> |   |   |
| No provision.   | <p><b>R.C. 3313.902</b></p> <p>Lowens the minimum age to participate in the Adult Diploma Pilot Program from 22 to 20.</p> <p><b>Fiscal effect: Expands the number of adults eligible for the program, which may increase amounts paid to eligible institutions approved for the program. If the funding available for the program in GRF appropriation item 200572, Adult Education Programs, is insufficient to make payments to participating institutions, the bill authorizes a transfer of appropriation from GRF appropriation item 200550, Foundation Funding, to item 200572 under certain conditions (see EDUCD33).</b></p> | <p><b>R.C. 3313.902</b></p> <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p> |
| <b>EDUCD128 Ohio Code-Scholar Pilot Program</b>             |   |   |
| No provision.   | <p><b>R.C. 3313.905</b></p> <p>Requires Southern State Community College (SSCC) to establish and maintain the five-year Ohio Code-Scholar Pilot Program to support technical workforce needs.</p>   | <p><b>R.C. 3313.905</b></p> <p>Same as the House.</p>   |
| No provision.   | Requires SSCC, by July 31, 2021, to appoint a program coordinator to oversee the pilot program, responsible for the following:  | Same as the House.  |
| (1) No provision.   | (1) Forming a coalition and acting as the liaison between SSCC and the coalition to develop the pilot program;  | (1) Same as the House.  |



| Executive         | As Passed By House   | As Reported By Senate Finance            |
|-------------------|--|--|
| (2) No provision. | (2) Collaborating with the coalition to develop a curriculum for grades 7-12 for the pilot program that focuses on industry standards in the field of computer sciences, including coding;                           | (2) Same as the House.                   |
| (3) No provision. | (3) Submitting an annual report to SSCC regarding the program's progress and implementation;   | (3) Same as the House.                   |
| (4) No provision. | (4) Determining the manner by which the pilot program will recruit school districts and other participants from eligible counties for the fall of 2021;  | (4) Same as the House.                   |
| (5) No provision. | (5) Developing a structured timeline for the pilot program to operate over the five-year period, with full administration beginning in the fall of 2022;   | (5) Same as the House.                   |
| (6) No provision. | (6) Determining the manner in which to incorporate the College Credit Plus Program within the pilot program;   | (6) Same as the House.                   |
| (7) No provision. | (7) Collaborating with the department, advisor, and instructor appointed by SSCC to develop an articulation system for credits earned under the pilot program, and align them into a for-credit program at SSCC; and | (7) Same as the House.                   |
| (8) No provision. | (8) Acting as fiscal operator of the pilot program and overseeing the use of any funds appropriated by the General Assembly.   | (8) Same as the House.                   |
| No provision.     | Requires SSCC and the program coordinator to submit a full report and any legislative recommendations to the General Assembly regarding the outcomes of the pilot program at the end of the five-year period.        | Same as the House.                       |
|                   | <b>Fiscal effect: The bill earmarks \$240,000 in each fiscal year from GRF appropriation item 200545, Career-Technical Education Enhancements, to support the program (see</b>                                       | <b>Fiscal effect: Same as the House.</b> |

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**EDUCD52).**

**EDUCD5 Auxiliary services funds**

**R.C. 3317.024, Section 265.170**

Permits all chartered nonpublic schools, instead of only nonreligious affiliated schools, to elect to receive auxiliary service funds directly from ODE instead of through the local public school district.

Requires religiously affiliated chartered nonpublic schools that elect to receive payments directly from ODE to submit an affidavit certifying the funds will be used for a permissible purpose under continuing law.

Requires a chartered nonpublic school choosing direct payment for the 2021-2022 and 2022-2023 school years to notify ODE and the school district in which it is located by July 31, 2021, instead of the normal date by which such elections such occur - April 1 of each odd-numbered year.

No provision.

No provision.

No provision.

No provision.

**R.C. 3317.024, Section 265.170**

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

No provision.

**R.C. 3317.024, 3317.062, 3317.064, Section 265.170**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Clarifies that materials purchased with auxiliary services funds paid directly to a school may be acquired under contract with school districts, ESCs, the Department of Health, city or general health districts, or private entities.

Permits schools to dispose of textbooks four years after their purchase.

Permits a chartered nonpublic school to sell, donate, trade, or otherwise dispose of materials that are no longer needed or unfit for their original purpose or that the school has possessed for at least four years.

Requires that any proceeds from the sale of materials or equipment by a chartered nonpublic school be returned to

| Executive   | As Passed By House                           | As Reported By Senate Finance  |
|---|--|--|
| No provision.   | No provision.                                | <p>the state treasury.</p> <p>Permits ESCs to apply for reimbursement from the Auxiliary Services Reimbursement Fund for payment of incentives for early retirement and severance for personnel assigned to provide services at chartered nonpublic schools.</p>       |
| <b>Fiscal effect: Minimal.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b>   |
| <b>EDUCD179 Designation of organization to receive auxiliary services funds</b> |  |  |
| No provision.   | No provision.                                | <p><b>R.C. 3317.024, Section 265.170</b></p> <p>Permits a chartered nonpublic school that elects to receive auxiliary services funds directly (see EDUCD5) to designate, by April 1 of an odd-numbered year, an organization to receive the funds on its behalf.</p>   |
| No provision.   | No provision.                                | <p>For the 2021-2022 and 2022-2023 school years, permits a chartered nonpublic school that elects to directly receive auxiliary services funds to designate an organization to receive those funds on its behalf by July 31, 2021.</p>                                 |
| No provision.   | No provision.                                | <p>Requires a chartered nonpublic school that designates an organization and later decides to rescind the designation to notify ODE by April 1 of any odd-numbered year and to complete the rescission on July 1 of the same year.</p>                                 |
| No provision.   | No provision.                                | <p>Permits an organization designated to manage a school's auxiliary services funds to charge the school up to 4% of the total amount of payments for auxiliary services the school received, which the school may pay from the school's auxiliary services funds.</p> |
| No provision.   | No provision.                                | <p>Permits an organization designated to receive auxiliary service funds of multiple chartered nonpublic schools to use one or more accounts to manage the funds and requires the</p>  |

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|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | organization to ensure each school receives the funds they are entitled to.  |
| No provision. | No provision. | Requires the chartered nonpublic school or the designated organization to maintain records of receipt and expenditures of auxiliary service funds in a manner that conforms with generally accepted accounting principles. |
| No provision. | No provision. | Requires ODE to create and distribute a standardized reporting form to record receipt and expenditure of auxiliary services funds that schools or organizations have the option to use.                                    |

**Fiscal effect: Minimal.**

**EDUCD201 Auxiliary Services Reimbursement Fund**

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <b>R.C. 3317.06, 3317.062, 3317.064, Section 265.175</b><br>Permits ODE to deposit into the Auxiliary Services Reimbursement Fund any unexpended Auxiliary Services balances appropriated by the General Assembly, rather than into the Auxiliary Services Personnel Unemployment Compensation Fund as under current law. |
| No provision. | No provision. | Permits ODE to deposit any returned Auxiliary Services funds into the Auxiliary Services Reimbursement Fund (currently, such funds are deposited into the GRF).   |
| No provision. | No provision. | Extends the date by which a district or school must remit to ODE any Auxiliary Services funds or interest on them that are not required to cover expenses from 30 days after the end of a biennium for which the funds were appropriated to 90 days after the end of a biennium.  |
| No provision. | No provision. | Requires ODE, if the remittal of funds leaves a district or school with insufficient funds to cover lawful expenses, to   |

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No provision.

No provision.

make a refund from the Auxiliary Services Reimbursement Fund, rather than the Auxiliary Services Personnel Unemployment Compensation Fund as under current law.

Eliminates a requirement that, by January 30 of each odd-numbered year, the Director of Job and Family Services and the Superintendent of Public Instruction must determine an amount of excess funds in the Auxiliary Services Personnel Unemployment Compensation Fund and certify that amount to the Director of OBM for transfer to the Auxiliary Services Reimbursement Fund.

No provision.

No provision.

Permits ODE to deposit any Auxiliary Services funds returned for the current biennium into the Auxiliary Services Reimbursement Fund.

**Fiscal effect: May shift revenue from the Auxiliary Services Personnel Unemployment Compensation Fund and the GRF to the Auxiliary Services Reimbursement Fund (Fund 5980). Fund 5980 is used to replace and repair mobile units that provide auxiliary services and can also be used to fund early retirement or severance pay for employees paid from line item 200511 or to make payments for chartered nonpublic school students participating in the College Credit Plus Program. Transfers from the Auxiliary Services Personnel Unemployment Compensation Fund to Fund 5980 occur when the cash in that fund is estimated to be in excess of the amount needed to pay unemployment claims. No transfers have occurred since FY 2013.**

Executive

As Passed By House

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**EDUCD180 Nonpublic administrative cost reimbursement cap**

No provision.

No provision.

**R.C. 3317.063**

Repeals the statutory per-pupil cap of \$360 for nonpublic administrative cost reimbursement for a school year and, instead, prohibits payments for the reimbursement from exceeding the per-pupil amount specified by the General Assembly for that school year (see EDUCD12).

**Fiscal effect: None, effectively. The General Assembly, through uncodified law provisions, has permitted the maximum per-pupil amount to exceed the statutory cap since FY 2016 in an effort to align the maximum per-pupil amount with appropriations for the reimbursements.**

**EDUCD114 Cheating on assessments**

**R.C. 3319.151, 3319.99**

Prohibits a person from taking a number of specified actions that assist a student in cheating on an assessment, including obtaining prior knowledge of the assessment's contents.

Permits the State Board of Education to take appropriate action (license suspension, revocation, or limitation) against a school employee who assists a student in cheating on an assessment after conducting an investigation, instead of a one-year suspension for specifically revealing test content as under current law.

**Fiscal effect: Some disciplinary cases handled by ODE's Office of Professional Conduct may be disposed of more quickly with the greater disciplinary flexibility provided while some future cases may be avoided with the additional clarity regarding prohibited behavior.**

**R.C. 3319.151, 3319.99**

Same as the Executive.

Same as the Executive.

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

**R.C. 3319.151, 3319.99**

Same as the Executive.

Same as the Executive.

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

Executive

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**EDUCD87 STEM schools - STEM Committee membership, grants, and recommendations**

**R.C. 3326.02, 3326.03, 3326.05 (Repealed)**

Permits the Superintendent of Public Instruction, the Chancellor of Higher Education, and the Director of Development to appoint designees to participate in STEM Committee business on their behalf.

Repeals the requirement that the STEM Committee award grants to STEM schools.

Repeals the authority for the STEM Committee to make recommendations to the General Assembly and the Governor for the training of STEM educators.

**Fiscal effect: None.**

**R.C. 3326.02, 3326.03, 3326.05 (Repealed)**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 3326.02, 3326.03, 3326.05 (Repealed)**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**EDUCD85 STEM schools - designation, renewal, and revocation**

**R.C. 3326.03, 3326.032, 3326.04, 3326.07, 3326.08, 3326.51**

Eliminates the authority for a JVSD or an ESC to apply for designation as a STEM or STEAM school.

Eliminates the authority for a career center to receive a STEM or STEAM school equivalent designation.

Eliminates the authority for city, local, and exempted village school districts, community schools, and chartered nonpublic schools to apply for grants to support the operation of STEM programs of excellence.

**R.C. 3326.03, 3326.032, 3326.04, 3326.07, 3326.08, 3326.51**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**R.C. 3326.03, 3326.01, 3326.032, 3326.04, 3326.07, 3326.08, 3326.51**

Same as the Executive.

Replaces the Executive provision with a provision that permits schools operated by a JVSD, career-technical education (CTE) schools operated by districts that are comprehensive CTE providers, and CTE schools that are operated by districts participating in a CTE compact to receive a STEM school equivalent designation, rather than "career centers" as under current law.

Same as the Executive.

| Executive  | As Passed By House                           | As Reported By Senate Finance   |
|--|--|---|
| Permits JVSDs and ESCs to apply for distinction as a STEM program of excellence, provided they satisfy requirements similar to the requirements for proposals for STEM schools.  | Same as the Executive.                       | Same as the Executive, but also permits programs operated by a comprehensive CTE provider or compact CTE provider to receive the distinction.   |
| No provision.  | No provision.                                | Requires proposals for a distinction as a STEM program of excellence to demonstrate that the program complies with applicable curriculum principles and was developed by a curriculum team. |
| Specifies that STEM school designations, STEM school equivalent designations, and distinctions as STEM programs of excellence are effective for five years unless revoked.   | Same as the Executive.                       | Same as the Executive.  |
| Specifies that, if the STEM committee finds that a school is not in compliance as part of the reapplication process or as part of a review during the five-year effective period, it must require the school to develop and implement a one-year corrective action plan. Permits the STEM Committee to review schools and programs before the end of the five years and revoke a designation or distinction if it determines a school or program is not in compliance. | Same as the Executive.                       | Same as the Executive.  |
| Requires the STEM Committee to revoke a school's designation or distinction if the school fails to implement the corrective action plan within one year and to order an independent STEM school to cease operations if its designation is revoked.   | Same as the Executive.                       | Same as the Executive.  |
| <b>Fiscal effect: Minimal.</b>   | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b>  |
| <b>EDUCD88 STEM schools - grade offerings</b>  |  |   |
| <b>R.C. 3326.03</b>  | <b>R.C. 3326.03</b>                          | <b>R.C. 3326.03</b>   |
| Permits a STEM school to submit amended proposals to the STEM Committee in order to offer additional grade levels.   | Same as the Executive.                       | Same as the Executive.  |



| Executive  | As Passed By House                           | As Reported By Senate Finance                |
|--|--|--|
| <b>Fiscal effect: Permissive.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |
| <b>EDUCD103 STEM schools - proposal requirements</b>   |  |  |
| <b>R.C. 3326.03</b>  | <b>R.C. 3326.03</b>                          | <b>R.C. 3326.03</b>                          |
| Requires the proposal for a STEM school or STEM school equivalent to include evidence:   | Same as the Executive.                       | Same as the Executive.                       |
| (1) That the school will exhibit school-wide cultural strategies reflecting innovation, an entrepreneurial spirit, inquiry, and collaboration with individual accountability;  | (1) Same as the Executive.                   | (1) Same as the Executive.                   |
| (2) That the school will offer a rigorous, diverse, integrated, and problem-based or project-based, rather than only project-based, curriculum with the goal to prepare students for post-secondary learning experiences, rather than to prepare students for college;   | (2) Same as the Executive.                   | (2) Same as the Executive.                   |
| (3) That the school's curriculum emphasizes the use of design-thinking as a school-wide approach;  | (3) Same as the Executive.                   | (3) Same as the Executive.                   |
| (4) That the school's curriculum provides opportunities for students to engage in personalized learning, rather than emphasizes personalized learning and teamwork skills;   | (4) Same as the Executive.                   | (4) Same as the Executive.                   |
| (5) That the school will participate in regular STEM focused professional development and share knowledge of best practices, rather than utilize an established capacity to capture and share knowledge for best practices and innovative professional development with the Ohio STEM Learning Network or its successor; and | (5) Same as the Executive.                   | (5) Same as the Executive.                   |
| (6) In the case of a STEM school equivalent, that the community school or chartered nonpublic school has established partnerships with institutions of higher education and businesses, as well as arts organizations if the   | (6) Same as the Executive.                   | (6) Same as the Executive.                   |

Executive

As Passed By House

As Reported By Senate Finance

proposal is for a STEAM school equivalent (existing law already requires this for STEM and STEAM schools).

Eliminates the requirement for a proposal to include evidence that the school's curriculum incorporates scientific inquiry and technological design.

**Fiscal effect: None.**

Same as the Executive.

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

Same as the Executive.

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

**EDUCD89 STEM schools - performance-based pay for teachers**

**R.C. 3326.111, (Repealed)**

Repeals the requirement that STEM schools receiving a grant under the federal Race to the Top Program must pay teachers based on performance.

**Fiscal effect: None. The Race to the Top Program last awarded grants in 2013.**

**R.C. 3326.111, (Repealed)**

Same as Executive.

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

**R.C. 3326.111, (Repealed)**

Same as the Executive.

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

**EDUCD86 STEM schools - state achievement assessments**

**R.C. 3326.14**

Repeals a provision that permits a student enrolled in the 9th grade or below in a STEM school to take any of the five Ohio Graduation Tests when those tests are administered.

**Fiscal effect: None. The Ohio Graduation Tests were last required for those students who graduated in 2018.**

**R.C. 3326.14**

Same as the Executive.

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

**R.C. 3326.14**

Same as the Executive.

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

**EDUCD90 STEM schools - written assurances**

**R.C. 3326.23**

Exempts a STEM school that is governed and controlled by a city, local, or exempted village school district from the annual requirement of providing written assurances to ODE that it is in compliance with various requirements.

**Fiscal effect: Minimal decrease in administrative**

**R.C. 3326.23**

Same as the Executive.

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

**R.C. 3326.23**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**responsibilities for school districts that operate STEM schools.**

**EDUCD113 Transportation of community and nonpublic school students - transportation when schools are open**

**R.C. 3327.01**

Requires a school district to provide transportation services to students it is required to transport who are enrolled in a community or chartered nonpublic school if that school is open for instruction, even if the district's schools are not open for instruction (but maintains a general exception regarding transporting such students on the weekend).

No provision.

No provision.

**Fiscal effect: None. School districts currently transport such students on days the district is not in session pursuant to an Ohio Attorney General's opinion (OAG 83-096).**

**R.C. 3327.01**

Same as the Executive.

No provision.

No provision.

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

**R.C. 3327.01**

Same as the Executive.

Permits a nonpublic or community school governing authority to request a list of students enrolled in the nonpublic or community school for whom the district provides transportation and their addresses.

Requires the district to provide the information including only the names and addresses of the pupils enrolled in the school making the request.

**Fiscal effect: Same as the Executive but may minimally increase a school district's workload to comply with any such request.**

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD160 Transportation - student delivery and pick-up times**

No provision.

**R.C. 3327.01**

Requires school districts, ESCs, and private school transportation contractors to make a good faith effort to "deliver" students enrolled in preschool through twelfth grades to their respective public and nonpublic schools no sooner than 30 minutes prior to the beginning of school and to be available to pick them up no later than thirty minutes after the close of their respective schools each day.

**Fiscal effect: None.**

**R.C. 3327.01**

Same as the House, but removes the good faith effort qualification.

**Fiscal effect: Potential increase in school transportation costs to the extent routes must be modified or increased to meet the requirement.**

**EDUCD72 Transportation for community and chartered nonpublic school students - transportation plans**

**R.C. 3327.016, conforming change in R.C. 3313.48**

Requires a community school or chartered nonpublic school to establish start and end times for the school year by June 1 of the prior school year and provide them to each district expected to be responsible for transporting its students.

Requires each district to use the start and end times to develop a transportation plan, including transportation routes and schedules, by July 1 for community or nonpublic school students the district is required by law to transport. Requires each district to develop a transportation plan for any student who enrolls in a community or nonpublic school after June 1, within 14 calendar days of receiving a request for transportation services from the student's parent or guardian.

No provision.

**R.C. 3327.016, conforming change in R.C. 3313.48**

Same as the Executive.

Same as the Executive.

No provision.

**R.C. 3327.016, conforming change in R.C. 3313.48**

Same as the Executive, but changes the date when a community or chartered nonpublic school must establish start and end times to April 1.

Same as the Executive, but (a) changes the date when a school district must use the start and end times to develop a transportation plan to within 60 days of receiving the start and end times and (b) requires each district to develop a transportation plan for any student who enrolls in a community or nonpublic school after July 1, within 14 business days of receiving a request for transportation services.

Requires a school district to attempt to provide a transportation plan to a community or chartered nonpublic

Executive

As Passed By House

As Reported By Senate Finance

Requires, for a district with 20 or more community or chartered nonpublic schools located in the district's territory, the ESC that has a service agreement with that district or, in the absence of an agreement, the ESC with the most territory in the district's county, to convene a meeting of the district and the community or chartered nonpublic schools to coordinate transportation services. Requires the district and each community and chartered nonpublic school to provide the ESC with any information deemed necessary and requires the ESC to approve a transportation plan not later than July 15 of that school year.

Prohibits a transportation plan from resulting in a student arriving more than one hour before the school's start time or being picked up from school more than one hour after the school's end time.

**Fiscal effect: May increase the administrative costs of school districts and community schools to develop student transportation plans, though districts are currently required to provide transportation to community and nonpublic schools within their district. Greater coordination may create the potential for cost savings associated with more efficient bus routes. May also provide flexibility and potential cost savings for districts in providing transportation services if current practice is to drop off and pick up nonpublic and community school students closer to bell times. However, community school costs may increase if a school must provide supervision to students earlier or later than current practice.**

Same as the Executive.

Same as the Executive.

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

school by August 1 if the school provides its start and end times after April 1 but before July 1.

No provision.

No provision.

**Fiscal effect: Same as the Executive, but may decrease costs for larger school districts, public and nonpublic schools in within those larger districts, and ESCs to not have to convene a meeting or provide information related to an ESC-wide transportation plan. Conversely, may reduce the opportunity to achieve scale efficiencies. May also decrease compliance costs by moving forward the date by which a district will receive community or chartered nonpublic school start and end times and in reducing, by a month, the enrollment date cutoff by which a school district may have to develop additional transportation plans.**

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD110 Transportation for community and nonpublic school students - limit on use of mass transit**

**R.C. 3327.017**

Prohibits a district from providing transportation services via a mass transit system to community or chartered nonpublic students in grades K-8 unless the district enters into an agreement with the school authorizing it.

Requires a district that elects to provide transportation services via a mass transit system to students in grades 9-12 to do both of the following:

- (1) Enter into a contract with the mass transit system specifying each student is transported on a vehicle and route designed for fare-paying passengers and students;
- (2) Ensure the student's route does not require more than one transfer.

**Fiscal effect: Potential increase in administrative costs to develop or amend contracts with mass transit systems to the extent such contracts are not already in place and review mass transit routes for students. Effects on district transportation costs appear limited. In FY 2020, five districts accounted for nearly all of the students transported by mass transit statewide: Akron City School District (CSD), Cincinnati CSD, Cleveland Municipal School District, Dayton CSD, and Toledo CSD. Of these districts, all but Cleveland limited public transit to high school students. Cleveland's policy appears to provide students in grades 7-12 with the option of receiving public transit bus passes for travel to and from school.**

**R.C. 3327.017**

Same as the Executive.

Same as the Executive, but makes the following changes:

- (1) No provision.
- (2) Same as the Executive.

**Fiscal effect: Same as the Executive, but eliminates the bill's potential increase in administrative costs regarding contracts with mass transit systems.**

**R.C. 3327.017**

Same as the Executive.

Same as the House.

(1) No provision.

(2) Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD161 Contracts to operate school buses to assist local governments or nonprofit organizations**

No provision.

**R.C. 3327.018**

Permits a school district to contract, in writing, with a public or private not-for-profit agency, group, or organization, with a municipal corporation or other political subdivision or agency of the state, or with an agency of the federal government to assist the agency, group, organization, or political subdivision in the fulfillment of its legitimate activities and in times of emergency, subject to certain specified conditions.

**Fiscal effect: Permissive.**

**R.C. 3327.018**

Same as the House.

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

**EDUCD111 Payment in lieu of transportation**

**R.C. 3327.02**

Sets a deadline by which a school district, or a community school that has accepted responsibility to provide transportation, must make a determination whether to provide payment in lieu of transportation for a student: 30 calendar days prior to the district's or school's first day of instruction or, in the case of a student who enrolls later, within 14 days after the student's enrollment.

Authorizes a superintendent to make a determination regarding payment in lieu, but requires that the determination be formalized at the next meeting of the school district board of education or community school governing authority.

Requires a board or governing authority to issue a letter to a student's parent, guardian, or other person in charge of the student and to the State Board of Education with a detailed description of the reasons for which the payment in lieu

**R.C. 3327.02**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**R.C. 3327.02**

Same as the Executive.

Same as the Executive.

Same as the Executive, but adds the pupil's nonpublic or community school to the list of letter recipients.

Executive

As Passed By House

As Reported By Senate Finance

determination was made.

No provision.

No provision.

Permits the parent, guardian, or other person in charge of a pupil, at any time after requesting transportation for that pupil, to authorize the nonpublic or community school in which the pupil is enrolled to act on the parent's, guardian's, or other person's behalf for purposes of determining payment in lieu of transportation and any related mediation proceedings.

No provision.

No provision.

Modifies the minimum amount of a payment in lieu of transportation to be at least 50% of the amount determined by ODE as the average cost of pupil transportation for the previous school year instead of an amount determined by the General Assembly (the maximum amount continues to be 100% of that average cost). (See EDUCD29.)

No provision.

No provision.

Modifies the amount a school district must pay to a student's parent or guardian if ODE determines that a district has failed or is failing to provide required transportation services to the student to be an amount equal to 50% of the cost of providing transportation to a student, as determined by the school district or school, but not more than \$2,500 instead of the state average daily cost of transportation, as determined by the State Board of Education for the previous year.

**Fiscal effect: Minimal.**

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

**Fiscal effect: May increase school district costs for payments in lieu of transportation. Under current law for the FY 2020-FY 2021 biennium, the minimum amount determined by the General Assembly is \$250.**



Executive

As Passed By House

As Reported By Senate Finance

**EDUCD112 Monitoring of transportation services compliance**

**R.C. 3327.021**

Requires ODE to monitor a school district's compliance with its current and proposed new responsibilities to provide transportation services (see EDUCD72 and EDUCD110).

Requires ODE, if it determines that a school district has been noncompliant with providing transportation services for a consistent or prolonged period, to deduct from the district's payment for student transportation the total daily amount of that payment, as computed by ODE, for each day the district is not in compliance.

Specifies that ODE's monitoring of transportation services compliance and deductions of payments for noncompliance does not affect a school district's authority to provide a parent payment in lieu of transportation in accordance with continuing law.

**Fiscal effect: May increase ODE's administrative costs.**

**R.C. 3327.021**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 3327.021**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**EDUCD182 Online school bus driver training**

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

**R.C. 3327.101**

Makes permanent the following provisions originally enacted for the 2020-2021 school year only by H.B. 164 of the 133rd General Assembly:

(1) Requires ODE develop an online bus driver training program to satisfy the classroom portion of pre-service and annual in-service training for school bus driver certification.

(2) Requires drivers to continue to complete on-the-bus instructional training in person.

**Fiscal effect: Minimal.**

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD59 P-Tech model of education pilot program**

**Section: 265.205**

Requires ODE and the Department of Higher Education (DHE) to jointly create a P-Tech model of education pilot program to be implemented in up to three public schools through a partnership between an eligible school, a state institution of higher education, or a nonprofit institution of higher education, and one or more businesses offering employment in skilled occupations.

Requires ODE and DHE to jointly issue a request for proposals from interested schools and select three eligible schools based on certain criteria. Requires ODE to award each selected school up to \$150,000 in FY 2022 to fund start-up and planning costs and up to an additional \$150,000 in FY 2023 to implement the model and deliver programming to students.

Specifies that credit hour and duration limitations for students participating in College Credit Plus Program do not apply to students participating in the P-Tech model of education.

Requires ODE and DHE to evaluate the progress of grant recipients in planning, implementing, and sustaining the model and requires grant recipients to report to the Departments any data or information necessary for the evaluation. The Departments must report their findings by December 31, 2022.

Specifies that an eligible school district or other public school must continue to receive state aid for each student participating in the pilot program who continues to be

**Section: 265.205**

Same as the Executive.

Same as the Executive, but decreases the maximum award for each school to \$70,000 in each fiscal year.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

No provision.

No provision.

No provision.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

enrolled in high school courses after the student's twelfth grade year for up to two school years. Permits any state institution of higher education that enrolls a student participating in the pilot program to include the student in the calculations used to determine its state share of instruction funds.

Specifies that the model provides a STEM-focused curriculum for students beginning in the ninth grade for up to six years, during which students may dually enroll in high school and college courses at no cost to the student and earn a high school diploma and an associate degree, prioritizes enrolling student populations who have been historically underrepresented in college and skilled occupations, and gives students hiring priority for available jobs upon completion of the program, among other features.

**Fiscal effect: The bill earmarks \$450,000 in each fiscal year from GRF appropriation item 200545, Career-Technical Education Enhancements, to support the pilot program (see EDUCD52).**

Same as the Executive.

No provision.

**Fiscal effect: Same as the Executive, but reduces the earmark to \$210,000 in each fiscal year.**

**EDUCD66 School district participation in National Assessment of Education Progress**

**Section: 265.380**

Expresses the General Assembly's intention that Ohio school districts participate in the administration of the National Assessment of Education Progress (NAEP). Requires each school and school district selected to participate.

**Fiscal effect: Minimal cost for districts chosen to participate. Federal funding is provided for coordination of the state's participation in NAEP.**

**Section: 265.380**

Same as the Executive.

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

**Section: 265.380**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD67 Use of volunteers**

**Section: 265.420**

Authorizes ODE to use the services of volunteers to accomplish any of the purposes of ODE.

Authorizes the Superintendent of Public Instruction to reimburse volunteers for necessary expenses in accordance with state guidelines and to designate volunteers as state employees for the purposes of motor vehicle accident liability insurance and for indemnification from liability incurred in the performance of their duties.

**Fiscal effect: Potential cost savings for ODE if they can utilize volunteers for purposes which they would otherwise need to hire additional employees. This is a continuation of current law.**

**Section: 265.420**

Same as the Executive.

Same as the Executive.

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

**Section: 265.420**

Same as the Executive.

Same as the Executive.

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

**EDUCD17 Private Treatment Facility Project**

**Section: 265.450**

Establishes procedures by which Ohio youth who have been assigned to a participating residential treatment center are enrolled in an approved educational program in or near the facility.

Lists the participating residential treatment centers as (1) private residential treatment facilities that have contracted with the Department of Youth Services to provide services and which are paid through appropriation item 470401, RECLAIM Ohio, (2) Abraxas, in Shelby, (3) Paint Creek, in Bainbridge, and (4) F.I.R.S.T., in Mansfield.

Requires that the school district responsible for tuition for a residential child pay the tuition to the provider of the educational programs.

**Section: 265.450**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 265.450**

Same as the Executive.

Same as the Executive.

Same as the Executive.

| Executive  | As Passed By House                           | As Reported By Senate Finance                |
|--|--|--|
| Prohibits a district from including the youth in the district's average daily membership (ADM).  | Same as the Executive.                       | Same as the Executive.                       |
| Requires that ODE track the utilization of funds and monitor the program for educational accountability.   | Same as the Executive.                       | Same as the Executive.                       |
| <b>Fiscal effect: In addition to the tuition payment, the bill earmarks \$700,000 in each fiscal year from GRF appropriation item 200550, Foundation Funding, for the Private Treatment Facility Project (see EDUCD60).</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |
| <b>EDUCD69 Partnerships with business community</b>  |  |  |
| <b>Section: 265.460</b>  | <b>Section: 265.460</b>                      |  |
| Specifically permits the Superintendent of Public Instruction to form partnerships with Ohio's business community to implement initiatives that connect students with the business community to increase student engagement and job readiness. Requires that, if a partnership is formed, the initiatives do all of the following: | Same as the Executive.                       | No provision.                                |
| (1) Support the career connection learning strategies included in model curriculum developed by the State Board of Education and workforce development entities.   | (1) Same as the Executive.                   | (1) No provision.                            |
| (2) Provide an opportunity for students to earn high school credit or to meet curriculum requirements in accordance with the State Board's plan on subject area competency.  | (2) Same as the Executive.                   | (2) No provision.                            |
| (3) Inform the development of student success plans for students who are at-risk of dropping out of school.  | (3) Same as the Executive.                   | (3) No provision.                            |
| <b>Fiscal effect: Permissive increase in administrative responsibilities for ODE to form the partnerships and assist in the development of partnership initiatives. This is a continuation of current law.</b>   | <b>Fiscal effect: Same as the Executive.</b> |  |

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD125 College Credit Plus study**

No provision.

**Section: 265.500**

Requires ODE, in consultation with the Department of Higher Education (DHE), to produce a report by January 1, 2023, concerning the cost-effectiveness of the College Credit Plus Program for secondary schools and participants, as well as whether participants save money on college tuition and reduce the amount of time to degree completion.

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

No provision.

**EDUCD71 Academic distress commissions**

**Section: 265.520**

Prohibits the Superintendent of Public Instruction from establishing new academic distress commissions (ADCs) for the 2021-2022 and 2022-2023 school years. Specifies this provision has no effect on existing ADCs.

**Fiscal effect: None apparent. No school district not currently subject to an ADC appears to be in danger of receiving three consecutive "F" overall report card grades (the trigger for creating a new ADC) during the prescribed period (i.e., the earliest a new ADC could be established under current law would be in the 2023-2024 school year based on report card grades in recent years).**

**Section: 265.520**

Same as the Executive.

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

**Section: 265.520**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD119 Education studies**

| Executive         | As Passed By House  | As Reported By Senate Finance |
|-------------------|---|-------------------------------|
| No provision.     | <p><b>Section: 610.12, 610.13</b></p> <p>Amends Sections 4 to 7 of S.B. 310 of the 133rd General Assembly to make the following changes regarding several education studies that must be submitted by December 31, 2022:</p>  | No provision.                 |
| No provision.     | <p>Adds to the existing study of economically disadvantaged students requirements to (1) evaluate and determine the essential types and amounts of resources needed to provide economically disadvantaged students the emotional, social, and academic services necessary to ensure for success and (2) evaluate and revise the current definition of "economically disadvantaged student."</p> | No provision.                 |
| No provision.     | <p>Adds to the existing study of preschool education requirements to include (1) the cost effectiveness of continuing the existing multiple provider system, (2) ways in which the existing system may be better coordinated and cost effective, and (3) alternative ways in which the state can supply high quality preschool, especially for economically disadvantaged students.</p>         | No provision.                 |
| No provision.     | <p>Changes the existing study of incentives for rural districts serving identified gifted children as follows:</p>  | No provision.                 |
| (1) No provision. | <p>(1) Requires development of recommendations for such a program for school districts in all areas where minority and economically disadvantaged students are underrepresented in gifted identification and performance;</p>   | (1) No provision.             |
| (2) No provision. | <p>(2) Requires the recommendations to be for an incentive program for the applicable school districts to identify and provide services to students identified as gifted (rather than</p>   | (2) No provision.             |

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| (3) No provision.                                | <p>an incentive program for districts in rural areas that provide services to students identified as gifted as under current law); and</p> <p>(3) Requires the study’s findings to include recommendations for funding and staffing needs, professional development, parental education, and use of community resources.</p>  | (3) No provision.   |
| No provision.                                    | <p>Adds the newly created School Funding Oversight Commission (see EDUCD152) to the list of recipients for the current studies of economically disadvantaged students, preschool education, special education, ESCs, English learners, the cost to educate e-school students, the cost to operate community schools, the inventory of state budget line items providing funding services to children, and the study of transportation of community school and nonpublic school students.</p> <p><b>Fiscal effect: S.B. 310 of the 133rd General Assembly appropriated \$3 million in FY 2021 from lottery profits to fund the required education studies.</b></p> | No provision.   |
| <b>EDUCD200 ESC governing board subdistricts</b> |   |   |
| No provision.                                    | No provision.   | <p><b>Section: 733.50</b></p> <p>Permits an educational service center (ESC) board that has subdistricts to delay its next redistricting until July 1, 2022 instead of within 90 days after the official announcement of the results of the federal decennial census as under continuing law (generally the redistricting ensures each member fairly represents about the same number of people).</p> |
| No provision.                                    | No provision.   | <p>Requires the Superintendent of Public Instruction, by August 1, 2022, to redistrict an ESC, if a board fails to do so by July 1, 2022.</p>   |



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

No provision.

No provision.

Delays the first election for board members under the new organization until November 2023.

**Fiscal effect: Provides the applicable ESC boards with additional flexibility to complete the redistricting process.**

**Appropriation Language**

**EDUCD7 Operating Expenses**

**Section: 265.20**

Specifies that a portion of GRF appropriation item 200321, Operating Expenses, be used by ODE to provide matching funds under 20 U.S.C. 2321, which pertains to federal career and technical education assistance to the states.

**Section: 265.20**

Same as the Executive.

**Section: 265.20**

Same as the Executive.

**EDUCD8 Information Technology Development and Support**

**Section: 265.30**

Specifies that GRF appropriation item 200420, Information Technology Development and Support, be used to support the development and implementation of information technology solutions designed to improve the performance and services provided by ODE.

Permits this appropriation to also be used to support data-driven decision-making and differentiated instruction and to communicate academic content standards and curriculum models through the Internet.

**Section: 265.30**

Same as the Executive.

Same as the Executive.

**Section: 265.30**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD38 School Management Assistance**

**Section: 265.50**

Specifies that GRF appropriation item 200422, School Management Assistance, be used by ODE to provide fiscal technical assistance and in-service education for school district management personnel and to administer, monitor, and implement the fiscal caution, fiscal watch and fiscal emergency provisions of the Revised Code.

**Section: 265.50**

Same as the Executive.

**Section: 265.50**

Same as the Executive.

**EDUCD24 Policy Analysis**

**Section: 265.60**

Specifies the following regarding GRF appropriation item 200424, Policy Analysis:

Requires it to be used to support a system of administrative and statistical education information to be used for policy analysis.

Permits a portion to be used to maintain a longitudinal database to assess the impact of policies and programs on Ohio's education and workforce development systems.

Permits a portion to be used to develop and implement an evidence-based clearinghouse to support school improvement strategies as part of the Every Student Succeeds Act.

Permits it to be used to purchase or contract for the development of software systems or contract for policy studies that will assist in the provision and analysis of policy-related information.

**Section: 265.60**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 265.60**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD44 Ohio Educational Computer Network**

**Section: 265.70**

Specifies that GRF appropriation item 200426, Ohio Educational Computer Network, be used to maintain a system of information technology throughout Ohio and to provide technical assistance for such system. Makes the following earmarks:

(1) Up to \$9,686,658 in each fiscal year to support connection of all public school buildings and participating chartered nonpublic schools to the state's education network, to each other, and to the Internet.

(2) Up to \$4,843,329 in each fiscal year to support the activities of designated information technology centers and to monitor and support the quality of data submitted to ODE.

Specifies that the remainder of the appropriation be used to support a network of uniform and compatible computer-based information and instructional systems, the teacher student linkage/roster verification process, and the electronic sharing of student records and transcripts between entities.

**Section: 265.70**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**Section: 265.70**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**EDUCD25 Academic Standards**

**Section: 265.80**

Specifies that GRF appropriation item 200427, Academic Standards, be used to develop and communicate to school districts academic content standards and curriculum models and to develop professional development programs and other tools on the new content standards and model curriculum.

**Section: 265.80**

Same as the Executive.

**Section: 265.80**

Same as the Executive.

| Executive   | As Passed By House     | As Reported By Senate Finance  |
|---|------------------------|--|
| Requires ODE to utilize educational service centers in the development and delivery of professional development programs on content standards and model curriculum.   | Same as the Executive. | Same as the Executive.   |
| <b>EDUCD26 Student Assessment</b>   |                        |  |
| <b>Section: 265.90</b>  |                        |  |
| Earmarks up to \$2,760,000 of GRF appropriation item 200437, Student Assessment, in each fiscal year for costs associated with the state's early learning assessment work and diagnostic assessments.   | <b>Section: 265.90</b> | <b>Section: 265.90</b>   |
| Earmarks up to \$543,168 in each fiscal year to reimburse low-income students for a portion of the costs associated with Advanced Placement tests.  | Same as the Executive. | Same as the Executive.   |
| Specifies that the remainder of the appropriation be used to develop, field test, print, distribute, score, report results, and support other associated costs of required state assessments. Permits ODE to use the funds to update and develop certain diagnostic assessments for students in grades K-3. | Same as the Executive. | Same as the Executive, but broadens the scope of the earmark to also reimburse low-income students for a portion of the costs of College-Level Examination Program (CLEP) tests. |
| Authorizes the transfer in each fiscal year of unexpended and unencumbered GRF appropriations within ODE to GRF appropriation item 200437, Student Assessment, if the Superintendent of Public Instruction and the OBM Director determine that additional funds are needed to fully fund the assessments.   | Same as the Executive. | Same as the Executive.   |

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD27 Accountability/Report Cards**

**Section: 265.100**

Requires a portion of GRF appropriation item 200439, Accountability/Report Cards, in each fiscal year to be used to train district and regional specialists and district educators in the use of the value-added progress dimension and data as it relates to improving student achievement. Requires a portion of this funding to be provided to educational service centers to support training and professional development.

Specifies that the remainder of the appropriation be used to incorporate a statewide value-added progress dimension into performance ratings for school districts and develop an accountability system that includes the preparation and distribution of school report cards, funding and expenditure accountability reports, the development and maintenance of teacher value-added reports, the teacher student linkage/roster verification process, and the performance management section of ODE's website.

**Section: 265.100**

Same as the Executive.

Same as the Executive.

**Section: 265.100**

Same as the Executive.

Same as the Executive.

**EDUCD45 Child Care Licensing**

**Section: 265.100**

Requires GRF appropriation item 200442, Child Care Licensing, to be used to license and inspect preschool and school-age child care programs.

**Section: 265.100**

Same as the Executive.

**Section: 265.100**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD28 Education Management Information System**

**Section: 265.110**

Specifies that GRF appropriation item 200446, Education Management Information System, be used to improve the Education Management Information System (EMIS) and makes the following earmarks:

(1) Up to \$400,000 in each fiscal year to support grants to information technology centers to provide professional development opportunities to district and school personnel related to EMIS.

(2) Up to \$725,000 in each fiscal year to be distributed to information technology centers for costs related to processing, storing, and transferring data for the effective operation of EMIS.

Specifies that the remainder be used to develop and support data definitions and standards outlined in the EMIS guidelines, to implement recommendations of the EMIS Advisory Council and the Superintendent, to enhance data quality assurance practices, and to support responsibilities related to school report cards and value-added progress dimension calculations.

**Section: 265.110**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**Section: 265.110**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**EDUCD9 Educator Preparation**

**Section: 265.120**

Makes the following earmarks of GRF appropriation item 200448, Educator Preparation:

(1) Up to \$339,783 in each fiscal year for ODE to monitor and support Ohio's State System of Support under federal law.

**Section: 265.120**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

**Section: 265.120**

Same as the House, but makes the following changes:

(1) Same as the Executive.

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| (2) Up to \$67,957 in each fiscal year to support the Educator Standards Board and various school reforms.  | (2) Same as the Executive.  | (2) Same as the Executive.  |
| (3) \$2,000,000 in each fiscal year to support Teach for America.   | (3) Same as the Executive.  | (3) Same as the Executive.  |
| (4) \$1,000,000 in each fiscal year for the Bright New Leaders for Ohio Schools Program.  | (4) Same as the Executive.  | (4) No provision.   |
| (5) \$200,000 in each fiscal year to support FASTER Saves Lives training for selected school staff.   | (5) Same as the Executive.  | (5) Same as the Executive.  |
| (6) \$1,000,000 in each fiscal year to support professional development grants to educational service centers to train educators and related personnel in models of prevention of risky or harmful behaviors. | (6) Same as the Executive.  | (6) No provision.   |
| (7) No provision.   | (7) Up to \$250,000 in each fiscal year to support the SmartOhio Financial Literacy Program at the University of Cincinnati.  | (7) Same as the House, but increases the earmark to \$500,000 in each fiscal year.                    |
| (8) No provision.   | (8) \$250,000 in each fiscal year to support regionally tailored professional development and strategic training for teachers in STEM fields through the PAST Foundation's STEM Educator Professional Development Collaborative.  | (8) No provision.   |
| (9) No provision.   | (9) \$100,000 in each fiscal year to The Childhood League Center to provide intensive early intervention and educational services in Franklin County, to support the Play and Language for Autistic Youngsters (PLAY) Project in underserved counties, and to provide services and training for providers and families. Requires ODE to conduct a study concerning the results of the PLAY Project and submit a report of its findings by July 1, 2022. | (9) Same as the House, but removes the requirement for ODE to conduct a study concerning the program. |

Executive

As Passed By House

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(10) Permits the remainder to be used for implementation of teacher and principal evaluation systems, including incorporation of student growth as a metric in those systems, and teacher value-added reports.

(10) Same as the Executive.

(10) No provision.

Permits the recipients of grants awarded from this line item under H.B. 166 of the 133rd General Assembly to support high school teachers receiving credentialing to teach College Credit Plus courses to use the awards for expenses incurred through June 30, 2023.

Same as the Executive.

Same as the Executive.

**EDUCD10 Community Schools and Choice Programs**

**Section: 265.130**

Permits GRF appropriation item 200455, Community Schools and Choice Programs, to be used to operate school choice programs.

No provision.

Permits a portion of the appropriation in each fiscal year to be used by ODE for developing and conducting training sessions for sponsors and prospective sponsors of community schools and other schools participating in school choice programs.

**Section: 265.130**

Same as the Executive.

No provision.

Same as the Executive.

**Section: 265.130**

Same as the Executive, but changes the intent for this item to be for the operation of the Office of Community Schools and the Office of Nonpublic Educational Options.

Earmarks up to \$2,000,000 in each fiscal year from item 200455 for the Office of Nonpublic Educational Options to administer school choice programs.

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**EDUCD116 STEM Initiatives**

No provision.

**Section: 265.135**

Specifies that GRF appropriation item 200457, STEM Initiatives, be distributed to the Educational Service Center of the Western Reserve for a pilot project that supports innovative STEM initiatives for middle school students in Ashtabula, Cuyahoga, Geauga, Lake, Portage, and Trumbull counties affiliated with the Alliance for Working Together.

**Section: 265.135**

Same as the House.

No provision.

Requires the initiatives to provide middle school students with early access to programming, engineering design, and problem-solving skills.

Same as the House.

No provision.

Requires the Educational Service Center of the Western Reserve to submit a report that describes the progress of the pilot project by July 31, 2022.

Same as the House.

**EDUCD48 Education Technology Resources**

**Section: 265.140**

Makes the following earmarks to GRF appropriation item 200465, Education Technology Resources:

(1) Up to \$2,500,000 in each fiscal year for the Union Catalog and InfOhio Network.

(2) Up to \$1,778,879 in each fiscal year to provide grants to educational television stations working with partner education technology centers to provide public schools with instructional resources and services. Specifies that priority be given to resources and services aligned with state academic content standards. Specifies that such resources and services be based upon the advice and approval of ODE, based on a formula developed in consultation with educational

**Section: 265.140**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 265.140**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

television stations and educational technology centers.

Specifies that the remainder be used to support the training, technical support, guidance, and assistance with compliance reporting to school districts and public libraries applying for federal E-Rate funds; for oversight and guidance of school district technology plans; for support to district technology personnel; and for support of the development, maintenance, and operation of a network of computer-based information and instructional systems.

Same as the Executive.

Same as the Executive.

**EDUCD49 Industry-Recognized Credentials High School Students**

**Section: 265.145**

Makes the following earmarks to GRF appropriation item 200478, Industry-Recognized Credentials High School Students:

(1) Up to \$8,000,000 in each fiscal year to support payments to public schools whose students earn an industry-recognized credential or receive a journeyman certification. Requires the educating entity to inform students in career-technical education courses that lead to an industry-recognized credential about the opportunity to earn the credentials. Requires ODE, the Department of Higher Education, and the Governor's Office of Workforce Transformation (OWT) to develop a reimbursement schedule. Requires the educating entity to pay for the cost of the credential. Specifies that the educating entity may claim reimbursement up to six months after the student has graduated from high school. Requires ODE to prorate the payments if the amount appropriated is insufficient.

**Section: 265.145**

Same as the Executive.

(1) Same as the Executive.

No provision.

(1) No provision.

**Executive**

**As Passed By House**

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(2) Up to \$12,500,000 in each fiscal year to establish and operate the Innovative Workforce Incentive Program (IWIP), which will pay public schools \$1,250 for each qualifying credential earned by a student attending the school. Requires OWT to develop a list of credentials that qualify for the program. Requires ODE to prorate the payments if the amount appropriated is insufficient.

(2) Same as the Executive.

(2) No provision.

**EDUCD29 Pupil Transportation**

**Section: 265.150**

Makes the following earmarks to GRF appropriation item 200502, Pupil Transportation:

(1) Up to \$838,930 in each fiscal year for training school bus drivers and enrolling them in the retained applicant fingerprint database.

(2) No provision.

(3) Up to \$60,469,220 in each fiscal year for special education transportation reimbursements to school districts and county DD boards.

Specifies that the remainder of the appropriation be used for pupil transportation formula payments (see EDUCD81).

Requires a school district, if a parent, guardian, or other person in charge of a pupil accepts the offer of payment in lieu of providing transportation, to pay that parent, guardian,

**Section: 265.150**

Same as the Executive, but makes the following changes:

(1) Same as the Executive.

(2) \$250,000 in each fiscal year to fund transportation collaboration grants (see EDUCD157).

(3) Same as the Executive, but increases the earmark to \$117,469,220 in FY 2022 and \$123,469,200 in FY 2023 and makes conforming changes in recognition of the House's proposed school funding formula (see EDUCD80 and EDUCD155).

Same as the Executive, but makes conforming changes in recognition of the House's proposed school funding formula (see EDUCD81 and EDUCD30).

Same as the Executive.

**Section: 265.150**

Same as the House, but makes the following changes:

(1) Same as the Executive.

(2) No provision. (See EDUCD157.)

(3) Same as the House, but decreases the earmark to \$70,000,000 in FY 2022 and \$75,000,000 in FY 2023, makes conforming changes in recognition of the Senate's proposed school funding formula, and requires ODE to, if necessary, prorate the payments to fit the earmark (see EDUCD155 and EDUCD80).

Same as the House, but makes conforming changes in recognition of the Senate's proposed school funding formula (see EDUCD80).

Same as the Executive, but specifies the minimum payment in lieu of transportation be not less than 50% of the average cost of pupil transportation for the previous school year, as

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or other person at least \$250 and not more than the amount determined by ODE as the average cost of pupil transportation for the previous school year. Permits the payment to be prorated if the time period involved is only a part of the school year.

determined by the ODE.

**EDUCD137 Bus Purchase Allowance**

No provision.

**Section: 265.155**

Specifies that GRF appropriation item 200503, Bus Purchase Allowance, be used to distribute bus purchasing grants to traditional school districts (see EDUCD156).

No provision. (See EDUCD156.)

**EDUCD50 School Lunch Match**

**Section: 265.160**

Specifies that GRF appropriation item 200505, School Lunch Match, be used to provide matching funds to obtain federal funds for the school lunch program.

Permits any remaining appropriation to be used to partially reimburse school buildings required to have a school breakfast program.

**Section: 265.160**

Same as the Executive.

Same as the Executive.

**Section: 265.160**

Same as the Executive.

Same as the Executive.

**EDUCD11 Auxiliary Services**

**Section: 265.170**

Earmarks up to \$2,600,000 in each fiscal year of GRF appropriation item 200511, Auxiliary Services, for nonpublic school student participation in the College Credit Plus Program.

Specifies that the remainder of the appropriation be used for auxiliary services for chartered nonpublic schools.

**Section: 265.170**

Same as the Executive.

Same as the Executive.

**Section: 265.170**

Same as the Executive.

Same as the Executive.

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**EDUCD12 Nonpublic Administrative Cost Reimbursement**

**Section: 265.180**

Specifies that GRF appropriation item 200532, Nonpublic Administrative Cost Reimbursement, be used to reimburse chartered nonpublic schools for their administrative costs associated with maintaining their state charter.

Permits the reimbursements to be up to \$446 per student, notwithstanding the statutory cap of \$360 per student.

**Section: 265.180**

Same as the Executive.

Same as the Executive, but increases the allowed amount to \$475 per student.

**Section: 265.180**

Same as the Executive.

Same as the House, but makes a conforming change to remove the provision that permits the allowed amount to exceed the statutory cap (the statutory cap is eliminated, see EDUCD180).

**EDUCD51 Special Education Enhancements**

**Section: 265.190**

Makes the following earmarks to GRF appropriation item 200540, Special Education Enhancements:

(1) Up to \$33,000,000 in each fiscal year to fund special education and related services for school-age children at county DD boards and state institutions.

(2) Up to \$1,350,000 in each fiscal year for parent mentoring programs.

(3) Up to \$3,000,000 in each fiscal year for school psychology interns.

(4) Up to \$3,500,000 in each fiscal year to be transferred to the Opportunities for Ohioans with Disabilities Agency via an intrastate transfer voucher. Requires the transferred funds to be used as state matching funds to draw down available federal funding for vocational rehabilitation services. Specifies that funding be used to hire vocational

**Section: 265.190**

Same as the Executive, but makes the following changes:

(1) Same as the Executive, but increases the earmark to \$37,000,000 in each fiscal year and makes conforming changes in recognition of the House's proposed school funding formula (see EDUCD80 and EDUCD158).

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**Section: 265.190**

Same as the House, but makes the following changes:

(1) Same as the House, but makes a conforming change in recognition of the Senate's proposed school funding formula (see EDUCD80 and EDUCD158) .

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

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rehabilitation counselors to provide transition services for students with disabilities. Requires the agencies to enter into an interagency agreement to specify the responsibilities of each agency under the program.

(5) Up to \$2,000,000 in each fiscal year to be used to build capacity to deliver a regional system of training, support, coordination, and direct service for secondary transition services for students with disabilities beginning at age 14.

Specifies that the remainder of the appropriation be used to distribute preschool special education funding for school districts and state institutions. Requires funded entities to adhere to Ohio's early learning program standards, to participate in and be rated through the Step Up to Quality program, to document child progress using research-based indicators, and to report results annually.

(5) Same as the Executive.

Same as the Executive, but makes conforming changes in recognition of the House's proposed school funding formula (see EDUCD80 and EDUCD159).

(5) Same as the Executive.

Same as the House, but removes the requirement that funded entities participate in and be rated through the Step Up to Quality program and makes a conforming change in recognition of the Senate's proposed school funding formula (see EDUCD80 and EDUCD159).

**EDUCD52 Career-Technical Education Enhancements**

**Section: 265.200**

Makes the following earmarks to GRF appropriation item 200545, Career-Technical Education Enhancements:

(1) No provision.

(2) Up to \$2,563,568 in each fiscal year to fund secondary career-technical education at correctional institutions, the School for the Deaf, and the State School for the Blind. Notwithstanding the statutory unit funding formula and specifies that the funding be distributed using a grant-based methodology.

**Section: 265.200**

Same as the Executive, but makes the following changes to the earmarks:

(1) Up to \$4,200,000 in FY 2022 and up to \$8,400,000 in FY 2023 for career awareness and exploration funds (see EDUCD154).

(2) Same as the Executive.

**Section: 265.200**

Same as the House, but makes the following changes:

(1) No provision. (See EDUCD154.)

(2) Same as the Executive.

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| (3) Up to \$2,686,474 in each fiscal year to fund competitive expansion grants to tech prep consortia.  | (3) Same as the Executive.   | (3) Same as the Executive.  |
| (4) Up to \$3,000,850 in each fiscal year to support existing High Schools That Work (HSTW) sites, develop and support new sites, fund technical assistance, and support regional centers and middle school programs. | (4) Same as the Executive.   | (4) Same as the Executive.  |
| (5) Up to \$600,000 in each fiscal year to fund the Agriculture 5th Quarter Project.  | (5) Same as the Executive.   | (5) Same as the Executive.  |
| (6) Up to \$450,000 in each fiscal year to fund the P-Tech Model of Education Pilot Program (see EDUCD59).  | (6) Same as the Executive, but decreases the earmark to up to \$210,000 in each fiscal year.   | (6) No provision. (See EDUCD59.)  |
| (7) No provision.   | (7) Up to \$240,000 in each fiscal year to support the Ohio Code-Scholar Pilot Program (see EDUCD128).   | (7) Same as the House.  |
| (8) Up to \$550,000 in each fiscal year to support career planning and reporting through the OhioMeansJobs website.   | (8) Same as the Executive.   | (8) Same as the Executive.  |
| (9) Earmarks \$150,000 in each fiscal year for the Ohio ProStart school restaurant program.   | (9) Same as the Executive, but increases the earmark to \$250,000 in each fiscal year.   | (9) Same as the House.  |
| <b>EDUCD60 Foundation Funding - All Students</b>  | <b>Section: 265.210</b>  | <b>Section: 265.210</b>   |
| Section: 265.210<br>Makes the following earmarks to GRF appropriation item 200550, Foundation Funding:  | Same as the Executive, but makes the following changes:  | Same as the House, but renames item 200550 as "Foundation Funding - All Students" and makes the following changes:  |
| (1) Up to \$40,000,000 in each fiscal year for additional state aid to school districts, JVSDs, and community and STEM schools for special education students exceeding specified catastrophic cost thresholds.       | (1) Replaces the Executive provision with a provision that sets aside up to \$95.4 million in FY 2022 and up to \$93.5 million in FY 2023 of the formula aid allocated to school districts, JVSDs, community schools, and STEM schools for | (1) Same as the House, but replaces the specified dollar amounts with an unspecified amount for each fiscal year calculated by ODE for the same purpose (see EDUCD143). |

Executive

As Passed By House

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|  |  |   |
|--|--|---|
|  | those payments (see EDUCD143).   |   |
| (2) Up to \$3,800,000 in each fiscal year to fund gifted education units at ESCs. Specifies that the distribution of gifted education funds to ESCs is based on the unit methodology used prior to FY 2010.  | (2) Same as the Executive.   | (2) Same as the Executive.  |
| (3) Up to \$40,000,000 in each fiscal year to fund the state reimbursement of ESCs (see EDUCD55).  | (3) Same as the Executive, but increases the earmark to up to \$42,500,000 in FY 2022 and up to \$45,000,000 in FY 2023.   | (3) Same as the House, but increases the earmark to up to \$43,000,000 in FY 2022 and decreases the earmark to up to \$44,500,000 in FY 2023 (see EDUCD55).   |
| (4) Up to \$3,500,000 in each fiscal year to be distributed to ESCs through a grant process for school improvement initiatives and for the provision of technical assistance to schools and districts as required by federal law.  | (4) Same as the Executive.   | (4) Same as the Executive.  |
| (5) Up to \$7,000,000 in each fiscal year for payments to guarantee funding for certain school districts experiencing loss due to decreases in public utility tangible personal property tax valuation (see EDUCD32).  | (5) Same as the Executive.   | (5) Same as the Executive.  |
| (6) Up to \$26,400,000 in each fiscal year to support school choice programs.  | (6) Same as the Executive, but reduces the earmark to up to \$2,000,000 in each fiscal year and specifies that the funds be used for administration of school choice programs.   | (6) Same as the House, but changes the purpose of the earmark to be for the administration of state scholarship programs (funds for administration of school choice programs are also earmarked from GRF line item 200455, Community Schools and Choice Programs, see EDUCD10). |
| (7) Up to \$23,501,887 in each fiscal year of the foundation aid allocated to the Cleveland Municipal School District for the Cleveland Scholarship and Tutoring Program. Earmarks, of that amount, up to \$1,000,000 in each fiscal year for the district to provide tutorial assistance. | (7) Same as the Executive, but increases the earmark to up to \$47,901,887 in each fiscal year and allocates this amount directly from item 200550 instead of through a deduction of the Cleveland Municipal School District's foundation aid (thereby funding the entirety of the program directly instead of through a combination of a deduction and direct state payments supported by (6) above (see EDUCD153). | (7) No provision. (Supports direct funding for the Cleveland Scholarship and Tutoring Program under the earmark in (17) below.)   |



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(8) Up to \$2,000,000 in each fiscal year for home-instructed students to participate in the College Credit Plus Program.

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

(8) Same as the House.

(9) An amount to fund foundation aid payments for JVSs (see EDUCD61).

(9) Same as the Executive, but makes conforming changes in recognition of the House's proposed school funding formula (see EDUCD61, EDUCD80, and EDUCD150).

(9) Same as the Executive, but makes conforming changes in recognition of the Senate's proposed school funding formula (see EDUCD61, EDUCD80, and EDUCD150).

(10) Up to \$700,000 in each fiscal year for the private treatment facility project (see EDUCD17).

(10) Same as the Executive.

(10) Same as the Executive.

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

(11) Same as the Executive.

(11) Same as the Executive.

(12) A portion in each fiscal year to pay community schools and STEM schools the amount calculated for the graduation and third-grade reading bonuses (see EDUCD62 and EDUCD63).

(12) Replaces the Executive provision with a provision that provides an amount to (directly) pay foundation aid for community and STEM schools in accordance with the House's proposed school funding formula (see EDUCD62 and EDUCD63).

(12) No provision. (Supports direct payment for community and STEM school students under the earmark in (17) below.)

(13) No provision.

(13) An amount to (directly) pay scholarships under the Autism, Jon Peterson Special Needs, and performance-based EdChoice scholarship programs (see EDUCD153).

(13) No provision. (Supports direct payment of these scholarships under the earmark in (17) below.)

(14) Up to \$1,760,000 in each fiscal year for duties and activities related to the establishment of academic distress commissions. Permits a portion of the funds to be used by ODE to provide support and assistance to an academic distress commission and the districts subject to an academic distress commission.

(14) Same as the Executive.

(14) Same as the Executive.

(15) Up to \$1,500,000 in each fiscal year to support the Ohio STEM Network to expand free STEM programming, to create regional STEM supports for underserved student populations, and to support the STEM school designation process.

(15) Same as the Executive.

(15) Same as the Executive.

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(16) No provision.

(16) Up to \$2,500,000 in each fiscal year to make supplemental payments to dropout prevention and recovery e-schools participating in the supplemental funding pilot program (see EDUCD124). Requires ODE to prorate payments if the amount is insufficient.

(16) Same as the House.

(17) Specifies that the remainder be used to distribute to city, local, and exempted village school districts the amounts calculated for foundation aid (see EDUCD80 and EDUCD81).

(17) Same as the Executive, but makes conforming changes in recognition of the House's proposed school funding formula (see EDUCD81).

(17) Same as the Executive, but also (a) directly funds community and STEM schools and state scholarship programs through this earmark, (b) specifies that it be used in conjunction with DPF Fund 5VS0 appropriation item 200604 and SLF Fund 7017 appropriation item 200612, both renamed "Foundation Funding - All Students," and (c) makes conforming changes in recognition of the Senate's school funding formula (see EDUCD62, EDUCD63, EDUCD80, EDUCD81, EDUCD149, EDUCD150, EDUCD153, and EDUCD195).

Specifies that GRF appropriation items 200502, Pupil Transportation, 200540, Special Education Enhancements, and 200550, Foundation Funding, other than specific set-asides, are to fund state formula aid obligations. Provides that ODE seek approval from the OBM Director to transfer funds among these items, or other GRF appropriation items in which there are excess appropriation, in order to meet these obligations.

Same as the Executive.

Same as the Executive, but (1) renames item 200550 as described above, (2) removes the outdated reference to item 200540 as being a GRF item used to pay state formula aid obligations, and (3) specifies that the remaining GRF appropriation items are used to pay state formula aid obligations for state scholarship programs, to conform with the bill's direct funding of such programs (see EDUCD153).

Authorizes the payment of school operating funds in amounts substantially equal to those made in the prior year until the new school funding formulas take effect.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD31 Literacy Improvement**

**Section: 265.240**

No provision.

No provision.

No provision.

No provision.

No provision.

Specifies that GRF appropriation item 200566, Literacy Improvement, be used by ODE to support early literacy activities to align state, local, and federal efforts to order to bolster all students' reading success. Requires funds to be distributed to ESCs to establish and support regional literacy

**Section: 265.240**

No provision. (See EDUCD126)

No provision. (See EDUCD126)

No provision. (See EDUCD126)

No provision. (See EDUCD126)

No provision. (See EDUCD126)

Same as the Executive.

**Section: 265.240**

Earmarks \$500,000 in each fiscal year from GRF appropriation item 200566, Literacy Improvement, to expand the federally funded Model Demonstration Project for Early Identification of Students with Dyslexia Grant.

Requires the Superintendent of Public Instruction to award grants to public and nonpublic schools to support additional pilot programs to address literacy in preschool through first grade. Permits the funds to be used for up to two years after they are awarded.

Requires schools wishing to participate to apply to the Superintendent and the Superintendent to select participating schools according to criteria determined by the Superintendent.

Requires participating school districts and schools to (1) receive professional learning and support for teachers and principals to improve their ability to provide instruction for children with dyslexia and (2) collaborate with ODE to identify professional learning opportunities aligned to the science of reading.

Permits ODE to use up to 10% of the earmark in each fiscal year for program administration and for support of districts and schools in identifying and serving students with dyslexia.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

professional development teams.

Permits a portion of the funds to be used by ODE for program administration, monitoring, technical assistance, support, research, and evaluation related to early literacy activities.

Same as the Executive.

Same as the Executive.

**EDUCD33 Adult Education Programs**

**Section: 265.250**

Earmarks up to \$6,300,000 in each fiscal year from GRF appropriation item 200572, Adult Education Programs, to make payments under the 22+ Adult High School Program to participating school districts, community schools, community and technical colleges and university branches for students ages 22 and above who enroll to earn a high school diploma.

Specifies that a portion of item 200572 be used to make payments to institutions participating in the Adult Diploma Pilot Program and to reimburse career-technical planning districts (CTPDs) for the vouchers provided to students who take an approved high school equivalency exam for the first time.

Requires CTPDs to reimburse individuals taking a nationally recognized high school equivalency examination approved by ODE for the first time for application or examination fees in excess of \$40, up to a maximum reimbursement of \$80. Requires each CTPD to designate a site or sites where individuals may register and take an approved examination and to offer career counseling services for each individual that registers for the examination. Permits any remaining

**Section: 265.250**

Same as Executive.

Same as Executive, but also permits, upon the request of the Superintendent, the Director of Budget and Management to transfer appropriation from GRF appropriation item 200550, Foundation Funding, to item 200572, if funds are insufficient to make payments to institutions participating in the Adult Diploma Pilot Program. Specifies such a transfer is subject to an available balance in item 200550 and the approval of the Controlling Board.

Same as Executive.

**Section: 265.250**

Same as the Executive, but increases the earmark to up to \$6,900,000.

Same as the House.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

funds in each fiscal year to be reimbursed to the Department of Youth Services and the Department of Rehabilitation and Correction for individuals in these facilities who have taken the approved examination for the first time. Prohibits the amounts reimbursed for these individuals from exceeding the per individual amounts reimbursed to other individuals for the approved examination.

Permits any unexpended funds in each fiscal year for the Adult Diploma and 22+ Adult High School programs to be encumbered by ODE and remain available for payment within two years of the fiscal year in which the funds were originally appropriated, in accordance with guidelines established by the Superintendent of Public Instruction.

Permits a portion of the appropriation to be used for program administration, technical assistance, support, research, and evaluation of adult education programs including high school equivalency examinations approved by ODE.

Same as Executive.

Same as the Executive.

Same as Executive.

Same as the Executive.

**EDUCD13 EdChoice Expansion**

**Section: 265.260**

Specifies that GRF appropriation item 200573, EdChoice Expansion, be used to pay for EdChoice scholarships for students from families with incomes below 250% of the federal poverty level regardless of the performance of the school the student would otherwise attend.

Limits the number of scholarships awarded under the income-based program from exceeding the number that can be funded with the appropriation.

**Section: 265.260**

Same as the Executive.

Same as the Executive.

No provision. (Instead, funds income-based EdChoice scholarships through renamed GRF appropriation item 200550, Foundation Funding - All Students, see EDUCD60).

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD34 Half-Mill Maintenance Equalization**

**Section: 265.260**

Specifies that GRF appropriation item 200574, Half-Mill Maintenance Equalization, be used to make payments under the Half-Mill Maintenance Equalization Program, which provides payments to equalize below average per-pupil tax revenues from the one-half mill levy required of districts to help pay for maintenance costs of new or renovated buildings financed through the Classroom Facilities Assistance Program.

**Section: 265.260**

Same as the Executive.

**Section: 265.260**

Same as the Executive.

**EDUCD115 Adaptive Sports Program**

No provision.

**Section: 265.260**

Specifies that GRF appropriation item 200576, Adaptive Sports Program, be used by ODE, in collaboration with the Adaptive Sports Program of Ohio, to fund adaptive sports programs in school districts across the state.

**Section: 265.260**

Same as the House.

**EDUCD117 Program and Project Support**

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

**Section: 265.275**

Makes the following earmarks to GRF appropriation item 200597, Program and Project Support:

(1) No provision.

(2) \$1,000,000 in each fiscal year to be distributed to Ohio Adolescent Health Centers to support risk avoidance education initiatives.

(3) No provision.

**Section: 265.275**

Same as the House, but makes the following changes:

(1) \$1,100,000 in each fiscal year for the Supporting Partnerships to Assure Ready Kids (SPARK) program in Ohio.

(2) Same as the House.

(3) \$750,000 in each fiscal year to support the expansion of the CarePortal technology platform.

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| (4) No provision.   | (4) \$188,000 in each fiscal year to be distributed to the Cleveland Museum of Natural History to support its STEM-based educational programming. | (4) Same as the House, but increases the earmark to \$375,000 in each fiscal year.   |
| (5) No provision.   | (5) No provision.   | (5) \$300,000 in each fiscal year to be distributed to the Cincinnati Zoo and Botanical Garden to support educational programming and scholarships for economically disadvantaged students.                    |
| (6) No provision.   | (6) No provision.   | (6) \$125,000 in each fiscal year to be distributed to the South-Western City School District to provide additional operating support for the South-Western Career Academy to hire a director and instructors. |
| (7) No provision.   | (7) No provision.   | (7) \$100,000 in each fiscal year to be distributed to the Cincinnati Museum Center to support its STEM-based educational programming.   |
| (8) No provision.   | (8) No provision.   | (8) \$50,000 in each fiscal year to be distributed to the Ohio Valley Youth Network to support its Sycamore Youth Center Education Enrichment and Life Skills After School Program.                            |
| <b>EDUCD53 Medicaid in Schools Program</b>  |   |  |
| <b>Section: 265.280</b><br>Specifies that GRF appropriation item 657401, Medicaid in Schools Program, be used to support the Medicaid in Schools Program. | <b>Section: 265.280</b><br>Same as the Executive.   | <b>Section: 265.280</b><br>Same as the Executive.  |

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD14 Teacher Certification and Licensure**

**Section: 265.300**

Specifies that DPF Fund 4L20 appropriation item 200681, Teacher Certification and Licensure, be used in each fiscal year to administer and support teacher certification and licensure activities.

Permits a portion to be used for implementation of teacher and principal evaluation systems.

**Section: 265.300**

Same as the Executive.

Same as the Executive.

**Section: 265.300**

Same as the Executive.

Same as the Executive.

**EDUCD54 School District Solvency Assistance**

**Section: 265.320**

Specifies that funds in DPF Fund 5H30 appropriation item 200687, School District Solvency Assistance, be used to provide assistance and grants to school districts to enable them to remain solvent. Requires that assistance and grants be subject to the approval of the Controlling Board.

Requires the Superintendent of Public Instruction to determine the allocations for (1) the School District Shared Resource Account to make advances to districts that must be repaid and (2) the Catastrophic Expenditures Account, used to make grants to school districts that need be repaid only if the district receives third party reimbursement funding.

Permits the OBM Director to make cash transfers into the School District Solvency Assistance Fund (Fund 5H30) in each fiscal year from the GRF or any funds used by ODE to maintain sufficient cash balances in the fund. Appropriates any funds so transferred. Requires the Director to notify the Controlling Board of any such transfers.

**Section: 265.320**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 265.320**

Same as the Executive.

Same as the Executive.

Same as the Executive.



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

Permits, if the cash balance of Fund 5H30 is insufficient to pay solvency assistance, and with approval of the Controlling Board, the transfer of cash from the Lottery Profits Education Reserve Fund (Fund 7018) to Fund 5H30 to provide assistance and grants. Appropriates any funds so transferred to Fund 5H30 appropriation item 200670, School District Solvency Assistance - Lottery.

Same as the Executive.

Same as the Executive.

**EDUCD84 Foundation Funding and Student Wellness and Success**

**Section: 265.323**

Specifies that DPF Fund 5VSO appropriation item 200604, Student Wellness and Success (which is supported by cash transfers from the GRF), be used to support services that address nonacademic barriers to student success at school districts, JVSs, community schools, and STEM schools. (See EDUCD83).

**Section: 265.323**

Replaces the Executive provision with a provision specifying that item 200604 be used in conjunction with GRF appropriation item 200550, Foundation Funding, and SLF Fund 7017 appropriation item 200612, Foundation Funding, to make payments for disadvantaged pupil impact aid (see EDUCD144) and the portions of the state share of the base cost that are attributable to the staffing cost for the student wellness and success component of the base cost (an element of the student support base cost in the House's proposed funding formula), as determined by ODE (see EDUCD139, for example).

**Section: 265.323**

Replaces the House provision with provisions that (1) earmark \$350,000,000 in FY 2022 and \$300,000,000 in FY 2023 from item 200604, renamed "Foundation Funding - All Students," to distribute funds under the modified formulas for student wellness and success funds and enhancement funds to support services that address nonacademic barriers to student success (see EDUCD83) and (2) specify the remainder of item 200604 be used in conjunction with renamed GRF line item 200550, Foundation Funding - All Students, and renamed SLF Fund 7017 line item 200612, Foundation Funding - All Students, to pay state operating funding for traditional school districts and community and STEM schools and state scholarships (see EDUCD81).

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD64 Lottery Profits Education Fund**

**Section: 265.330**

Specifies that SLF Fund 7017 appropriation item 200612, Foundation Funding, be used in conjunction with GRF appropriation item 200550, Foundation Funding, to provide formula aid payments to school districts.

Requires ODE, with the approval of the OBM Director, to determine the monthly distribution schedules of items 200550 and 200612.

**Section: 265.330**

Same as the Executive.

Same as the Executive.

**Section: 265.330**

Same as the Executive, but (a) renames appropriation item 200612 as "Foundation Funding - All Students," (b) specifies that it also be used in conjunction with renamed DPF Fund 5VSO appropriation item 200604, Foundation Funding - All Students, to provide formula aid payments, and (c) makes conforming changes in recognition of the Senate's school funding formula (see EDUCD80 and EDUCD81). (GRF appropriation item 200550 is also renamed as "Foundation Funding - All Students," see EDUCD60)

Same as the Executive.

**EDUCD127 Accelerate Great Schools**

No provision.

**Section: 265.333**

Specifies that SLF Fund 7017 appropriation item 200614, Accelerate Great Schools, be used to support the Accelerate Great Schools public-private partnership, which aims to increase access to high-quality schools for underserved students in Cincinnati.

**Section: 265.333**

Same as the House.

**EDUCD126 Literacy Improvement**

No provision.

**Section: 265.333**

Specifies that SLF Fund 7017 appropriation item 200616, Literacy Improvement, be used to expand the federally funded Model Demonstration Project for Early Identification of Students with Dyslexia Grant.

No provision (moves to GRF appropriation item 200566, Literacy Improvement, see EDUCD31).

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| No provision.   | Requires schools wishing to participate to apply to the Superintendent and the Superintendent to select participating schools according to criteria determined by the Superintendent.   | No provision (moves to GRF appropriation item 200566, Literacy Improvement, see EDUCD31). |
| No provision.   | Requires participating school districts and schools to (1) receive professional learning and support for teachers and principals to improve their ability to provide instruction for children with dyslexia and (2) collaborate with ODE to identify professional learning opportunities aligned to the science of reading. | No provision (moves to GRF appropriation item 200566, Literacy Improvement, see EDUCD31). |
| No provision.   | Permits ODE to use up to 10% of the amount appropriated in each fiscal year for program administration and for support of districts and schools in identifying and serving students with dyslexia.  | No provision (moves to GRF appropriation item 200566, Literacy Improvement, see EDUCD31). |
| No provision.   | Requires the Superintendent of Public Instruction to award grants to public and nonpublic schools to support additional pilot programs to address literacy in preschool through first grade.  | No provision (moves to GRF appropriation item 200566, Literacy Improvement, see EDUCD31). |
| <b>EDUCD18 Quality Community Schools Support</b>  |   |   |
| <b>Section: 265.270</b>   | <b>Section: 265.335</b>   | <b>Section: 265.335</b>   |
| Specifies that GRF appropriation item 200589, Quality Community Schools Support, be used by ODE to make payments to community schools that are designated as Community Schools of Quality.  | Same as the Executive, but uses SLF Fund 7017 appropriation item 200631, Quality Community Schools Support, to make the payments (this item currently funds the program under H.B. 166 of the 133rd General Assembly).  | Same as the House.  |
| Specifies that a Community School of Quality receives per-pupil funding of \$1,750 for students who are identified as economically disadvantaged and \$1,000 for students not identified as economically disadvantaged, subject to the appropriation. | Same as the Executive.  | Same as the Executive.  |

| Executive   | As Passed By House         | As Reported By Senate Finance |
|---|----------------------------|-------------------------------|
| Requires, generally, that the payments be based on the number of students enrolled in the community school for the prior fiscal year.   | Same as the Executive.     | Same as the Executive.        |
| Qualifies a community school as a Community School of Quality if the school satisfies at least one of the following conditions:   | Same as the Executive.     | Same as the Executive.        |
| (1) The school’s sponsor is rated “exemplary” or “effective” on sponsor’s most recent evaluation, the school’s two most recent performance index scores are higher than the school district in which school is located, the school’s most recent overall grade for value added is “A” or “B” or the school is in its first or second year of operation and did not receive a value-added grade, and at least 50% of enrolled students are economically disadvantaged.   | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) The school’s sponsor is rated “exemplary” or “effective” on sponsor’s most recent evaluation, the school is in its first year of operation, the school is replicating the operational and instructional model used by a school of quality designated under condition (1), and if the school has an operator, the operator received at least a "C" on its most recent performance report.  | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) The school’s sponsor is rated “exemplary” or “effective” on sponsor’s most recent evaluation, the school contracts with an operator that operates schools in other states, either one of the operator’s schools received funding through the Federal Charter School Program or the Charter School Growth Fund or one of the operator’s out-of-state schools performed better than the school district in which the in-state school is located as determined by ODE, at least 50% of enrolled students are economically disadvantaged, the | (3) Same as the Executive. | (3) Same as the Executive.    |

Executive

As Passed By House

As Reported By Senate Finance

operator is in good standing in all states, and ODE has determined the operator does not have financial viability issues preventing it from effectively operating a community school in Ohio. The school must also be in its first year of operation.

Specifies that a school designated as a Community School of Quality maintains that designation for two fiscal years following the fiscal year it initially gains that designation. Permits a designated school to renew its designation each year that it satisfies the criteria in (1) above and requires the school to maintain that designation for the two fiscal years following each fiscal year in which the school satisfies the criteria in (1).

**Fiscal effect: The bill appropriates \$54.0 million in each fiscal year from GRF appropriation item 200589, Quality Community Schools Support, to make the payments.**

Same as the Executive.

**Fiscal effect: The bill appropriates \$30.0 million in each fiscal year from SLF Fund 7017 appropriation item 200631, Quality Community Schools Support, to make the payments.**

Same as the Executive, but specifies that schools designated based on report cards issued for the 2017-2018 and 2018-2019 school years can continue to renew their designations.

**Fiscal effect: Same as the House, but increases the appropriation to \$54.0 million in each fiscal year.**

**EDUCD98 Enrollment Growth Supplement**

**Section: 265.337**

Requires SLF Fund 7017 appropriation item 200636, Enrollment Growth Supplement, to be used for providing an additional payment to certain school districts experiencing a growth in enrollment between FY 2016 and FY 2019 (see EDUCD81).

No provision. (See EDUCD81; replaced by provisions that, in general, phase in the school funding formula proposed in H.B. 1 of the 134th General Assembly. The main new formula Compare Doc items are EDUCD138 through EDUCD150, EDUCD30, and EDUCD120.)

No provision. (See EDUCD81.)

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD16 Community School Facilities**

**Section: 265.340**

Specifies that SLF Fund 7017 appropriation item 200684, Community School Facilities, be used to pay brick-and-mortar community and STEM schools an amount equal to \$250 per pupil and internet- and computer-based community schools an amount equal to \$25 per pupil in each fiscal year for facilities-related costs.

Requires ODE to prorate payments if the amount appropriated is insufficient.

**Section: 265.340**

Same as the Executive.

Same as the Executive.

**Section: 265.340**

Same as the Executive, but increases the per-pupil payment to brick-and-mortar community and STEM schools to \$750.

Same as the Executive.

**EDUCD65 Lottery Profits Education Reserve Fund**

**Section: 265.350**

Creates the Lottery Profits Education Reserve Fund (Fund 7018), a continuation of current law.

Permits the OBM Director to transfer cash from Fund 7018 to the Lottery Profits Education Fund (Fund 7017) in both fiscal years.

Requires the Lottery Commission Director to certify on July 15, 2021, the amount by which lottery profits exceeded \$1,177,000,000 in FY 2021 and on July 15, 2022, the amount by which lottery profits exceeded \$1,234,000,000 in FY 2022, to the OBM Director.

Permits the OBM Director to transfer cash in excess of the amounts necessary to support appropriations in Fund 7017 to Fund 7018.

**Section: 265.350**

Same as the Executive.

Same as the Executive, but also requires the OBM Director to transfer \$12.5 million cash in FY 2022 and \$45.0 million cash in FY 2023 from Fund 7018 to Fund 7017.

Same as the Executive, but requires the Lottery Commission Director to certify the amount by which lottery profits exceeded \$1,234,500,000 in FY 2021.

Same as the Executive, but requires the transfers.

**Section: 265.350**

Same as the Executive.

Same as the House.

Same as the House, but requires the Lottery Commission Director to certify the amount by which lottery profits exceeded \$1,260,200,000 in FY 2021.

Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**EDUCD134 Federal Coronavirus School Relief**

No provision.

**Section: 265.355**

Earmarks \$250,000 in each fiscal year from FED Fund 3HSO appropriation item 200640, Federal Coronavirus School Relief, to support the Career Promise Academy Summer Demonstration Pilot Program (see EDUCD133). Requires ODE to support this set-aside using state activity funds provided under the federal Consolidated Appropriations Act, 2021 (that act authorizes a state to reserve up to 10% of its Elementary and Secondary School Emergency Relief Fund allocation, including up to 0.5% of its allocation for administrative costs and the remainder for state activity funds).

**Section: 265.355**

No provision.

No provision.

No provision.

Specifies that FED Fund 3HSO appropriation item 200640, Federal Coronavirus School Relief, be used to support ACE education savings accounts (see EDUCD206). Requires ODE to support this set-aside using state activity funds provided under the federal Consolidated Appropriations Act, 2021.

No provision.

No provision.

Reappropriates the unexpended and unencumbered balance of this line item at the end of FY 2022 to FY 2023 for the same purpose.

**EDUCD56 Earmark accountability**

**Section: 265.400**

Authorizes the Superintendent of Public Instruction to request an annual accountability report from any entity that receives a budget earmark under ODE's budget.

Requires that the report be submitted to ODE and House and Senate committees primarily concerned with education funding to the list of recipients.

**Section: 265.400**

Same as the Executive.

Same as the Executive.

**Section: 265.400**

Same as the Executive.

Same as the Executive.

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| Prohibits the provision of funds to an earmarked entity for a fiscal year until its report for the prior fiscal year has been submitted, if the entity received an earmark.   | Same as the Executive.   | Same as the Executive.   |
| <p><b>EDUCD70 Prioritize unused federal funds</b></p> <p><b>Section: 265.490</b></p> <p>Directs ODE to use any unused portion of the Title IV, Part A federal block grant funds to pay for the cost of Advanced Placement (AP) or International Baccalaureate (IB) exams for low-income students.</p> <p><b>Fiscal effect: Federal law permits ODE to set aside up to 5% of the block grant award for state activities, including reimbursement of AP and IB test fees for economically disadvantages students. These funds are appropriated in Fund 3H10 appropriation item 200634, Student Support and Academic Enrichment.</b></p> | <p><b>Section: 265.490</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Section: 265.490</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |



Executive

As Passed By House

As Reported By Senate Finance

**FUNCD1** Public Records Law exemption for preneed funeral contracts

No provision.

No provision.

**R.C. 149.43**

Exempts from the disclosure requirements of Ohio Public Records Law preneed funeral contracts, and contract terms and personally identifiable information of a preneed contract, contained in mandatory reports submitted to the Board of Embalmers and Funeral Directors.

**Fiscal effect: None.**

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**PAYCD1 Payroll Deduction Fund**

**Section: 271.20**

Requires that Payroll Deduction Fund (Fund 1240) appropriation item 995673, Payroll Deductions, be used to make payments pursuant to R.C. 125.21 for withheld taxes, the employee's retirement contributions, and voluntary deductions. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**PAYCD2 Accrued Leave Liability Fund**

**Section: 271.20**

Requires that Accrued Leave Liability Fund (Fund 8060) appropriation item 995666, Accrued Leave Fund, be used to make payments pursuant to RC 125.211 for accrued vacation, sick, and personal leave to employees leaving state employment, as well as to existing employees for annual sick and personal leave conversion. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**PAYCD3 State Employee Disability Leave Benefit Fund**

**Section: 271.20**

Requires that State Employee Disability Leave Benefit Fund (Fund 8070) appropriation item 995667, Disability Fund, be used to make payments pursuant to RC 124.83 for state employee disability benefits. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**PAYCD4 State Employee Health Benefit Fund**

**Section: 271.20**

Requires that State Employee Health Benefit Fund (Fund 8080) appropriation item 995668, State Employee Health Benefit Fund, be used to make payments pursuant to RC 124.87 for medical, mental health, prescription, dental, and vision coverage provided to state employees. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**PAYCD5 Dependent Care Spending Fund**

**Section: 271.20**

Requires that Dependent Care Spending Fund (Fund 8090) appropriation item, 995669, Dependent Care Spending Account, be used to make payments pursuant to RC 124.822 for state employees enrolled in the Dependent Care Spending Account Program. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**PAYCD6 Life Insurance Investment Fund**

**Section: 271.20**

Requires that Life Insurance Investment Fund (Fund 8100) appropriation item 995670, Life Insurance Investment Fund, be used to pay for the costs of the state's life insurance benefit program that provides coverage for exempt state employees pursuant to RC 125.212. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**PAYCD7 Parental Leave Benefit Fund**

**Section: 271.20**

Requires that Parental Leave Benefit Fund (Fund 8110) appropriation item 995671, Parental Leave Benefit Fund, be used to make payments to employees eligible for parental leave benefits pursuant to RC 124.137. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**PAYCD8 Health Care Spending Account Fund**

**Section: 271.20**

Requires that Health Care Spending Account Fund (Fund 8130) appropriation item 995672, Health Care Spending Account, be used to make payments pursuant to RC 124.821 for state employees' participation in a flexible spending account for non-reimbursed health care expenses. Appropriates additional amounts if the Director of Budget and Management finds it necessary.

**Section: 271.20**

Same as the Executive.

**Section: 271.20**

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**EPACD4 Environmental protection fees - removal of sunset**

**R.C. 3734.57, 3745.11, 3734.901**

Makes certain fees permanent which are currently set to expire on specified dates in 2022. Impacts the following fees:

- (1) The annual emissions fees for synthetic minor facilities;
- (2) The annual discharge fees for holders of NPDES permits issued under the Water Pollution Control Law;
- (3) The application fees for plan approvals for wastewater treatment works under the Water Pollution Control Law;
- (4) The initial and renewal license fees for public water system licenses issued under the Safe Drinking Water Law;
- (5) The fee for plan approvals for public water supply systems under the Safe Drinking Water Law;
- (6) The fees for state certification of laboratories and laboratory personnel for purposes of the Safe Drinking Water Law;
- (7) The fees for applications and examinations for certification as operators of water supply systems or wastewater systems under the Safe Drinking Water Law and the Water Pollution Control Law;
- (8) The application fees for permits, variances, and plan approvals under the Water Pollution Control Law and the Safe Drinking Water Law;

**R.C. 3734.57, 3734.901, 3745.11**

Same as the Executive, but removes the provisions that would have made permanent all of the fees enumerated in (1) through (10) and, instead, extends the current sunset of those fees by two years.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.

**R.C. 3734.57, 3734.901, 3745.11**

Same as the House.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Same as the Executive.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

(9) Fees applicable to the transfer or disposal of solid waste; and

(9) Same as the Executive.

(9) Same as the Executive.

(10) The 50¢ per tire fee on the sale of tires, deposited in the Scrap Tire Management Fund, and the 50¢ per tire fee deposited in the Soil and Water Conservation District Assistance Fund.

(10) Same as the Executive.

(10) Same as the Executive.

**Fiscal effect: Removal of the sunset provision will make the above listed fees permanent (in contrast to prior budgets which have extended this provision every two years), thus preserving existing revenue streams. Impacted funds include the Hazardous Waste Cleanup (Fund 5050), Hazardous Waste Facility Management (Fund 5030), Solid Waste (Fund 4K30), Environmental Protection Fund (5BC0), Soil and Water Conversation District Fund (Fund 5BVO within the Department of Agriculture), Surface Water Protection Fund (Fund 4K40), Drinking Water Protection Fund (Fund 4K50), and the Clean Air - Non Title V Fund (Fund 4K20), and Scrap Tire Management Fund (Fund 4R50).**

**Fiscal effect: Extends the annual revenue streams for the affected state funds until they are subject to sunset on June 30, 2024.**

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

EPACD11 Scrap tire abatement

R.C. 3734.85

Increases, from 5,000 to 10,000, the number of scrap tires that can be removed from a person's property by EPA at no cost to the property owner if certain conditions apply (i.e. placement of scrap tires was not the fault of the property owner) and allows the EPA Director to increase the 10,000 scrap tire threshold.

R.C. 3734.85

Same as the Executive.

R.C. 3734.85

Same as the Executive.

**Fiscal effect: There may be a reduction in revenue from the issuance of liens on property for potential cleanup costs. However, certain conditions still must be met by the**

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

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

Executive

As Passed By House

As Reported By Senate Finance

property owner. Any impact is likely to be minimal.

EPACD14 Household sewage treatment system fees

(1) No provision.

(1) No provision.

R.C. 3745.11

(1) Eliminates the \$100 fee for renewal of coverage under an NPDES general permit for a household sewage treatment system.

(2) No provision.

(2) No provision.

(2) Reduces the additional survey fee that laboratories must pay to the Ohio EPA to add analysts or additional accepted analytical techniques between triennial renewal surveys, from \$1,800 to \$500.

(3) No provision.

(3) No provision.

(3) Corrects the definition of "MF" that is associated with laboratory fees by changing it from "microfiltration" to "membrane filtration."

**Fiscal effect: Elimination of the \$100 renewal fee will have a minimal fiscal impact on the administrative functions of the Ohio EPA. The reduction of the survey fee that laboratories must pay to the Ohio EPA will bring the fees more in line with actual agency workload costs, as most surveys are done remotely.**

EPACD5 Fee elimination - scrap tire and non-Title V air contaminant source

R.C. 3745.11

(1) Eliminates the \$15 application fee for the following: (a) a registration certificate necessary for certain scrap tire collection facilities and (b) a permit, or variance, or plan approval under the Solid and Hazardous Waste Law.

R.C. 3745.11

(1) Same as the Executive.

R.C. 3745.11

(1) Same as the Executive.

(2) Eliminates a non-Title V air contaminant source fee schedule that only applied from January 1, 1994, to December 31, 2003.

(2) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Total revenue since 2009 from the \$15 fees has been under \$500, but internal processing costs have exceeded \$3,000. The net effect of this provision will be to save an indeterminate annual amount in administrative costs to the EPA.**

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

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

**EPACD7 Certified and accredited laboratories under the VAP**

**R.C. 3746.01, 3746.04, 122.65, 3746.071 (3746.07), 3746.09, 3746.10, 3746.11, 3746.12, 3746.13, 3746.17, 3746.18, 3746.19, 3746.20, 3746.21, 3746.31, and 3746.35 Repealed: 3746.07**

**R.C. 3746.01, 3746.04, 122.65, 3746.071 (3746.07), 3746.09, 3746.10, 3746.11, 3746.12, 3746.13, 3746.17, 3746.18, 3746.19, 3746.20, 3746.21, 3746.31, and 3746.35 Repealed: 3746.07**

**R.C. 3746.01, 3746.04, 122.65, 3746.071 (3746.07), 3746.09, 3746.10, 3746.11, 3746.12, 3746.13, 3746.17, 3746.18, 3746.19, 3746.20, 3746.21, 3746.31, and 3746.35 Repealed: 3746.07**

(1) Eliminates the EPA Director's authority to certify laboratories for purposes of performing analyses under the Voluntary Action Program (VAP) and instead specifies that a laboratory must hold a valid accreditation from a specified outside accreditation body to perform analyses under the VAP.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Requires, generally, a person participating in the VAP to use the services of an accredited laboratory to perform analyses.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Specifies that a certified professional may use data analyzed by a certified laboratory before the bill's effective date.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Prohibits the Director from contracting with an accredited laboratory to perform an audit if the laboratory performed any analyses that formed the basis for the issuance of a no further action letter in connection with the audit.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Eliminates outdated provisions governing the VAP.

(5) Same as the Executive.

(5) Same as the Executive.

**Fiscal effect: As a result of eliminating certain certification**

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

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



Executive

As Passed By House

As Reported By Senate Finance

fees, the Voluntary Action Fund (Fund 4R90) may experience a loss in annual revenue. However, by leveraging the accreditation process of outside accreditation bodies, administrative efficiencies may be created, offsetting, either in whole or in part, any loss in fee revenue.

**EPACD8 Lead free definition**

**R.C. 6109.10**

(1) Replaces the current definition of "lead free" that establishes the maximum permissible percentage of lead that certain plumbing fixtures may contain, with a requirement that the EPA Director adopt rules establishing the definition.

(1) No provision.

(1) No provision.

(2) Requires the EPA Director, when establishing the definition, to use standards that are not less stringent than those established under the federal Safe Drinking Water Act.

(2) No provision.

(2) No provision.

**Fiscal effect: The EPA may experience an administrative cost increase to develop and adopt rules to align with recent federal rule changes.**

**EPACD10 Lead and copper notification rules: community and nontransient noncommunity water systems**

**R.C. 6109.121**

(1) Eliminates a requirement that the EPA Director adopt rules setting specific administrative penalties that apply to community or nontransient noncommunity water systems for violations of notice requirements regarding lead and copper laboratory results, and instead authorizes the Director to assess the administrative penalties under existing guidelines that apply to other violations of the Safe Drinking Water Law.

**R.C. 6109.121**

(1) Same as the Executive.

**R.C. 6109.121**

(1) Same as the Executive.

| Executive   | As Passed By House                           | As Reported By Senate Finance                |
|---|--|--|
| (2) Shifts reporting and other requirements regarding lead and copper contamination from statute to a rules-based system administered by the Director.  | (2) Same as the Executive.                   | (2) Same as the Executive.                   |
| (3) Increases the timeframe (from two business days to not more than 30 business days after the receipt of laboratory results) within which the owner or operator of a community and/or nontransient noncommunity water system must notify residents when a tap sample does not exceed the applicable lead threshold.                 | (3) Same as the Executive.                   | (3) Same as the Executive.                   |
| (4) Requires the owner or operator of those systems to update and resubmit maps according to a schedule determined by the Director but no less frequently than required under the Safe Drinking Water Act, rather than every five years as in current law.  | (4) Same as the Executive.                   | (4) Same as the Executive.                   |
| (5) Eliminates a requirement that the Director provide financial assistance from the Drinking Water Assistance Fund to community and nontransient noncommunity water systems for the purpose of fulfilling the notice and mapping requirements.   | (5) Same as the Executive.                   | (5) Same as the Executive.                   |
| <b>Fiscal effect: These changes are expected to result in indeterminate cost savings to EPA and locally operated water systems. The provision will align the R.C. with recent federal rule changes, potentially preventing costly and duplicative efforts that exceed current notification requirements concerning water systems.</b> | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |
| <b>EPACD6 Isolated wetland mitigation ratio table reference</b>   |  |  |
| <b>R.C. 6111.027</b>  | <b>R.C. 6111.027</b>                         | <b>R.C. 6111.027</b>                         |
| Corrects an incorrect division reference to the Ohio Administrative Code.   | Same as the Executive.                       | Same as the Executive.                       |

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <b>Fiscal effect: None.</b>   | <b>Fiscal effect: Same as the Executive.</b>   | <b>Fiscal effect: Same as the Executive.</b>  |
| <b>EPACD9 Practical qualification level (PQL) - water pollution control</b>   |  |   |
| <b>R.C. 6111.13</b>   | <b>R.C. 6111.13</b>  | <b>R.C. 6111.13</b>   |
| <p>Specifies that, for purposes of determining compliance with a pollutant discharge limit set below the practical quantification level (PQL), any reported value below (instead of "at or below" as in current law) the PQL constitutes compliance. (A PQL is the minimum concentration of an analyte (substance whose chemical constituents are being measured) that can be measured with a high degree of confidence that the analyte is present at the reported concentration. (Corrects a conflict between the R.C. and the O.A.C.).</p> | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>   |
| <b>Fiscal effect: None.</b>   | <b>Fiscal effect: Same as the Executive.</b>   | <b>Fiscal effect: Same as the Executive.</b>  |
| <b>EPACD13 Recycling projects</b>   |  |   |
| <p>No provision.</p>  | <p><b>Section: 277.20</b><br/>Requires GRF appropriation item 715404, Recycling Projects, to be distributed to the Geauga-Trumbull Solid Waste Management District for recycling expanded polystyrene.</p> | <p>No provision.</p>  |
| <b>EPACD1 Cash transfer to the Auto Emissions Test Fund</b>   |  |   |
| <b>Section: 277.20</b>  | <b>Section: 277.20</b>   | <b>Section: 277.20</b>  |
| <p>Permits the OBM Director, at the request of the EPA Director, to transfer \$1,500,000 in each fiscal year from the Scrap Tire Management Fund (Fund 4R50) to the Auto Emissions Test Fund (Fund 5BY0).</p>   | <p>Same as the Executive, but requires Controlling Board approval.</p>   | <p>Same as the House, but increases the amount of the cash transfer from Fund 4R50 to Fund 5BY0 to \$2,700,000.</p> |

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**EPACD2 Areawide planning agencies**

**Section: 277.20**

Permits the EPA Director to award grants from DPF Fund 5BC0 appropriation item 715687, Areawide Planning Agencies, to areawide planning agencies engaged in areawide water quality management and planning activities in accordance with the nonpoint source pollution control provisions of the federal Clean Water Act.

**Section: 277.20**

Same as the Executive.

**Section: 277.20**

Same as the Executive.

**EPACD3 H2Ohio Fund**

**Section: 277.20**

Permits the EPA Director to certify to the OBM Director an amount up to the unexpended, unencumbered balance of DPF Fund 6H20 appropriation item 715695, H2Ohio, at the end of fiscal year 2022, and reappropriates that amount for FY 2023.

**Section: 277.20**

Same as the Executive, but requires Controlling Board approval.

**Section: 277.20**

Same as the House.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**EXPCD1 State Fair Reserve Fund**

**Section: 285.10**

Authorizes the General Manager of the Expositions Commission, in consultation with the OBM Director, to submit a request to the Controlling Board to use available amounts in the State Fair Reserve Fund (Fund 6400) if revenues derived from the 2021 or 2022 Ohio State Fair are unexpectedly low.

Authorizes the OBM Director, in consultation with the General Manager of the Expositions Commission, on July 1 or as soon as possible thereafter each fiscal year, to determine if the Ohio Expositions Fund (Fund 5060) has a cash balance in excess of the anticipated operating costs of the Expositions Commission in that fiscal year. Allows the OBM Director to transfer up to the excess cash from Fund 5060 to Fund 6400 in each fiscal year.

**Section: 285.10**

Same as the Executive.

Same as the Executive.

**Section: 285.10**

Same as the Executive.

Same as the Executive.

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| <p><b>FCCCD10 Notification of net indebtedness</b></p> <p><b>R.C. 133.06</b></p> <p>Requires a school district, instead of OFCC, as in current law, to notify the Superintendent of Public Instruction if the district will exceed the limit on net indebtedness specified in continuing law.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 133.06</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>R.C. 133.06</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>                                   |
| <p><b>FCCCD11 Water bottle filling stations</b></p> <p>No provision.</p> <p>(1) No provision.</p> <p>(2) No provision.</p> <p>(3) No provision.</p> <p>(4) No provision.</p> <p>No provision.</p>  | <p><b>R.C. 3318.038</b></p> <p>Makes the following changes to water bottle filling station and drinking fountain requirements enacted in late 2020 for classroom facility construction projects administered by OFCC:</p> <p>(1) Specifies that a water bottle filling station may be integrated into a drinking fountain as a "combination unit;"</p> <p>(2) Requires each building to have a minimum of one "combination unit," instead of drinking fountain as in current law, or water bottle filling station on each floor or wing of the building and per 100 students projected to attend the building;</p> <p>(3) Requires that a water bottle filling station be accessible to all people in compliance with the federal Americans with Disabilities Act; and</p> <p>(4) Requires a minimum of one water bottle filling station in or near each cafeteria, gymnasium, outdoor recreation space, or other high-traffic area.</p> <p>Requires a school district or other public school to permit students, teachers, and other school staff to carry and use</p> | <p>No provision.</p> <p>(1) No provision.</p> <p>(2) No provision.</p> <p>(3) No provision.</p> <p>(4) No provision.</p> <p>No provision.</p> |

Executive

As Passed By House

As Reported By Senate Finance

water bottles that meet prescribed conditions, but also permits a district or school to prohibit water bottles from a library, computer lab, science lab, or other areas where it is dangerous to have drinking water and to issue disciplinary actions for misuse of a water bottle.

**Fiscal effect: May increase construction costs, shared between the state and school district depending on the district’s relative wealth, for new state-assisted public school facilities. Any new costs might be accounted for in the design phase of a project so as not to increase a project’s overall cost.**

**FCCCD1 Cultural Facilities Lease Rental Bond Payments**

**Section: 287.20**

Requires GRF appropriation item 230401, Cultural Facilities Lease Rental Bond Payments, to be used to meet all of OFCC's required payments during the FY 2022-FY 2023 biennium under the primary leases and agreements for cultural sports facilities.

**Section: 287.20**

Same as the Executive.

**Section: 287.20**

Same as the Executive.

**FCCCD2 Common Schools General Obligation Bond Debt Service**

**Section: 287.20**

Requires that GRF appropriation item 230908, Common Schools General Obligation Bond Debt Service, be used to pay all required debt service and related financing costs during the FY 2022-FY 2023 biennium.

**Section: 287.20**

Same as the Executive.

**Section: 287.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**FCCCD3 Community project administration**

**Section: 287.30**

Requires that GRF appropriation item 230458, State Construction Management Services, be used by OFCC to administer Cultural and Sports Facilities Building Fund (Fund 7030) projects and to provide tools and services to state agency, university, and K-12 public school projects, including oversight of the Ohio Administrative Knowledge System Capital Improvements Module (OAKS-CI).

**Section: 287.30**

Same as the Executive.

**Section: 287.30**

Same as the Executive.

**FCCCD4 School facilities encumbrances and reappropriation**

**Section: 287.30**

Authorizes the Director of OBM, at the request of the Executive Director of OFCC, to cancel encumbrances for school district projects from a previous biennium if the district has not raised its local share of project costs within 13 months of Controlling Board approval. Requires the Executive Director to certify the amounts of the canceled encumbrances on a quarterly basis. Appropriates the amounts of the canceled encumbrances to the Classroom Facilities Assistance Program.

**Section: 287.30**

Same as the Executive.

**Section: 287.30**

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**FCCCD5 Capital donations fund certifications and appropriations**

**Section: 287.40**

Requires the Executive Director of OFCC to certify to the Director of OBM the amount of cash receipts and related investment income, irrevocable letters of credit from a bank, or certification of the availability of funds that have been received from a county or a municipal corporation for deposit into the Capital Donations Fund (Fund 5A10) and that are related to an anticipated project and appropriates these amounts to appropriation item C37146, Capital Donations. Requires the Executive Director to make a written agreement with the participating entity on the necessary cash flows required for the anticipated construction or equipment acquisition project.

**Section: 287.40**

Same as the Executive.

**Section: 287.40**

Same as the Executive.

**FCCCD6 Amendment to project agreement for maintenance levy**

**Section: 287.50**

Requires OFCC to amend the project agreement between OFCC and a school district that is participating in the Accelerated Urban Initiative (AUI) if FCC determines it is necessary to do so in order to comply with the change in maintenance levy requirements enacted by H.B. 1 of the 128th G.A.

**Section: 287.50**

Same as the Executive.

**Section: 287.50**

Same as the Executive.

**Fiscal effect: H.B. 1 of the 128th General Assembly changed the maintenance levy requirements for the six AUI districts (Akron, Cincinnati, Cleveland, Columbus, Dayton, and Toledo) to run for 23 years from the date the initial segment is undertaken, instead of extending for 23 years after the district's last segment was undertaken (the six AUI projects are broken into individual segments). For the districts that have not changed their agreements yet, the**

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

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

Executive

As Passed By House

As Reported By Senate Finance

**H.B. 1 change would reduce the number of years for which the districts would have to levy the required 1/2 mill property tax for maintenance. Currently, projects for Cleveland, Columbus, and Akron are incomplete. Presumably, these AUI districts would use other funds to meet their building maintenance needs if the original project agreements were amended.**

**FCCCD7 Disbursement determination**

**Section: 287.60**

Authorizes OFCC to determine the amount of funding available for disbursement in a given fiscal year for any Classroom Facilities Assistance Program project in order to keep aggregate state capital spending within approved limits. Authorizes OFCC to take actions including, but not limited to, determining the schedule for design or bidding of approved projects, to ensure appropriate and supportable cash flow.

**Fiscal effect: The provision may give OFCC more flexibility in spending state funds on projects.**

**Section: 287.60**

Same as the Executive.

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

**Section: 287.60**

Same as the Executive.

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

**FCCCD8 Assistance to joint vocational school district**

**Section: 287.70**

Requires OFCC, in each year in which funds are available for additional projects, to provide assistance to at least one JVSD for the acquisition of classroom facilities.

**Section: 287.70**

Same as the Executive.

**Section: 287.70**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**FCCCD9 Returned or recovered funds**

**Section: 287.80**

Requires that any state-source surplus project construction funds or interest earnings returned to the state and any funds recovered from settlements with or judgments against parties relating to their involvement in a classroom facilities project be deposited into the fund for which the project's capital appropriations were made.

Permits, in any fiscal year in which OFCC has made a deposit, the Executive Director of OFCC to request the Director of OBM to authorize expenditures from those funds and specified appropriation items in excess of the amounts appropriated in amounts equal to the returned or recovered funds. If approved, appropriates the returned and recovered funds and requires the funds to be used for the Classroom Facilities Assistance Program or the Vocational Facilities Assistance Program.

**Section: 287.80**

Same as the Executive.

Same as the Executive.

**Section: 287.80**

Same as the Executive.

Same as the Executive, but permits the Executive Director of OFCC to seek the approval of the Controlling Board (instead of requesting the Director of OBM) to authorize additional expenditures.

**FCCCD12 Capital project earmark adjustments**

No provision.

(1) No provision.

(2) No provision.

No provision.

(1) No provision.

(2) No provision.

**Section: 610.14, 610.15**

Amends Section 237.13 of S.B. 310 of the 133rd General Assembly to do all of the following with respect to Cultural and Sports Facilities Building Fund (Fund 7030) capital appropriation item C230FM, Cultural and Sports Facilities Projects, for the FY 2021-FY 2022 capital biennium:

(1) Eliminates a \$400,000 earmark for the Cincinnati Opera House;

(2) Increases an existing earmark, by \$75,000, from \$50,000 to \$125,000, for the Williams County Fountain City Amphitheater Project; and

| Executive  | As Passed By House | As Reported By Senate Finance  |
|--|--------------------|--|
| (3) No provision.  | (3) No provision.  | (3) Earmarks \$50,000 for the Wright Patterson Air Force Base Holocaust Museum.  |
| <b>Community Schools</b>                                   |                    |  |
| <b>FCCCD13 Community School Credit Enhancement Program</b> |                    |  |
| No provision.  | No provision.      | <b>R.C. 3318.51</b><br>Requires OFCC, by July 1, 2022, to conduct a study regarding the feasibility of establishing and operating the Community School Credit Enhancement Program and submit a report to the General Assembly, including the Senate President, Senate Minority Leader, House Speaker, and House Minority leader, regarding OFCC's findings and recommendations, including a recommendation regarding the financial obligations, costs, or guarantees the state would make under the program. |
| No provision.  | No provision.      | Prescribes the Program as set out below, but prohibits OFCC from establishing or operating it until the General Assembly enacts subsequent legislation authorizing OFCC to do so.  |
| No provision.  | No provision.      | Permits OFCC to guarantee up to 100% of the principal and interest on the financing made to a community school for the sole purpose of assisting in acquiring, improving, or replacing classroom facilities by lease, purchase, remodeling, new construction, or any other means.  |
| No provision.  | No provision.      | Requires a community school to submit an application providing evidence that it 1) is in good standing with its sponsor, 2) is creditworthy, with additional weight given if the school is designated a Community School of Quality, and 3) the facilities that have been or will be acquired, improved, or replaced meet applicable health and safety standards.  |

| Executive     | As Passed By House | As Reported By Senate Finance   |
|---------------|--------------------|---|
| No provision. | No provision.      | Requires OFCC to evaluate applications, make a decision regarding the applications, and report the decision to the community school within 10 business days of making the decision.   |
| No provision. | No provision.      | Sets the limit of financing available under the Program at \$200 million, unless the amount approved in a single school year exceeds 90% of that amount (\$180 million), in which case the limit is increased to \$300 million for subsequent years.                            |
| No provision. | No provision.      | Prohibits OFCC from approving an application if doing so would cause the total financing approved by the Program to exceed the limit for that school year.  |
| No provision. | No provision.      | Requires participating community schools to pay the Treasurer of State a fee of up to 0.25% of the outstanding principal of the school's guaranteed funding in any year that financing is outstanding.  |
| No provision. | No provision.      | Requires the Treasurer of State to deposit fees into the Community School Classroom Facility Guaranteed Financing Fund, which consists of moneys deposited by community schools, other funds appropriated by the General Assembly, federal grants, and private donations.       |
| No provision. | No provision.      | Permits OFCC to prescribe terms and conditions in approving guaranteed financing in a written agreement with a community school.  |
| No provision. | No provision.      | Specifies that bonds guaranteed under the Program are not an indebtedness of the state, but rather are obligations payable solely from revenues or other funds pledged by the community school or amounts appropriated by the General Assembly for the purposes of the Program. |

| Executive     | As Passed By House | As Reported By Senate Finance   |
|---------------|--------------------|---|
| No provision. | No provision.      | Requires one or more debt service reserve funds to be established for a community school regarding bonds issued for the Program.  |
| No provision. | No provision.      | Prohibits money in a debt service reserve fund from being withdrawn if the level of money in the fund remaining would be less than the fund requirement, unless the withdrawn money is used to pay 1) the principal of, redemption price of, or interest on a bond when it is due, if OFCC determines the school has no other money available to make the payment or 2) any redemption premium required to be paid when bonds are redeemed prior to maturity. |
| No provision. | No provision.      | Permits the withdrawal of money from a school's debt service reserve fund if the level of money in the fund is in excess of the reserve fund requirement.   |
| No provision. | No provision.      | Requires OFCC, by December 1 of each year, to certify to the Governor the amount, if any, required to restore community school reserve funds to their respective debt service fund requirements, and requires the Governor to request an appropriation of the certified amount.   |
| No provision. | No provision.      | Requires schools that receive appropriated funds under the annual procedure to repay the state in a time and manner determined by OFCC.   |
| No provision. | No provision.      | Prohibits the state from altering or limiting the rights of bondholders until the bonds, including interest and other obligations, are fully met and discharged. Does not preclude alterations or limitations if the law provides for the protection of bondholders.  |
| No provision. | No provision.      | Permits OFCC to require a school to vest in it the right to enforce any covenant made to secure bonds issued under  |

Executive

As Passed By House

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|                      |                      |   |
|----------------------|----------------------|---|
| <p>No provision.</p> | <p>No provision.</p> | <p>the Program by making appropriate provisions in the indenture related to the school's bonds.</p> <p>Permits OFCC to require schools to make covenants and agreements in indentures or in a reimbursement agreement to protect the interests of the state and to secure repayments to the state any moneys received by the school from an appropriation to restore amounts deposited into a school's debt service reserve fund.</p> |
| <p>No provision.</p> | <p>No provision.</p> | <p>Requires OFCC to adopt rules that prescribe financing standards and procedures that are designed to protect the state's interest in any guaranteed financing.</p> <p><b>Fiscal effect: Administrative costs of OFCC will increase to conduct the required study. Costs of the Program will depend on it being established under future legislation.</b></p>  |

Executive

As Passed By House

As Reported By Senate Finance

**GOVCD2 Governor's Office of Faith-Based and Community Initiatives TANF report**

No provision.

**R.C. 107.121**

Requires the Governor's Office of Faith-Based and Community Initiatives, by July 30 each year, to submit a report to the Speaker of the House of Representatives, the President of the Senate, and the Director of the Legislative Service Commission detailing its spending and distribution of Temporary Assistance for Needy Families (TANF) block grant funds.

**Fiscal effect: Minimal.**

**R.C. 107.121**

Same as the House.

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

**GOVCD1 Government Relations**

**Section: 289.10**

(1) Permits the Office of the Governor to charge an executive branch agency via intrastate transfer voucher for costs incurred to represent Ohio's interests to federal, state, and local governments and to cover membership dues related to Ohio's participation in national and regional associations.

(2) Requires the amounts collected be deposited in the Governmental Relations Fund (Fund 5AK0).

**Section: 289.10**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 289.10**

(1) Same as the Executive.

(2) Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**DOHCD49 Maternal Mortality Awareness Month**

No provision.

No provision.

**R.C. 5.246**

Designates the month of May as "Maternal Mortality Awareness Month" to increase awareness about the causes of pregnancy-associated deaths and to encourage implementation of interventions intended to reduce those deaths.

**Fiscal effect: None.**

**DOHCD53 Postpartum cardiomyopathy awareness**

No provision.

No provision.

**R.C. 5.2527**

Designates the fourth week of June as "Postpartum Cardiomyopathy Awareness Week" to increase public awareness of postpartum cardiomyopathy, which is a form of heart failure that can happen during the last month of pregnancy or up to five months after giving birth.

**Fiscal effect: None.**

**DOHCD42 Rare Disease Advisory Council membership**

No provision.

No provision.

**R.C. 103.60**

Adds six members to the Rare Disease Advisory Council, increasing its membership from 25 to 31, as follows:

No provision.

No provision.

Two public members appointed by both the President of the Senate and the Speaker of the House;

No provision.

No provision.

One public member appointed by both the Minority Leaders of the House and Senate.

**Fiscal effect: There may be additional costs related to member reimbursements for actual and necessary expenses incurred in performance of Council business.**

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD50 Drug overdose fatality review committees; suicide fatality review committees**

**R.C. 121.22, 307.631-307.639, 307.641-307.649, 307.6410, 2151.421, 3701.0410, 3701.0411, 4729.80, 4729.86, 4731.22**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | Authorizes the establishment of both of the following to review drug overdose and opioid-involved deaths or suicide deaths occurring in the county or region: (1) county or regional drug overdose fatality review committees and (2) county or regional suicide fatality review committees.                                 |
| No provision. | No provision. | Authorizes the establishment of a hybrid committee rather than two separate committees in order to review the deaths.  |
| No provision. | No provision. | Requires each review committee that is established to collect certain information concerning the deaths, review the information, and submit annual reports to ODH.   |
| No provision. | No provision. | Requires specified individuals or entities that provided services to a person whose death is reviewed by a committee to submit summary sheets of information to the committee.   |
| No provision. | No provision. | Provides that records presented to a review committee, statements made by committee members, committee work products, and data submitted to ODH, other than annual reports, are confidential and to be used by the review committee, its members, and ODH only in the exercise of the committee's or ODH's proper functions. |
| No provision. | No provision. | Grants immunity from civil liability to committee members and any individual or entity providing information to a committee.   |
| No provision. | No provision. | Requires ODH to adopt rules establishing procedures for a committee to follow in conducting reviews of deaths.   |

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Counties that choose to establish review committees may experience an increase in costs, as well as local boards of health, and other participating local public entities. ODH may also experience an increase in costs to prescribe and collect reports and to adopt rules.**

**DOHCD36 Disposition of financial gifts to support public health**

**R.C. 183.18**

Allows the Director of Budget and Management to credit to the Ohio's Public Health Priorities Fund (Fund L087) any financial gifts made to the state to support public health.

**Fiscal effect: Potential gain in revenue to Fund L087.**

**R.C. 183.18**

Same as the Executive.

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

No provision.

**DOHCD8 Vapor products certificate of operation**

**R.C. 2927.025, 2927.026-2927.0210, conforming changes in 2927.02**

Requires any person seeking to sell vapor products to obtain a certificate of registration prior to doing so.

Specifies the form of application for a certificate of registration.

Imposes an initial \$100 application fee and a \$500 annual fee for a certificate of registration.

Imposes a maximum fine of \$1,000, or \$100 if the violation is within 90 days of a certificate's expiration, for the sale, offer to sell, or possession with intent to sell without a certificate of registration.

Specifies all fees and fines collected in relation to the vapor product certificate of registration program are to be deposited in the Tobacco Use Prevention Fund (Fund 5BX0) and to be used for administration of the certificate program

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

or for tobacco and nicotine prevention or cessation interventions.

**Fiscal effect: ODH will experience an increase in costs to implement and enforce vapor product certificates of registration. However, ODH anticipates that these costs may eventually be offset by the fees and fines established, which are to be deposited in Fund 5BX0.**

**DOHCD46 Program for Medically Handicapped Children eligibility**

No provision.

No provision.

**R.C. 3701.021, 3701.022**

Expands eligibility for the Program for Medically Handicapped Children by increasing the maximum age of participants from 21 to 22 beginning on July 1, 2021 and from 22 to 23 beginning on July 1, 2022.

**Fiscal effect: ODH could experience an increase in costs due to expanded eligibility; however, the bill appropriates \$500,000 in both FY 2022 and FY 2023 in GRF appropriation item 440505, Medically Handicapped Children, to help cover these additional costs. Additionally, it is possible that some counties that are not currently being charged the maximum county share amount may realize an increase in costs. Costs will depend on the number of residents who are eligible as a result of the bill and costs associated with their treatment.**

Executive

As Passed By House

As Reported By Senate Finance

DOHCD40 City health districts

| DOHCD40 City health districts | As Passed By House   | As Reported By Senate Finance   |
|-------------------------------|--|---|
| No provision.                 | <p><b>R.C. 3709.01, 3709.012, 3709.052, 3709.06, 3709.07</b></p> <p>Requires each city with a population less than 50,000 served by a board of health of a city health district to complete a study evaluating the efficiency and effectiveness of merging with the general health district that includes the city for the administration of health affairs in the merged general health district.</p>   | <p><b>R.C. 3701.13, 3709.012, 3709.052, 3709.06, 3709.07</b></p> <p>Same as the House, but exempts from the requirements a city health district that is either accredited or in the process of applying for accreditation and receives it by December 31, 2025.</p>   |
| No provision.                 | <p>Requires the Director of Health, in consultation with the Auditor of State, to develop criteria to be used in determining whether a merger is advisable and requires the city to conduct its evaluation using the developed criteria.</p>   | <p>Same as the House.</p>   |
| No provision.                 | <p>Requires the city's chief executive, if the study indicates that a merger is advisable, to enter into a contract with the district advisory council for the general health district that includes the city for the administration of health affairs in the merged general health district, unless the applicable district advisory council for the general health district delays the merger for good cause.</p> <p><b>Fiscal effect: ODH and the Auditor of State may experience an increase in administrative costs. Costs to conduct the studies may be covered under a \$6.0 million earmark in FY 2022 from GRF appropriation item 440413, Local Health Departments (see DOHCD10). Any other impacts will depend on the study results.</b></p> | <p>Same as the House.</p> <p><b>Fiscal effect: Affected local health departments will experience an increase in costs to conduct the studies. The cost of these studies is unknown at this time. Any other impacts will depend on the study results. Additionally, ODH and the Auditor of State may experience an increase in administrative costs.</b></p> |

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <b>DOHCD6 Technological resources</b>   |   |   |
| <p><b>R.C. 3701.132, 3701.61; Repealed: 5167.172</b></p> <p>Removes a requirement that providers conducting home visits under the Help Me Grow Program, WIC clinics, and Medicaid managed care organizations promote the use of technological resources that provide information on having a healthy baby and healthy pregnancy.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 3701.132, 3701.61; Repealed: 5167.172</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 3701.132, 3701.61; Repealed: 5167.172</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>                                    |
| <b>DOHCD41 Newborn screening for genetic, endocrine, and metabolic disorders</b>  |   |   |
| <p>No provision.</p> <p>(1) No provision.</p> <p>(2) No provision.</p> <p>(3) No provision.</p> <p>(4) No provision.</p>  | <p><b>R.C. 3701.501</b></p> <p>Revises the law governing the screening of newborns for genetic, endocrine, and metabolic disorders, as follows:</p> <p>(1) Requires newborns to be screened for X-linked adrenoleukodystrophy and spinal muscular atrophy, with the screenings to begin 240 days after the bill's effective date;</p> <p>(2) Requires the state's Newborn Screening Advisory Council (NSAC) to consider whether a disorder has been added to the federal Recommended Uniform Screening Panel;</p> <p>(3) Requires the NSAC, not later than six months after a disorder's inclusion on the federal panel, to determine whether or not to recommend that Ohio newborns be screened for the disorder and, if the NSAC recommends screening, requires it to submit its recommendation to the Director of Health as soon as practicable;</p> <p>(4) Requires the Director of Health, not later than six months after receiving the recommendation, to specify the disorder for screening in rule, with the screening to begin not later than one year after the date the rule becomes effective.</p> | <p><b>R.C. 3701.501</b></p> <p>Same as the House.</p> <p>(1) Same as the House.</p> <p>(2) Same as the House.</p> <p>(3) Same as the House.</p> <p>(4) Same as the House.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: ODH may experience an increase in costs to screen for these two conditions if the conditions are not part of the current panel; screen for other disorders depending on NSAC recommendations; and promulgate rules. However, if the newborn screening fee is increased as a result of any additions to the panel, ODH could experience a gain in fee revenue.**

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

**DOHCD45 Wishes for Sick Children eligibility change**

No provision.

No provision.

**R.C. 3701.602**

Reduces, from \$1,000,000 to \$250,000, the amount a nonprofit corporation must spend granting wishes of minors with life-threatening illnesses to qualify for funds from the Wishes for Sick Children Income Tax Contribution Fund (Fund 5SH0).

**Fiscal effect: Additional entities may become eligible to receive funds under this provision.**

**DOHCD5 Home visiting services**

**R.C. 3701.61, 3701.613, conforming changes in 5167.16**

Extends the maximum age that a child's family is eligible for home visiting services through the Help Me Grow Program from three years old to five years old.

Changes the frequency of the summit on home visiting programs facilitated by the Ohio Department of Health (ODH) from twice a year to once every two years.

**Fiscal effect: ODH will experience an increase in costs due to expanded eligibility. However, GRF appropriation item 440459, Help Me Grow, is increased by approximately \$2.0 million over FY 2021 estimated expenditures, which will allow additional families to be served. Additionally, ODH**

**R.C. 3701.61, 3701.613, conforming changes in 5167.16**

Same as the Executive.

Same as the Executive.

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

No provision.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

may experience a savings due to the reduction in the frequency of the summit on home visiting programs.

**DOHCD52 Variances from written transfer agreements**

|                   |                   |  |
|-------------------|-------------------|--|
| No provision.     | No provision.     | <b>R.C. 3702.304, Section 291.80</b><br>Adds the following requirements to existing law governing variances from written transfer agreements for ambulatory surgical facilities (ASF):   |
| (1) No provision. | (1) No provision. | (1) The local hospital at which the consulting physician has admitting privileges must be within a 25-mile radius of the ASF;  |
| (2) No provision. | (2) No provision. | (2) The consulting physician cannot teach or provide instruction at a medical school, osteopathic medical school, any state hospital, or other public institution;   |
| (3) No provision. | (3) No provision. | (3) The consulting physician cannot be employed by, compensated pursuant to a contract with, or otherwise provide instruction or consultation to, a medical school, osteopathic medical school, any state hospital, or other public institution; |
| (4) No provision. | (4) No provision. | (4) The consulting physician must actively practice clinical medicine within a 25-mile radius of the ASF; and  |
| (5) No provision. | (5) No provision. | (5) An ASF with an existing variance must demonstrate compliance with the new requirements within 90 days of the provisions' effective date, or the variance is rescinded.   |
|                   |                   | <b>Fiscal effect: ODH could experience costs to review variance applications.</b>  |



Executive

As Passed By House

As Reported By Senate Finance

**DOHCD44 Certificate of need capital expenditure threshold**

No provision.

No provision.

**R.C. 3702.511**

Increases, from \$2 million to \$6 million, the maximum amount of a capital expenditure that may be made in renovating or adding to a long-term care facility without being subject to review under the Certificate of Need (CON) Law.

**Fiscal effect: ODH may experience a decrease in costs related to the Certificate of Need program as the capital expenditure amount is increased (thereby potentially reducing the number of reviewable activities). However, ODH may also experience a decrease in corresponding CON application fee revenue.**

**DOHCD9 Combined health district property tax authority**

**R.C. 3709.291**

Authorizes combined health districts to levy property tax, with voter approval, for operating expenses.

No provision.

**R.C. 3709.291**

Same as the Executive.

**Fiscal effect: Potential increase in administrative costs to county boards of elections, as well as a potential gain in tax revenue for boards of health of a combined health district if a new tax levy is approved. According to ODH, this could facilitate local health district mergers.**

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

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD4 Inspections of residential care facilities**

**R.C. 3721.02**

Authorizes the Director of Health to inspect a residential care (assisted living) facility every 30 months (instead of every 15 months as in current law) once the residential care facility has had two consecutive 15 month inspections without any substantiated violations and other related conditions are met.

**Fiscal effect: Potential decrease in costs if residential care facilities that meet requirements are inspected less frequently.**

**R.C. 3721.02**

Same as the Executive.

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

**R.C. 3721.02**

Same as the Executive.

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

**DOHCD38 Expedited licensing inspections**

No provision.

**R.C. 3721.02**

Specifies that an existing licensed residential care (assisted living) facility may request an expedited licensing inspection from the Director of Health when seeking approval to increase or decrease its licensed capacity or make any other change for which the Director requires a licensing inspection.

**Fiscal effect: The impact will depend on the number of expedited inspections requested.**

**R.C. 3721.02**

Same as the House, but specifies that any existing home, not just an existing residential care facility, may request an expedited licensing inspection.

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

**DOHCD3 Summary orders against nursing homes**

**R.C. 3721.081**

Permits the Director of Health to issue orders, take corrective action, and impose fines regarding a nursing home, residential care facility, or other home if the Director determines immediate action is necessary to protect resident health or safety.

Permits a home to request a hearing under the Administrative Procedure Act after such an order is issued.

**R.C. 3721.081**

Same as the Executive.

Same as the Executive, but clarifies that a home may also request a hearing regarding action taken by the Director.

No provision.

No provision.

| Executive   | As Passed By House   | As Reported By Senate Finance |
|---|--|-------------------------------|
| No provision.   | Requires the Director to provide a home 24-hours advance notice before entering the home.  | No provision.                 |
| No provision.   | Places limits on the Director's authority to transfer residents in the case of environmental and clinical conditions affecting a home.   | No provision.                 |
| Requires a home to request a hearing within 30 days and requires the hearing to be held within 60 days.                 | Replaces the Executive provision with a provision that requires a home to request a hearing within 15 days and requires the hearing to be held within ten days.  | No provision.                 |
| Requires the Director to issue a final adjudication order within 90 days of the hearing.                                | Replaces the Executive provision with a provision that requires the Director to issue a final adjudication order within 30 days of the hearing.  | No provision.                 |
| Requires a home to reimburse ODH for necessary expenses incurred by the Department in taking direct action.             | Replaces the Executive provision with a provision specifying that if the Director is found to have acted outside the authority of this provision, the home must be reimbursed for its expenses within 90 days. | No provision.                 |
| Provides the following regarding fines for noncompliance:   | Same as the Executive, with the following changes.   | No provision.                 |
| (1) Interest may accrue on imposed fines; and   | (1) No provision.  | (1) No provision.             |
| (2) Not more than \$250,000 may be imposed for each instance of noncompliance.  | (2) Replaces the Executive provision with a provision that lowers the maximum fine to \$100,000 per incident; and  | (2) No provision.             |
| (3) No provision.   | (3) Requires any fine to be commensurate to the harm caused by a home.   | (3) No provision.             |
| Provides that a final adjudication order is not subject to suspension by a court while an appeal is pending.            | No provision.  | No provision.                 |
| <b>Fiscal effect: ODH may experience an increase in costs. However, nursing homes are required to reimburse ODH for</b> | <b>Fiscal effect: ODH may realize a gain in revenue deposited in Fund 4700. However, it could be less than under the</b>   |                               |

Executive

As Passed By House

As Reported By Senate Finance

necessary expenses incurred. Additionally, ODH may realize an increase in fine and interest revenue, which is to be deposited in Fund 4700.

Executive due to the lowered maximum fine, the removal of interest accrual allowed, and the removal of reimbursement for necessary expenses. Additionally, ODH may experience costs if the Director is found to have acted outside the authority of the provision and is required to reimburse a home.

DOHCD43 Nurse aide training and competency evaluation programs

No provision.

No provision.

R.C. 3721.28, 3721.31, 3721.32

Adds to current law an additional ground upon which a nurse aide may satisfy the existing requirement of having successfully completed a training and competency evaluation program: that the individual completes, during the COVID-19 public health emergency, a minimum of 75 hours of training that occurs in a long-term care facility setting, includes on-site observation and work as a nurse aide under COVID-19 pandemic waiver issued by the federal Centers for Medicare and Medicaid Services, and addresses all of the required areas specified in federal law, including through supplemental training, if the individual also successfully completes the competency evaluation conducted by the Director of Health.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD34 Hospital licensure**

R.C. 3722.02, 3722.01, 3722.03-3722.14, 3722.99, 111.15, 140.01, 3701.07, 3701.351, 3701.503, 3701.5010, 3701.63, 3701.69, 3701.83, 3702.31, 3702.51, 3702.52, 3702.521, 3702.55, 3702.592, 3702.593, 3705.30, 3705.41, 3711.01, 3711.02, 3711.04-3711.06, 3711.10, 3711.12, 3711.14, 3711.30, 3727.01-3727.07, 3727.70, 3727.99, 3781.112, 3901.40, 3929.67, 4723.431, 4723.481, 4730.411, 4731.31, 4761.01; Repealed: 3702.11-3702.20, 3727.01-3727.07, 3727.99

Requires a hospital, including one operated by a health maintenance organization, to be licensed by ODH within three years of the bill's effective date, rather than registered as under current law.

Specifies that any existing law reference to a hospital that is not contained within the bill is to be construed as a reference to a hospital licensed under the bill's licensure requirements.

Specifies the following regarding a hospital's license:

(1) Specifies that the license is valid for its premises.

(2) That a hospital operating a medical campus or from multiple buildings must submit a single application for licensure.

Specifies that the Director of Health may at any time inspect a licensed hospital.

R.C. 3722.02, 3722.01, 3722.03-3722.14, 3722.99, 111.15, 140.01, 3701.07, 3701.351, 3701.503, 3701.5010, 3701.63, 3701.69, 3701.83, 3702.30, 3702.31, 3702.51, 3702.52, 3702.521, 3702.55, 3702.592, 3702.593, 3705.30, 3705.41, 3711.01, 3711.02, 3711.04-3711.06, 3711.10, 3711.12, 3711.14, 3711.30, 3727.01-3727.07, 3727.70, 3727.99, 3781.112, 3901.40, 3929.67, 4723.431, 4723.481, 4730.411, 4731.31, 4761.01; Repealed: 3702.11-3702.20, 3727.01-3727.07, 3727.99

Same as the Executive, but removes references to health maintenance organizations.

Same as the Executive.

Same as the Executive, but makes the following changes:

(1) Replaces the Executive provision with a provision that specifies that a hospital's license is valid only for the hospital identified in the licensure application and requires a hospital to identify its main hospital location and the other locations it operates in its application.

(2) No provision.

Same as the Executive, but specifies that the Director of Health may inspect a hospital to address an incident that

R.C. 3722.02, 3722.01, 3722.03-3722.14, 3722.99, 111.15, 140.01, 3701.07, 3701.351, 3701.503, 3701.5010, 3701.63, 3701.69, 3701.83, 3702.30, 3702.31, 3702.51, 3702.52, 3702.521, 3702.55, 3702.592, 3702.593, 3705.30, 3705.41, 3711.01, 3711.02, 3711.04-3711.06, 3711.10, 3711.12, 3711.14, 3711.30, 3727.01-3727.07, 3727.70, 3727.99, 3781.112, 3901.40, 3929.67, 4723.431, 4723.481, 4730.411, 4731.31, 4761.01; Repealed: 3702.11-3702.20, 3727.01-3727.07, 3727.99

Same as the House.

Same as the Executive.

Same as the House.

(1) Same as the House.

(2) No provision.

Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

Specifies that a hospital may avoid an inspection by the Director of Health prior to receiving a license or prior to renewal if the hospital submits a copy of its most recent on-site survey report from an accrediting body.

may impact public health, respond to a complaint submitted to the director, or otherwise ensure the safety of hospital patients.

Same as the Executive, but specifies that on-site survey reports which may be submitted to avoid inspections by the Director of Health include reports from the federal Centers for Medicare and Medicaid Services or accrediting organizations approved under federal law.

Same as the House.

Requires ODH to adopt rules establishing fees for initial applications, license renewals, license transfers, inspections conducted, as well as standards and procedures for imposing civil penalties.

Same as the Executive, but makes the following changes: (1) requires the Director of Health, when adopting rules establishing fee amounts, to limit the amounts to what is necessary to support the hospital licensure program, (2) provides that, in the case of inspection fees, the amounts must cover only the cost of inspections, (3) requires the Director of Health to adopt rules governing changes to a hospital's license, including address changes, as well as rules governing the eligibility of new hospitals for licensure, and (4) requires the Director of Health to collaborate with the hospital industry to maximize the rules' public health utility and to limit the administrative burden and costs of compliance.

Same as the House.

Authorizes the Director of Health to impose penalties on hospitals for violating the bill's provisions, including the following: (1) suspending, revoking, or refusing to issue or renew a license; (2) providing the license holder an opportunity to correct the violation; (3) providing the license holder with a plan to correct or mitigate the violation; (4) prohibiting the license holder from admitting new patients; (5) imposing a civil penalty; and (6) summarily suspending a license or a type of health care service.

Replaces the Executive provision with a provision that limits the Director's authority to the following: (1) imposing a civil penalty of not less than \$1,000 and not more than \$250,000; (2) requiring the license holder to submit a plan to correct or mitigate the violation; and (3) suspending a health care service or revoking a license issued if the Director determines that the license holder is not in substantial compliance.

Same as the House.

| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| Specifies that the Director of Health may take certain actions if a "real and present danger" exists at a hospital, including appointing a special master or engaging in on-site monitoring.   | Same as the Executive, but replaces the term "real and present danger" with "imminent threat of harm" and removes provisions authorizing the special master's appointment or on-site monitoring.   | Same as the House.   |
| Prohibits a quality improvement organization, which is authorized by the bill to assist the Director of Health in providing technical assistance to a hospital, from being compensated by ODH.   | No provision.  | No provision.  |
| Requires each licensed hospital to have a governing board which is required to be responsible for the following:   | Same as the Executive, but makes the following change to the responsibilities:   | Same as the House.   |
| (1) Overseeing the appointment, reappointment, and assignment of privileges to medical staff; and  | (1) Same as the Executive.   | (1) Same as the Executive.   |
| (2) Establishing protocols for the admission and treatment of patients.  | (2) No provision.  | (2) No provision.  |
| No provision.  | Authorizes third-party organizations to report the following to the Director of Health on behalf of hospitals: the number of opioid dependent newborns and the contagious, environmental, or infectious diseases, illnesses, or health conditions or unusual infectious agents or biological toxins for which hospitals provide treatment to patients. | Same as the House.   |
| No provision.  | Specifies that an ambulatory surgical facility does not include a hospital provider-based department that is otherwise licensed under the bill's provisions.   | Same as the House.   |
| Defines "children's hospital" as a hospital or a distinct portion of a hospital that provides general pediatric medical and surgical care in which at least seventy-five percent of annual inpatient discharges for the preceding two calendar years were individuals less than 18 years of age. | Same as the Executive.   | Same as the Executive, but specifies that a children's hospital that is a distinct portion of hospital has a total of at least 150 pediatric special care and pediatric acute care beds. |

| Executive   | As Passed By House                           | As Reported By Senate Finance  |
|---|--|--|
| No provision.   | No provision.                                | Specifies that the ODH Director is not prohibited from issuing a license to a hospital that occupies space in a building also used by another hospital or occupies one or more buildings located on the same campus as buildings used by another hospital.                 |
| No provision.   | No provision.                                | Requires the ODH Director to accept a corrective action plan also accepted by the federal Centers for Medicare and Medicaid Services or an accrediting organization so long as the plan was submitted in response to the same deficiencies identified by the ODH Director. |
| No provision.   | No provision.                                | Specifies that rules adopted by the ODH Director cannot conflict with requirements under federal law or regulations.   |
| Specifies that an adjudication requested by a license holder subject to suspension or revocation must be held from a period between seven and 15 days.  | Same as the Executive.                       | Replaces the Executive provision with a provision that reduces the period to a seven-day period.   |
| Requires the Director to issue a final adjudication order not later than ninety days after completion of the adjudication.  | Same as the Executive.                       | Replaces the Executive provision with a provision that reduces the number of days that the ODH Director has to issue a final adjudication order from 90 to 14.   |
| Requires a hospital to have an opportunity to present evidence to a court that an imminent threat of harm does not exist or has been remedied.  | Same as the Executive.                       | Same as the Executive, but specifies that the hospital is to have the opportunity before the court enters an order granting injunctive relief.   |
| <b>Fiscal effect: ODH will realize an increase in costs to promulgate rules and to implement and enforce a hospital licensure program. However, it is anticipated that the fee established in rule may eventually offset program costs. Government-owned hospitals could realize costs. The total costs will depend on the licensure process, including fee amounts, established in rule.</b> | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b>   |



Executive

As Passed By House

As Reported By Senate Finance

**DOHCD48 Hospital admissions and notification to health plan issuers**

No provision.

No provision.

**R.C. 3727.80**

Requires, when a patient covered by a health benefit plan is admitted to a hospital, the hospital to notify the health plan issuer of the admission within 24 hours.

**Fiscal effect: Government-owned hospitals may experience a minimal increase in administrative costs.**

**DOHCD39 Home health licensure**

No provision.

**R.C. 3740.01, 3740.02-3740.05, 3740.07, 3740.10, 3740.11, 3740.99; conforming changes in other sections**

Requires home health agencies and non-agency providers of direct care (excluding nursing homes, residential care facilities, hospice care programs, pediatric respite care programs, or immediate family members), starting one year after the bill's effective date, to be licensed by ODH to provide skilled home health services and nonmedical home health services.

**R.C. 3740.01, 3740.02-3740.05, 3740.07, 3740.10, 3740.11, 3740.99; conforming changes in other sections**

Same as the House, but additionally excludes the following from home health licensure: (1) providers certified by the Department of Developmental Disabilities, such as providers of supported living; (2) persons who provide direct care to not more than two individuals who are not related to the care provider; (3) volunteers; (4) residential facilities, which are homes and facilities where individuals with a developmental disabilities reside; (5) informal respite care providers and shared living providers; (6) persons certified under current law to provide publicly funded child care as in-home aides; (7) persons who provide privately funded child care; and (8) legal guardians, grandchildren, step-parents, step-children, and step-siblings providing care.

No provision.

Specifies, for purposes of the licensure described above, application and renewal procedures, reasons for discipline, criminal penalties, and rulemaking authority, including the Director of Health's ability to adopt rules specifying the extent to which the following certifications satisfy home health licensure requirements: certification by the

Same as the House, but (1) specifies that certification by the Department of Aging does satisfy the home health licensure requirement and removes the Director's ability to adopt rules specifying the extent and (2) exempts providers certified by the Department of Developmental Disabilities from licensure.

Executive

As Passed By House

As Reported By Senate Finance

|                      |  |   |
|----------------------|--|---|
| <p>No provision.</p> | <p>Department of Aging to provide community-based long-term care services and certification by the Department of Developmental Disabilities to provide supported living.</p>   | <p>Same as the House.</p>   |
| <p>No provision.</p> | <p>Prescribes application and renewal fees of \$250 for both skilled and nonmedical home health services licenses.</p>   | <p>Same as the House.</p>   |
| <p>No provision.</p> | <p>Requires that ODH's review of an application include a site visit to verify that Medicare conditions of participation are met if the applicant has not had such a site visit within the five-year period immediately preceding the date of the application.</p>   | <p>Same as the House, but exempts nonmedical home health services applicants from a site visit as part of the licensure process.</p>  |
| <p>No provision.</p> | <p>No provision.</p>   | <p>Requires the Director of Health to adopt rules to establish processes for dispute resolution and appeals.</p>  |
| <p>No provision.</p> | <p>Permits the Director of Health to waive receipt of certain application materials for license applicants that are certified by the Department of Aging to provide community-based long-term care services.</p>   | <p>Replaces the House provision with a provision that requires the Director of Health to waive receipt of these application materials.</p>  |
| <p>No provision.</p> | <p>Defines "personal care services" as having the same meaning as in section 3721.01 of the Revised Code.</p>  | <p>Replaces the House provision with a provision that specifically names certain additional services in the definition of personal care services, including instrumental activities of daily living, assistance managing the individual's home and personal affairs, homemaker services, respite services, and errands.</p> |
|                      | <p><b>Fiscal effect: ODH will experience an increase in costs to adopt rules, review applications, conduct potential site visits, and issue licenses. However, these costs may be at least partially offset by application fee revenue. Any government entities that provide home health services may experience an increase in costs to apply for licensure. Total costs may depend on if they already have certain</b></p> | <p><b>Fiscal effect: Same as the House, but costs to ODH may be decreased with the additional exemptions. However, any corresponding application fee revenue would also be decreased.</b></p>   |

Executive

As Passed By House

As Reported By Senate Finance

accreditations.

**DOHCD2 Renovation, Repair, and Painting Rule**

**R.C. 3742.11**

Authorizes the Director of Health to enter into agreements with the U.S. Environmental Protection Agency for the administration and enforcement of the federal Renovation, Repair, and Painting Rule, which establishes requirements regarding lead-based paint hazards associated with renovation, repair, and painting activities.

Allows the Director to accept available assistance in support of the agreements.

Allows the Director to adopt rules to administer and enforce the federal Renovation, Repair, and Painting Rule, including specifying provisions governing the certification process and fees for certification.

**Fiscal effect: ODH has budgeted \$650,000 in each fiscal year for costs associated with administration and enforcement; however, ODH anticipates that the program will eventually be self-sufficient.**

**R.C. 3742.11**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

No provision.

No provision.

No provision.

**DOHCD1 Fines and penalties for lead abatement violations**

**R.C. 3742.16, 3742.18, 3742.19**

Allows the Director of Health to impose an administrative fine of up to \$5,000 for specified violations of the Lead Abatement Law. Specifies that all administrative fines collected must be deposited in ODH's General Operations Fund (Fund 4700).

Increases, from \$1,000 to \$5,000, the maximum allowable civil penalty that a court of common pleas may impose

No provision.

No provision.

No provision.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

against a person for specified violations of the Lead Abatement Law, which are deposited into the Lead Abatement Personnel Licensing Fund.

**Fiscal effect: Potential increase in fine revenue deposited in Fund 4700.**

**DOHCD7 Smoke-Free Workplace Law**

**R.C. 3794.01**

Expands the Smoke-Free Workplace Law to include electronic smoking devices and vapor products.

No provision.

No provision.

No provision.

No provision.

No provision.

**Fiscal effect: Potential increase in enforcement costs and a potential gain in fine revenues for any violations.**

**R.C. 3794.01**

Same as the Executive.

Revises the current definition of "retail tobacco store" under the Smoke-Free Workplace Law to apply to stores that sell "lighted or heated tobacco products" as opposed to "cigars, cigarettes, pipes, or other smoking devices for burning tobacco."

No provision.

No provision.

No provision.

No provision.

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

**R.C. 3794.01, 3794.03**

Same as the Executive.

Same as the House.

Exempts retail vapor establishments from the smoking ban with regard to smoking via vapor products and electronic smoking devices.

Specifies that the smoking ban applies to retail vapor establishments with regard to all other forms of smoking.

Requires entities to certify that they are eligible for the retail vapor store smoking ban exemption.

Defines "retail vapor store" as being a retail establishment that derives more than eighty per cent of its gross revenue from the sale of vapor products, electronic smoking devices, or other electronic smoking product accessories and for which the sale of other products is merely incidental.

**Fiscal effect: Same as the Executive, but there may be a decrease in enforcement costs and corresponding fine**

Executive

As Passed By House

As Reported By Senate Finance

revenue associated with the retail vapor establishment exemption.

**DOHCD10 Local Health Departments**

**Section: 291.20**

Earmarks up to \$6.0 million in FY 2022 in GRF appropriation item 440413, Local Health Departments, which may be used to support local health departments' efforts to improve population health, based upon the findings and recommendations in Ohio's 2020-2022 State Health Improvement Plan, and/or to incentivize efficiencies among local health departments, including the use of shared services or the consolidation of local health departments that formally merge on or after July 1, 2021.

Requires funding for mergers to be distributed only after a formal merger agreement is signed by two or more local health departments and shared with ODH.

Requires the merger funding to be used to cover the costs related to the merger and to build capacity for the newly combined local health department in order to improve services to the public and the health of all residents. Allows a portion of this funding to be used to support pre-merger analysis and planning for departments interested in a merger.

No provision.

Allows the Director of Health, on July 1, 2022, or as soon as possible thereafter, to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 440413,

**Section: 291.20**

Same as the Executive, but requires the earmark to be used to conduct studies regarding city and general health district mergers as required in R.C. 3709.012 (see DOHCD40 for the requirements related to the study) and allows any remaining funds to be used for the Executive provisions.

Same as the Executive.

Same as the Executive, but specifies that the funds to be used to support pre-merger analysis and planning are for local health departments not impacted by R.C. 3709.012.

Requires the Director of Health to seek Controlling Board approval before any funds can be expended from this earmark.

Same as the Executive.

No provision.

No provision.

No provision.

No provision.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

Local Health Departments, at the end of FY 2022 to be reappropriated to FY 2023. Reappropriates the amount certified to the same appropriation item for FY 2023.

**DOHCD11 Mothers and Children Safety Net Services**

**Section: 291.20**

No provision.

Earmarks up to \$200,000 in each fiscal year in GRF appropriation item 440416, Mothers and Children Safety Net Services, to be used to assist families with hearing impaired children under 21 years of age in purchasing hearing aids and hearing assistive technology.

Requires the Director of Health to adopt rules governing the distribution of these funds including rules that do both of the following: (1) establish eligibility criteria to include families with incomes at or below 400% of the federal poverty guidelines; and (2) develop a sliding scale of disbursement based on family income.

**Section: 291.20**

Earmarks \$15,000 in each fiscal year in GRF appropriation item 440416, Mothers and Children Safety Net Services, to be distributed to the Trumbull County chapter of Sleep in Heavenly Peace, Inc.

Same as the Executive.

Same as the Executive.

**Section: 291.20**

Same as the House.

Same as the Executive.

Same as the Executive.

**DOHCD12 Free Clinic Safety Net Services**

**Section: 291.20**

Requires GRF appropriation item 440431, Free Clinic Safety Net Services, to be provided to the Charitable Healthcare Network.

Allows funds to be used to reimburse free clinics for health care services provided, as well as for administrative services, information technology costs, infrastructure repair, or other

**Section: 291.20**

Same as the Executive.

Same as the Executive.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

clinic necessities.

Allows the Director of Health to designate up to five per cent of the appropriation in each fiscal year to pay the administrative costs ODH incurs for operating the program.

Same as the Executive.

Same as the Executive.

**DOHCD13 AIDS Prevention**

**Section: 291.20**

Requires GRF appropriation item 440444, AIDS Prevention, to be used to administer educational and other prevention initiatives.

**Section: 291.20**

Same as the Executive.

**Section: 291.20**

Same as the Executive.

**DOHCD14 FQHC Primary Care Workforce Initiative**

**Section: 291.20**

Requires GRF appropriation item 440465, FQHC Primary Care Workforce Initiative, to be provided to the Ohio Association of Community Health Centers to administer the FQHC Primary Care Workforce Initiative. Requires the Initiative to provide medical, dental, behavioral health, physician assistant, and advanced practice nursing students with clinical rotations through federally qualified health centers.

**Section: 291.20**

Same as the Executive.

**Section: 291.20**

Same as the Executive.

**DOHCD15 Infant Vitality**

**Section: 291.20**

Earmarks up to \$5.0 million in FY 2022 in GRF appropriation item 440474, Infant Vitality, to be used, in consultation with the Governor's Office of Children's Initiatives, to support programming by community and local faith-based service providers that invests in maternal health programs, provides services and support to pregnant mothers, and improves both maternal and infant health outcomes.

**Section: 291.20**

Same as the Executive.

**Section: 291.20**

Same as the Executive.

| Executive  | As Passed By House            | As Reported By Senate Finance  |
|--|-------------------------------|--|
| <p>Earmarks up to \$500,000 in FY 2022 in GRF appropriation item 440474, Infant Vitality, to be used, in consultation with the Department of Medicaid, to develop a universal needs assessment to identify and provide needed health and wraparound supports for vulnerable women.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p>Requires the remainder of GRF appropriation item 440474, Infant Vitality, to be used to fund a multi-pronged population health approach to address infant mortality. Specifies that this approach may include the following: increasing awareness; supporting data collection; analysis and interpretation to inform decision-making and ensure accountability; targeting resources where the need is greatest; and implementing quality improvement science and programming that is evidence-based or based on emerging practices.</p> | <p>Same as the Executive.</p> | <p>Same as the Executive, but includes raising awareness regarding respiratory syncytial virus as an approach to address infant mortality.</p> |
| <p>Specifies that measurable interventions may include activities related to safe sleep, community engagement, Centering Pregnancy, newborn screening, safe birth spacing, gestational diabetes, smoking cessation, breastfeeding, care coordination, and progesterone.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p><b>DOHCD16 Emergency Preparedness and Response</b></p>  |                               |  |
| <p><b>Section: 291.20</b></p>  | <p><b>Section: 291.20</b></p> | <p><b>Section: 291.20</b></p>  |
| <p>Requires GRF appropriation item 440477, Emergency Preparedness and Response, to be used to support public health emergency preparedness and response efforts.</p>   | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |
| <p>Allows GRF appropriation item 440477 to also be used to support data infrastructure projects and other data analysis and analytics work.</p>  | <p>Same as the Executive.</p> | <p>Same as the Executive.</p>  |



Executive

As Passed By House

As Reported By Senate Finance

**DOHCD17 Lupus Awareness**

**Section: 291.20**

Requires GRF appropriation item 440481, Lupus Awareness, to be distributed to the Lupus Foundation of America, Greater Ohio Chapter, Inc., to operate a lupus education and awareness program.

**Section: 291.20**

Same as the Executive.

**Section: 291.20**

Same as the Executive.

**DOHCD18 Chronic Disease, Injury Prevention and Drug Overdose**

**Section: 291.20**

Makes the following earmarks from the appropriations to GRF line item 440482, Chronic Disease, Injury Prevention and Drug Overdose:

(1) Up to \$3.0 million in FY 2022 to be used, in consultation with the Department of Mental Health and Addiction Services and the Governor's RecoveryOhio Initiative, to support the continuation of the Emergency Department Comprehensive Care Initiative to enhance Ohio's response to the addiction crisis by creating a comprehensive system of care for patients who present in emergency departments with addiction; and

(2) Up to \$250,000 in FY 2022 to be used, in consultation with the Governor's RecoveryOhio Initiative, to support local health providers' harm reduction efforts to reduce overdose rates and deaths.

(3) No provision.

**Section: 291.20**

Same as the Executive, but makes the following change to the earmarks:

(1) Same as the Executive.

(2) Same as the Executive.

(3) \$75,000 in FY 2022 to be distributed to the Dental Center of Northwest Ohio to be used for clinical equipment at its practice in Toledo.

**Section: 291.20**

Same as the House, but makes the following changes:

(1) No provision.

(2) Same as the Executive.

(3) Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD19 Infectious Disease Prevention and Control**

**Section: 291.20**

Earmarks up to \$2.0 million in FY 2022 in GRF appropriation item 440483, Infectious Disease Prevention and Control, to be used, in consultation with Ohio's state agencies, boards, and commissions, for the purpose of addressing social determinants of health and improving health equity for all Ohioans.

Allows the Director of Health, on July 1, 2022, or as soon as possible thereafter, to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 440483, Infectious Disease Prevention and Control, at the end of FY 2022 to be reappropriated to FY 2023. Reappropriates the amount certified to the same appropriation item for FY 2023.

**Section: 291.20**

No provision.

Same as the Executive.

**Section: 291.20**

No provision.

Same as the Executive.

**DOHCD20 Targeted Health Care Services - Over 21**

**Section: 291.20**

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

Earmarks \$100,000 in each fiscal year for ODH to implement the Hemophilia Insurance Premium Payment Program.

Requires GRF appropriation item 440507 to also be used to provide essential medications and to pay the copayments for drugs approved by ODH and covered by Medicare Part D that are dispensed to participants in the Cystic Fibrosis Program.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

| Executive  | As Passed By House   | As Reported By Senate Finance   |
|--|--|---|
| Requires ODH to expend all funds in appropriation item 440507.   | Same as the Executive.   | Same as the Executive.  |
| <b>DOHCD21 Lead Abatement</b>  |  |   |
| <b>Section: 291.20</b>   |  |   |
| Earmarks \$250,000 in each fiscal year in GRF appropriation item 440527, Lead Abatement, to be used by ODH to distribute funds to the city of Toledo for lead-based paint abatement, containment, and housing rehabilitation projects in the historic south neighborhoods of Toledo. | <b>Section: 291.20</b><br>Same as the Executive, but increases the earmark to \$400,000 in each fiscal year. | <b>Section: 291.20</b><br>Same as the House, but increases the earmark to \$500,000 in each fiscal year.                            |
| Allows ODH to choose to require matching funding and to include project and reporting requirements before distributing funds.  | Same as the Executive.   | Same as the Executive, but specifies that ODH must require local match funding of up to one half of annual grant funds distributed. |
| <b>DOHCD22 Harm Reduction</b>  |  |   |
| <b>Section: 291.20</b>   |  |   |
| Requires GRF appropriation item 440529, Harm Reduction to be used to distribute funding to local health departments or a partner agency to operate harm reduction programs, including syringe services.  | <b>Section: 291.20</b><br>Same as the Executive.   | <b>Section: 291.20</b><br>Same as the Executive.  |
| Requires local health departments eligible for funding to be accredited or in the process of becoming accredited through the Public Health Accreditation Board.  | Same as the Executive.   | Same as the Executive.  |
| <b>DOHCD23 Lead-Safe Home Fund Pilot Program</b>   |  |   |
| <b>Section: 291.20</b>   |  |   |
| Requires GRF appropriation item 440530, Lead-Safe Home Fund Pilot Program, to be used by ODH to make distributions on a quarterly basis to the Lead Safe Cleveland Coalition for the Lead-Safe Home Fund Pilot Program.  | <b>Section: 291.20</b><br>Same as the Executive.   | <b>Section: 291.20</b><br>Same as the Executive.  |

| Executive   | As Passed By House  | As Reported By Senate Finance |
|---|---|-------------------------------|
| Requires the Coalition, before any funds are distributed, to provide ODH with documentation showing the amount of private sector dollars the Coalition has collected.   | Same as the Executive.  | Same as the Executive.        |
| Specifies that the amount of each distribution provided by ODH must not exceed the amount documented. Specifies that total disbursements must not exceed \$1.0 million in each fiscal year.   | Same as the Executive.  | Same as the Executive.        |
| <b>DOHCD24 Youth Homelessness</b>   |   |                               |
| <b>Section: 291.20</b>  | <b>Section: 291.20</b>  | <b>Section: 291.20</b>        |
| No provision.   | Earmarks \$900,000 in each fiscal year in GRF appropriation item 440672, Youth Homelessness, to be distributed to Star House for its Drop-In Center and its Carol Stewart Village to provide services for homeless youth. | Same as the House.            |
| Requires GRF appropriation item 440672, Youth Homelessness, to be used to address homelessness in youth and pregnant women by providing assertive outreach to provide stable housing, including recovery housing.   | Same as the Executive, but requires the remainder of the appropriation item to be used for these purposes.  | Same as the House.            |
| <b>DOHCD25 Fee Supported Programs</b>   |   |                               |
| <b>Section: 291.20</b>  | <b>Section: 291.20</b>  | <b>Section: 291.20</b>        |
| Earmarks \$2,160,000 in each fiscal year from DPF Fund 4700 appropriation item 440647, Fee Supported Programs, to be used to distribute subsidies, on a per capita basis, to local health departments accredited through the Public Health Accreditation Board, or local health departments that are in the process of earning accreditation. | Same as the Executive.  | Same as the Executive.        |
| Earmarks \$1,840,000 in each fiscal year from appropriation item 440647 to be used to distribute subsidies to local health departments accredited through the Public Health   | Same as the Executive.  | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

Accreditation Board on a per capita basis.

**DOHCD26 Medically Handicapped Children Audit Fund**

**Section: 291.20**

Specifies that the Medically Handicapped Children Audit Fund (Fund 4770) is to receive revenue from audits of hospitals and recoveries from third-party payers. Specifies that moneys in the fund may be used for payment of audit settlements and for costs directly related to obtaining recoveries from third-party payers and for encouraging Medically Handicapped Children's Program recipients to apply for third-party benefits.

Permits moneys in the fund to also be used for payments for diagnostic and treatment services on behalf of medically handicapped children and Ohio residents who are 21 or over and who are suffering from cystic fibrosis or hemophilia.

Permits moneys to also be used for administrative expenses incurred in operating the Medically Handicapped Children's Program.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**DOHCD27 Genetics Services**

**Section: 291.20**

Requires DPF Fund 4D60 appropriation item 440608, Genetics Services, to be used to administer newborn screening and programs related to the education, detection, and treatment of genetic diseases as authorized by R.C. 3701.501 and 3701.502. Requires that the funds cannot be used to counsel or refer for abortion, except in the case of a medical emergency.

**Section: 291.20**

Same as the Executive.

**Section: 291.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD28 Tobacco Use Prevention, Cessation, and Enforcement**

**Section: 291.20**

Earmarks \$250,000 in each fiscal year from DPF Fund 5BX0 appropriation item 440656, Tobacco Use Prevention, Cessation, and Enforcement, to be distributed to boards of health for the Baby and Me Tobacco Free Program. Requires the Director to determine how the funds are to be distributed, but must prioritize awards to boards that serve women who reside in communities that have the highest infant mortality rates in this state, as identified under R.C. 3701.142.

Requires the remainder of the appropriation to be used to administer tobacco use prevention and cessation activities and programs, to administer compliance checks, retailer education and programs related to legal age restrictions, and to enforce the Ohio Smoke-Free Workplace Act (See DOHCD32 for the Moms Quit for Two Grant Program earmark).

**Section: 291.20**

Same as the Executive.

Same as the Executive.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

**DOHCD29 Toxicology Screenings**

**Section: 291.20**

Requires DPF Fund 5TZ0 appropriation item 440621, Toxicology Screenings, to be used to reimburse county coroners in counties in which the coroner has performed toxicology screenings on victims of a drug overdose.

Requires the Director of Health to transfer the funds to the counties in proportion to the numbers of toxicology screenings performed per county.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

**Section: 291.20**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD30 Medically Handicapped Children - County Assessments**

**Section: 291.20**

Requires DPF Fund 6660 appropriation item 440607, Medically Handicapped Children – County Assessments, to be used to make payments for expenses associated with the Bureau for Children with Medical Handicaps.

**Section: 291.20**

Same as the Executive.

**Section: 291.20**

Same as the Executive.

**DOHCD31 Cash transfer to Emergency Preparedness and Response Fund**

**Section: 291.20**

Allows the Director of Health, if the Director determines that there are insufficient funds in GRF appropriation item 440477, Emergency Preparedness and Response, to certify to the Director of Budget and Management an amount necessary to address public health emergency preparedness and response activities.

**Section: 291.20**

Same as the Executive.

No provision.

Requires the Director of Budget and Management, upon certification, to transfer up to \$500,000 cash in each fiscal year from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Emergency Preparedness and Response Fund (Fund 5UA0).

Same as the Executive.

No provision.

Appropriates the transferred amount.

Same as the Executive.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD32 Moms Quit for Two Grant Program**

**Section: 291.30**

Creates the "Moms Quit for Two Grant Program," which is to provide grants to private, nonprofit entities or government entities that demonstrate the ability to deliver evidence-based tobacco cessation interventions to pregnant women and women living with children who reside in communities with high infant mortality, as determined by ODH.

Specifies that funds awarded shall not be used to provide tobacco cessation interventions to women who are eligible for Medicaid.

Earmarks \$750,000 in each fiscal year from DPF Fund 5BX0 appropriation item 440656, Tobacco Use Prevention, Cessation, and Enforcement, to be used to award grants for the Moms Quit for Two Grant Program.

**Section: 291.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 291.30**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**DOHCD33 WIC vendor contracts**

**Section: 291.40**

Requires ODH, during FY 2022 and FY 2023, to process and review a Women, Infants, and Children (WIC) vendor contract application not later than 45 days after receipt of the application if the applicant is a WIC-contracted vendor at the time of application and meets all of the following requirements: (1) submits a complete WIC vendor application with all required documents and information; (2) passes the required unannounced preauthorization visit within 45 days of submitting a complete application; and (3) completes the required in-person training within 45 days of submitting the complete application.

**Section: 291.40**

Same as the Executive.

**Section: 291.40**

Same as the Executive.



| Executive  | As Passed By House     | As Reported By Senate Finance |
|--|------------------------|-------------------------------|
| Requires ODH to deny an application for the contract if an applicant fails to meet any of the requirements.  | Same as the Executive. | Same as the Executive.        |
| Specifies that, after an application has been denied, the applicant may reapply for a contract to act as a WIC vendor during the contracting cycle that is applicable to the applicant's WIC region.   | Same as the Executive. | Same as the Executive.        |
| <b>DOHCD35 Long-Term Care Bed Buyback Program</b>  |                        |                               |
| <b>Section: 291.50</b>   |                        |                               |
| Requires ODH, in consultation with the Department of Aging and the Department of Medicaid, to establish a Long-Term Care Bed Buyback Program during FY 2022 and FY 2023 under which nursing facility operators may voluntarily, permanently surrender for compensation one or more licensed long-term care beds due to a decrease in bed utilization if the bed is (1) located in a county with bed excess as calculated by ODH and (2) the county has sufficient beds remaining to address the bed need in the county as calculated by ODH after surrender. | No provision.          | No provision.                 |
| Requires ODH to solicit program applications, setting forth program requirements and the criteria that will be used to evaluate competing bed surrender proposals.   | No provision.          | No provision.                 |
| Requires a nursing facility that has received payment for the surrender of long-term care beds under the program to provide notice with specified information to ODH.  | No provision.          | No provision.                 |
| Requires DPF Fund L087 appropriation item 440680, Nursing Home Bed Reduction, to be used in FY 2022 to support the long-term care bed buyback program.   | No provision.          | No provision.                 |

| Executive   | As Passed By House   | As Reported By Senate Finance |
|---|--|-------------------------------|
| <p>Allows, on July 1, 2022, or as soon as possible thereafter, the Director of Health to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of DPF appropriation item, 440680, Nursing Home Bed Reduction, at the end of fiscal year 2022 to be reappropriated to FY 2023.</p> | <p>No provision.</p>   | <p>No provision.</p>          |
| <p>Reappropriates the amount certified to the same appropriation item and for the same purpose for FY 2023.</p>   | <p>No provision.</p>   | <p>No provision.</p>          |
| <p><b>Fiscal effect: In FY 2022, \$50.0 million is appropriated in appropriation item 440680.</b></p>   |  |                               |
| <p><b>DOHCD37 Frontline Health Care Worker Education Pilot Program</b></p>  |  |                               |
| <p>No provision.</p>  | <p><b>Section: 291.60</b><br/>Requires ODH to establish and operate, during FY 2022 and FY 2023, a Frontline Health Care Worker Education, Training, and Certification Pilot Program to reimburse adult education institutions for the cost of education-related expenses and wraparound services provided to students enrolled in certain in-demand healthcare professions.</p>   | <p>No provision.</p>          |
| <p>No provision.</p>  | <p>Requires GRF appropriation item 440485, Health Program Support, to be used to provide reimbursements under the Frontline Healthcare Worker Education, Training, and Certification Pilot Program.</p> <p><b>Fiscal effect: ODH may experience an increase in costs to establish the program and to adopt rules; however, reimbursement for the program will be provided through the \$125,000 appropriation in each FY from GRF appropriation item 440485.</b></p> | <p>No provision.</p>          |

Executive

As Passed By House

As Reported By Senate Finance

**DOHCD47 Help Me Grow report**

No provision.

No provision.

**Section: 291.70**

Requires the Director of Health to submit a report regarding the Help Me Grow program to the chairperson and ranking minority member of the health committee and finance committee of each house.

No provision.

No provision.

Requires the report to include the number of families in the program who are eligible for Medicaid and TANF and to include recommendations for using funds associated with Medicaid and TANF to provide services through Help Me Grow.

**Fiscal effect: ODH will experience an increase in costs to produce the required report.**

**DOHCD51 Vax-A-Million database not a public record**

No provision.

No provision.

**Section: 701.05, 812.23**

Specifies the information in the Vax-A-Million database is confidential and not public record.

No provision.

No provision.

Specifies this provision takes immediate effect when the bill becomes law.

**Fiscal effect: There could be impacts to local courts if there were any violations of the public records law.**

Executive

As Passed By House

As Reported By Senate Finance

**BORCD70 Educator preparation programs and computer science**

**R.C. 3333.049**

Requires each educator preparation program to require each candidate for an educator license who enters the program in the 2022-2023 academic year and after to receive instruction in computer science and computational thinking, as applied to student learning and classroom instruction and as appropriate for the grade level and subject area for the candidate's prospective educator license.

**Fiscal effect: State institutions of higher education may incur some cost to develop and implement this area of instruction in their educator preparation programs to the extent that this instruction is not already offered.**

**R.C. 3333.049**

Same as the Executive.

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

**R.C. 3333.049**

Same as the Executive.

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

**BORCD67 Rules for withholding student transcripts**

**R.C. 3333.0417**

Permits the Chancellor of Higher Education to adopt rules regarding when a state institution of higher education may withhold official transcripts from a student including for student-owed debts to the institution.

**Fiscal effect: Permissive.**

No provision.

**R.C. 3333.0417**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**BORCD89 Nursing bachelor's degree programs at community colleges**

No provision.

No provision.

**R.C. 3333.051, (conforming changes in R.C. 3354.01, 3357.09, and 3358.01)**

Requires the Chancellor to approve any nursing bachelor's degree program proposed by a community, state community, and technical college (community college), if those programs meet certain requirements under continuing law and the standards and procedures for academic program approval under continuing law.

No provision.

No provision.

Requires the community college, upon approval of the Chancellor, to establish an accredited nursing bachelor's degree program.

**Fiscal effect: A community college wishing to operate a nursing bachelor's degree program will incur costs in creating one. However, any costs may be offset, at least in part, from revenue received from tuition and State Share of Instruction (SSI) subsidy payments from DHE for course and degree completions.**

**BORCD72 Commercial Truck Driver Student Aid Program**

No provision.

**R.C. 3333.125, (conforming changes in R.C. 3333.38 and 3345.32)**

Establishes the Commercial Truck Driver Student Aid Program, under which the Chancellor must provide a combination of a grant and loan to eligible students enrolled in a certified commercial driver's license program at a certified commercial driver's license school.

No provision.

No provision.

Requires the Chancellor to adopt rules for the program, including rules for loan terms and conditions, certification requirements for schools, and any additional eligibility

No provision.

| Executive     | As Passed By House   | As Reported By Senate Finance |
|---------------|--|-------------------------------|
| No provision. | <p>criteria the Chancellor determines is needed for participating individuals.</p> <p>Qualifies a student for an award if the student: (1) is an Ohio resident; (2) is enrolled in a certified commercial driver's license school; (3) passes a drug test; (4) has three or fewer moving violations in two consecutive years; (5) has not pled guilty to or been convicted of operating a motor vehicle under the influence of alcohol or drugs; and (6) meets other criteria established by the Chancellor.</p> | No provision.                 |
| No provision. | <p>Disqualifies a student if the student has three moving violations in two consecutive years or pleads guilty or is convicted of operating a motor vehicle under the influence while enrolled in the program.</p>   | No provision.                 |
| No provision. | <p>Requires a student who receives an award to commit to residing and being employed in Ohio as a truck driver for a minimum of one year upon completion of a certified commercial driver's license program.</p>   | No provision.                 |
| No provision. | <p>Specifies that (1) a student's grant amount is one half of the student's remaining state cost of attendance after the student's federal Pell grant and expected family contribution (EFC) are applied to the student's instructional and general charges for the certified commercial driver's license school, and (2) a student's loan amount is the other half.</p>   | No provision.                 |
| No provision. | <p>Specifies that the amount of a grant and loan awarded to a student is in addition to any amount the student receives under the Ohio College Opportunity Grant (OCOG) program. Requires the Chancellor to decrease the amount of the loan by the amount of OCOG received by the eligible student.</p>  | No provision.                 |

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| No provision.   | Requires each student who accepts a grant to sign a promissory note payable to the state in the event that the student either fails to complete the certified commercial driver's license program or fails to meet the one-year residency and employment requirement. Specifies that the amount payable under the note is the amount of the grant plus any interest accrued annually beginning either one calendar year after the student completes a program or immediately after a student disenrolls from, or does not complete, a program. | No provision.  |
| No provision.   | Establishes the Commercial Truck Driver Student Aid Fund to consist of funds appropriated by the General Assembly for the program, and loan repayments.<br><br><b>Fiscal effect: Grants and loans under the program are each supported with earmarks of up to \$1.25 million in each fiscal year from GRF line item 235595, Commercial Truck Driver Student Aid Program (see BORCD73).</b>   | No provision.  |
| <b>BORCD2 FAFSA data system</b>   | <b>R.C. 3333.301, 3313.6026 (conforming changes in R.C. 3314.03, 3326.11, and 3328.24)</b>   | <b>R.C. 3333.301, 3313.6026 (conforming changes in R.C. 3314.03, 3326.11, and 3328.24)</b> |
| Requires the Chancellor and the Management Council of the Ohio Education Computer Network (OECN) to establish a data system to track the Free Application for Federal Student Aid (FAFSA) completion rate of Ohio's public and chartered nonpublic school students. | Same as the Executive.   | Same as the Executive.   |
| Requires the Chancellor and Management Council to develop guidelines and procedures to operate the data system.   | Same as the Executive.   | Same as the Executive.   |
| Permits the Chancellor to publish and share aggregate FAFSA data, including completion counts and rates for Ohio and  | Same as the Executive.   | Same as the Executive.   |

Executive

As Passed By House

As Reported By Senate Finance

each school district, community school, STEM school, and chartered nonpublic school.

Requires each school district and each community school, STEM school, and chartered nonpublic school that is a high school to: (1) enter into a data sharing agreement with the Chancellor for the purposes of operating the data system, and (2) provide principals and school counselors with access to the system to assist with efforts to support and encourage students to complete the FAFSA.

**Fiscal effect: DHE contracted with the Management Council in December 2019 to develop the data system, which is now operable. DHE reports that 541 (89%) school districts have already opted to share data in the system. DHE anticipates using a portion of the \$22.6 million in federal CARES Act funds appropriated in FED Fund 3HQ0 line item 235509, GEER-Higher Education Initiatives, to further support this initiative.**

Same as the Executive.

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

Same as the Executive.

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

**BORCD74 In-state tuition for certain out-of-state students who enroll in a graduate program**

No provision.

(1) No provision.

(2) No provision.

**R.C. 3333.31**

Grants in-state residency status to a non-Ohio resident for tuition surcharge and state operating subsidy purposes who:

(1) Completes a bachelor's degree program at a state institution of higher education, and

(2) Enrolls in a graduate program, other than one that grants a professional degree, at that or another state institution in the next semester in which the graduate program accepts students for admission.

**R.C. 3333.31**

Same as the House, but makes the following changes and additions to the eligibility criteria:

(1) Same as the House, but requires the non-Ohio resident to also live in the state and expands the types of institutions at which a student completes a bachelor's degree to any institution of higher education in Ohio;

(2) Same as the House, but requires the student to immediately enroll in a graduate degree program, as determined appropriate by the Chancellor, offered at any state institution of higher education; and,



| Executive  | As Passed By House  | As Reported By Senate Finance  |
|--|---|--|
| (3) No provision.  | (3) No provision.<br><br><b>Fiscal effect: May result in a loss in tuition revenue at state institutions of higher education since the institutions enrolling these students will no longer be able to apply a non-resident surcharge. Conversely, the reduced tuition may incentivize these students to enroll in an eligible graduate program at a state institution, which would increase tuition revenues as well as instructional costs at those institutions. State institutions may gain or lose revenue from state share of instruction (SSI) formula payments depending on how the enrollment of these individuals changes the institution's share of institutional outcome factors used in the formula.</b> | (3) Requires the student, while enrolled in the graduate degree program, to reside in Ohio.<br><br><b>Fiscal effect: Same as the House, but may increase the number of eligible individuals as a result of expanding the types of institution from where a non-Ohio resident can first complete a bachelor's degree program.</b> |
| <b>BORCD35 Choose Ohio First Scholarship - Ohio Research Scholars and Ohio Innovative Partnership elimination</b>  |   |  |
| <b>R.C. 3333.61, 3333.615, 3333.62, 3333.63, 3333.64, 3333.69, Repealed: R.C. 3333.611, 3333.612, 3333.614, and 3333.67</b>  | <b>R.C. 3333.61, 3333.615, 3333.62, 3333.63, 3333.64, 3333.69, Repealed: R.C. 3333.611, 3333.612, 3333.614, and 3333.67</b>   | <b>R.C. 3333.61, 3333.615, 3333.62, 3333.63, 3333.64, 3333.69, Repealed: R.C. 3333.611, 3333.612, 3333.614, and 3333.67</b>  |
| Eliminates the Ohio Research Scholars Program and the Ohio Innovative Partnership, but retains the Choose Ohio First Scholarship (COF) Program.  | Same as the Executive.  | Same as the Executive.   |
| Eliminates the primary care medical student, primary care nursing student, and primary care dental student components of COF.  | Same as the Executive.  | Same as the Executive.   |
| Includes "health professions" in the COF purpose statement, and removes medicine, dentistry, and medical and dental education from the academic fields in which students may receive COF scholarships. | Same as the Executive.  | Same as the Executive.   |
| <b>Fiscal effect: None. COF and the Ohio Research Scholars</b>   | <b>Fiscal effect: Same as the Executive.</b>  | <b>Fiscal effect: Same as the Executive.</b>   |

Executive

As Passed By House

As Reported By Senate Finance

Program, which provided grants to state institutions of higher education to use in recruiting scientists as faculty members, are under the umbrella of the Ohio Innovative Partnership. According to DHE, Research Scholars has been out of operation for a number of years. Eliminating Research Scholars leaves COF as the sole program under Ohio Innovative Partnership, thus the elimination of the Partnership too. Similarly, the primary dental, medical, and nursing student components of COF were closed to new recipients beginning in 2019 at the discretion of the Chancellor pursuant to current law.

**BORCD37 Choose Ohio First Scholarship - COF Reserve Fund (Fund 5PV0)**

R.C. 3333.613

Extends the sources of funds that the COF Reserve Fund (Fund 5PV0) may receive, in addition to those received from the General Assembly, to include federal and other sources (see BORCD6).

**Fiscal effect: Potential gain in revenue to Fund 5PV0 if additional sources of funds are identified and received.**

R.C. 3333.613

Same as the Executive.

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

R.C. 3333.613

Same as the Executive, but removes "other sources" as a source of funding for Fund 5PV0.

**Fiscal effect: Same as the Executive, but limits any gain in revenue to Fund 5PV0 to moneys received from the General Assembly and federal sources.**

**BORCD36 Choose Ohio First Scholarship - Criteria for scholarship proposals and work-based learning requirements**

R.C. 3333.62, 3333.64, 3333.66

Requires the Chancellor to base COF award determinations on the extent to which a proposal recruits underrepresented populations in certain academic fields, in addition to at least one of a number of existing criteria.

Modifies the existing scholarship proposal criteria in the following ways:

R.C. 3333.62, 3333.64, 3333.66

Same as the Executive.

Same as the Executive.

R.C. 3333.62, 3333.64, 3333.66

Same as the Executive.

Same as the Executive.

| Executive   | As Passed By House         | As Reported By Senate Finance |
|---|----------------------------|-------------------------------|
| (1) Adds the extent to which the state college or university has committed to, or demonstrated, an increase in total graduates in the specified academic fields;  | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) Adds an associate's degree to the criteria concerning the extent to which the proposal facilitates the completion of a degree in a cost-effective manner; and   | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) Eliminates several existing criteria considered by the Chancellor in determining COF awards, including the amount of other monetary or nonmonetary resources that the proposal will use, the demonstrated productivity or future capacity of the students or scientists to be recruited, the extent to which other resources will be used to supplement students' scholarships, and the extent to which the proposal meets various other criteria with respect to institutional collaboration, efficient use of facilities and programs, and degree completion, among others. | (3) Same as the Executive. | (3) Same as the Executive.    |
| Requires all students, rather than at least half the students, receiving a COF scholarship to be involved in work-based learning through a co-op, internship, experience in a university, college, or private laboratory, or other work-based learning experience.  | Same as the Executive.     | Same as the Executive.        |
| Authorizes state universities or colleges or nonpublic four-year institutions of higher education to appeal to the Chancellor for a waiver of this work-based learning requirement in cases where exceptional circumstances make placement of all students impractical or significantly unachievable.   | Same as the Executive.     | Same as the Executive.        |
| Requires the Chancellor to "endeavor to provide," rather than guarantee, that students from all regions of the state are able to participate in COF. Eliminates a provision that  | Same as the Executive.     | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

requires the Chancellor to "endeavor to distribute" scholarships so that all regions of the state benefit from the economic development impact of the program.

Eliminates a requirement that the Chancellor encourage state colleges and universities to submit proposals under COF for initiatives that recruit either of the following: (1) Ohio residents who enrolled in colleges and universities in other states or countries to enroll in state universities or colleges as graduate students in certain academic fields; and (2) graduate students from an Ohio college or university who received, or will receive, a degree in certain academic fields to participate in a graduate-level teacher education master's program in a field that satisfies certain criteria.

**Fiscal effect: Generally provides DHE with additional flexibility in awarding scholarship proposals.**

Same as the Executive.

Same as the Executive.

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

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

**BORCD38 Choose Ohio First Scholarship - scholarship awards and agreements governing use**

R.C. 3333.62, 3333.61, 3333.64, 3333.65, 3333.66, 3333.68

Repeals a provision permitting the Chancellor to authorize an institution to award scholarships in amounts exceeding the amount permitted by law to (1) undergraduate students enrolled in a program leading to a teaching profession in certain academic fields and (2) graduate students who qualify for scholarships under specified recruitment

Authorizes the Chancellor to grant a one-time extension of an award to a state college or university for up to four years, instead of requiring an institution to reapply each time an award expires in order to renew.

Eliminates the requirement that the Controlling Board approve scholarship awards prior to their distribution.

R.C. 3333.62, 3333.61, 3333.64, 3333.65, 3333.66, 3333.68

Same as the Executive.

Same as the Executive, but also requires the Controlling Board to approve the one-time extension of awards.

No provision.

R.C. 3333.62, 3333.61, 3333.64, 3333.65, 3333.66, 3333.68

Same as the Executive.

Same as the House.

No provision.

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| <p>Eliminates the requirement that each college or university's agreement regarding the use of COF scholarships include performance measures, reporting requirements, and an obligation to fulfill pledges of other resources for the proposal.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>  |
| <p>Eliminates a provision permitting the Chancellor, if making awards to a program or initiative implemented by a state college or university in collaboration with other public or private institutions of higher education, to enter into an agreement to grant the award directly to the collaborating institutions.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>  |
| <p><b>Fiscal effect: Decreases DHE and state institution administrative workload.</b></p>   | <p><b>Fiscal effect: Same as the Executive, but decreases the reduction in DHE administrative workload by maintaining Controlling Board approval prior to distribution of awards.</b></p> | <p><b>Fiscal effect: Same as the House.</b></p>  |
| <p><b>BORCD3 OhioCorps Program changes</b></p>  |   |  |
| <p><b>R.C. 3333.80, 333.801 (conforming changes in R.C. 3333.802)</b></p>   | <p><b>R.C. 3333.80, 333.801 (conforming changes in R.C. 3333.802)</b></p>   | <p><b>R.C. 3333.80, 3333.801, and 3333.802 (all repealed)</b></p>                                  |
| <p>Renames the "OhioCorps Pilot Program" the "OhioCorps Program" and removes the two-year limit on its operation, allowing it to continue after the 2020-2021 school year.</p>  | <p>Same as the Executive.</p>   | <p>Replaces the Executive provision with a provision that repeals the OhioCorps Pilot Program.</p> |
| <p>Modifies the eligibility criteria for an OhioCorps scholarship by requiring (1) a student to achieve a remediation-free score in math, reading, or English on a nationally standardized assessment (ACT or SAT), rather than on the entire assessment as under current law, and (2) a student to complete and receive a passing grade in at least one College Credit Plus (CCP) course, rather than in at least one math and English language arts CCP course.</p> | <p>Same as the Executive.</p>   | <p>No provision.</p>   |

Executive

As Passed By House

As Reported By Senate Finance

Extends the deadline by which the Chancellor must submit the report to the General Assembly regarding the implementation and outcomes of the OhioCorps Program to the end of the 2021-2022 school year, rather than the end of the 2020-2021 school year.

Same as the Executive.

No provision.

**Fiscal effect: Allows the OhioCorps Program to continue operating beyond the current academic year. However, the OhioCorps Program currently has no FY 2021 appropriation available to rollover into the next biennium (See BORCD4) and no new appropriations are included in the bill. DHE expects that the changes will help existing grantees implement the program and benefit future mentorship programs. Provides DHE with an additional year to complete the required report.**

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

**Fiscal effect: DHE may experience less administrative burden since they will no longer be required to administer OhioCorps. The OhioCorps Fund (Fund 5UK0) will have its cash balance transferred to the Ohio College Opportunity Grant (OCOG) Reserve Fund (Fund 5PU0) on July 1, 2021, or as soon as possible thereafter. (see OBMCD41)**

**BORCD86 Farm Production, Policy, and Financial Management Institute**

No provision.

No provision.

**R.C. 3335.38**

Renames the "Farm Financial Management Institute" as the "Farm Production, Policy, and Financial Management Institute."

No provision.

No provision.

Expands the Institute's role to include assisting farmers in addressing integration of farm production practices, agricultural marketing, and farm policy, in addition to financial management.

No provision.

No provision.

Adds farm owners and managers to the list of individuals considered for priority enrollment in the program.

**Fiscal effect: The bill provides \$250,000 in each fiscal year under DPF Fund 5YB0 appropriation item 700676, Farm Financial Management Institute, to support the Program. (see AGRCD23)**

Executive

As Passed By House

As Reported By Senate Finance

**BORCD69 State university admissions and computer science courses**

**R.C. 3345.063**

Requires that, beginning in the 2022-2023 academic year, each state university must recognize a student's successful completion of one unit of advanced computer science in high school as one unit toward meeting a math, science, general elective, or foreign language requirement for admissions to the university, if the student used an advanced computer science course, or a computer coding course in the case of foreign language, to meet a similar high school curriculum requirement.

Requires each state university to post a description of the university's recognition of advanced computer science as a core unit for admission to the university in a prominent location on its website.

**Fiscal effect: May increase the administrative responsibilities of state universities to update admissions policies.**

**R.C. 3345.063**

Same as the Executive.

Same as the Executive.

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

**R.C. 3345.063**

Same as the Executive.

Same as the Executive.

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

**BORCD75 Electronic attendance of board of trustees' meetings**

No provision.

**R.C. 3345.82**

Allows the board of trustees of a state institution of higher education to adopt a policy allowing the trustees to attend a board meeting via means of electronic communication.

**Fiscal effect: None.**

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD77 College Credit Plus Program - chartered nonpublic school participation**

No provision.

**R.C. 3365.02**

Specifically prohibits any requirement of the College Credit Plus (CCP) Program, and any rule adopted by the Chancellor or the State Board of Education for purposes of the CCP Program, to apply to a chartered nonpublic school that chooses not to participate in the program.

**Fiscal effect: None.**

**R.C. 3365.02**

Same as the House.

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

**BORCD68 College Credit Plus Program - academic eligibility requirements**

**R.C. 3365.03**

Replaces the College Credit Plus (CCP) Program's academic eligibility requirements for students who are not "remediation-free" by (1) creating an alternative remediation-free eligibility option that the Chancellor, in consultation with the Superintendent of Public Instruction, must define and (2) removing the current law eligibility condition for a student within one standard error of measurement below the remediation-free threshold if the student also has at least a 3.0 cumulative high school GPA or receives a recommendation from a school counselor, principal, or career-technical program advisor. Grandfathers in students who qualified under the current law condition prior to the bill's effective date.

**Fiscal effect: May allow more students to participate in the CCP Program if the alternative remediation-free eligibility criteria creates additional flexibility in the admissions process. If so, may increase the amounts deducted from school district and other public school state foundation aid allocations to pay colleges for participating public school**

**R.C. 3365.03**

Same as the Executive.

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

**R.C. 3365.03**

Same as the Executive.

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



Executive

As Passed By House

As Reported By Senate Finance

students. In FY 2020, \$48.8 million was paid to colleges through deductions from school district and community school state aid.

**BORCD79 College Credit Plus Program - course subject matter disclaimer**

|                   | <b>R.C. 3365.035, 3365.04</b>  | <b>R.C. 3365.035, 3365.04</b> |
|-------------------|--|-------------------------------|
| No provision.     | Requires ODE and DHE to jointly develop a permission slip regarding the potential for mature subject matter in courses taken through the College Credit Plus (CCP) Program and to post it on their CCP websites.               | Same as the House.            |
| No provision.     | Requires each public and participating chartered nonpublic school to include the permission slip in CCP counseling information.  | Same as the House.            |
| No provision.     | Requires the student and the student's parent, as a condition of participating in the CCP Program, to sign the permission slip and include it in the student's application to a participating institution of higher education. | Same as the House.            |
| No provision.     | Requires participating institutions of higher education to include the following in each CCP student's enrollment materials:   | Same as the House.            |
| (1) No provision. | (1) A questionnaire for students acknowledging that the student possesses the necessary social and emotional maturity to attend college-level courses;   | (1) Same as the House.        |
| (2) No provision. | (2) Guidance on reviewing course materials available prior to enrolling in a course;   | (2) Same as the House.        |
| (3) No provision. | (3) Information about the college's and the program's policies on withdrawing from or dropping a course;   | (3) Same as the House.        |
| (4) No provision. | (4) Information about the student's right to speak with the student's high school counselor or with the academic advisor   | (4) Same as the House.        |

| Executive  | As Passed By House   | As Reported By Senate Finance                |
|--|--|--|
| No provision.  | <p>assigned to the student.</p> <p>Requires each participating institution to include a discussion about the potential for mature subject matter in courses taken through the CCP Program at student orientation.</p>                        | Same as the House.                           |
| No provision.  | <p>Requires ODE, DHE, and each participating institution to post in a prominent place on their CCP websites a disclaimer about the potential for mature subject matter in courses taken under CCP.</p> <p><b>Fiscal effect: Minimal.</b></p> | Same as the House.                           |
| <b>BORCD71 College Credit Plus Program - eligibility for students in state-operated schools</b>  |  |  |
| <b>R.C. 3365.07, 3365.01, 3365.032</b>   | <b>R.C. 3365.07, 3365.01, 3365.032</b>   | <b>R.C. 3365.07, 3365.01, 3365.032</b>       |
| <p>Permits students enrolled in the State School for the Deaf and the State School for the Blind and students enrolled in a school operated by the Department of Youth Services (DYS) to participate in the College Credit Plus (CCP) program in the same manner as students enrolled in other public schools.</p> | Same as the Executive.   | Same as the Executive.                       |
| <p>Subjects the State School for the Deaf, the State School for the Blind, and institutions operated by the DYS to all existing CCP program requirements that apply to other public schools.</p>   | Same as the Executive.   | Same as the Executive.                       |
| <p>Requires that payments made to a college for courses taken by a student enrolled in the State School for the Deaf, the State School for the Blind, or a school operated by DYS be deducted from the amount appropriated by the General Assembly for support of that school or institution.</p>                  | Same as the Executive.   | Same as the Executive.                       |
| <b>Fiscal effect: May reduce revenues to the state-operated schools.</b>   | <b>Fiscal effect: Same as the Executive.</b>   | <b>Fiscal effect: Same as the Executive.</b> |

Executive

As Passed By House

As Reported By Senate Finance

**BORCD81 Ohio National Guard Scholarship Program eligibility**

No provision.

**R.C. 5919.34**

Makes eligible for a scholarship under the Ohio National Guard Scholarship Program (ONG) an individual who is actively enrolled as a full-time or part-time student for at least three credit hours of course work in (1) a credential-certifying program, (2) licensing program, (3) trade certification program, or (4) apprenticeship program for an in-demand trade as identified by the Adjutant General (ADJ), the Office of Workforce Development within the Department of Job and Family Services, or the Chancellor.

**Fiscal effect: May increase expenditures for ONG scholarships. The bill appropriates \$19.0 million in each fiscal year to GRF line item 235599, National Guard Scholarship Program, to fund the scholarships (see BORCD14).**

**R.C. 5919.34**

Same as the House, but modifies (4) by (a) removing the Office of Workforce Transformation within JFS as one of the entities that may identify in-demand trades and (b) requiring ADJ and the Chancellor, in consultation with the Governor's Office of Workforce Transformation, to identify in-demand occupations for apprenticeship programs.

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

**BORCD43 Sea Grants**

**Section: 381.20**

Requires that GRF line item 235402, Sea Grants, be used by The Ohio State University's Sea Grant program, including Stone Laboratory, to match federal dollars and to enhance Lake Erie and Ohio's coastal resources.

**Section: 381.20**

Same as the Executive.

**Section: 381.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD44 Articulation and Transfer**

**Section: 381.30**

Requires that GRF line item 235406, Articulation and Transfer, be used to maintain and expand the work of the Articulation and Transfer Network Advisory Council to develop a system of transfer policies that ensure that course work will apply to majors and degrees at any state institution.

**Section: 381.30**

Same as the Executive.

**Section: 381.30**

Same as the Executive.

**BORCD45 Midwest Higher Education Compact**

**Section: 381.40**

Requires that GRF line item 235408, Midwest Higher Education Compact, be used for paying membership fees for the Midwestern Higher Education Compact.

**Section: 381.40**

Same as the Executive.

**Section: 381.40**

Same as the Executive.

**BORCD5 Grants and Scholarship Administration**

**Section: 381.50**

Requires that GRF line item 235414, Grants and Scholarship Administration, be used to administer various state and federal student financial aid and scholarship programs, support all financial aid audits, and provide fiscal services for the Ohio National Guard Scholarship Program.

**Section: 381.50**

Same as the Executive.

**Section: 381.50**

Same as the Executive.

**BORCD46 Technology Maintenance and Operations**

**Section: 381.60**

Requires that GRF line item 235417, Technology Maintenance and Operations, be used to support the development and implementation of information technology solutions designed to improve DHE's performance and capacity. Authorizes the Ohio Technology Consortium (OH-TECH) to provide information technology solutions.

**Section: 381.60**

Same as the Executive.

**Section: 381.60**

Same as the Executive.

| Executive  | As Passed By House         | As Reported By Senate Finance |
|--|----------------------------|-------------------------------|
| Permits the funds to also be used for strategic initiatives not related to technology to address higher education needs in the state.  | Same as the Executive.     | No provision.                 |
| Makes the following earmarks of GRF line item 235417, Technology Maintenance and Operations:   | Same as the Executive.     | Same as the Executive.        |
| (1) A portion in each fiscal year to support the eStudent Services consortium. Requires eStudent Services to use these funds to develop and promote learning and assessment through the use of technology, test and provide advice on emerging learning directed technologies, facilitate cost effectiveness through shared investments in educational technology, and any other DHE strategic priorities. | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) A portion in each fiscal year to implement a high priority data warehouse, advanced analytics, and visualization integration services associated with the Higher Education Information (HEI) system. Authorizes OH-TECH to facilitate services.  | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) \$150,000 in each fiscal year to support Ohio Reach to provide mentoring and support services to former foster youth attending college.  | (3) Same as the Executive. | (3) Same as the Executive.    |
| <b>BORCD47 Appalachian New Economy Workforce Partnership</b>   |                            |                               |
| <b>Section: 381.70</b>   | <b>Section: 381.70</b>     | <b>Section: 381.70</b>        |
| Earmarks \$500,000 in each fiscal year from GRF line item 235428, Appalachian New Economy Workforce Partnership, to be allocated to the Mahoning Valley Innovation and Commercialization Center.   | Same as the Executive.     | Same as the Executive.        |
| Specifies that the remainder be distributed to Ohio University to continue an effort to link Appalachia to the new   | Same as the Executive.     | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

economy. Requires Ohio University to use the funds to provide leadership in the development and implementation of initiatives in the areas of entrepreneurship, management, education, and technology.

**BORCD6 Choose Ohio First Scholarship**

**Section: 381.80**

Requires that GRF line item 235438, Choose Ohio First Scholarship, be used according to the statutes authorizing the Choose Ohio First Scholarship Program.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in line item 235438. Authorizes the OBM Director to transfer cash, up to the certified amount, from the GRF to the Choose Ohio First Scholarship Reserve Fund (Fund 5PV0).

**Section: 381.80**

Same as the Executive.

Same as the Executive.

**Section: 381.80**

Same as the Executive.

Same as the Executive.

**BORCD48 Aspire**

**Section: 381.90**

Requires that GRF line item 235443, Adult Basic and Literacy Education – State, be used to support the Aspire Program (supporting adult basic and literacy education instructional program grants and state leadership). Requires that supported programs satisfy the state match and maintenance of effort requirements for the state-administered grant program.

**Section: 381.90**

Same as the Executive.

**Section: 381.90**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD49 Ohio Technical Centers**

**Section: 381.100**

Requires that GRF line item 235444, Ohio Technical Centers, be used to support post-secondary adult career-technical education and makes the following earmarks:

(1) up to 2.38% in each fiscal year for the Ohio Central School System.

(2) up to \$48,000 in each fiscal year for assistance for OTCs.

(3) up to \$3,000,000 in each fiscal year for OTCs that provide customized training and business consultation with matching local dollars, with preference to industries on the in-demand jobs list maintained under existing law on in regionally emerging fields or local business and industries. Sets \$25,000 as the minimum for each OTC and requires a maximum amount to be determined by the Chancellor.

Specifies that the remainder be distributed according to the OTC funding formula (see BORCD50).

**Section: 381.100**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

**Section: 381.100**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD50 Ohio Technical Centers Funding Formula**

**Section: 381.100**

Requires each Ohio Technical Center (OTC) to report data to the Chancellor. Requires the Chancellor to provide coordination for OTCs through approval processes, data collection of program and student outcomes, and subsidy disbursements. Requires the Chancellor to exclude non-residents in the number of students eligible for state subsidy. Defines full-time equivalent (FTE) as completion of 450 hours. Requires the use of a three-year average in calculating the number of FTE students. Requires OTCs to operate with, or be an active candidate for, accreditation by an accreditor authorized by the U.S. Department of Education in order to continue to receive state subsidy.

Distributes the OTC allocation as follows:

(1) 25% based on each OTCs proportion of FTE students who complete a post-secondary technical workforce training program with a grade of C or better or pass if graded as pass/fail.

(2) 20% based on each OTCs proportion of FTE students who complete 50% of a program of study.

(3) 50% based on each OTCs proportion of FTE students who find employment, enter military service, or enroll in additional post-secondary education and training.

(4) 5% based on each OTCs proportion of FTE students who earn a credential from an industry recognized third party.

**Section: 381.100**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**Section: 381.100**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

Phases in formula funding by requiring that, in each fiscal year, no OTC receive less than 50% of the average allocation it received in the three prior fiscal years excluding funding for third party credentials. Requires that funding for OTCs not receiving phase-in funding be reduced proportionally to pay for the phase-in funding.

Same as the Executive.

Same as the Executive.

**BORCD7 Area Health Education Centers Program Support**

**Section: 381.110**

Requires that GRF line item 235474, Area Health Education Centers, be used by the Chancellor to support the medical school regional area health education centers' educational programs and the Area Health Education Center Program.

**Section: 381.110**

Same as the Executive.

**Section: 381.110**

Same as the Executive.

**BORCD51 Campus Safety and Training**

**Section: 381.120**

Requires that GRF line item 235492, Campus Safety and Training, be used by the Chancellor, in consultation with state institutions of higher education and private nonprofit institutions, to continue to develop model best practices in line with emerging trends, research, and evidence-based training, for preventing and responding to power and gender-based violence on campus. Requires the Chancellor to convene higher education institutions in the training and implementation of best practices regarding campus power and gender-based violence.

**Section: 381.120**

Same as the Executive.

**Section: 381.120**

Same as the Executive, but replaces references to "power and gender-based" violence with "sexual" violence, effectively retaining language in current temporary law for item 235492 under H.B. 166 of the 133rd General Assembly.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD88 Northeast Ohio Medical University (NEOMED) Dental School**

No provision.

No provision.

**Section: 381.120**

Requires that GRF line item 235495, Northeast Ohio Medical University Dental School, be distributed to NEOMED to support the creation of its dental school. Requires the school to meet all of the accreditation standards of the Commission on Dental Accreditation to train dental students and award only Doctor of Dental Surgery (D.D.S.) or Doctor of Dental Medicine (D.M.D.) degrees.

No provision.

No provision.

Requires NEOMED to match any moneys it receives from the state and report to the Chancellor on how it is using moneys it receives from item 235495.

**BORCD17 State Share of Instruction (SSI) Formulas**

**Section: 381.140**

Requires the Chancellor to establish procedures to allocate GRF line item 235501, State Share of Instruction, based on the SSI formulas that use the enrollment, course completion, degree attainment, and student achievement factors reported annually by each state institution participating in the Higher Education Information (HEI) system.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD18 SSI - Full-Time Equivalent Enrollment and Course Completions**

**Section: 381.140**

Requires state institutions to report their actual data to the Chancellor. Requires the Chancellor to exclude all undergraduate students who are not Ohio residents or who do not meet the definition of residency for state subsidy and tuition surcharge purposes (except those under reciprocity agreements or employer contracts) in defining the number of full-time equivalent (FTE) students for the formula.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

**BORCD19 SSI - Total Costs per FTE**

**Section: 381.140**

Provides, for purposes of calculating SSI allocations, a table of total costs per FTE for the 24 non-medical curriculum models for each fiscal year, ranging from \$9,482 to \$40,942 for arts and humanities curriculum models; from \$9,167 to \$36,742 for business, education, and social science curriculum models; from \$49,062 to \$54,681 for doctoral curriculum models; and from \$9,077 to \$55,467 for science, technology, engineering, mathematics and medicine curriculum models.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

**BORCD20 SSI - STEMM and Graduate Weights**

**Section: 381.140**

Provides a table of curriculum model weights for each fiscal year, including a uniform weight of 1.0000 for all undergraduate-level models in arts, humanities, business, education, and social sciences, 1.0000 for doctoral models, and various weights ranging from 1.0017 to 1.8798 for graduate-level models and science, technology, engineering, mathematics, and medicine (STEMM) models.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD21 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities-Degree Attainment**

**Section: 381.140**

Reserves 50% of the amount earmarked for universities in each fiscal year from GRF line item 235501, State Share of Instruction, to support associate, baccalaureate, masters, and professional level degree attainment. Specifies that degree attainment funding be allocated to universities in proportion to each campus's share of the total statewide degrees granted, weighted by the cost of the degree programs.

Requires, for degrees including credits earned at multiple institutions, that degree attainment funding be allocated to universities in proportion to each campus's share of the student-specific cost of earned credits for the degree. Specifies that each institution receive its prorated share of degree funding for credits earned at that institution and that the cost of credits not earned at a university main or regional campus be credited to the degree-granting institution for the first degree earned by a student at each degree level. Specifies that the cost credited to the degree-granting institution not be eligible for at-risk weights and limits the cost credited to 12.5% of the student-specific degree costs, unless the student transferred 12 or fewer credits into the degree granting institution.

Requires that the count for degree attainment include degrees earned by students identified as Ohio residents in any term, weighted by a factor of 1, and degrees earned by students identified as out-of-state students during all terms that remain in Ohio at least one year after graduation, weighted by a factor of 50%. Defines subsidy eligible

**Section: 381.140**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

associate degrees as those earned by students attending any state supported university main or regional campus.

Requires, in calculating campus' degree counts, the Chancellor to use the three-year average associate, baccalaureate, master's, and professional degrees awarded for the most recent three-year period agreed to by the Inter-University Council (IUC) and the Chancellor. Limits, if a student is awarded an associate degree and later is awarded a baccalaureate degree, the amount funded for the baccalaureate degree to either (1) the difference in cost between the cost of the baccalaureate degree and the cost of the previous associate degree, or, (2) if the associate degree has a higher cost than the baccalaureate degree, the cost of the credits earned by the student after the associate degree was awarded. Specifies that in these instances the associate degree granting institution receive only the prorated share of the baccalaureate degree funding for the credits earned at that institution after the associate degree is awarded. Requires, if a student earns more than one degree at the same institution at the same degree level in the same fiscal year, that funding for the highest cost degree be prorated among institutions based on where the credits were earned and additional degrees be funded at 25% of the degree cost.

Same as the Executive.

Same as the Executive.

Requires that eligible associate and baccalaureate degrees counted in degree attainment be weighted by a statewide "at-risk degree" completion weight, calculated based on the at-risk factors of the individual student, determined by calculating the difference between the percentage of students with each risk factor who earned a degree and the percentage of non-at-risk students who earned a degree.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

Defines "at-risk" for a student based on academic under preparation, age, minority status, financial status, or first generation post-secondary status based on neither parent completing any education beyond high school.

**BORCD22 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities-Doctoral Set-Aside**

**Section: 381.140**

Reserves up to 11.78% of the amount earmarked in each fiscal year for universities from GRF line item 235501, State Share of Instruction, to support doctoral programs (referred to as the "doctoral set-aside").

Requires that the doctoral set-aside be allocated to universities as follows:

(1) 25% in each fiscal year in proportion to each campus's share of doctoral program course completions. Requires that course completion earnings be determined by multiplying the total curricular model amounts and graduate weights by the subsidy-eligible doctoral FTEs who successfully complete courses in graduate-level models for the most recent completed three-year period agreed to by IUC and the Chancellor.

(2) 50% in each fiscal year in proportion to each campus's share of statewide doctoral degrees, weighted by the cost of the discipline. Requires, in counting campus' doctoral degrees, the Chancellor to use the three-year average doctoral degrees for the most recent completed three-year period that is agreed to by IUC and the Chancellor.

(3) 25% in each fiscal year in proportion to each campus' share of research grant activity. Requires that grant awards from the Department of Health and Human Services be

**Section: 381.140**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 381.140**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

weighted at 50%.

**BORCD23 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities-Medical Set-Asides**

**Section: 381.140**

Reserves 6.41% of the amount earmarked in each fiscal year for universities from GRF line item 235501, State Share of Instruction, to support Medical II FTEs (referred to as the "medical II set-aside"). Requires that these funds be allocated in proportion to each campus's share of the statewide total of three-year average Medical II FTEs. Specifies that, in calculating the core subsidy enrollments for Medical II models only, students repeating terms may be no more than 5% of current year enrollment.

Reserves 1.48% of the amount earmarked in each fiscal year for universities from GRF line item 235501, State Share of Instruction, to support Medical I FTEs (referred to as the "medical I set-aside"). Requires that these funds be allocated in proportion to each campus's share of the statewide total of three-year average Medical I FTEs.

**Section: 381.140**

Same as the Executive.

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Same as the Executive.

**BORCD24 SSI - Calculation of SSI Formula Entitlements and Adjustments for Universities-Course Completions**

**Section: 381.140**

Requires that, in calculating course completion funding for universities, the Chancellor only use FTE students who successfully complete a course.

Requires that successful course completion FTE students defined as "at-risk" based on academic under-preparation or financial status are to be weighted by (1) institution-specific course completion indexes calculated based on the number of at-risk students during the 2018-2020 academic years, and (2) statewide at-risk course completion weights determined

**Section: 381.140**

Same as the Executive.

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

by the difference between the percentage of traditional students completing the course and the percentage of at-risk students completing the course.

Requires that, except for Medical I and Medical II models, all models have their course completion earnings determined by multiplying per FTE curriculum model costs by model weights and by the average number of subsidy-eligible FTEs for the most recent three-year period as agreed to by IUC and the Chancellor.

Requires that the course completion earnings be calculated by dividing the amount earmarked for universities in each fiscal year from GRF line item 235501, State Share of Instruction, less the degree attainment funding, the doctoral set-aside, and the medical set-asides, by the sum of all universities' instructional costs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**BORCD25 SSI - Calculation of SSI Formula Entitlements and Adjustments for Community Colleges**

**Section: 381.140**

Reserves 50% of the amount earmarked in each fiscal year for community and technical colleges from GRF line item 235501, State Share of Instruction, for course completion FTEs as aggregated by the subsidy models. Specifies that the course completion funding be allocated to campuses in proportion to each campus's share of the total sector's course completions, weighted by the instructional cost of the subsidy models.

Requires that calculations of course completions for these colleges use the average course completions for the previous three years for students identified as Ohio residents and that the subsidy eligible enrollments by model be equal to only

**Section: 381.140**

Same as the Executive.

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

those FTE students who successfully complete the course.

Requires that students with successful course completions, that are defined as "access students" based on financial status, minority status, age, or academic under-preparation, have their eligible course completions weighted by a statewide access weight. Specifies the weight given to any student eligible as an "access student" be 15% for all course completions. Specifies that the model costs are to be weighted by the cost of the degree programs.

Same as the Executive.

Same as the Executive.

Reserves 25% of the amount earmarked in each fiscal year for community and technical colleges from GRF line item 235501, State Share of Instruction, for allocation in proportion to each campus's share of college student success factors. Requires that student success factors be awarded at the institutional level for each subsidy-eligible student that successfully: (1) completes a college-level math course within the first 30 hours of completed coursework; (2) completes a college-level English course within the first 30 hours of completed coursework; (3) completes 12 semester credit hours of college-level coursework; (4) completes 24 semester credit hours of college-level coursework; (5) completes 36 semester credit hours of college-level coursework.

Same as the Executive.

Same as the Executive.

Reserves 25% of the amount earmarked in each fiscal year for community and technical colleges from GRF line item 235501, State Share of Instruction, for completion milestones. Specifies that completion milestones include (1) associate degrees, (2) technical certificates over 30 credit hours as designated by DHE, and (3) students transferring to any four-year institution with at least 12 credit hours of college level coursework earned at that college. Specifies

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

that completion milestone funding be allocated in proportion to each campus's share of the sector's total completion milestones, weighted by the instructional costs of the associate degree, certificate, or transfer models. Specifies that costs for technical certificates over 30 hours be weighted at one-half of the associate degree model costs and transfers with at least 12 credit hours of college level coursework be weighted at one-fourth of the average cost for all associate degree model costs.

Requires that calculations of subsidy entitlements for completions at these colleges use a three-year average for completion milestones awarded to identified subsidy-eligible students in any term of their studies. Specifies that eligible model completions equal only those students who successfully complete an associate degree or technical certificate over 30 credit hours, or transfer to any four-year institution with at least 12 credit hours of college-level coursework.

Requires that students who are also defined as "access students" based on financial status, minority status, age, or academic under-preparation, have their eligible course completions weighted by a statewide access weight. Specifies the following statewide access weights: (1) 25% for students with one access factor; (2) 66% for two access factors; (3) 150% for three access factors; and, (4) 200% for four access factors.

Requires, for those students who complete more than one completion milestone, that funding for each additional associate degree or technical certificate over 30 credit hours as designated by DHE be funded at 50% of model costs.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

Requires the Chancellor to only include students who are subsidy-eligible and residents of Ohio in any term of their studies in the SSI calculation for community colleges. Also, prohibits the Chancellor from including nonresident students as subsidy-eligible, except for those students under reciprocity agreements or employer contracts.

Same as the Executive.

Same as the Executive.

**BORCD26 SSI - Capital Component Deduction**

**Section: 381.140**

Requires that, after all other adjustments have been made, a campus's SSI earnings be reduced by the amount, if any, by which debt service charged for that campus for capital budgets from the 126th G.A. and the 127th G.A. exceeds that campus's capital component earnings. Specifies that the deducted amounts be transferred to GRF appropriation item 235552, Capital Component.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

**BORCD27 SSI - Exceptional Circumstances and Appropriation Reductions**

**Section: 381.140**

Authorizes adjustments be made to the SSI payments and other subsidies distributed by the Chancellor for exceptional circumstances. Requires the recommendation of the Chancellor and approval of the Controlling Board for these adjustments.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Requires that the standard SSI formula provisions apply to any reductions made to GRF line item 235501, State Share of Instruction, occurring prior to the Chancellor's formal approval of the SSI allocation. Requires that reductions made after the Chancellor's formal approval be applied uniformly to each campus in proportion to its share of the final SSI allocation.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD28 SSI - Distribution**

**Section: 381.140**

Requires that the SSI allocation be distributed in equal monthly payments. Authorizes payments for the first six months of the fiscal year be made based on the SSI appropriation estimates made for the various institutions and that payments for the last six months of the fiscal year may be based on the final data from the Chancellor. Requires, if agreed to by IUC and the Chancellor, monthly payments to universities be based on final data in the HEI system for an agreed upon three-year period.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

**BORCD29 SSI - Study on the use of at-risk weights in the SSI formulas**

**Section: 381.140**

Requires the Chancellor, with assistance from IUC and the Ohio Association of Community Colleges (OACC), to study the most appropriate definitions of at-risk students and formula weights for at-risk students that may be used in the SSI distribution to universities and community and technical colleges from GRF line item 235501, State Share of Instruction, beginning in FY 2024. Requires the study to be completed by June 30, 2022.

**Section: 381.140**

Same as the Executive.

**Section: 381.140**

Same as the Executive.

Requires the study to (1) examine and evaluate the impact on formula distributions of the at-risk weights that have been used in the SSI formulas since the inception of a performance-based funding model in Ohio; (2) research the use of at-risk weights in the funding formulas of other states; (3) survey the academic research on at-risk weights in higher education formulas, particularly in the context of performance-based funding; and (4) make recommendations on the definitions of at-risk students, the formula weights for

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

such identified students, and the level of funding for at-risk students.

**BORCD39 SSI for Fiscal Years 2022 and 2023**

**Section: 381.150**

Makes the following earmarks to GRF line item 235501, State Share of Instruction:

(1) \$474,064,305 in FY 2022 and \$478,463,002 in FY 2023 for SSI distributions to community colleges, state community colleges, and technical colleges.

(2) \$1,582,613,811 in FY 2022 and \$1,597,298,400 in FY 2023 for SSI distributions to university main and regional campuses.

Requires any institution that receives additional SSI subsidy from GRF line item 235501, State Share of Instruction, compared to the prior year to use the additional distribution to provide need-based aid and counseling, support services, and workforce preparation services to its students.

**Section: 381.150**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive, but makes the provision permissive.

**Section: 381.150**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the House.

**BORCD40 Restriction on Fee Increases**

**Section: 381.160**

Authorizes, for academic years 2021-2022 and 2022-2023, each state university and regional campus to increase its in-state undergraduate instructional and general fees by no more than 2% over what the institution charged for the previous academic year.

Authorizes, for the same academic years, each community college, state community college, or technical college to increase its in-state undergraduate instructional and general fees by no more than \$5 per credit hour over what the

**Section: 381.160**

Same as the Executive.

Same as the Executive.

**Section: 381.160**

Same as the Executive.

Same as the Executive.

| Executive   | As Passed By House     | As Reported By Senate Finance   |
|---|------------------------|---|
| college charged for the previous academic year.   |                        |   |
| Specifies that increases for all other special fees, including the creation of new special fees, be subject to the Chancellor's approval.   | Same as the Executive. | Same as the Executive.  |
| Exempts the following fees from the above limits: (1) room and board, (2) student health insurance, (3) fees for auxiliary goods or services provided to students at the cost incurred to the institution, (4) fees assessed to students as a pass-through for licensure and certification examinations, (5) fees in elective courses associated with travel experiences, (6) elective service charges, (7) fines, (8) voluntary sales transactions, and (9) fees that offset the cost of providing textbooks to students, which may appear directly on a student's tuition bill as assessed by the institution's bursar. | Same as the Executive. | Same as the Executive, but removes the exemption for (1) room and board, (2) student health insurance, and (9) fees that offset the cost of providing textbooks to students, which may appear directly on a student's tuition bill as assessed by the institution's bursar. |
| Specifies that limitations do not apply to increases required to comply with institutional covenants related to obligations or to meet unfunded legal mandates or commitments made prior to the effective date of the section. Specifies that any increases necessary to cover these covenants or other requirements be reported to the Controlling Board by the Chancellor. Authorizes the Chancellor, with Controlling Board Approval, to modify any limitations to respond to exceptional circumstances.   | Same as the Executive. | Same as the Executive.  |
| Authorizes state universities offering undergraduate tuition guarantees to increase instructional and general fees pursuant to R.C. 3345.48.  | Same as the Executive. | Same as the Executive.  |

Executive

As Passed By House

As Reported By Senate Finance

**BORCD41 Higher Education - Board of Trustees**

**Section: 381.170**

Authorizes colleges and universities, with the approval of the Chancellor, to use instructional subsidies for off-campus undergraduate and master's degree courses of study.

Requires the board of trustees at each institution to supplement state subsidies by establishing uniform instructional and general fees to be charged to all students for universal services. Allows each board to establish special purpose fees and service charges for individual or specific categories of students that are not applied uniformly. Requires each board to establish a tuition surcharge to out-of-state students.

Prohibits the board of trustees at each institution from authorizing a waiver or nonpayment of instructional or general fees that is not authorized by law or approved by the Chancellor.

Requires each institution of higher education, in its statement of charges, to separately identify the instructional fee, general fee, tuition charge, and tuition surcharge.

Requires that boards of trustees of state institutions ensure that faculty members devote a proper and judicious part of their work week to actual instruction of students.

Requires the boards of trustees of state institutions to exercise the authority of government vested by law in them. Specifies that administrative decisions are the exclusive prerogative of the boards and that any delegation of authority by the boards must be accompanied by appropriate standards of guidance and periodic review of the

**Section: 381.170**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 381.170**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

exercise of the delegated authority.

**BORCD8 War Orphans and Severely Disabled Veterans' Children Scholarships**

**Section: 381.180**

Requires that GRF line item 235504, War Orphans and Severely Disabled Veterans' Children Scholarships, be used to reimburse state institutions for waivers of instructional fees and general fees provided to war orphans, provide grants to private nonprofit institutions, and fund additional scholarships for children of persons declared prisoners of war or missing in action.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in item 235504. Authorizes the OBM Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the War Orphans and Severely Disable Veterans' Children Scholarship Reserve Fund (Fund 5PW0).

**Section: 381.180**

Same as the Executive.

Same as the Executive.

**Section: 381.180**

Same as the Executive.

Same as the Executive.

**BORCD52 OhioLINK**

**Section: 381.200**

Requires that GRF line item 235507, OhioLINK, be used to support OhioLINK, the state's electronic library information and retrieval system.

**Section: 381.200**

Same as the Executive.

**Section: 381.200**

Same as the Executive.

**BORCD53 Air Force Institute of Technology**

**Section: 381.210**

Earmarks \$75,000 in each fiscal year from GRF line item 235508, Air Force Institute of Technology, for the Aerospace Professional Development Center in Dayton for statewide workforce development services in the aerospace industry.

**Section: 381.210**

Same as the Executive.

**Section: 381.210**

Same as the Executive.



| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| Specifies that the remainder be used to strengthen educational linkages between Wright Patterson Air Force Base and Ohio institutions of higher education and to support the Defense Associated Graduate Student Innovators consortium.                | Same as the Executive.   | Same as the Executive.   |
| <b>BORCD54 Ohio Supercomputer Center</b>   |  |  |
| <b>Section: 381.220</b><br>Requires that GRF line item 235510, Ohio Supercomputer Center, be used to support the Ohio Supercomputer Center, located at Ohio State University.  | <b>Section: 381.220</b><br>Same as the Executive.  | <b>Section: 381.220</b><br>Same as the Executive.  |
| <b>BORCD55 Cooperative Extension Service</b>   |  |  |
| <b>Section: 381.230</b><br>Requires that GRF line item 235511, Cooperative Extension Service, be disbursed to The Ohio State University in monthly payments.   | <b>Section: 381.230</b><br>Same as the Executive, but renames GRF line item 235511, The Ohio State University Extension Service. | <b>Section: 381.230</b><br>Same as the House.  |
| <b>BORCD9 Central State Supplement</b>   |  |  |
| <b>Section: 381.240</b><br>Requires the Chancellor to disburse funds from GRF line item 235514, Central State Supplement, to Central State University to increase enrollment, improve course completion, and increase the number of degrees conferred. | <b>Section: 381.240</b><br>Same as the Executive.  | <b>Section: 381.240</b><br>Same as the Executive.  |
| <b>BORCD10 Clinical teaching and other-medical related appropriations</b>  |  |  |
| <b>Section: 381.250, 381.260, 381.280, 381.285, 381.300, 381.350, 381.370, and 381.550</b><br>Requires the following for the 12 GRF clinical teaching and medical related line items:  | <b>Section: 381.250, 381.260, 381.280, 381.285, 381.300, 381.350, 381.370, and 381.550</b><br>Same as the Executive.             | <b>Section: 381.250, 381.260, 381.280, 381.285, 381.300, 381.350, 381.370, and 381.550</b><br>Same as the Executive. |

Executive

As Passed By House

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(1) 235515, Case Western Reserve University School of Medicine, be disbursed to Case Western in accordance with state agreements.

(1) Same as the Executive.

(1) Same as the Executive.

(2) 235519, Family Practice, be distributed in each fiscal year, based on each medical school's share of residents placed in a family practice and graduates practicing in a family practice.

(2) Same as the Executive.

(2) Same as the Executive.

(3) 235525, Geriatric Medicine, be distributed consistent with existing criteria and guidelines.

(3) Same as the Executive.

(3) Same as the Executive.

(4) 235526, Primary Care Residencies, be distributed, in each fiscal year, based on each medical school's share of residents placed in a primary care field and graduates practicing in a primary care field.

(4) Same as the Executive.

(4) Same as the Executive.

(5) 235536, The Ohio State University Clinical Teaching, 235537, University of Cincinnati Clinical Teaching, 235538, University of Toledo Clinical Teaching, 235539, Wright State University Clinical Teaching, 235540, Ohio University Clinical Teaching, and 235541, Northeast Ohio Medical University Clinical Teaching, be distributed by the Chancellor.

(5) Same as the Executive, but earmarks \$500,000 in each fiscal year from item 235537, University of Cincinnati Clinical Teaching, to People Working Cooperatively for the Safe and Healthy at Home Initiative.

(5) Same as the House.

(6) 235558, Long-term Care Research, be disbursed to Miami University for long-term care research.

(6) Same as the Executive.

(6) Same as the Executive.

(7) 235572, The Ohio State University Clinic Support, be distributed to The Ohio State University for support of dental and veterinary medicine clinics.

(7) Same as the Executive.

(7) Same as the Executive.

Requires, for each fiscal year, each institution of higher education that receives funds from any one of the above-mentioned 12 specific clinical teaching or other-medical related line items to report the residency status of students that have graduated from one of the applicable programs at one year and five years after graduating.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD11 Shawnee State Supplement**

**Section: 381.270**

Requires the Chancellor to disburse funds from GRF line item 235520, Shawnee State Supplement, to Shawnee State to improve course completion, increase the number of degrees conferred, and further the university's mission of service to the Appalachian region.

**Section: 381.270**

Same as the Executive.

**Section: 381.270**

Same as the Executive.

**BORCD80 Program and Project Support**

No provision.

(1) No provision.

(2) No provision.

(3) No provision.

(4) No provision.

(5) No provision.

(6) No provision.

**Section: 381.287**

Makes the following earmarks of GRF line item 235533, Program and Project Support:

(1) No provision.

(2) No provision.

(3) No provision.

(4) \$125,000 in each fiscal year to support the expansion of an unmanned aviation STEM pilot program at Emmanuel Christian Academy for public or nonpublic high school students in Clark County.

(5) \$100,000 in each fiscal year to support the Kent State University Rising Scholars Program.

(6) \$100,000 in each fiscal year to support the Clearance Ready Program at Wright State University.

**Section: 381.287**

Same as the House, but makes the following changes:

(1) \$500,000 in each fiscal year to support the Ohio Aerospace Institute's Space Grant Consortium.

(2) \$487,925 in FY 2022 to support the Ashland University Military and Veterans Resource Center Project.

(3) \$200,000 in FY 2022 to be allocated to Youngstown State University to provide for initial staffing of the Mahoning Valley Workforce Partnership.

(4) Same as the House.

(5) No provision.

(6) No provision.

| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| (7) No provision.  | (7) No provision.  | (7) \$28,000 in each fiscal year to support Cincinnati Hillel at the University of Cincinnati. |
| <p><b>BORCD56 Ohio Agricultural Research and Development</b></p> <p><b>Section: 381.290</b></p> <p>Requires that GRF line item 235535, Ohio Agricultural Research and Development Center, be disbursed to The Ohio State University in monthly payments. Requires that OARDC continue to internally allocate funding on a competitive basis.</p>   | <p><b>Section: 381.290</b></p> <p>Same as the Executive.</p>                               | <p><b>Section: 381.290</b></p> <p>Same as the Executive.</p>                                   |
| <p><b>BORCD57 Central State Agricultural Research and Development</b></p> <p><b>Section: 381.310</b></p> <p>Requires that GRF line items 235546, Central State Agricultural Research and Development, and 235548, Central State Cooperative Extension Services, be used by Central State University for its state match requirement as an 1890 land grant university.</p>  | <p><b>Section: 381.310</b></p> <p>Same as the Executive.</p>                               | <p><b>Section: 381.310</b></p> <p>Same as the Executive.</p>                                   |
| <p><b>BORCD58 Capital Component</b></p> <p><b>Section: 381.320</b></p> <p>Requires that GRF line item 235552, Capital Component, be distributed to each campus for which the estimated campus debt service attributable to qualifying capital projects is less than the campus's formula-determined capital component allocation under the state's former capital funding policy. Specifies that the amount of each campus's payment be determined by subtracting the former amount from the latter and that the campuses use these payments only for capital projects.</p> <p>Requires the Chancellor to subtract from each campus's SSI allocation the amount by which the estimated campus debt</p> | <p><b>Section: 381.320</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> | <p><b>Section: 381.320</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>     |

Executive

As Passed By House

As Reported By Senate Finance

service attributable to qualifying capital projects exceeds the campus's formula-determined capital component allocation and transfer appropriation equal to the sum of these amounts from GRF line item 235501, State Share of Instruction, to this line item.

**BORCD59 Library Depositories**

**Section: 381.330**

Requires that GRF line item 235555, Library Depositories, be used to support the state's five regional depository libraries for the cost-effective storage of and access to lesser used materials in university library collections. Specifies that the depositories are to be administered by the Chancellor or OhioLINK, at the Chancellor's discretion.

**Section: 381.330**

Same as the Executive.

**Section: 381.330**

Same as the Executive.

**BORCD60 Ohio Academic Resources Network (OARnet)**

**Section: 381.340**

Requires that GRF line item 235556, Ohio Academic Resources Network, be used to support the operations of OARnet, including support for Ohio's colleges and universities in maintaining and enhancing network connections, using new network technologies to improve programs, and sharing information technology services. Requires, to the extent network capacity is available, that OARnet support allocating bandwidth to eligible programs directly supporting Ohio's economic development.

**Section: 381.340**

Same as the Executive.

**Section: 381.340**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD12 Ohio College Opportunity Grant (OCOG)**

**Section: 381.360**

Requires awards for students attending an eligible institution of higher education to be determined by the Chancellor. Authorizes the distribution of awards on an annual basis, once Pell grants have been exhausted, for students attending an institution year-round.

Authorizes the Chancellor to create a distribution formula for FY 2022 and FY 2023, based on the formula used in FY 2021, if the amounts appropriated are inadequate to provide grants to all eligible students. Requires the Chancellor to notify the Controlling Board of the distribution method. Requires that any formula be established to coincide with the start of each academic year.

Requires the Chancellor, prior to determining OCOG award amounts, to pay for tuition and fee waivers of students eligible for awards under the Ohio Safety Officer's College Memorial Fund Program.

Prohibits the Chancellor from distributing or obligating more than the appropriation amount. Requires the Chancellor to post award tables on DHE's website and notify students and institutions of any reductions in awards. Prohibits any student from receiving OCOG for more than the equivalent of five academic years, less the number of semesters or quarters in which the student received an Ohio Instructional Grant.

Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in 235563. Authorizes the OBM Director,

**Section: 381.360**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 381.360**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

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upon receipt, to transfer cash, up to the certified amount, from the GRF to the OCOG Reserve Fund (Fund 5PU0).

**BORCD13 The Ohio State University College of Veterinary Medicine Supplement**

**Section: 381.365**

Requires the Chancellor to disburse funds from GRF line item 235569, The Ohio State University College of Veterinary Medicine Supplement, to the OSU College of Veterinary Medicine to provide supplemental support for education, research, and operations.

**Section: 381.365**

Same as the Executive.

**Section: 381.365**

Same as the Executive.

**BORCD61 Federal Research Network**

**Section: 381.373**

Requires that GRF line item 235578, Federal Research Network, be distributed to the Ohio State University to collaborate with federal installations in Ohio, state institutions of higher education, and the private sector to align the state's research assets with emerging missions and job growth opportunities emanating from federal installations, strengthen related workforce development and technology commercialization programs, and better position the state's university system to directly impact new job creation in Ohio.

Requires a portion of 235578 to be used to support the growth of small business federal contractors in the state and expand the participation of Ohio businesses in the federal Small Business Innovation Research Program and related federal programs.

**Section: 381.373**

Same as the Executive.

Same as the Executive.

**Section: 381.373**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD76 Co-Op Internship Program**

|                   | Section: 381.375   | Section: 381.375   |
|-------------------|--|--|
| No provision.     | Makes the following earmarks of GRF line item 235591, Co-Op Internship Program:  | Same as the House, but makes the following changes:                              |
| (1) No provision. | (1) \$650,000 in each fiscal year to support the operations of Ohio University's Voinovich School;   | (1) Same as the House, but reduces the earmark to \$165,000 in each fiscal year. |
| (2) No provision. | (2) \$150,000 in each fiscal year to support students who attend institutions of higher education in Ohio and participate in the internship program of The Washington Center;                  | (2) Same as the House.   |
| (3) No provision. | (3) \$75,000 in each fiscal year to support the Model United Nations Program and the operations of the Center for Liberal Arts Student Success at Wright State University;                     | (3) No provision.  |
| (4) No provision. | (4) \$62,500 in each fiscal year to support the operations of The Ohio State University's John Glenn College of Public Affairs;  | (4) Same as the House.   |
| (5) No provision. | (5) \$62,500 in each fiscal year to support the Bliss Institute of Applied Politics at the University of Akron;  | (5) Same as the House.   |
| (6) No provision. | (6) \$50,000 in each fiscal year to support the Center for Public Management and Regional Affairs at Miami University;   | (6) Same as the House.   |
| (7) No provision. | (7) \$50,000 in each fiscal year to support the Ohio Center for the Advancement of Women in Public Service at the Maxine Goodman Levin College of Urban Affairs at Cleveland State University; | (7) Same as the House.   |
| (8) No provision. | (8) \$50,000 in each fiscal year to support the University of Cincinnati Internship Program;   | (8) Same as the House.   |



| Executive   | As Passed By House   | As Reported By Senate Finance                                |
|---|--|--|
| (9) No provision.   | (9) \$50,000 in each fiscal year to support the Kent State University Washington Program in National Issues;   | (9) Same as the House.                                       |
| (10) No provision.  | (10) \$50,000 in each fiscal year to support the Kent State University Columbus Program;   | (10) Same as the House.                                      |
| (11) No provision.  | (11) \$50,000 in each fiscal year to support the University of Toledo Urban Affairs Center;  | (11) Same as the House.                                      |
| (12) No provision.  | (12) \$50,000 in each fiscal year to support the operations of the Center for Regional Development at Bowling Green State University; and  | (12) Same as the House.                                      |
| (13) No provision.  | (13) \$25,000 in each fiscal year to support the Shawnee State University Institute for Appalachian Public Policy.   | (13) Same as the House.                                      |
| <b>BORCD73 Commercial Truck Driver Student Aid Program</b>  |  |  |
| No provision.   | <p><b>Section: 381.375</b></p> <p>Requires that GRF line item 235595, Commercial Truck Driver Student Aid Program, be used to provide grants and loans under the Commercial Truck Driver Student Aid Program (see BORCD72). Earmarks, separately, up to \$1,250,000 in each fiscal year to be distributed by the Chancellor as grants and loans.</p> | No provision.  |
| <b>BORCD62 Rural University Program</b>   |  |  |
| <p><b>Section: 381.376</b></p> <p>Requires that GRF line item 235598, Rural University Program, be used for the Rural University Program, a collaboration of Bowling Green State University, Kent State University, Miami University, and Ohio University that provides rural communities with economic development, public administration, and public health services.</p> | <p><b>Section: 381.376</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 381.376</b></p> <p>Same as the Executive.</p> |

| Executive  | As Passed By House      | As Reported By Senate Finance |
|--|-------------------------|-------------------------------|
| Specifies that each of the four universities receive \$100,000 in each fiscal year to support their respective programs.   | Same as the Executive.  | Same as the Executive.        |
| <b>BORCD14 National Guard Scholarship Program</b>  |                         |                               |
| <b>Section: 381.380</b>  | <b>Section: 381.380</b> | <b>Section: 381.380</b>       |
| Requires that GRF appropriation item 235599, National Guard Scholarship Program, be disbursed by the Chancellor.   | Same as the Executive.  | Same as the Executive.        |
| Authorizes the Chancellor, during each fiscal year, to certify to the OBM Director the amount of canceled prior-year encumbrances in 235599. Authorizes the OBM Director, upon receipt, to transfer cash, up to the certified amount, from the GRF to the National Guard Scholarship Fund (Fund 5BMO). | Same as the Executive.  | Same as the Executive.        |
| <b>BORCD42 Pledge of fees</b>  |                         |                               |
| <b>Section: 381.390</b>  | <b>Section: 381.390</b> | <b>Section: 381.390</b>       |
| Provides that any new pledge or adjustment of fees made in the biennium to secure bonds or notes of a state institution of higher education for a project are effective only after approval by the Chancellor, unless approved in a previous biennium.   | Same as the Executive.  | Same as the Executive.        |
| <b>BORCD63 Higher Education General Obligation Bond Debt Service</b>   |                         |                               |
| <b>Section: 381.400</b>  | <b>Section: 381.400</b> | <b>Section: 381.400</b>       |
| Requires that GRF line item 235909, Higher Education General Obligation Bond Debt Service, be used to pay all debt service and related financing costs of higher education general obligation bonds during the biennium.   | Same as the Executive.  | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

**BORCD64 Sales and Services**

**Section: 381.410**

Authorizes the Chancellor to charge and accept payment for the provision of goods and services. Requires the charges to be related to the costs of producing goods and services. Prohibits charges for goods or services that are produced as part of the routine responsibilities or duties of the Chancellor. Requires that all revenues received be deposited into DPF Fund 4560, Sales and Services. Allows the Chancellor to use these funds to pay for the costs of producing goods and services.

**Section: 381.410**

Same as the Executive.

**Section: 381.410**

Same as the Executive.

**BORCD65 Higher Education Facility Commission Administration**

**Section: 381.420**

Requires that DPF Fund 4E80 line item 235602, Higher Educational Facility Commission Administration, be used for operating expenses related to DHE's support of the activities of the Ohio Higher Educational Facility Commission (HEFC).

Authorizes the OBM Director, upon request of the Chancellor, to transfer cash in an amount up to the amount appropriated from item 235602 in each fiscal year from the HEFC Operating Expenses Fund (Fund 4610) to the HEFC Administration Fund (Fund 4E80).

**Section: 381.420**

Same as the Executive.

Same as the Executive.

**Section: 381.420**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD85** MAGNET Apprenticeship Program

No provision.

No provision.

**Section: 381.430**

Requires DPF Fund 5JC0 appropriation item 235649, MAGNET Apprenticeship Program, to be used for an apprenticeship program administered through the Manufacturing Advocacy and Growth Network's (MAGNET) Early College Early Career Program.

**BORCD82** Short-Term Certificates

No provision.

No provision.

**Section: 381.440**

Requires DPF Fund 5NH0 line item 235517, Short-Term Certificates, to be used by the Chancellor to award need-based financial aid to students who are enrolled in a state-supported community college, state community college, technical college, or an Ohio Technical Center in a program that may be completed in less than one year and for which a certificate or industry-recognized credential is awarded in an in-demand job.

Executive

As Passed By House

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**BORCD83 Workforce and Higher Education Programs**

|                          |                          |   |
|--------------------------|--------------------------|---|
| <p>No provision.</p>     | <p>No provision.</p>     | <p><b>Section: 381.450</b><br/>Requires DPF Fund 5RA0 appropriation item 235616, Workforce and Higher Education Programs, to be distributed to the Ohio Academy of Science, in collaboration with Entrepreneurial Engagement Ohio, for the continuing development and implementation of recommendations of the Ohio Board of Regents that seek to create an innovation pathway between Ohio's K-12 education system and Ohio's colleges and universities and post-secondary career centers and vocational schools (the STEM Entrepreneurship and Innovation Program for Students to Help Develop Ohio's Future Workforce). Requires the STEM Entrepreneurship and Innovation Program for Students to Help Develop Ohio's Future Workforce to include the following:</p> |
| <p>(1) No provision.</p> | <p>(1) No provision.</p> | <p>(1) A comprehensive professional development program for teachers in grades 7-12 to help them develop a "Culture of Innovation" in their schools;</p>  |
| <p>(2) No provision.</p> | <p>(2) No provision.</p> | <p>(2) In-school STEM Innovation and Entrepreneurship programs and STEM Commercialization Plan and STEM Business Plan competitions for students in grades 7-12;</p>   |
| <p>(3) No provision.</p> | <p>(3) No provision.</p> | <p>(3) Mentoring programs in collaboration with Ohio colleges and universities and other innovation or entrepreneurship organizations, with a special emphasis on underserved urban and rural schools;</p>  |
| <p>(4) No provision.</p> | <p>(4) No provision.</p> | <p>(4) A statewide STEM Commercialization Plan and STEM Business Plan competition, open to the winners of related local high school competition award winners, that includes scholarships to attend any Ohio college, university, post-</p>   |

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| (5) No provision.   | (5) No provision.  | secondary career center, or vocational school;<br>(5) A statewide STEM Scholarship program that awards scholarships of up to \$2,500 to students in grades 11 and 12 in each Ohio Senate and Ohio House of Representatives District to attend any Ohio college, university, post-secondary career center, or vocational school. Requires the Program to introduce participating students to DHE's Choose Ohio First Scholarship Program; |
| (6) No provision.   | (6) No provision.  | (6) A requirement that all aspects of the Program be open to any Ohio high school, junior high school, or middle school student, with an emphasis on minority, rural and economically disadvantaged students; and  |
| (7) No provision.   | (7) No provision.  | (7) Collaboration with Ohio's colleges and universities, and existing STEM, innovation, and entrepreneurship programs to implement these provisions and encourage enrollment at Ohio institutions of post-secondary and higher education.  |
| <p><b>BORCD4 OhioCorps Program</b></p> <p><b>Section: 381.460</b></p> <p>Earmarks up to \$50,000 in each fiscal year from DPF Fund 5UK0 line item 235594, OhioCorps Program, to be used by the Chancellor to implement and administer the OhioCorps Program.</p> <p>Requires that the remainder of line item 235594 be used by the Chancellor to assist eligible state institutions of higher education in establishing and administering OhioCorps mentorship programs and scholarships.</p> <p>Permits the Chancellor to certify to the OBM Director an amount up to the unexpended, unencumbered balance of line item 235594 at the end of FY 2021 and FY 2022 to be</p> | <p><b>Section: 381.460</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> | <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>   |

Executive

As Passed By House

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reappropriated to FY 2022 and FY 2023, respectively, and reappropriates those amounts to support mentorship programs and scholarships under the Program (see BORCD3).

**BORCD15 State Financial Aid Reconciliation**

**Section: 381.470**

Requires the Chancellor, on September 1 of each fiscal year or as soon as possible thereafter, to certify to the OBM Director the amount necessary to pay any outstanding prior year obligations to institutions of higher education for the state's student financial aid programs. Appropriates the amounts certified to DPF Fund 5Y50 line item 235618, State Financial Aid Reconciliation, from revenues received in the State Financial Aid Reconciliation Fund (Fund 5Y50).

**Section: 381.470**

Same as the Executive.

**Section: 381.470**

Same as the Executive.

**BORCD84 Second Chance Grant Pilot Program**

No provision.

No provision.

**Section: 381.480**

Requires that DPF Fund 5YD0 appropriation item 235494, Second Chance Grant Pilot Program, be distributed by the Chancellor to qualifying institutions of higher education and Ohio Technical Centers to provide grants to eligible students under the Second Chance Grant Pilot Program.

**BORCD16 Nursing Loan Program**

**Section: 381.480**

Requires that DPF Fund 6820 line item 235606, Nursing Loan Program, be used to administer the nurse education assistance program.

**Section: 381.480**

Same as the Executive.

**Section: 381.480**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**BORCD66 Research Incentive Third Frontier**

**Section: 381.520**

Requires that BRD Fund 7011 line item 235634, Research Incentive Third Frontier, and BRD Fund 7014 line item 235639, Research Incentive Third Frontier-Tax, be used to advance collaborative research at institutions of higher education and makes the following permissive earmarks:

- (1) Up to \$2,500,000 in each fiscal year for research regarding improvement of water quality;
- (2) Up to \$1,500,000 in each fiscal year for spinal cord research;
- (3) Up to \$1,000,000 in each fiscal year for research regarding the reduction of infant mortality;
- (4) Up to \$1,000,000 in each fiscal year for research regarding opiate addiction issues in Ohio;
- (5) No provision.
- (6) Up to \$750,000 in each fiscal year for research regarding cyber security initiatives;
- (7) Up to \$300,000 in each fiscal year for the ICorps@Ohio program; and
- (8) Up to \$200,000 in each fiscal year for the Ohio Innovation Exchange Program.

**Section: 381.520**

Same as the Executive.

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) No provision.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.

**Section: 381.520**

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) Up to \$1,000,000 in each fiscal year for the Ohio Industrial Collaborative.
- (6) Same as the Executive.
- (7) Same as the Executive.
- (8) Same as the Executive.



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**BORCD30 Veterans Preferences**

**Section: 381.530**

Requires the Chancellor to collaborate with the Department of Veterans Services to develop veterans preference guidelines for institutions of higher education.

**Section: 381.530**

Same as the Executive.

**Section: 381.530**

Same as the Executive.

**BORCD31 Higher education institution furloughs**

**Section: 381.540**

Authorizes the board of trustees of state institutions of higher education to adopt policies that require mandatory furloughs of employees, including faculty, to achieve spending reductions necessitated by institutional budget deficits.

**Section: 381.540**

Same as the Executive.

**Section: 381.540**

Same as the Executive.

**BORCD32 Efficiency Reports**

**Section: 381.550**

Requires that in each fiscal year, the board of trustees of each public institution of higher education approve the institution's efficiency report submitted to the Chancellor.

**Section: 381.550**

Same as the Executive.

**Section: 381.550**

Same as the Executive.

**BORCD33 Ohio Innovation Exchange**

**Section: 381.580**

Requires the Chancellor to support the continued development of the Ohio Innovation Exchange for the purpose of (1) showcasing the research expertise of Ohio's university and college faculty in engineering, biomedicine, and information technology, and other fields of study and (2) identifying institutional research equipment available in the state.

**Section: 381.580**

Same as the Executive.

**Section: 381.580**

Same as the Executive.

**Fiscal effect: Potential increase in administrative**

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

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

Executive

As Passed By House

As Reported By Senate Finance

responsibilities associated with the continued development and maintenance of this database. The "Ohio Innovation Exchange" is a current initiative developed jointly by Case Western Reserve University, Ohio University, the Ohio State University, and the University of Cincinnati, in consultation with DHE and the Ohio Manufacturing Institute that provides access to faculty profiles and resources.

**BORCD34 Fund Name Changes**

**Section: 381.620**

Requires, on July 1, 2021, or as soon as possible thereafter, the OBM Director to rename the Publications Fund (Fund 4560) the Sales and Services Fund (Fund 4560) and the OIG Reconciliation Fund (Fund 5Y50) the State Financial Aid Reconciliation Fund (Fund 5Y50).

**Section: 381.620**

Same as the Executive.

**Section: 381.620**

Same as the Executive.

**BORCD87 Capital project earmark adjustment**

No provision.

No provision.

**Section: 610.18, 610.19**

Amends Section 207.28 of H.B. 481 of the 133rd General Assembly to eliminate capital appropriations of \$32,500 from Higher Education Improvement Fund (Fund 7034) capital appropriation item C37859, Bay Village Emergency Boat Shelter, for the FY 2021-FY 2022 capital biennium.

**BORCD1 Textbook disclosure and auto-adoption policies**

**Section: 733.20**

Requires, consistent with federal law, institutions of higher education receiving federal financial aid to disclose required and recommended textbooks no later than the time at which students can begin to register for a course.

**Section: 733.20**

Same as the Executive.

**Section: 733.20**

Same as the Executive.

| Executive  | As Passed By House                           | As Reported By Senate Finance                |
|--|--|--|
| Requires, prior to academic year 2022-2023, the administration of each state institution of higher education to work collaboratively with its faculty senate to consider a textbook auto-adoption policy.                  | Same as the Executive.                       | Same as the Executive.                       |
| Authorizes the administration and faculty senate to use the policy implemented by Wright State University in 2018.   | Same as the Executive.                       | No provision.                                |
| Requires, no later than August 15, 2022, the board of trustees of each state institution to adopt a resolution or otherwise vote to affirm or decline the policy agreed upon by the administration and the faculty senate. | Same as the Executive.                       | Same as the Executive.                       |
| Requires a state institution that adopts a textbook auto-adoption policy to send a copy of that policy to the Chancellor.  | Same as the Executive.                       | Same as the Executive.                       |
| <b>Fiscal effect: Increases administrative responsibilities for state institutions of higher education.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |

Executive

As Passed By House

As Reported By Senate Finance

**OHSCD3 Ohio Commission for the U.S. Semiquincentennial**

**R.C. 149.309, Section 297.10**

|                   |   |                   |
|-------------------|---|-------------------|
| (1) No provision. | (1) Establishes the Ohio Commission for the United States Semiquincentennial consisting of 24 appointed members and 13 ex officio, nonvoting members.   | (1) No provision. |
| (2) No provision. | (2) Specifies the duty of the Commission is to plan, encourage, develop, and coordinate the commemoration of the 250th anniversary of the founding of the United States and the impact of Ohioans on the nation's past, present, and future.  | (2) No provision. |
| (3) No provision. | (3) Specifies that members receive no compensation for service on the Commission, but are eligible for reimbursement of reasonable travel expenses.   | (3) No provision. |
| (4) No provision. | (4) Requires the Commission, not later than three years after the effective date of its establishment, to submit to the Governor and the General Assembly a comprehensive report that includes specific recommendations for the commemoration of the 250th anniversary of the founding of the United States and related events. | (4) No provision. |
| (5) No provision. | (5) Requires state agencies to provide information to the Commission upon request.  | (5) No provision. |
| (6) No provision. | (6) Permits the Commission to accept, use, and dispose of gifts and donations of money, property, or personal services.   | (6) No provision. |
| (7) No provision. | (7) Permits the Chairperson of the Commission to appoint an executive director and other personnel as necessary, and requires the appointment of an executive director to be subject to confirmation by majority vote of the commission.  | (7) No provision. |

| Executive  | As Passed By House   | As Reported By Senate Finance |
|--|--|-------------------------------|
| (8) No provision.  | (8) Requires the Commission once each year to submit to the Governor and the General Assembly a report of its activities.  | (8) No provision.             |
| (9) No provision.  | (9) Terminates the Commission on July 31, 2026.  | (9) No provision.             |
| (10) No provision.   | (10) Requires DPF Fund 5XV0 appropriation item 360525, Ohio Commission for the U.S. Semiquincentennial, be used for costs incurred in the performance of its duties.<br><br><b>Fiscal effect: Appropriates \$400,000 to DPF Fund 5XV0 appropriation item 360525, Ohio Commission for the U.S. Semiquincentennial, in FY 2022 for the Commission's costs.</b> | (10) No provision.            |
| <b>OHSCD1 Subsidy appropriation</b>  |  |                               |
| <b>Section: 297.10</b>   |  |                               |
| (1) Requires, upon approval by the Director of Budget and Management, that appropriations made to the Ohio History Connection be released in quarterly amounts.  | (1) Same as the Executive.   | (1) Same as the Executive.    |
| (2) Requires funds and fiscal records of the Ohio History Connection be examined by independent certified public accountants approved by the Auditor of State, and a copy of the audited financial statements be filed with the Office of Budget and Management. | (2) Same as the Executive.   | (2) Same as the Executive.    |
| (3) Requires the appropriations made to the Ohio History Connection be the contractual consideration provided by the state to support the state's offer to contract with the Ohio History Connection under R.C. 149.30.  | (3) Same as the Executive.   | (3) Same as the Executive.    |

Executive

As Passed By House

As Reported By Senate Finance

**OHSCD2 State Historical Grants**

|                   | Section: 297.10   | Section: 297.10  |
|-------------------|---|--|
| No provision.     | Makes the following earmarks from GRF appropriation item 360508, State Historical Grants:   | Same as the House, but makes the following changes:  |
| (1) No provision. | (1) \$150,000 in each fiscal year for the Western Reserve Historical Society.   | (1) Same as the House, but increases earmark to \$250,000 in each fiscal year.   |
| (2) No provision. | (2) \$150,000 in each fiscal year for the Cincinnati Museum Center.   | (2) Same as the House, but increases earmark to \$250,000 in each fiscal year.   |
| (3) No provision. | (3) \$250,000 in each fiscal year to create the Institute of Informal Science Education to be housed at the Boonshoft Museum of Discovery for distance learning, including implementation of a pilot program. Requires an efficacy report to be submitted to the General Assembly as to the education of participants in the pilot program. | (3) Same as the House, but increases earmark to \$375,000 in each fiscal year.   |
| (4) No provision. | (4) \$100,000 in each fiscal year for the Nancy and David Wolf Holocaust and Humanity Center.   | (4) Same as the House.   |
| (5) No provision. | (5) \$325,000 in each fiscal year for the Cleveland Institute of Art.   | (5) Same as the House.   |
| (6) No provision. | (6) \$100,000 in each fiscal year for the Cleveland Museum of Art.  | (6) Same as the House.   |
| (7) No provision. | (7) \$50,000 in each fiscal year for the Jewish Federation of Cincinnati to support the Jewish Cincinnati Bicentennial.   | (7) Same as the House, but increases earmark to \$100,000 in each fiscal year.   |
| (8) No provision. | (8) \$100,000 in each fiscal year for the Cleveland Orchestra.  | (8) Same as the House.   |
| (9) No provision. | (9) No provision.   | (9) \$75,000 in fiscal year 2022 and \$35,000 in fiscal year 2023 to support the Johnny Appleseed Museum and Education Center. |

Executive

As Passed By House

As Reported By Senate Finance

**OHSCD4 Holocaust and Genocide Memorial and Education Commission**

No provision.

No provision.

**Section: 297.10**

Establishes GRF appropriation item 360400, Holocaust and Genocide Memorial and Education Commission, to support the operations of the Holocaust and Genocide Memorial and Education Commission, including the employment of a director for the Office of the Commission and any other employees approved by the Commission.

**OHSCD5 Poindexter Village**

No provision.

No provision.

**Section: 701.80**

Requires the Ohio History Connection to designate Poindexter Village, located in Columbus, as a state historic site.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

HGMCD1 Operating Expenses

No provision.

**Section: 298.20**

Specifies that GRF appropriation item 525501, Operating Expenses, be used to support the operations of the Holocaust and Genocide Memorial and Education Commission, including the employment of a director for the Office of the Commission and any other employees approved by the Commission.

No provision. (See OHSCD4).



Executive

As Passed By House

As Reported By Senate Finance

REPCD5 General Assembly Open Meetings Law and same-party committee caucuses

No provision.

R.C. 101.15

Allows the same-party members of a standing committee of the Ohio House of Representatives or the Ohio Senate to meet without violating the General Assembly Open Meetings Law.

Fiscal effect: None.

No provision.

REPCD1 Operating Expenses

Section: 299.10

Authorizes the Chief Administrative Officer of the House of Representatives to certify to the OBM Director the amount of the unexpended, unencumbered balance of GRF appropriation item 025321, Operating Expenses, remaining at the end of FY 2021 and FY 2022, respectively, to be reappropriated for the next fiscal year. Reappropriates the certified amounts.

Section: 299.10

Same as the Executive.

Section: 299.10

Same as the Executive.

REPCD2 House Reimbursement

Section: 299.10

Appropriates additional amounts in ISA Fund 1030 appropriation item 025601, House Reimbursement, if the Chief Administrative Officer of the House of Representatives determines that additional amounts are necessary.

Section: 299.10

Same as the Executive.

Section: 299.10

Same as the Executive.

| Executive | As Passed By House | As Reported By Senate Finance |
|-----------|--------------------|-------------------------------|
|-----------|--------------------|-------------------------------|

**REPCD4 Joint Legislative Oversight and Review Committee of Federal COVID Relief Aid**

**Section: 701.40**

|               |   |               |
|---------------|---|---------------|
| No provision. | Establishes the Joint Legislative Oversight and Review Committee of Federal COVID Relief Aid to oversee and review the distribution and spending of funds received from the federal government for COVID relief purposes. | No provision. |
|---------------|---|---------------|

|               |   |               |
|---------------|---|---------------|
| No provision. | Specifies that the Committee consists of five members from each chamber, appointed by the Speaker of the House of Representatives and the Senate President, respectively, and that three members from each chamber represent the majority party and two members from each chamber represent the minority party. | No provision. |
|---------------|---|---------------|

|               |   |               |
|---------------|---|---------------|
| No provision. | Permits the Committee to hold hearings, receive testimony, issue reports, and make recommendations regarding the oversight, expenditure, and reporting of COVID relief aid usage. | No provision. |
|---------------|---|---------------|

**Fiscal effect: Minimal.**

**REPCD3 Joint Legislative Study Committee regarding career pathways and post-secondary workforce training programs**

**Section: 733.30**

|               |   |               |
|---------------|---|---------------|
| No provision. | Establishes a 13-member Joint Legislative Study Committee regarding career pathways and post-secondary workforce training programs. | No provision. |
|---------------|---|---------------|

|               |   |               |
|---------------|---|---------------|
| No provision. | Requires the Committee to review (1) current workforce training programs offered by post-secondary institutions and whether the programs are aligned with local, regional, and statewide workforce needs and (2) current career pathways, how they align with state, regional, and local labor market demand data, and whether they prioritize credentials that carry the most value in the labor market. | No provision. |
|---------------|---|---------------|

| Executive         | As Passed By House  | As Reported By Senate Finance |
|-------------------|---|-------------------------------|
| No provision.     | Requires the Committee to develop recommendations regarding the following:  | No provision.                 |
| (1) No provision. | (1) The state's workforce education priorities and how those priorities are funded;   | (1) No provision.             |
| (2) No provision. | (2) A common definition for short-term credentials and certificates of value across primary, secondary, and post-secondary education providers that ensures consistency and alignment with the state's policy and funding priorities;                     | (2) No provision.             |
| (3) No provision. | (3) Any strategies or programs the Committee identified that may ensure that the state's investments will increase student success and career readiness by increasing the number of workforce certificates and credentials that lead to an in-demand job; | (3) No provision.             |
| (4) No provision. | (4) The types of reporting and data necessary for the Chancellor to collect regarding post-secondary workforce credentials, including programs for which credit is not awarded;   | (4) No provision.             |
| (5) No provision. | (5) Policy strategies identified by the Committee to increase awareness and participation by students in career-technical pathways through partnerships between primary, secondary, and post-secondary education providers and business and industry;     | (5) No provision.             |
| (6) No provision. | (6) Strategies identified by the Committee to increase work-based learning programs such as apprenticeships and programs that permit students to attend post-secondary educational institutions while maintaining their employment;                       | (6) No provision.             |
| (7) No provision. | (7) Whether the state should consider prioritizing investments in short-term credentials through a new funding structure for workforce education and career-technical   | (7) No provision.             |

| Executive         | As Passed By House   | As Reported By Senate Finance |
|-------------------|--|-------------------------------|
| (8) No provision. | <p>programs, including state support of workforce training programs at community colleges and Ohio technical centers and financial aid opportunities for students pursuing a workforce certificate or credential; and,</p> <p>(8) Strategies to improve and expand short-term workforce career pathway opportunities to make them more accessible to residents of the state.</p> | (8) No provision.             |
| No provision.     | Requires LSC to provide support to the Committee.  | No provision.                 |
| No provision.     | <p>Requires the Committee to issue a report to the General Assembly by November 1, 2022, that contains its findings and recommendations, as well as any proposed legislative changes or funding recommendations.</p> <p><b>Fiscal effect: Minimal.</b></p>   | No provision.                 |

Executive

As Passed By House

As Reported By Senate Finance

INSCD8 Drug data disclosures

|                      |                      |  |
|----------------------|----------------------|--|
| <p>No provision.</p> | <p>No provision.</p> | <p><b>R.C. 3902.50, 3902.60, 3902.70, and 3902.72</b><br/>Requires health plan issuers, including pharmacy benefit managers to release specified information, including cost-sharing, prior authorization, step therapy, quantity limits, and site-of-service restrictions related to all drugs covered under a health benefit plan, upon request to the covered person, the covered person's health care provider, or the third party representative.</p>   |
| <p>No provision.</p> | <p>No provision.</p> | <p>Specifies that the required information must meet certain conditions, including the format in which such information is to be provided.</p>   |
| <p>No provision.</p> | <p>No provision.</p> | <p>Specifies that the requirements apply to health plan issuers and health benefit plans as defined in section 3922.01 of the Revised Code, which includes a nonfederal government health plan.</p>  |
| <p>No provision.</p> | <p>No provision.</p> | <p>Provides that the drug data disclosure requirements take effect January 1, 2022.</p> <p><b>Fiscal effect: May increase costs to the state employee health benefit plans. May also increase the Department of Insurance's administrative costs for regulating health insurers. Any increase in the Department's administrative costs would be offset by any civil penalties that may arise from failure to comply with the bill's requirements. Any penalties would be deposited into the Department of Insurance Operating Fund (Fund 5540) and any increase in administrative costs would also be paid from Fund 5540.</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

**INSCD7 Insurance agent pre-licensing education**

No provision.

No provision.

**R.C. 3905.04**

Authorizes the Superintendent of Insurance, when determining the criteria for pre-licensing education for insurance agents, to include classroom, online, and self-study options.

**Fiscal effect: None.**

**INSCD6 Joint venture title insurance companies**

No provision.

**R.C. 3953.331, 3953.36**

Requires, for a title company that is a joint venture, the company's annual review to assess whether or not all members of the joint venture received revenue from the title company commensurate to their ownership interest in the title company.

No provision.

No provision.

Requires the Superintendent of Insurance to promulgate rules setting forth the standards of the review described above and providing the form in which this information is to be provided. Allows the Superintendent to prescribe the specific records and documents to be kept by the joint venture. Specifies that title insurance companies that are joint ventures retain records of their affairs for at least 10 years.

No provision.

No provision.

Requires, for title companies that are joint ventures, all members of the joint venture to be allowed or invited to join any successor joint ventures formed upon dissolution or termination of the original joint venture.

No provision.

**Fiscal effect: May minimally increase the Department's administrative costs for regulating title insurance companies. Any such increase would be paid from Fund**

Executive

As Passed By House

As Reported By Senate Finance

5540.

**INSCD1 Market Conduct Examination**

**Section: 305.20**

Allows the Superintendent of Insurance to assess the costs associated with a market conduct examination of an insurer doing business in this state against the insurer. Allows the Superintendent to enter into consent agreements to impose administrative assessments or fines for violations of insurance laws or rules administered by the Superintendent. Requires all costs, assessments, or fines collected related to such violations to be deposited into the Department of Insurance Operating Fund (Fund 5540).

**Fiscal effect: Potential revenue gain for Fund 5540.**

**Section: 305.20**

Same as the Executive.

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

**Section: 305.20**

Same as the Executive.

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

**INSCD2 Examinations of Domestic Fraternal Benefit Societies**

**Section: 305.20**

Allows the Director of Budget and Management, at the request of the Superintendent, to transfer cash from Fund 5540 to the Superintendent's Examination Fund (Fund 5550), only for expenses incurred in examining domestic fraternal benefit societies.

**Section: 305.20**

Same as the Executive.

**Section: 305.20**

Same as the Executive.

**INSCD5 Long-term care insurance tax credit study**

No provision.

**Section: 757.30**

Requires the Departments of Insurance and Medicaid to complete a joint study by July 1, 2022, analyzing whether offering tax credits for the purchase of long-term care insurance would increase the number of Ohioans with such insurance.

**Fiscal effect: Increase in costs to the departments. If**

No provision.

Executive

As Passed By House

As Reported By Senate Finance

production of the report is contracted out instead of using existing staff, the cost could be in the tens of thousands. Department of Insurance costs would be paid from Fund 5540.



| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p><b>JFSCD23 Criminal background checks for out-of-home child care workers and host families</b></p> <p><b>R.C. 109.572</b></p> <p>Adds certain crimes to the Bureau of Criminal Identification and Investigation background check for those responsible for out-of-home child care and members of a household for a host family hosting a child under a host family agreement. Includes crimes classified under homicide and assault, kidnapping and extortion, sex offenses, weapons control and corrupt activity, and drug offenses.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 109.572</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 109.572</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>JFSCD41 Individual development account program reports</b></p> <p><b>R.C. 329.12, 5101.971</b></p> <p>Eliminates the requirement that county departments of job and family services prepare and file a semi-annual report with ODJFS regarding the individual development account program operated by the county departments.</p> <p>Eliminates a requirement that ODJFS prepare an annual report regarding the individual development account programs.</p> <p><b>Fiscal effect: None.</b></p>   | <p><b>R.C. 329.12, 5101.971</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 329.12, 5101.971</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>JFSCD27 Foster Care Bill of Rights</b></p> <p><b>R.C. 2151.011, 2151.316, 5103.02, 5103.163</b></p> <p>Requires ODJFS to adopt rules to establish a Foster Youth Bill of Rights and a Resource Family Bill of Rights.</p> <p>States that in the event of a conflict between the two, the Foster Youth Bill of Rights prevails.</p>  | <p><b>R.C. 2151.011, 2151.316, 5103.02, 5103.163</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>                                | <p><b>R.C. 2151.011, 2151.316, 5103.02, 5103.163</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>                                |

| Executive  | As Passed By House                                  | As Reported By Senate Finance                       |
|--|---|---|
| <p>Defines a "resource caregiver" as a foster caregiver or kinship caregiver and a "resource family" as a foster home or the kinship caregiver family.</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Provides that the Bills of Rights created for foster youth and resource families do not create grounds for a civil action against ODJFS, the recommending agency, or the custodial agency.</p>  | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p><b>Fiscal effect: Minimal.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>JFSCD25 Reimbursement of federal juvenile court programs</b></p>   | <p><b>R.C. 2151.152</b></p>                         | <p><b>R.C. 2151.152</b></p>                         |
| <p>Adds prevention services costs under the federal Family First Prevention Services Act to the list of expenses for which a juvenile court may receive reimbursement upon agreement with ODJFS on behalf of a child in certain circumstances.</p> | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Adds a child who is at the imminent risk of removal from the home and is a sibling of a child in the temporary or permanent custody of the court to the list of circumstances of a child on whose behalf reimbursement may be sought.</p>       | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p><b>Fiscal effect: Allowing juvenile courts to receive reimbursement for these expenses may result in additional revenue for courts.</b></p>   | <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>JFSCD31 Family service plan and permanency plan</b></p>  | <p><b>R.C. 2151.412</b></p>                         | <p><b>R.C. 2151.412</b></p>                         |
| <p>Repeals the option for a public children services agency (PCSA) to employ a family service plan for any child for whom the PCSA provides in-home services under an alternative response to a child abuse or neglect report.</p>                 | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |

| Executive  | As Passed By House                                  | As Reported By Senate Finance                       |
|--|---|---|
| <p>Until January 1, 2023, maintains the permissive authority of a PCSA or PCPA to include a supplement plan for locating a permanent family placement to a case plan, but limits the authority to apply only with respect to case plans for children in temporary custody.</p> | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Effective January 1, 2023, replaces the permissive authority with a mandate that the PCSA or PCPA include a permanency plan in the case plans for all children in temporary custody.</p>  | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Requires the services under the permanency plan to be provided concurrently with the efforts at family reunification.</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Requires the ODJFS Director to adopt case plan rules for the concurrent provision of services to achieve permanency for a child in temporary custody.</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p><b>Fiscal effect: It appears that some concurrent planning is practiced by most PCSAs now. However, PCSAs' costs might increase depending on how current practices compare to rules adopted.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>JFSCD32 Kinship caregiver placement efforts</b></p>  |   |   |
| <p><b>R.C. 2151.416, 2151.4115-2151.4122</b></p>   | <p><b>R.C. 2151.416, 2151.4115-2151.4122</b></p>    | <p><b>R.C. 2151.416, 2151.4115-2151.4122</b></p>    |
| <p>Requires PCSAs and private child placing agencies (PCPAs) with temporary custody of a child or a child placed in a planned permanent living arrangement to make intensive efforts to identify potential kinship caregivers using certain search technology.</p>             | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |
| <p>Requires, at every court hearing involving a child described above, that the court review all of the following regarding a PCSA's or PCPA's efforts to locate appropriate and willing kinship caregivers for the child:</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>                       |

| Executive   | As Passed By House         | As Reported By Senate Finance |
|---|----------------------------|-------------------------------|
| (1) Whether the child is currently receiving care from a kinship caregiver.   | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) What efforts the agency has taken to locate kinship caregivers since the previous hearing.  | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) Whether any previous order of the court that deemed further intensive efforts to find kinship caregivers unnecessary should remain in effect.   | (3) Same as the Executive. | (3) Same as the Executive.    |
| Requires a PCSA or PCPA to include a summary of its efforts to find an appropriate and willing kinship caregiver for a child as part of the semiannual administrative review of the child's case plan, unless a court has determined such efforts unnecessary.  | Same as the Executive.     | Same as the Executive.        |
| Allows a court to issue an order determining that a child's current placement is in the child's best interest and that further intensive efforts at finding kinship caregivers are unnecessary if all of the following conditions are met:  | Same as the Executive.     | Same as the Executive.        |
| (1) The child has been in a stable home environment for the past 12 consecutive months.   | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) The current caregivers are interested in permanently caring for the child.  | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) Removal would be detrimental to the child.  | (3) Same as the Executive. | (3) Same as the Executive.    |
| Provides that current caregivers of a child will be considered to have a kin relationship with a child and equal standing with relatives regarding permanency if a court has determined that the child's current placement is in the child's best interest and that intensive efforts to find kinship caregivers are unnecessary. | Same as the Executive.     | Same as the Executive.        |

| Executive  | As Passed By House                                  | As Reported By Senate Finance   |
|--|---|---|
| <p>Permits a court to excuse a PCSA or PCPA from considering a child's family member as a permanent placement option for the child if the family member has failed to show interest within six months of receiving notice of the child's placement in the temporary care of the PCSA or PCPA.</p>                | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>   |
| <p>Provides that nothing in these provisions prevents a PCSA or PCPA from continuing to search for an appropriate kinship caregiver.</p>   | <p>Same as the Executive.</p>                       | <p>Same as the Executive.</p>   |
| <p><b>Fiscal effect: These changes may result in additional costs to courts if it requires additional time to conduct a hearing. PCSAs may experience additional costs to conduct the required search and to include summaries of these efforts. However, some searches for kin are currently conducted.</b></p> | <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>JFSCD28 Foster care and adoption home study assessors; professional treatment staff qualifications</b></p>   |   |   |
| <p><b>R.C. 3107.014</b></p>  |   | <p><b>R.C. 3107.014</b></p>   |
| <p>Adds the following individuals to those qualified to perform foster care and adoption home studies:</p>   | <p>No provision.</p>                                | <p>Same as the Executive, with the following changes.</p>   |
| <p>(1) Current and former PCSA caseworkers.</p>  | <p>(1) No provision.</p>                            | <p>(1) No provision.</p>  |
| <p>(2) Current PCSA caseworker supervisors.</p>  | <p>(2) No provision.</p>                            | <p>(2) No provision.</p>  |
| <p>(3) An individual with a master's degree in social work or a related field who is in a human-services-related occupation and been employed for at least two years.</p>  | <p>(3) No provision.</p>                            | <p>(3) Individuals who hold a bachelor's degree in certain human services fields.</p>   |
| <p>No provision.</p>   | <p>No provision.</p>                                | <p>Requires professional treatment staff employed by PCSAs, private child placement agencies, and private noncustodial agencies to meet the same educational qualifications and training requirements PCSA caseworkers must meet.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Possible increase in training costs if agencies use newly qualified persons to conduct additional home studies.**

**Fiscal effect: Same as the Executive, but the educational qualifications provision might result in some additional costs.**

**JFSCD24 Removes gender for who may adopt**

**R.C. 3107.03**

Changes a reference regarding persons who may adopt a child from "husband and wife" to "legally married couple."

No provision.

No provision.

**Fiscal effect: None.**

**JFSCD26 Notification for sibling of adopted person**

**R.C. 3107.11, 3107.15**

Permits an adopted person's legal parents to be notified that the adopted person's sibling has been placed into out-of-home care after an adoption has been finalized.

**R.C. 3107.11, 3107.15**

Same as the Executive.

**R.C. 3107.11, 3107.15**

Same as the Executive.

Defines "sibling," for the purposes of notification, as a former biological sibling, former legal sibling, or any person who would have been considered a sibling if not for the termination of parental rights due to the adoption.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Minimal costs to provide the required notification.**

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

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

**JFSCD30 Kinship guardianship assistance payments**

**R.C. 3119.01, 5101.141, 5101.1411, 5101.1415-5101.1417, 5101.802, 5107.01, 5153.163**

Requires the ODJFS Director to submit amendments to the state Title IV-E plan to make federal kinship guardianship assistance (KGA) available on behalf of a child to relatives, and to any relative on behalf of a kinship guardianship young adult, within nine months after the effective date of the bill.

**R.C. 3119.01, 5101.141, 5101.1411, 5101.1415-5101.1417, 5101.802, 5107.01, 5153.163**

Same as the Executive.

**R.C. 3119.01, 5101.141, 5101.1411, 5101.1415-5101.1417, 5101.802, 5101.812, 5107.01, 5107.10, 5153.163**

Same as the Executive.

| Executive   | As Passed By House     | As Reported By Senate Finance   |
|---|------------------------|---|
| Requires the state plan amendments to be implemented within 15 months after the effective date of the bill if certain conditions are met.   | Same as the Executive. | Same as the Executive.  |
| Allows a PCSA to enter into an agreement with a child's relative to provide state KGA if funds are available and certain conditions are met.  | Same as the Executive. | Same as the Executive.  |
| Requires implementation of state KGA no later than 15 months after the bill's effective date if the amended state plan for federal KGA (described above) is approved.   | Same as the Executive. | Same as the Executive.  |
| Authorizes the PCSA that held custody of a child immediately prior to a court granting legal custody or guardianship to the child's relative to enter into a state KGA agreement with the relative.               | Same as the Executive. | Same as the Executive.  |
| Requires state KGA be provided consistent with the state KGA agreement and subjects state KGA to annual redetermination of need.  | Same as the Executive. | Same as the Executive.  |
| Allows kinship caregivers to participate in the Kinship Permanency Incentive Program under current law if the kinship caregiver is not receiving federal KGA for a kinship guardianship young adult or state KGA. | Same as the Executive. | Same as the Executive, but clarifies that a kinship caregiver may participate in the Kinship Permanency Incentive Program if the kinship caregiver is not receiving federal assistance payments under Title IV-E for kinship guardianship assistance or adopted or emancipated young adults or State Adoption Maintenance Subsidy payments. |
| Repeals requirements governing PCSA placement of children with special needs determined impossible to adopt and the duty to periodically re-determine and report the child's status to ODJFS.                     | Same as the Executive. | Same as the Executive.  |
| Excludes federal and state KGA from the definition of gross income for child support purposes.  | Same as the Executive. | Same as the Executive, but additionally excludes payment under the Kinship Support Program from the definition of gross income for child support purposes   |

| Executive  | As Passed By House                           | As Reported By Senate Finance   |
|--|--|---|
| Allows for specified relatives receiving federal or state KGA to participate in Ohio Works First if other conditions are also met.   | Same as the Executive.                       | Same as the Executive, but adds recipients of the Kinship Support Program those eligible for OWF if certain conditions are met.   |
| No provision.  | No provision.                                | Provides that any determination that the Department of Job and Family Services makes denying or terminating kinship support program payments is subject to a state hearing for an administrative appeal.  |
| No provision.  | No provision.                                | Provides that benefits and services provided under certain programs are inalienable and therefore not subject to attachment or garnishment, including KGA, Extended KGA, Kinship Support Program, Kinship Permanency Incentive Program, and State Adoption Maintenance Subsidy. |
| <b>Fiscal effect: ODJFS requested about \$5 million during the biennium for this provision. The state's investment will be matched with Title IV-E funding which will provide additional federal resources to help meet the needs of kin guardians. Additionally, the KGA program will offset some foster care costs by reducing placement days.</b>   | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b>  |
| <b>JFSCD34 Determination of unemployment benefit rights</b>  |  |   |
| <b>R.C. 4141.01</b>  |  | <b>R.C. 4141.01</b>   |
| Eliminates from consideration, during the first phase of application for unemployment compensation, whether the claimant is disqualified for reasons relating to why the claimant is unemployed, and delays this change until July 1, 2022. (This change does not eliminate the requirement that, to qualify for benefits, a claimant must not have separated from work for a disqualifying reason. That requirement continues to apply in the second phase of applications, when the claimant actually files for benefits each week.) | No provision.                                | Same as the Executive.  |



Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: None.**

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

**JFSCD33 Unemployment compensation confidentiality**

**R.C. 4141.21, 4141.22**

**R.C. 4141.21, 4141.22**

**R.C. 4141.21, 4141.22**

Requires information maintained by the Unemployment Compensation Review Commission or furnished to the Commission by an employer or employee be confidential and inadmissible (with one exception) in cases unrelated to the Unemployment Compensation Law.

Same as the Executive.

Same as the Executive.

Prohibits, unless permitted under continuing law, a person from disclosing any information maintained by the Commission or furnished to the Commission by employers or employees under the Unemployment Compensation Law.

Same as the Executive.

Same as the Executive.

Prohibits a current or former Commission employee from divulging, except to specific entities during the course of employment, employer business operation information maintained by or furnished to the ODJFS Director or the Commission.

Same as the Executive.

Same as the Executive.

Disqualifies a person who violates the prohibitions from receiving an appointment or employment with the Commission, in addition to the current law disqualification of appointments or employment from the ODJFS Director, a county family services agency, the Commission, or a workforce development agency.

Same as the Executive.

Same as the Executive.

**Fiscal effect: None.**

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

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

Executive

As Passed By House

As Reported By Senate Finance

JFSCD71 New hire data check

No provision.

No provision.

**R.C. 4141.286**

Requires the ODJFS Director to check the Ohio New Hire Reporting Center, the National Directory of New Hires, and the Integrity Data Hub when determining whether an initial application is valid or whether a first claim or additional claim qualifies an individual for benefits.

**Fiscal effect: There may be costs to check these sources if ODJFS is not already doing so.**

JFSCD35 SharedWork Ohio

**R.C. 4141.51, 4141.53, 4141.55**

Reduces the time the ODJFS Director may approve or deny a shared work plan and notify the employer of the determination from 30 days to 10 days.

Requires, to the extent allowed under federal law, any portions of compensation paid under the SharedWork Ohio Program to be charged to the mutualized account and not the participating employer's account during any period that compensation is being reimbursed under federal law, rather than only under the Layoff Prevention Act of 2012.

Increases the maximum allowed percentage an individual's workweek can be reduced in order to participate in the SharedWork Ohio program from 50% to 60%.

**Fiscal effect: The mutual account within the Unemployment Compensation Insurance Fund is not part of the state treasury, so charging additional benefits to this account will pose no cost to the state.**

**R.C. 4141.51, 4141.53, 4141.55**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 4141.51, 4141.53, 4141.55**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**JFSCD72 Third-party commercial consumer reporting agency**

|                      |                      |  |
|----------------------|----------------------|--|
| <p>No provision.</p> | <p>No provision.</p> | <p><b>R.C. 5101.04, and Section 307.290</b><br/>Permits ODJFS to contract with a third-party commercial consumer reporting agency to assist with improving the timeliness of benefit deliveries, maximizing operational efficiencies, increasing cost savings, and minimizing fraud within SNAP, Medicaid, and TANF programs.</p>  |
| <p>No provision.</p> | <p>No provision.</p> | <p>Requires CDJFSs to participate in a no-cost, 90-day pilot program under which the county department must contract with a third-party commercial consumer reporting agency to assist with improving the timeliness of benefit deliveries, maximizing operational efficiencies, increasing cost savings, and minimizing fraud within SNAP, Medicaid, and TANF programs. Permits ODJFS to contract with a vendor capable of providing these services following the conclusion of the pilot program using the \$1,000,000 earmark in FY 2022 from GRF appropriation item 600551, Job and Family Services Program Support.</p> |
| <p>No provision.</p> | <p>No provision.</p> | <p>Requires both ODJFS and CDJFSs to undertake efforts to incorporate real-time employment and income information into existing verification and eligibility determination procedures.</p>   |

**JFSCD70 Data matching agreements**

|                      |                      |  |
|----------------------|----------------------|--|
| <p>No provision.</p> | <p>No provision.</p> | <p><b>R.C. 5101.041, 125.70, 5120.212</b><br/>Requires the ODJFS Director to enter into several data matching agreements for the purpose of determining eligibility of certain public assistance recipients.</p> |
| <p>No provision.</p> | <p>No provision.</p> | <p>Requires DAS to work with ODJFS and ODM to deploy private sector tools for digital identity management, authentication,</p>   |

Executive

As Passed By House

As Reported By Senate Finance

and verification for individuals receiving public assistance.

**Fiscal effect: There would be costs to enter into these agreements and to deploy these tools.**

**JFSCD40 Voluntary participation agreements**

**R.C. 5101.1412, 2151.451-2151.453**

Rewords the mandate for ODJFS or its representative to seek judicial determination regarding an emancipated young adult’s (EYA's) best interest to “petition the court for and obtain a judicial determination,” rather than “seek approval from the court.”

Explicitly associates petitioning and obtaining that determination with maintaining the EYA's Title IV-E eligibility.

Changes the annual court determination requirement regarding reasonable efforts to finalize a permanency plan for EYA independence to remove the focus on a permanency plan that addresses only ODJFS’ or its representative’s efforts to prepare the EYA for independence.

Eliminates the remedy that an EYA loses eligibility for continued care and placement with ODJFS or its representative under a voluntary participation agreement (VPA) if a court determines 180 days after the VPA becomes effective that the placement does not serve the person's best interest.

Requires federal payments for foster care be suspended if the best interest and reasonable efforts determinations are not timely made.

Revises elements of the permanency plan determination that a court must make, as follows:

**R.C. 5101.1412, 2151.451-2151.453**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**R.C. 5101.1412, 2151.451-2151.453**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

| Executive   | As Passed By House                           | As Reported By Senate Finance                |
|---|--|--|
| (1) 12 months after the VPA's effective date (instead of 12 months after the date it is signed as current law states).  | (1) Same as the Executive.                   | (1) Same as the Executive.                   |
| (2) At least once every 12 months after the first determination, rather than simply “annually.”   | (2) Same as the Executive.                   | (2) Same as the Executive.                   |
| (3) Characterizes the determination as concerning that ODJFS or its representative made reasonable efforts (instead of the passive "whether reasonable efforts have been made" as current law states) to finalize a permanency plan to prepare the EYA for independence.  | (3) Same as the Executive.                   | (3) Same as the Executive.                   |
| Expands the juvenile courts that may exercise jurisdiction over an EYA receiving federal foster care payments to include the court of the county the EYA resided in when the EYA's custody, planned permanent living arrangement, or care and placement terminated (current law only gives jurisdiction to the juvenile court of the county the EYA resides in).  | Same as the Executive.                       | Same as the Executive.                       |
| <b>Fiscal effect: Requires federal payments for foster care be suspended if the best interest and reasonable efforts determinations are not timely made. These changes will allow an EYA to continue to receive funds in cases where the best interest ruling is not received in a timely manner. Currently, if the ruling is not received in time, the EYA is removed from the program and loses title-IV eligibility. This change would allow the EYA to remain in the program and receive support through GRF.</b> | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |

Executive

As Passed By House

As Reported By Senate Finance

**JFSCD29 Post Adoption Special Services Subsidy**

**R.C. 5101.1418, 5153.163**

Recodifies, and then transfers to ODJFS from PCSAs the operation of the post adoption special services subsidy (PASSS), which provides assistance on behalf of an adopted child with a physical or developmental disability or mental or emotional condition, whose parents cannot afford the care the child needs.

Makes the following changes to PASSS, in addition to the recodification and transfer:

(1) Permits ODJFS to contract with another person to carry out the PASSS duties.

(2) Uses the terms “disabled” and “disability” instead of “handicapped” or “handicap” for the PASSS program.

(3) Prohibits PASSS payments from being made on behalf of (a) any person, 18 or older, beyond the end of the school year during which the person turned 18, or (b) a mentally or physically disabled person who is 21 or older.

(4) Requires the ODJFS Director to adopt rules by July 1, 2022, under R.C. Chapter 119, to implement the recodified PASSS. The rules must establish the application process for the PASSS payments; standards for determining the children who qualify to receive PASSS payments; the method of determining the amount, duration, and scope of services provided to a child; the method of transitioning the PASSS program from PCSAs to ODJFS; and any other rule, requirement, or procedure JFS considers appropriate for the implementation of this section.

**R.C. 5101.1418, 5153.163**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

**R.C. 5101.1418, 5153.163**

Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <p>Requires ODJFS to implement the recodified PASSS program no later than July 1, 2022.</p> <p><b>Fiscal effect: ODJFS could realize minimal rule promulgation costs.</b></p>   | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>JFSCD38 Ohio Commission on Fatherhood</b></p> <p><b>R.C. 5101.34, 5101.805, 5101.80, 5101.801, conforming changes in 3125.18, 5101.35, 5153.16</b></p> <p>Codifies the authority of the Ohio Commission on Fatherhood to recommend the ODJFS Director provide funds to fatherhood programs in the state that meet at least one of the four purposes of the Temporary Assistance for Needy Families Block Grant.</p> <p><b>Fiscal effect: None. This would establish the Commission as an ongoing TANF funded program.</b></p> | <p>No provision.</p>   | <p>No provision.</p>  |
| <p><b>JFSCD53 Ohio Commission on Fatherhood - chairperson</b></p> <p>No provision.</p>  | <p><b>R.C. 5101.341</b></p> <p>Modifies the appointment of the chairperson of the Ohio Commission on Fatherhood to be every two years, instead of every year, with appointment being in odd-numbered years.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 5101.341</b></p> <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>   |
| <p><b>JFSCD69 Supplemental Nutrition Assistance Program eligibility</b></p> <p>No provision.</p> <p>No provision.</p>   | <p>No provision.</p> <p>No provision.</p>  | <p><b>R.C. 5101.54, 5101.546, 5101.547, 5101.548</b></p> <p>Prohibits SNAP income and asset limits from exceeding the types and allowable amounts permitted by the Secretary of the U.S. Department of Agriculture.</p> <p>Requires ODJFS to conduct an asset test for each SNAP recipient.</p> |

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| No provision.   | No provision.   | Requires ODJFS to prepare and submit baseline and subsequent quarterly reports detailing certain information regarding SNAP.  |
| No provision.   | No provision.   | Requires ODJFS to collect information on suspicious electronic benefit transfer card transactions and provide the information to each impacted county department for analysis and investigation.  |
| <b>JFSCD46 Elderly Simplified Application Project</b> |   |   |
| No provision.   | <p data-bbox="935 651 1193 675"><b>R.C. 5101.545</b></p> <p data-bbox="935 695 1741 841">Requires the ODJFS Director to submit an application to the U.S. Department of Agriculture for participation in the Elderly Simplified Application Project within the Supplemental Nutrition Assistance Program (SNAP).</p> <p data-bbox="935 865 1741 971"><b>Fiscal effect: There would be an increase in state and local administrative costs if participation in the project results in additional SNAP applicants and participants.</b></p> | <p data-bbox="1803 651 2061 675"><b>R.C. 5101.545</b></p> <p data-bbox="1803 695 2061 719">Same as the House.</p> <p data-bbox="1803 865 2233 889"><b>Fiscal effect: Same as the House.</b></p>   |
| <b>JFSCD66 Elder Abuse Commission reporting</b>       |   |   |
| No provision.   | No provision.   | <p data-bbox="1803 1049 2061 1073"><b>R.C. 5101.741</b></p> <p data-bbox="1803 1092 2610 1279">Removes the current law requirement that the Elder Abuse Commission review current funding of adult protective services and submit a separate report on the cost to the state and to county departments of job and family services of implementing the Commission's recommendations.</p> |
| No provision.   | No provision.   | <p data-bbox="1803 1304 2610 1409">Requires the biennial report submitted by the Commission to instead include estimates of the funding necessary to implement its specific recommendations.</p> <p data-bbox="1803 1433 2061 1458"><b>Fiscal effect: None.</b></p>   |



| Executive  | As Passed By House  | As Reported By Senate Finance            |
|--|---|--|
| <b>JFSCD50 TANF Spending Plan</b>                    | <b>R.C. 5101.806, 107.03</b>  | <b>R.C. 5101.806, 107.03</b>             |
| No provision.  | Requires ODJFS to submit a TANF spending plan to the Governor not later than November 1st of each even-numbered year describing the anticipated spending of the TANF Block Grant funds for the next fiscal biennium.  | Same as the House.                       |
| No provision.  | Requires the Governor to submit this spending plan to the General Assembly as an appendix to the Governor's budget.   | Same as the House.                       |
| No provision.  | Requires ODJFS to submit an updated TANF spending report to the chairpersons of standing committees of the House of Representatives and Senate designated by the Speaker of the House of Representatives and the President of the Senate by July 30 of each even-numbered year. | Same as the House.                       |
| No provision.  | Permits the chairpersons of the standing committees to call the ODJFS Director to testify about the TANF spending plan.   | Same as the House.                       |
|  | <b>Fiscal effect: Minimal.</b>  | <b>Fiscal effect: Same as the House.</b> |
| <b>JFSCD47 Online training for foster caregivers</b> | <b>R.C. 5103.031, 5103.0316</b>   | <b>R.C. 5103.031, 5103.0316</b>          |
| No provision.  | Repeals the statutory specification that up to 20% of a prospective foster caregiver's preplacement training may be provided online.  | Same as the House.                       |
| No provision.  | Requires ODJFS to adopt rules regarding the amount of preplacement and continuing training hours that may be completed online for prospective and existing foster caregivers.   | Same as the House.                       |
|  | <b>Fiscal effect: ODJFS could realize a minimal increase in costs to adopt rules. Any other impact will depend on the rules adopted.</b>  | <b>Fiscal effect: Same as the House.</b> |

Executive

As Passed By House

As Reported By Senate Finance

**JFSCD43 Background checks for institutions and associations**

**R.C. 5103.0310**

Applies the requirement that an institution or association (a public or private organization, society, association, or agency that receives or cares for children for two or more consecutive weeks) obtain certain background information before employing a person so that it also applies:

(1) Before engaging any subcontractor, intern, or volunteer, if the institution or association is a residential facility.

(2) Before hiring a person or engaging a subcontractor, intern, or volunteer, who will have access to children, if the institution or association is not a residential facility.

Makes the following changes to what the institution or association must do to complete the background check requirement:

(1) "Obtain," rather than "conduct," a search of the U.S. Department of Justice national sex offender public website.

(2) "Obtain," rather than "request," a summary report of the search of the uniform statewide automated child welfare information system.

Requires an institution or association to conduct the background check for a person, subcontractor, intern, or volunteer if one has not already been conducted by the bill's effective date.

Permits an institution or association to refuse to employ a person or engage a subcontractor, intern, or volunteer based solely on the background check.

**Fiscal effect: Possible increase in costs to publicly operated**

**R.C. 5103.0310**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 5103.0310**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**organizations that may have to conduct additional background checks.**

**JFSCD37 Head Start Program definition**

**R.C. 5104.01**

Changes the definition of "Head Start Program" for the purposes of the law governing the licensure and regulation of child care providers, to be a school readiness program rather than a comprehensive child development program.

**Fiscal effect: None.**

**R.C. 5104.01**

Same as the Executive.

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

**R.C. 5104.01**

Same as the Executive.

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

**JFSCD39 Type A family day-care homes**

**R.C. 5104.017**

Eliminates the requirement that ODJFS include standards for preparing and distributing a roster of parents, guardians, and custodians, in rules governing the operation of type A family day-care homes.

Removes an existing law reference to school-age type A family day-care homes.

**Fiscal effect: None.**

**R.C. 5104.017**

Same as the Executive.

Same as the Executive.

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

**R.C. 5104.017**

Same as the Executive.

Same as the Executive.

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

**JFSCD42 Child care resource and referral services**

**R.C. 5104.07**

Removes the requirement that the ODJFS Director adopt rules for funding child care resource and referral organizations. Requires instead the Director to include the topics previously included in rules into the statewide plan for child care resources and referral services, which ODJFS is required to complete under existing law.

**R.C. 5104.07**

Same as the Executive.

**R.C. 5104.07**

Same as the Executive.

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p>Removes the requirement that child care resource and referral service organizations receiving funds from ODJFS that enter into contracts with various entities do so in accordance with rules.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>   |
| <p><b>Fiscal effect: None.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>JFSCD49 Step Up to Quality ratings</b></p>  | <p><b>R.C. 5104.29</b></p>  | <p><b>R.C. 5104.29, 5104.31</b></p>   |
| <p>No provision.</p>  | <p>Eliminates current law that specifies the percent of licensed child care programs required to be rated in the third tier or higher of ODJFS's Step Up to Quality Program by a certain date (including 60% by June 30, 2021 and 80% by June 30, 2023), but maintains the requirement that all programs be rated in the third tier or higher by June 30, 2025.</p> | <p>Same as the House, but removes the requirement that all programs be rated in the third tier or higher by June 30, 2025.</p>  |
| <p>No provision.</p>  | <p>No provision.</p>  | <p>Eliminates the current law requirement that a licensed child care program be rated through the Step Up to Quality Program in order to provide publicly funded child care.</p>                            |
|   | <p><b>Fiscal effect: Possible savings for ODJFS if some providers wait longer to improve their rating. (Providers receive higher payments depending on their rating for providing publicly funded child care).</b></p>  | <p><b>Fiscal effect: Same as the House, with possible additional savings if some providers choose to forgo becoming rated in the Step Up to Quality program or improving their rating indefinitely.</b></p> |
| <p><b>JFSCD36 Publicly funded child care eligibility and part-time program reference</b></p>  | <p><b>R.C. 5104.34</b></p>  |   |
| <p>Requires that the eligibility period for publicly funded child care (PFCC) lasts at least 12 months.</p>   | <p>Same as the Executive.</p>   | <p>No provision.</p>  |
| <p>Allows a caretaker parent that is no longer employed or participating in a program of education or training during the time their children receive PFCC to continue to receive PFCC for at least three months, rather than up to 13 weeks.</p> | <p>Same as the Executive.</p>   | <p>No provision.</p>  |

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p>Removes an obsolete reference to part-time child care programs participating in the Step Up to Quality program.</p> <p><b>Fiscal effect: Implementing this change may result in a one-time extension of the redetermination date for each family, which could extend benefit payments for some families during this period. According to ODJFS, this will align the child care eligibility period with certain other programs.</b></p> | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p>No provision.</p>  |
| <p><b>JFSCD48 Caseworker in-service training</b></p>  | <p><b>R.C. 5153.122, 5153.124</b></p> <p>Requires the ODJFS Director to adopt rules to establish additional circumstances under which a PCSA executive director may waive portions of in-service training requirements for caseworkers.</p> <p><b>Fiscal effect: Minimal.</b></p> | <p><b>R.C. 5153.122, 5153.124</b></p> <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>   |
| <p><b>JFSCD63 Local workforce development board meetings</b></p>  | <p>No provision.</p> <p>No provision.</p>   | <p><b>R.C. 6301.06</b></p> <p>Allows local workforce development boards to hold meetings by interactive video conference or teleconference (states a preference for interactive video conference).</p> <p>Requires a board that wishes to hold meetings by video conference or teleconference to adopt rules that require the meetings to be conducted in a certain manner and establish a minimum number of members who must be physically present at the primary meeting location.</p> <p><b>Fiscal effect: Possible savings for local workforce development boards if teleconference results in savings (e.g. travel costs).</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

**JFSCD1 County Administrative Funds**

**Section: 307.20**

Permits GRF line item 600521, Family Assistance - Local, to be used by CDJFSs to administer food assistance and disability assistance programs.

Permits GRF line item 655522, Medicaid Program Support - Local, to be used by CDJFSs to administer the Medicaid Program and the State Children's Health Insurance Program.

Allows the ODJFS Director to request the OBM Director to transfer appropriations between line item 600521, Family Assistance - Local and line item 655522, Medicaid Program Support - Local Transportation.

Allows the ODJFS Director to request the OBM Director to transfer appropriations between line item 655523, Medicaid Program Support - Local Transportation and line item 655522, Medicaid Program Support - Local.

Requires the ODJFS Director to request the OBM Director to authorize expenditures in excess of the amounts appropriated from Fund 3F01, the Medicaid Program Support Fund, and Fund 3840, the Supplemental Nutrition Assistance Program Fund, if receipts credited to those funds exceed the amounts appropriated, and appropriates those amounts upon approval of the OBM Director.

**Section: 307.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 307.20**

Same as the Executive, but additionally requires Controlling Board approval and earmarks \$2,500,000 in each fiscal year for CDJFSs with an approved plan to address fraud in public assistance programs.

Same as the Executive, but additionally requires Controlling Board approval.

Same as the Executive, but instead requires the Director to seek Controlling Board approval.

Same as the Executive, but instead requires the Director to seek Controlling Board approval.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**JFSCD2 Name of Food Stamp Program**

**Section: 307.30**

Specifies that the ODJFS Director is not required to amend rules regarding the Food Stamp Program to change the name to the Supplemental Nutrition Assistance Program (SNAP).

Allows the ODJFS Director to refer to the program as the Food Stamp Program, the Supplemental Nutrition Assistance Program, or the Food Assistance Program in ODJFS's rules and documents.

**Section: 307.30**

Same as the Executive.

Same as the Executive.

**Section: 307.30**

Same as the Executive.

Same as the Executive.

**JFSCD3 Ohio Association of Food Banks**

**Section: 307.40**

Earmarks a total of \$22,050,000 in each fiscal year for the Ohio Association of Food Banks from GRF line item 600410, TANF State Maintenance of Effort; DPF Fund 4A80 line item 600658, Public Assistance Activities; and FED Fund 3V60 line item 600689, TANF Block Grant.

Requires this earmark to be used to purchase and distribute food products, support Innovative Summer Meals programs for children, provide SNAP outreach and free tax filing services, and provide capacity building equipment for food pantries and soup kitchens.

Requires the ODJFS Director to provide funds for the Ohio Association of Food Banks in an amount not less than \$24,550,000 in each fiscal year. Specifies that this amount includes the \$22,050,000 in each fiscal year specified above.

Requires ODJFS to count eligible nonfederal expenditures made by member food banks of the Ohio Association of Food Banks toward TANF maintenance of effort (MOE)

**Section: 307.40**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 307.40**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

requirements and to enter into an agreement with the Ohio Association of Food Banks to carry out the requirements under this section.

**JFSCD55 Unaffiliated Food Banks**

No provision.

No provision.

**Section: 307.41**

Earmarks \$250,000 in each fiscal year from FED Fund 3V60 appropriation item 600689, TANF Block Grant, for food banks or food pantries unaffiliated with the Ohio Association of Food Banks.

**JFSCD57 Ohio Association of Foodbanks subgrant agreement**

No provision.

No provision.

**Section: 307.43**

Requires ODJFS to enter into a subgrant agreement with the Ohio Association of Foodbanks to provide food distribution via the statewide charitable emergency food provider network and to support transportation of meals for the Governor's Office of Faith-Based and Community Initiatives Innovative Summer Meals programs.

No provision.

No provision.

Requires the Association to do all of the following:

No provision.

(1) No provision.

(1) Purchase food for the Agriculture Clearance and Ohio Food Programs.

(2) No provision.

(2) No provision.

(2) Provide the cost of transportation of food already purchased in FY 2021 to the Governor's Office of Faith-Based and Community Initiatives Summer and Rural Meals program sites.

(3) No provision.

(3) No provision.

(3) Support the Capacity Building Grant program and purchase equipment for partner agencies that is needed to increase their capacity to serve more families eligible under



| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| (4) No provision.   | (4) No provision.  | the Temporary Assistance for Needy Families program.<br>(4) Submit a quarterly report to ODJFS not later than 60 days from the close of the quarter to which the report pertains that includes certain performance details. |
| (5) No provision.   | (5) No provision.  | (5) Submit an annual report to ODJFS Agreement Manager not later than 120 days from the end of the fiscal year that includes certain performance details.   |
| <p><b>JFSCD4 Food Assistance Transfer</b></p> <p><b>Section: 307.50</b></p> <p>Allows the OBM Director, on July 1, 2021 or as soon as possible thereafter, to transfer up to \$1,000,000 cash from the Supplemental Nutrition Assistance Program Fund (Fund 3840) to the Food Assistance Fund (Fund 5ES0).</p>  | <p><b>Section: 307.50</b></p> <p>Same as the Executive.</p>  | <p><b>Section: 307.50</b></p> <p>Same as the Executive.</p>   |
| <p><b>JFSCD5 Public Assistance Activities/TANF MOE</b></p> <p><b>Section: 307.60</b></p> <p>Requires that DPF Fund 4A80 line item 600658, Public Assistance Activities, be used by ODJFS to meet the TANF MOE requirements.</p> <p>Specifies that once the state is assured that it will meet the MOE requirement, ODJFS may use funds from the appropriation item to support public assistance activities.</p> | <p><b>Section: 307.60</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>  | <p><b>Section: 307.60</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>   |
| <p><b>JFSCD6 TANF State Maintenance of Effort</b></p> <p><b>Section: 307.70</b></p> <p>Makes the following earmarks from GRF line item 600410, TANF State Maintenance of Effort:</p> <p>(1) \$5,000,000 in each fiscal year to the Ohio Alliance of Boys and Girls Clubs, with at least \$75,000 in each fiscal year for</p>  | <p><b>Section: 307.70</b></p> <p>Same as the Executive, but makes the following changes.</p> <p>(1) Same as the Executive, but increases the amount that must be provided to the Boys and Girls Club of Massillon to</p> | <p><b>Section: 307.70</b></p> <p>Same as the House, but makes the following changes:</p> <p>(1) Same as the House.</p>  |

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

the Boys and Girls Club of Massillon.

(2) No provision.

at least \$150,000 in each fiscal year.

(2) No provision.

(2) \$3,000,000 in each fiscal year for the Parenting and Pregnancy Program, and requires the ODJFS Director to release the request for grant applications not later than August 1, 2021, require applications to be received not later than September 1, 2021, and begin to award grants not later than October 1, 2021.

**JFSCD7 TANF Block Grant**

**Section: 307.80**

Makes the following earmarks in FED Fund 3V60 line item 600689, TANF Block Grant:

(1) Up to \$13,285,000 in each fiscal year to support programs or organizations that provide services that align with the mission and goals of the Governor's Office of Faith-Based and Community Initiatives. (See GOVCD2 for requirement to report its spending of TANF funds)

(2) Up to \$2,000,000 in each fiscal year for the Independent Living Initiative.

(3) No provision.

(4) Up to \$2,200,000 in each fiscal year for the Ohio Commission on Fatherhood.

(5) No provision.

(6) Up to \$1,000,000 in each fiscal year for Ohio Children's Trust Fund.

**Section: 307.80**

Same as the Executive, but makes the following changes (see JFSCD45 for the Kinship Caregiver earmark from this line item):

(1) Same as the Executive.

(2) Same as the Executive.

(3) \$3,000,000 in each fiscal year for the Ohio Parenting and Pregnancy Program.

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

(5) \$2,300,000 in each fiscal year for Open Doors Academy.

(6) Same as the Executive.

**Section: 307.80**

Same as the House, but makes the following changes (see JFSCD45 for the Kinship Caregiver and JFSCD68 for the Family Stability Programs earmarks from this line item):

(1) Same as the Executive, but increases the earmark to \$13,535,000 in each fiscal year and requires \$250,000 in each fiscal year to support the Connect Our Kids Family Connections training.

(2) Same as the Executive.

(3) No provision. (See JFSCD6)

(4) Same as the House.

(5) Same as the House.

(6) Same as the Executive.

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| (7) \$1,000,000 in each fiscal year for the Children's Hunger Alliance.           | (7) Same as the Executive, but increases the earmark to \$1,175,000 in each fiscal year.  | (7) Same as the House.  |
| (8) No provision.   | (8) \$1,000,000 in each fiscal year for the Waterford Institute.  | (8) Same as the House, but decreases the earmark to \$250,000.                      |
| (9) \$1,000,000 in each fiscal year for Big Brothers Big Sisters of Central Ohio. | (9) Same as the Executive.  | (9) Same as the Executive.  |
| (10) \$500,000 in each fiscal year for the Ohio Council of YWCAs.                 | (10) Same as the Executive, but increases the earmark to \$750,000.   | (10) Same as the House.   |
| (11) No provision.  | (11) \$500,000 in each fiscal year for Ohio YMCA day camps and before and after school programs.  | (11) Same as the House.   |
| (12) No provision.  | (12) \$500,000 in each fiscal year for Child Focus, Inc. and requires the organization to provide a report about the number of additional children served and program outcomes and efficacy by January 1, 2023. | (12) Same as the House.   |
| (13) No provision.  | (13) No provision.  | (13) \$300,000 in each fiscal year for Shoes and Clothes for Kids.                  |
| (14) No provision.  | (14) \$250,000 in each fiscal year for the Sisters of Charity Foundation of Cleveland.  | (14) Same as the House.   |
| (15) No provision   | (15) \$250,000 in each fiscal year for Communities In Schools of Ohio.  | (15) Same as the House.   |
| (16) No provision.  | (16) \$250,000 in each fiscal year for Produce Perks Midwest.   | (16) Same as the House, but increases the earmark to \$500,000 in each fiscal year. |
| (17) \$200,000 in each fiscal year for Marriage Works! Ohio in Dayton.            | (17) Same as the Executive.   | (17) Same as the Executive.   |
| (18) No provision.  | (18) \$200,000 in each fiscal year for the YWCA of Greater Cleveland's Early Learning Center.   | (18) Same as the House.   |

| Executive                                | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| (19) No provision.                       | (19) \$150,000 in each fiscal year for University Circle Inc. in Cleveland.   | (19) Same as the House, but increases the earmark to \$300,000 in each fiscal year. |
| (20) No provision.                       | (20) \$141,200 in each fiscal year for the Somali Community Link housing assistance program.  | (20) Same as the House, but increases the earmark to \$282,400 in each fiscal year. |
| (21) No provision.                       | (21) \$110,000 in each fiscal year for University Settlement family assistance programs in the Broadway-Slavic Village neighborhood of Cleveland.   | (21) Same as the House.   |
| (22) No provision.                       | (22) No provision.  | (22) \$500,000 in each fiscal year for Birthing Beautiful Communities in Cleveland. |
| (23) No provision.                       | (23) No provision.  | (23) \$250,000 in each fiscal year for The Foundry in Cleveland.                    |
| (24) No provision.                       | (24) No provision.  | (24) \$100,000 in each fiscal year for INspirED services.                           |
| (25) No provision.                       | (25) No provision.  | (25) \$25,000 in each fiscal year for the Make a Day Foundation.                    |
| (26) No provision.                       | (26) No provision.  | (26) \$425,000 in each fiscal year for Mahoning County High School.                 |
| <b>JFSCD45 Kinship Caregiver Program</b> |   |   |
| No provision.                            | <p><b>Section: 307.81</b></p> <p>Earmarks \$10,000,000 in each fiscal year from FED Fund 3V60 line item 600689, TANF Block Grant, to support kinship care. Requires funds to be allocated via formula and requires PCSAs to use funds to provide reasonable and necessary relief of child caring functions so kinship caregivers can provide and maintain a home for a child.</p> | <p><b>Section: 307.81</b></p> <p>Same as the House.</p>                             |
| No provision.                            | <p>Specifies that when the PCSA is designated, the CDJFS must enter into a memorandum of understanding with the PCSA</p>  | Same as the House.  |

| Executive                                | As Passed By House  | As Reported By Senate Finance  |
|--|---|--|
| No provision.                            | <p>authorizing the expenditure.</p> <p>Requires CDJFSs to incorporate the program into its prevention, retention, and contingency (PRC) plan.</p>   | Same as the House.   |
| No provision.                            | <p>Requires the program to include a family stabilization service and a caregiving service. Specifies that for the purpose of the stabilization service, each child living with a kinship caregiver must constitute a PRC assistance group of one. Specifies that for the caregiving service, each assistance group is to include at least a child living with a kinship caregiver and the kinship caregiver.</p> | Same as the House.   |
| No provision.                            | <p>Specifies that the program will end if funding is no longer available and that PCSAs and CDJFSs will not be held responsible for payments in such an event.</p>  | Same as the House.   |
| <b>JFSCD68 Family Stability Programs</b> |   |  |
| No provision.                            | No provision.   | <p><b>Section: 307.82</b></p> <p>Earmarks up to \$1,000,000 in each fiscal year for the Siemer Institute to support Family Stability Programs in collaboration with United Way affiliates from Federal Fund 3V60 appropriation item 600689, TANF Block Grant.</p>  |
| No provision.                            | No provision.   | <p>Specifies the Siemer Institute or its affiliates must provide ODJFS with documentation showing the amount of private sector dollars the organization has collected before funds are reimbursed. Specifies that the amount of each reimbursement provided by ODJFS must be equal to the amount documented, but must not exceed the amount earmarked in each fiscal year.</p> |
| No provision.                            | No provision.   | <p>Requires the ODJFS Director to certify the unexpended, unencumbered portion of the earmark to the OBM Director</p>  |

Executive

As Passed By House

As Reported By Senate Finance

on July 1, 2022, or as soon as possible thereafter.  
Reappropriates the amount certified to this earmark in FY 2023.

**JFSCD8 Family and Children Services**

**Section: 307.90, 307.100**

Makes the following earmarks in GRF appropriation item 600523, Family and Children Services:

(1) Up to \$3,200,000 in each fiscal year to match eligible federal Title IV-B ESSA funds and federal Title IV-E Chafee funds allocated to public children services agencies (PCSA).

(2) Up to \$25,000,000 in each fiscal year to assist with the expense of providing services to youth requiring support from multiple systems. Allows these funds to be used for youth in the custody of a PCSA, or at risk of entering custody, by custody relinquishment or another mechanism.

(3) Up to \$5,000,000 in each fiscal year for staffing for foster parent recruitment, engagement, and support and up to \$5,000,000 in each fiscal year to strengthen best practices. Requires the ODJFS Director to adopt rules to administer this funding.

(4) Up to \$110,040,010 in each fiscal year for PCSAs, including \$200,000 to each county and the remaining amount distributed to counties using the formula in R.C. 5101.14.

(5) Up to \$8,500,000 in each fiscal year to support the Kinship Care Navigator Program, which may be used to match Title IV-E funds.

**Section: 307.90, 307.100**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**Section: 307.90, 307.100**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive, but increases the earmark to \$120,040,010 in each fiscal year.

(5) Same as the Executive.

| Executive  | As Passed By House     | As Reported By Senate Finance  |
|--|------------------------|--|
| Requires counties, that contributed local funds in fiscal year 2019 to the county children services fund, to continue to contribute funds if the state child protective services allocation in FY 2022 and FY 2023 exceeds the amount provided in FY 2019. Requires the ODJFS Director to adopt rules, which include a hardship provision, to determine the amount of local funds each county must contribute. | Same as the Executive. | Same as the Executive.   |
| <b>JFSCD67 Transfer of Ohio Family and Children First Council</b>  |                        |  |
| No provision.  | No provision.          | <p><b>Section: 307.109</b></p> <p>Transfers fiscal and administrative agent duties for the Ohio Family and Children First Cabinet Council, created under existing law, from the OhioMHAS to ODJFS, including transferring the Council's office location and employees.</p>   |
| No provision.  | No provision.          | Requires the OBM Director to make the needed budget and accounting changes resulting from this transfer, such as canceling and establishing encumbrances. Appropriates the amounts of the established encumbrances.  |
| No provision.  | No provision.          | Requires the OBM Director on July 1, 2021, to cancel any existing encumbrances against GRF appropriation item 336405, Family and Children First (under OhioMHAS's budget), and reestablish them against appropriation item 600451, Family and Children First (under ODJFS's budget), and appropriates the reestablished encumbered amount.           |
| No provision.  | No provision.          | Requires the OBM Director on July 1, 2021, to cancel any existing encumbrances against DPF Fund 2320 appropriation item 336621, Family and Children First (under OhioMHAS's budget), and reestablish them against appropriation item 600644, Family and Children First (under ODJFS's budget), and appropriates the reestablished encumbered amount. |

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p><b>JFSCD9 Families and Children First flexible funding pool</b></p> <p><b>Section: 307.110</b></p> <p>No provision.</p><br><p>Permits, in collaboration with the county Family and Children First Council, a CDJFS or PCSA that receives an allocation from GRF appropriation items 600523, Family and Children Services, or 600533, Child, Family, and Community Protective Services, to transfer a portion of either or both allocations to a flexible funding pool.</p> | <p><b>Section: 307.110</b></p> <p>No provision.</p><br><p>Same as the Executive.</p>          | <p><b>Section: 307.110</b></p> <p>Permits a county family and children first council to establish and operate a flexible funding pool to assure access to needed services by families, children, and older adults in need of protective services. Specifies the restrictions governing the flexible funding pools. (This authority was previously in MHACD18)</p> <p>Same as the Executive.</p> |
| <p><b>JFSCD10 Child, Family, and Community Protection Services</b></p> <p><b>Section: 307.120</b></p> <p>Requires that GRF appropriation item 600533, Child, Family, and Community Protection Services, be distributed to CDJFSs.</p> <p>Requires that CDJFSs use the funds for specified purposes in accordance with the written plan of cooperation entered into under R.C. section 307.983.</p>  | <p><b>Section: 307.120</b></p> <p>Same as the Executive.</p><br><p>Same as the Executive.</p> | <p><b>Section: 307.120</b></p> <p>Same as the Executive.</p><br><p>Same as the Executive.</p>   |
| <p><b>JFSCD11 Adult Protective Services</b></p> <p><b>Section: 307.130</b></p> <p>Requires GRF appropriation item 600534, Adult Protective Services, to be divided equally among the counties.</p>  | <p><b>Section: 307.130</b></p> <p>Same as the Executive.</p>                                  | <p><b>Section: 307.130</b></p> <p>Same as the Executive.</p>  |



| Executive  | As Passed By House   | As Reported By Senate Finance   |
|--|--|---|
| <b>JFSCD12 Family and Children Activities</b>  |  |   |
| <b>Section: 307.140</b>  | <b>Section: 307.140</b>  | <b>Section: 307.140</b>   |
| Requires that DPF Fund 4F10 appropriation item 600609, Family and Children Activities, be used to expend miscellaneous foundation funds and grants to support family and children services activities. | Same as the Executive.   | Same as the Executive.  |
| <b>JFSCD44 Job and Family Services Program Support</b>   |  |   |
| No provision.  | <b>Section: 307.145</b>  | <b>Section: 307.145</b>   |
| No provision.  | Makes the following earmarks from GRF appropriation item 600551, Job and Family Services Program Support:  | Same as the House (See JFSCD72 for the Third-party commercial consumer reporting agency earmark). |
| No provision.  | (1) \$150,000 in each fiscal year for Men's Challenge.   | (1) Same as the House.  |
|  | (2) No provision.  | (2) \$50,000 in FY 2022 for the Youngstown Area Jewish Federation.                                |
| <b>JFSCD52 Gracehaven Pilot Program</b>  |  |   |
| No provision.  | <b>Section: 307.146</b>  | <b>Section: 307.146</b>   |
|  | Requires GRF appropriation item 600552, Gracehaven Pilot Program, to be used to support the creation and operation of Gracehaven locations to provide community-based services to women under the age of 18 that have been victims of human trafficking. | Same as the House.  |
| <b>JFSCD13 Court Appointed Special Advocates</b>   |  |   |
| <b>Section: 307.150</b>  | <b>Section: 307.150</b>  | <b>Section: 307.150</b>   |
| Makes the following earmarks in GRF line item 600553, Court Appointed Special Advocates:   | Same as the Executive.   | Same as the Executive.  |

| Executive   | As Passed By House         | As Reported By Senate Finance  |
|---|----------------------------|--|
| (1) Up to \$333,333 in each fiscal year to support administrative costs of existing court-appointed special advocate programs.  | (1) Same as the Executive. | (1) Same as the Executive.   |
| (2) Up to \$666,667 in each fiscal year to establish court-appointed special advocate programs in areas of the state not served by existing programs and to support existing programs.  | (2) Same as the Executive. | (2) Same as the Executive.   |
| Earmarks up to \$800,000 in each fiscal year from FED Fund 3950 line item 600616, Federal Discretionary Grants, for training guardians ad litem and court appointed special advocates as well as to conduct a study to demonstrate the impact of court-appointed special advocate volunteers on outcomes for children who are in child welfare custody. | Same as the Executive.     | Same as the Executive.   |
| <b>JFSCD73 Employment Incentive Program</b>   |                            |  |
| No provision.   | No provision.              | <b>Section: 307.152</b><br>Earmarks \$2,500,000 in each fiscal year from new GRF appropriation item 600560, Employment Incentive Program, for CDJFSs to develop employment incentive programs.   |
| No provision.   | No provision.              | Requires a CDJFS to submit a plan regarding its use of funds to the ODJFS Director, which must be submitted as part of the county's prevention, retention, and contingency (PRC) plan.   |
| No provision.   | No provision.              | Allows funds to be used to incentivize individuals who are either currently enrolled or recently stopped participating in SNAP, Medicaid, or a TANF employment and to provide outreach, referral, application assistance, and other services to assist individuals to receive incentives through this program and any related supportive services to stabilize their employment. |

Executive

As Passed By House

As Reported By Senate Finance

**JFSCD64 Governor's Office of Faith Based and Community Initiatives**

No provision.

No provision.

**Section: 307.158**

Earmarks \$750,000 in each fiscal year from GRF appropriation item 600450, Program Operations, for the Governor's Office of Faith-Based and Community Initiatives to support the development of the Connect Our Kids Family Connections technology and the development of the Connect Our Kids Connections Matter Academy for transition-aged youth.

**JFSCD14 Wendy's Wonderful Kids**

**Section: 307.160**

Earmarks up to \$12,000,000 in each fiscal from GRF line item 600450, Program Operations, FED Fund 3980 line item 600627, Adoption Program - Federal, and FED Fund 3270 line item 600606, Child Welfare, to provide funds to the Dave Thomas Foundation for Adoption to implement the Wendy's Wonderful Kids Program statewide.

**Section: 307.160**

Same as the Executive.

**Section: 307.160**

Same as the Executive.

**JFSCD15 Audit Settlements and Contingency Fund**

**Section: 307.170**

Specifies that the ODJFS Audit Settlements and Contingency Fund (Fund 5DM0) may also hold earned federal revenue when the final disposition is unknown.

Authorizes the OBM Director, upon request of the ODJFS Director, to transfer up to \$21,000,000 from the ODJFS Audit Settlements and Contingency Fund (Fund 5DM0), to the Human Services Projects Fund (Fund 5RY0), on July 1 of each fiscal year.

**Section: 307.170**

Same as the Executive.

Same as the Executive.

**Section: 307.170**

Same as the Executive.

No provision.

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| <b>JFSCD16 Adoption Assistance Loan</b>   |   |  |
| <p><b>Section: 307.180</b><br/>Permits ODJFS to use the Adoption Assistance Loan Fund (Fund 5DP0) for the administration of adoption assistance loans pursuant to R.C. 3107.018.</p>  | <p><b>Section: 307.180</b><br/>Same as the Executive.</p>   | <p><b>Section: 307.180</b><br/>Same as the Executive.</p>  |
| <p>Appropriates the amounts of any adoption assistance loans.</p>   | <p>Same as the Executive.</p>   | <p>Same as the Executive.</p>  |
| <b>JFSCD17 Early Childhood Education</b>  |   |  |
| <p><b>Section: 307.190</b><br/>Earmarks up to \$20,000,000 in each fiscal year of DPF Fund 5KTO line item 600696, Early Childhood Education, to:</p> <p>(1) Achieve the goals described in division (C) of section 5104.29 of the Revised Code.</p> <p>(2) Support early learning and development programs operating in smaller communities, early learning and development programs that are rated in the Step Up to Quality Program at the third highest tier or higher, or both.</p> | <p><b>Section: 307.190</b><br/>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> | <p><b>Section: 307.190</b><br/>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) No provision.</p> |
| <b>JFSCD18 Victims of Human Trafficking</b>   |   |  |
| <p><b>Section: 307.200</b><br/>Requires DPF Fund 5GN0 line item 600660, Victims of Human Trafficking, be used to provide treatment, care, rehabilitation, education, housing, and assistance for victims of trafficking in persons.</p>   | <p><b>Section: 307.200</b><br/>Same as the Executive.</p>   | <p><b>Section: 307.200</b><br/>Same as the Executive.</p>  |
| <p>Specifies that if amounts credited to the Victims of Human Trafficking Fund (Fund 5NG0) exceed amounts appropriated, the ODJFS Director may request the OBM Director to authorize additional expenditures from the fund.</p>   | <p>Same as the Executive.</p>   | <p>No provision.</p>   |

Executive

As Passed By House

As Reported By Senate Finance

Appropriates any additional amounts.

**JFSCD19 Childrens Crisis Care**

**Section: 307.210**

Requires DPF Fund 5TZ0 line item 600674, Childrens Crisis Care, be provided to children's crisis care facilities, allocated based on the total length of stay or days of care for each child residing in the facility. Specifies that this is determined by calculating the total days each child resides at the crisis care facility, including date of admission, but not day of discharge.

Specifies that a children's crisis care facility may decline to receive such funding.

Requires a children's crisis care facility that accepts such funding to use the funds in accordance with R.C. 5103.13, as well as rule 5101:2-9-36 of the Administrative Code.

**Section: 307.210**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 307.210**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**JFSCD20 Fiduciary and holding account fund groups**

**Section: 307.220**

Requires the Fiduciary Fund Group and Holding Account Fund Group be used to hold revenues until the appropriate fund is determined or until the revenues are directed to the appropriate governmental agency other than ODJFS. Specifies that any ODJFS' refunds or reconciliations received or held by ODM be transferred or credited to the Refunds and Audit Settlement Fund (Fund R012).

Permits the ODJFS Director to request the OBM Director to authorize expenditures from the Support Intercept - Federal Fund (Fund 1920), the Support Intercept - State Fund (Fund 5830), the Food Stamp Offset Fund (Fund 5B60), or the

**Section: 307.220**

Same as the Executive.

Same as the Executive.

**Section: 307.220**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

Refunds and Audit Settlements Fund (Fund R012), if receipts credited to these funds exceed appropriations. Appropriates the additional amounts upon approval of the OBM Director.

**JFSCD21 Federal Unemployment Programs**

**Section: 307.230**

Requires a portion of FED Fund line item 600678, Federal Unemployment Programs, be used to administer fraud identification and prevention efforts in the unemployment program.

**Section: 307.230**

Same as the Executive.

**Section: 307.230**

Same as the Executive.

**JFSCD22 Unemployment insurance program improvement**

**Section: 307.240**

Requires ODJFS to make certain system enhancements related to the Unemployment Insurance Program, including to streamline claims processing, enhance adjudication methodology, and secure and implement a new cloud-based tax and benefits system to replace outdated technology.

**Section: 307.240**

Same as the Executive.

**Section: 307.240**

Same as the Executive.

**JFSCD51 General Assembly evaluation of publicly funded child care and the Step Up to Quality Program**

No provision.

**Section: 307.250**

Requires a subcommittee or standing committee from each chamber of the 134th General Assembly, selected by the Speaker of the House and President of the Senate respectively, to evaluate all of the following regarding publicly funded child care (PFCC) and the Step Up to Quality (SUTQ) Program:

**Section: 307.250**

Same as the House, but instead requires a study committee consisting of specified members to conduct the evaluation:

(1) No provision.

(1) The number of children and families receiving PFCC.

(1) Same as the House.

| Executive         | As Passed By House   | As Reported By Senate Finance   |
|-------------------|--|---|
| (2) No provision. | (2) The number of early learning and development programs participating in SUTQ and receiving PFCC.  | (2) Same as the House.  |
| (3) No provision. | (3) Funding sources for PFCC and SUTQ.   | (3) Same as the House.  |
| (4) No provision. | (4) Long-term sustainability of the funding sources.   | (4) Same as the House.  |
| (5) No provision. | (5) Eligibility for PFCC.  | (5) Same as the House.  |
| (6) No provision. | (6) Issues regarding access to PFCC and quality-rated learning and development programs.   | (6) Same as the House.  |
| (7) No provision. | (7) The impact and feasibility of the requirement that all providers receiving PFCC be rated at the 3rd tier or higher in SUTQ by June 30, 2025. | (7) Same as the House, but instead studies the impact of feasibility of the mandate by a certain date, rather than June 30, 2025. |
| (8) No provision. | (8) No provision.  | (8) The manner in which ODJFS establishes reimbursement ceilings for PFCC, including through the use of market rate surveys.      |
| No provision.     | Requires each committee to do all of the following:  | Same as the House, but instead requires it of the study committee:  |
| (1) No provision. | (1) Hold hearings and receive testimony from the public and relevant state agencies and boards.  | (1) Same as the House.  |
| (2) No provision. | (2) Receive testimony from the ODJFS Director or the Director's designee if requested to appear.   | (2) No provision.   |
| (3) No provision. | (3) Issue a report of its findings and recommendations.  | (3) Same as the House, but removes the authority to include recommendations.  |
| No provision.     | Requires the Legislative Service Commission to provide services to support the duties described in this section.                                 | Same as the House.  |

Executive

As Passed By House

As Reported By Senate Finance

Fiscal effect: Minimal.

Fiscal effect: Same as the House.

**JFSCD62 Unemployment Compensation unrecovered fraudulent representation**

No provision.

No provision.

**Section: 307.260**

Requires the ODJFS Director to certify the amount of fraudulent unemployment benefits issued between March 1, 2020, and December 31, 2021, to the OBM Director, President and Minority Leader of the Senate, Speaker and Minority Leader of the House, and chairpersons and ranking members of the Senate and House standing committees that consider unemployment compensation issues. Specifies that unemployment benefits include regular benefits, extended benefits, and pandemic unemployment assistance benefits.

**Fiscal effect: Minimal.**

**JFSCD59 Publicly Funded Child Care**

No provision.

No provision.

**Section: 307.270**

Earmarks \$50,000,000 in FY 2022 from FED Fund 3H70 appropriation item 600617, Child Care Federal, from the amounts provided through the Consolidated Appropriations Act be used to provide discounted co-payments for families participating in publicly funded child care.

No provision.

No provision.

Requires that any Consolidated Appropriations Act funds not previously appropriated by the General Assembly, including by Controlling Board or S.B. 109 of the 134th General Assembly, be used to provide direct child care payments to licensed providers serving children eligible for publicly funded child care

No provision.

No provision.

Requires any Child Care Development Fund (CCDF) supplemental discretionary funds from the American Rescue Plan Act that Ohio receives be used to provide direct child



Executive

As Passed By House

As Reported By Senate Finance

care payments to licensed providers serving children eligible for publicly funded child care.

**JFSCD61 Eligibility for publicly funded child care**

No provision.

No provision.

**Section: 307.280**

Specifies that, for purposes of eligibility for publicly funded child care, the maximum amount of income that a family may have cannot exceed 142% of the federal poverty line (FPL) or, in the case of special needs child care, 150% FPL (for initial eligibility) or 300% FPL (for continued eligibility), for the period beginning on the bill's effective date and ending June 30, 2023.

**Fiscal effect: Possible increase in spending on child care if ODJFS increases eligibility from the planned 138% FPL up to 142% FPL.**

**JFSCD74 Public Assistance Benefits Accountability Task Force**

No provision.

No provision.

**Section: 307.300**

Establishes the Public Assistance Benefits Accountability Task Force consisting of 13 members.

No provision.

No provision.

Requires the task force to review all of the following:

(1) No provision.

(1) No provision.

(1) The State Auditor's report of Ohio's Medicaid Eligibility Determination Process to determine to what extent the recommendations have been adopted.

(2) No provision.

(2) No provision.

(2) Past and present welfare to work county programs and their effectiveness on assisting individuals in achieving employment.

| Executive   | As Passed By House | As Reported By Senate Finance   |
|---|--------------------|---|
| (3) No provision.                                     | (3) No provision.  | (3) Existing fraud prevention efforts at the state and county levels to determine best practices for fraud prevention in the SNAP, Medicaid, Ohio Works First, and publicly funded child care programs.   |
| (4) No provision.                                     | (4) No provision.  | (4) Best practices on how overpayments in the SNAP, Medicaid, and publicly funded child care programs can be prevented at the state and county level.   |
| (5) No provision.                                     | (5) No provision.  | (5) Best practices in public assistance case processing that create efficiencies and reduce errors through the use of technology.   |
| (6) No provision.                                     | (6) No provision.  | (6) The length of time that individuals receive public assistance benefits in the state and ways to return individuals to the workforce.  |
| (7) No provision.                                     | (7) No provision.  | (7) Existing efforts to ensure compliance with child support enforcement across public assistance benefit programs and recommend additional ways compliance could be improved.  |
| (8) No provision.                                     | (8) No provision.  | (8) The costs and benefits associated with implementing a requirement that each SNAP debit card include a color photograph of at least one adult member of the household.   |
| No provision.   | No provision.      | Requires the task force to prepare and submit a report to the General Assembly.   |
| <b>Fiscal effect: Minimal.</b>                        |                    |   |
| <b>JFSCD58 Federal pandemic unemployment programs</b> |                    |   |
| No provision.   | No provision.      | <p><b>Section: 741.20</b></p> <p>Requires the ODJFS Director to terminate pandemic unemployment assistance, federal pandemic unemployment compensation, mixed earner unemployment compensation, and pandemic emergency unemployment compensation.</p> |

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| No provision.  | No provision.   | Prohibits the Director from entering new agreements with the U.S. Secretary of Labor for the purpose of providing those forms of assistance and compensation<br><br><b>Fiscal effect: Federal law currently requires the programs to end September 6, 2021 and the Governor announced the state will end participation in federal pandemic unemployment on June 26, 2021.</b> |
| <b>JFSCD54 Streamlining County Level-Information Access Task Force</b> |   |   |
| No provision.  | <b>Section: 751.10</b><br>Creates the Task Force on Streamlining County Level-Information Access to make recommendations on streamlining information access across information technology systems for county departments of job and family services, child support enforcement agencies, public children services agencies, and county OhioMeansJobs centers. | <b>Section: 751.10</b><br>Same as the House.  |
| No provision.  | Requires the Task Force to do all of the following:   | Same as the House.  |
| (1) No provision.  | (1) Identify barriers to efficient operations between information technology systems that affect both department and agency operations and client services.   | (1) Same as the House.  |
| (2) No provision.  | (2) For each identified barrier, explore the feasibility of allowing county employee access to more than one information technology system.   | (2) Same as the House.  |
| (3) No provision.  | (3) Prioritize which barriers should be addressed first.  | (3) Same as the House.  |
| No provision.  | Provides for the appointment of Task Force's 16 members and establishes requirements for the first meeting, the provision of subject matter experts, and the submission of a  | Same as the House, but increases the membership to 21 members.  |

Executive

As Passed By House

As Reported By Senate Finance

report to the General Assembly.  
**Fiscal effect: Minimal.**

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

JFSCD60 Foster caregiver certification extension

No provision.

No provision.

**Section: 751.20**

Requires ODJFS to extend the certification deadline to December 31, 2021, for foster caregivers and prospective foster caregivers who began continuing training or preplacement training between 2019 and 2021, unless their certification deadline is after December 31, 2021.

No provision.

No provision.

Prohibits ODJFS from requiring foster caregivers and prospective foster caregivers from repeating training or certification requirements that have been previously completed, except ODJFS may require a new background check and home inspection.

**Fiscal effect: Minimal.**

Executive

As Passed By House

As Reported By Senate Finance

**JCRCD1 Operating guidance**

**Section: 309.10**

Requires the Legislative Service Commission to act as fiscal agent for the Joint Committee, and requires that Joint Committee members be paid in accordance with R.C. 101.35.

**Section: 309.10**

Same as the Executive.

**Section: 309.10**

Same as the Executive.

**JCRCD2 Operating Expenses**

**Section: 309.10**

Permits the Executive Director of the Joint Committee to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 029321, Operating Expenses, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and appropriates those amounts.

**Section: 309.10**

Same as the Executive.

**Section: 309.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

JMOCD2 JMOC vice-chairperson

No provision.

No provision.

**R.C. 103.41**

Requires a JMOC vice-chairperson be appointed from the majority party members, to be selected by the Senate President in odd-numbered years and the Speaker of the House of Representatives in even-numbered years.

**Fiscal effect: None.**

JMOCD1 Operating Expenses

**Section: 313.10**

Requires GRF appropriation item 048321, Operating Expenses, to be used to support expenses related to the Joint Medicaid Oversight Committee (JMOC).

Permits the Executive Director of JMOC to certify to the Director of Budget and Management the amount of the unexpended, unencumbered balance of the appropriation item at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively. Reappropriates the amounts certified.

**Section: 313.10**

Same as the Executive.

Same as the Executive.

**Section: 313.10**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**JCOCD1 State Council of Uniform State Laws**

**Section: 315.10**

Earmarks up to \$96,305 in FY 2022 and up to \$99,194 in FY 2023 of GRF appropriation item 018321, Operating Expenses, to 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.

**Section: 315.10**

Same as the Executive.

**Section: 315.10**

Same as the Executive.

**JCOCD2 Ohio Jury Instructions Fund**

**Section: 315.10**

(1) Requires that the Ohio Jury Instructions Fund (Fund 4030) consist of grants, royalties, dues, conference fees, bequests, devises, and other gifts received for the purpose of supporting the Judicial Conference in its activities as a part of the judicial system of the state as determined by the Judicial Conference Executive Committee.

**Section: 315.10**

(1) Same as the Executive.

**Section: 315.10**

(1) Same as the Executive.

(2) Requires money in the fund to be used to pay expenses incurred by the Conference in performing activities as determined by its Executive Committee.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Appropriates, in FYs 2020 and 2021, respectively, any money accruing to the fund in excess of that year's appropriation.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring money from Fund 4030 to any other fund.

(4) Same as the Executive.

(4) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**JSCCD1 State Criminal Sentencing Commission**

**Section: 317.20**

Requires GRF appropriation item 005401, State Criminal Sentencing Commission, to be used for the operation of the State Criminal Sentencing Commission established by R.C. 181.21.

**Section: 317.20**

Same as the Executive.

**Section: 317.20**

Same as the Executive.

**JSCCD2 Law-Related Education**

**Section: 317.20**

Requires GRF appropriation item 005406, Law-Related Education, to be distributed directly to the Ohio Center for Law-Related Education to provide continuing citizenship education activities to primary and secondary students, expand delinquency prevention programs, increase activities for at-risk youth, and access additional public and private money for new programs.

**Section: 317.20**

Same as the Executive.

**Section: 317.20**

Same as the Executive.

**JSCCD3 Ohio Courts Technology Initiative**

**Section: 317.20**

Requires GRF appropriation item 005409, Ohio Courts Technology Initiative, to be used to fund an initiative by the Supreme Court to facilitate:

(1) Exchange of information and warehousing of data by and between courts and other justice system partners through the creation of an Ohio Courts Network.

(2) Delivery of technology services to courts statewide, including the provision of hardware, software, and the development and implementation of educational and training programs for judges and court personnel.

**Section: 317.20**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 317.20**

Same as the Executive.

(1) Same as the Executive,

(2) Same as the Executive.



| Executive   | As Passed By House                | As Reported By Senate Finance     |
|---|-----------------------------------|-----------------------------------|
| <p>(3) Operation of the Commission on Technology and the Courts 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.</p>  | <p>(3) Same as the Executive.</p> | <p>(3) Same as the Executive.</p> |
| <p><b>JSCCD4 Attorney Services</b></p>  |                                   |                                   |
| <p><b>Section: 317.20</b></p>   | <p><b>Section: 317.20</b></p>     | <p><b>Section: 317.20</b></p>     |
| <p>(1) Requires the Attorney Registration Fund (Fund 4C80) consist of money received by the Supreme Court pursuant to the Rules for the Government of the Bar of Ohio.</p>  | <p>(1) Same as the Executive.</p> | <p>(1) Same as the Executive.</p> |
| <p>(2) Permits the money appropriated to the fund's related DPF appropriation item 005605, Attorney Services, in addition to funding other activities considered appropriate by the Supreme Court, to be used to compensate employees and to fund appropriate activities of the Office of Disciplinary Counsel, the Board of Commissioners on Grievances and Discipline, the Clients' Security Fund, and the Attorney Services Division including the Office of Bar Admissions.</p> | <p>(2) Same as the Executive.</p> | <p>(2) Same as the Executive.</p> |
| <p>(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.</p>   | <p>(3) Same as the Executive.</p> | <p>(3) Same as the Executive.</p> |
| <p>(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 4C80 to any other fund.</p>  | <p>(4) Same as the Executive.</p> | <p>(4) Same as the Executive.</p> |
| <p>(5) Requires any interest earned on the money in Fund 4C80 to be credited to the fund.</p>   | <p>(5) Same as the Executive.</p> | <p>(5) Same as the Executive.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**JSCCD5 Court Interpreter Certification**

**Section: 317.20**

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

(2) Requires money appropriated to the fund's related DPF appropriation item 005617, Court Interpreter Certification, to 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.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5HT0 to any other fund.

(5) Requires any interest earned on the money in Fund 5HT0 to be credited to the fund.

**Section: 317.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**Section: 317.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**JSCCD6 Civil Justice Grant Program**

**Section: 317.20**

(1) Requires the Civil Justice Program Fund (Fund 5SP0) consist of \$50 voluntary donations made as part of the biennium attorney registration process, and \$150 of the pro hac vice fees for out-of-state attorneys pursuant to Government of the Bar Rules amendments.

**Section: 317.20**

(1) Same as the Executive.

**Section: 317.20**

(1) Same as the Executive.

| Executive   | As Passed By House         | As Reported By Senate Finance |
|---|----------------------------|-------------------------------|
| (2) Requires any money appropriated to the fund's related DPF appropriation item 005626, Civil Justice Grant Program, to be used for grants to not-for-profit organizations and agencies dedicated to providing civil legal aid to underserved populations, to fund innovative programs directed at this purpose, and to increase access to judicial services to that population. | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.  | (3) Same as the Executive. | (3) Same as the Executive.    |
| (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5SPO to any other fund.   | (4) Same as the Executive. | (4) Same as the Executive.    |
| (5) Requires any interest earned on the money in Fund 5SPO to be credited to the fund.  | (5) Same as the Executive. | (5) Same as the Executive.    |
| <b>JSCCD10 Grants and Awards</b>  |                            |                               |
| <b>Section: 317.20</b>  | <b>Section: 317.20</b>     | <b>Section: 317.20</b>        |
| (1) Requires the Grants and Awards Fund (Fund 5T80) consist of grants and other money awarded to the Supreme Court by the State Justice Institute, the Division of Criminal Justice Services, or other entities, and that the grant or award be used in a manner consistent with the purpose of the grant or award.   | (1) Same as the Executive. | (1) Same as the Executive.    |
| (2) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.  | (2) Same as the Executive. | (2) Same as the Executive.    |
| (3) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund   | (3) Same as the Executive. | (3) Same as the Executive.    |

Executive

As Passed By House

As Reported By Senate Finance

5T80 to any other fund.

(4) Requires any interest earned on money in the fund to be transferred or credited to the GRF.

(4) Same as the Executive.

(4) Same as the Executive.

**JSCCD7 Judiciary/Supreme Court Education**

**Section: 317.20**

(1) Requires the Judiciary/Supreme Court Education Fund (Fund 6720) consist of fees paid for attending judicial and public education on the law, reimbursement of costs for judicial and public education on the law, and other gifts and grants received for the purpose of judicial and public education on the law.

**Section: 317.20**

(1) Same as the Executive.

**Section: 317.20**

(1) Same as the Executive.

(2) Requires any money appropriated to the fund's related DPF appropriation item 005601, Judiciary/Supreme Court Education, to be used to pay expenses for judicial education courses for judges, court personnel, and those who serve the courts, and for public education on the law.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 6720 to any other fund.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Requires any interest earned on the money in Fund 6720 to be credited to the fund.

(5) Same as the Executive.

(5) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**JSCCD8 County Law Library Resources Boards**

**Section: 317.20**

(1) Requires that the Statewide Consortium of County Law Library Resources Boards Fund (Fund 5JY0) consist of money deposited pursuant to R.C. 307.515 into a county's law library resources fund and forwarded by that county's treasurer for deposit in the state treasury pursuant to R.C. 3375.481.

(2) Requires that any money appropriated to the fund's related FID appropriation item 005620, County Law Library Resources Boards, to be used for the operation of the Statewide Consortium of County Law Library Resources Boards.

(3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.

(4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 5JY0 to any other fund.

(5) Requires any interest earned on the money in Fund 5JY0 to be credited to the fund.

**Section: 317.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**Section: 317.20**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**JSCCD9 Federal Grants**

**Section: 317.20**

(1) Requires the Federal Grants Fund (Fund 3J00) consist of grants and other money awarded to the Supreme Court by the federal government or other entities that receive the money directly from the federal government and distribute that money to the Supreme Court.

**Section: 317.20**

(1) Same as the Executive.

**Section: 317.20**

(1) Same as the Executive.

| Executive  | As Passed By House   | As Reported By Senate Finance                               |
|--|--|---|
| (2) Requires that money appropriated to the fund's related FED appropriation item 005603, Federal Grants, be used in a manner consistent with the purpose of the grant or award. | (2) Same as the Executive.   | (2) Same as the Executive.                                  |
| (3) Appropriates additional amounts as determined necessary by the Administrative Director of the Supreme Court.   | (3) Same as the Executive.   | (3) Same as the Executive.                                  |
| (4) Prohibits the Director of Budget and Management or the Controlling Board from transferring any of the money in Fund 3J00 to any other fund.                                  | (4) Same as the Executive.   | (4) Same as the Executive.                                  |
| (5) Requires any interest earned on the money in Fund 3J00 to be credited or transferred to the GRF.   | (5) Same as the Executive.   | (5) Same as the Executive.                                  |
| <b>JSCCD11 Probation Workload Study Committee</b>  |  |   |
| (1) No provision.  | <p><b>Section: 725.10</b></p> <p>(1) Creates the Probation Workload Study Committee within the Ohio Supreme Court to study and discuss probation caseload principles, education standards for probation officers, workload capacity principles, and any additional subjects the Study Committee determines to be relevant.</p> | <p><b>Section: 725.10</b></p> <p>(1) Same as the House.</p> |
| (2) No provision.  | <p>(2) Requires the Study Committee to consist of nine members: three appointed by the Chief Justice, three appointed by the Executive Director of the Ohio Judicial Conference, and three appointed by the President of the Ohio Chief Probation Officers Association.</p>  | (2) Same as the House.                                      |
| (3) No provision.  | <p>(3) Prohibits members of the Study Committee from receiving compensation for their service or reimbursement for expenses incurred through participation.</p>  | (3) Same as the House.                                      |
| (4) No provision.  | <p>(4) Requires the Study Committee to provide its recommendations to the Governor, the President of the</p>   | (4) Same as the House.                                      |

Executive

As Passed By House

As Reported By Senate Finance

Senate, and the Speaker of the House of Representatives by December 31, 2021.

**Fiscal effect: Potential increase in administrative support expenses for the Ohio Supreme Court and the Ohio Judicial Conference.**

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

Executive

As Passed By House

As Reported By Senate Finance

**LECCD1 Cash transfers to the Lake Erie Protection Fund**

**Section: 319.10**

(1) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer up to \$25,000 from each of the following funds to the Lake Erie Protection Fund (Fund 4C00):

(a) Environmental Protection Fund (Fund 5BC0) used by the Ohio Environmental Protection Agency.

(b) Pesticide, Fertilizer and Lime Fund (Fund 6690) used by the Department of Agriculture.

(c) General Operations Fund (Fund 4700) used by the Department of Health.

(d) Program Support Fund (Fund 1570) used by the Department of Natural Resources.

(2) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$25,000 from a fund used by the Development Services Agency and as specified by the Director of Development Services, to Fund 4C00.

(3) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$25,000 from a fund used by the Department of Transportation and as specified by the Director of Transportation, to Fund 4C00.

(4) Permits Fund 4C00 to accept contributions and transfers made to the fund.

**Section: 319.10**

(1) Same as the Executive, but requires Controlling Board approval.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(2) Same as the Executive, but requires Controlling Board approval.

(3) Same as the Executive, but requires Controlling Board approval.

(4) Same as the Executive.

**Section: 319.10**

(1) Same as the House.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(2) Same as the House.

(3) Same as the House.

(4) Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

LECCD2 H2Ohio Fund

Section: 319.10

Permits the Director of the Lake Erie Commission to certify to the Director of Budget and Management, on July 1, 2022, or as soon as possible thereafter, an amount up to the unexpended, unencumbered balance of DPF Fund 6H20 appropriation item 780604, H2Ohio, at the end of FY 2022 to be reappropriated in FY 2023, and reappropriates that amount.

Section: 319.10

Same as the Executive, but requires Controlling Board approval.

Section: 319.10

Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**JLECD3 Registration to be a legislative agent, retirement system lobbyist, or executive agency lobbyist**

(1) No provision.

(1) No provision.

**R.C. 9.78, 9.79, 101.721, 101.921, 121.621, 4798.01, Section 2 of H.B. 263 of the 133rd General Assembly**

(1) Specifies the Joint Legislative Ethics Committee is not an occupational licensing board and a registration to be a legislative agent, retirement system lobbyist, or executive agency lobbyist is not a license.

(2) No provision.

(2) No provision.

(2) Allows the Committee to continue to prohibit authorizing registration to persons convicted of specified offenses and automatically ban a person from serving as a legislative agent, retirement system lobbyist, or executive agency lobbyist if convicted of specified offenses. (This is instead of the provisions amended by H.B. 263 of the 133rd General Assembly taking effect October 9, 2021.)

**Fiscal effect: None.**

**JLECD1 Legislative Ethics Committee**

**Section: 321.10**

Permits the Legislative Inspector General of the Committee to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 028321, Legislative Ethics Committee, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and reappropriates those amounts.

**Section: 321.10**

Same as the Executive.

**Section: 321.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**LSCCD5 Chairperson practices and meeting requirements**

No provision.

No provision.

**R.C. 103.11, 103.22**

Codifies the existing practice that in even-numbered general assemblies the Senate President serves as chairperson of LSC and the Speaker of the House serves as vice-chairperson, and in odd-numbered general assemblies the Speaker of the House serves as chairperson and the Senate President serves as vice chairperson.

No provision.

No provision.

Eliminates a requirement that LSC meet at least quarterly.

**Fiscal effect: None.**

**LSCCD1 Operating Expenses**

**Section: 323.20**

No provision.

**Section: 323.20**

Earmarks \$6,000 in each fiscal year from GRF appropriation item 035321, Operating Expenses, to cover expenses the Ohio Aerospace and Aviation Technology Committee (OAATC) incurs in carrying out its responsibilities.

**Section: 323.20**

No provision.

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035321, Operating Expenses, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and reappropriates those amounts.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**LSCCD6 Correctional Institution Inspection Committee**

No provision.

No provision.

**Section: 323.20**

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035405, Correctional Institution Inspection Committee, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and reappropriates those amounts.

**LSCCD2 Legislative Task Force on Redistricting**

**Section: 323.20**

Reappropriates an amount equal to the unexpended, unencumbered portion of GRF appropriation item 035407, Legislative Task Force on Redistricting, at the end of FY 2021 and FY 2022 for the same purpose in FY 2022 and FY 2023, respectively.

**Section: 323.20**

Same as the Executive.

**Section: 323.20**

Same as the Executive.

**LSCCD3 Legislative Information Systems**

**Section: 323.20**

Authorizes the Director of LSC to certify to the Director of OBM an amount up to the unexpended, unencumbered balance of GRF appropriation item 035410, Legislative Information Systems, at the end of FY 2021 and FY 2022 to be reappropriated to FY 2022 and FY 2023, respectively, and reappropriates those amounts.

**Section: 323.20**

Same as the Executive.

**Section: 323.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**LSCCD4    Litigation**

**Section:    323.20**

Requires that GRF appropriation item 035501, Litigation, be used for any lawsuit in which the General Assembly is a party. Requires the Chairperson and Vice-chairperson of LSC to both approve the use of funds from 035501.

Reappropriates an amount equal to the unexpended, unencumbered balance of 035501 at the end of FY 2021 and FY 2022 for the same purpose in FY 2022 and FY 2023, respectively.

**Section:    323.20**

Same as the Executive.

Same as the Executive.

**Section:    323.20**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**LIBCD5 Free photocopies of identification**

No provision.

**R.C. 3375.011**

Requires public libraries to provide an individual with a photocopy of that individual's driver's license, driver's permit, or state identification free of charge if the individual requests one.

**Fiscal effect: Minimal.**

**R.C. 3375.011**

Same as the House.

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

**LIBCD1 Ohioana Library Association**

**Section: 325.20**

Earmarks \$180,000 in each fiscal year of GRF appropriation item 350401, Ohioana Library Association, for the operating expenses of the Martha Kinney Cooper Ohioana Library Association.

Specifies that the remainder of the appropriation be used to pay the rental expenses of the Martha Kinney Cooper Ohioana Library Association.

**Section: 325.20**

Same as the Executive.

Same as the Executive.

**Section: 325.20**

Same as the Executive.

Same as the Executive.

**LIBCD2 Regional Library Systems**

**Section: 325.20**

Requires that GRF appropriation item 350502, Regional Library Systems, be used to support regional library systems.

**Section: 325.20**

Same as the Executive.

**Section: 325.20**

Same as the Executive.

**LIBCD3 Ohio Public Library Information Network (OPLIN)**

**Section: 325.20**

Requires that DPF Fund 4S40 appropriation item 350604, Ohio Public Library Information Network, be used for an information telecommunications network linking public libraries in the state.

**Section: 325.20**

Same as the Executive.

**Section: 325.20**

Same as the Executive.

| Executive  | As Passed By House     | As Reported By Senate Finance |
|--|------------------------|-------------------------------|
| Permits the OPLIN Board of Trustees to make decisions regarding the use of the appropriation.  | Same as the Executive. | Same as the Executive.        |
| Requires the OPLIN Board to research and assist local libraries with regard to emerging technologies and methods of controlling access to obscene and illegal materials. Requires the OPLIN director to provide written reports related to these efforts upon request. | Same as the Executive. | Same as the Executive.        |
| Requires OPLIN, INFOhio, and OhioLINK to coordinate their purchases of electronic databases.   | Same as the Executive. | Same as the Executive.        |
| Requires the Director of OBM to transfer \$3,689,788 cash in each fiscal year from the Public Library Fund (Fund 7065) to the OPLIN Technology Fund (Fund 4S40).   | Same as the Executive. | Same as the Executive.        |
| <b>LIBCD4 Library for the Blind</b>  |                        |                               |
| <b>Section: 325.20</b>   | <b>Section: 325.20</b> | <b>Section: 325.20</b>        |
| Requires that DPF Fund 5GB0 appropriation item 350605, Library for the Blind, be used for the statewide Talking Book Program.  | Same as the Executive. | Same as the Executive.        |
| Requires the Director of OBM to transfer \$1,274,194 cash in each fiscal year from Fund 7065 to the Library for the Blind Fund (Fund 5GB0).  | Same as the Executive. | Same as the Executive.        |

Executive

As Passed By House

As Reported By Senate Finance

LCOCD2 Serving alcohol during bingo

No provision.

**R.C. 4301.03, 4301.17**

Eliminates the prohibition against the sale, service, and consumption of alcohol when bingo is being conducted on the premises of D-4 permit holders. (The D-4 permit allows a club to sell beer and intoxicating liquor to its members for on-premises consumption.)

**Fiscal effect: None.**

**R.C. 4301.03, 4301.17**

Same as the House.

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

LCOCD1 Vacating COVID-19 violations and refunding fines to businesses

No provision.

**Section: 701.60**

Vacates violations of orders addressing COVID-19 by applicable businesses that occurred between March 14, 2020, and the effective date of the section. Requires state agencies and boards of health to cease disciplinary actions in progress against businesses for violations that occurred between March 14, 2020, and the section's effective date.

**Section: 701.60**

Same as the House.

No provision.

Within 30 days after the section's effective date: (1) Requires state agencies and boards of health to expunge any record of a vacated violation; (2) Requires LCO to notify businesses convicted for violations of certain COVID-related liquor control rules that the convictions have been expunged; (3) Requires state agencies and boards of health to treat as a nullity any finding of a violation that has been vacated and expunged and take steps to restore rights and privileges lost as a result of the finding, including reinstating licenses and other rights or privileges to do business; and (4) Requires the OBM Director, in consultation with any state agencies, as well as local boards of health, to determine the civil or administrative penalties paid by each business for each

Same as the House.



| Executive     | As Passed By House   | As Reported By Senate Finance            |
|---------------|--|--|
| No provision. | <p>vacated violation and refund those amounts. Appropriates the amounts necessary to make the refunds of fines and penalties levied by state agencies.</p>   | Same as the House.                       |
| No provision. | <p>Requires that, if a business no longer exists, the OBM Director or a board of health make reasonable efforts to locate and issue a refund to the business owner.</p>  | Same as the House.                       |
| No provision. | <p>Requires LCO, within 30 days after taking the required actions, to submit a report to the General Assembly that all violations of specified rules have been expunged and all related fine money has been refunded.</p>  | Same as the House.                       |
| No provision. | <p>States that a business may bring an action in the common pleas court of the county where the business is located, notwithstanding other jurisdictional or venue limitations, to enforce the rights, privileges and obligations identified in this provision.</p>  | Same as the House.                       |
| No provision. | <p>States that these requirements cannot be construed as prohibiting an agency or a board of health from enforcing matters not relating to the specified COVID orders and rules.</p>   | Same as the House.                       |
|               | <p><b>Fiscal effect: The refunds to liquor permit holders would be paid from the GRF, where these penalties are deposited. As of early February 2021, LCO had collected approximately \$100,000 in such penalties. It does not appear that the Department of Health or any local boards of health have issued any fines related to these violations.</b></p> | <b>Fiscal effect: Same as the House.</b> |

Executive

As Passed By House

As Reported By Senate Finance

**LCOCD3 Reinstatement of liquor permits**

No provision.

**Section: 743.20**

Requires the Liquor Control Commission to reinstate a liquor permit if (1) the permit holder’s permit has been revoked as a result of a violation of certain rules governing COVID-19, and disorderly conduct; (2) the violation occurred during the period between March 14, 2020 and the effective date of this provision; and (3) the permit holder pays a fine of \$2,500.

**Section: 743.20**

Same as the House.

No provision.

Requires that, for each permit reinstated, the Commission notify the permit holder, Division of Liquor Control, the Investigative Unit of the Department of Public Safety, and the General Assembly.

Same as the House.

**Fiscal effect: Minimal additional administrative costs to be paid out of Fund 5LP0. Some additional penalty revenue deposited in to the GRF.**

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

Executive

As Passed By House

As Reported By Senate Finance

**LOTCD1 Operating expenses**

**Section: 329.10**

Authorizes the Controlling Board, at the request of the State Lottery Commission, to authorize additional expenditures in excess of appropriations for operating expenses of the State Lottery Commission from the State Lottery Fund up to a maximum of 10 percent of anticipated total revenue from the sale of lottery products. Appropriates the additional expenditures upon Controlling Board approval.

**Section: 329.10**

Same as the Executive.

**Section: 329.10**

Same as the Executive.

**LOTCD2 Direct prize payments**

**Section: 329.10**

Appropriates any amounts, in addition to the amounts appropriated in SLF Fund 7044 appropriation item 950601, Direct Prize Payments, that the Director of the State Lottery Commission determines to be necessary to fund prizes, bonuses, and commissions.

**Section: 329.10**

Same as the Executive.

**Section: 329.10**

Same as the Executive.

**LOTCD3 Annuity prizes**

**Section: 329.10**

Authorizes the Director of Budget and Management, upon the request of the State Lottery Commission, to transfer an amount sufficient to fund deferred prizes from the State Lottery Fund (Fund 7044) to the Deferred Prizes Trust Fund (Fund 8710). Appropriates any amounts, in addition to the amounts appropriated in appropriation item 950602, Annuity Prizes, that the Director of the State Lottery Commission determines to be necessary to fund deferred prizes and interest earnings. Requires the Treasurer of State, from time to time, to credit Fund 8710 the pro rata share of interest earned on invested balances.

**Section: 329.10**

Same as the Executive.

**Section: 329.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**LOTCD4 Transfers to the Lottery Profits Education Fund**

**Section: 329.10**

Requires the Director of Budget and Management to transfer, contingent upon resources, \$1,234,000,000 in fiscal year 2022 and \$1,263,000,000 in fiscal year 2023, from the State Lottery Fund (Fund 7044) to the Lottery Profits Education Fund (Fund 7017). States that such transfers represent the estimated net income from operations of the Commission in FY 2022 and FY 2023. Requires that the transfers be administered as the statutes direct.

**Section: 329.10**

Same as the Executive.

**Section: 329.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

MCD44 Employment connection incentive programs

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <b>R.C. 5116.30, 5167.29</b><br>Requires each Medicaid managed care organization (MCO) to establish an employment connection incentive program to assist Medicaid recipients in obtaining and maintaining employment.  |
| No provision. | No provision. | Permits county departments of job and family services and county workforce development agencies, in conjunction with the local workforce development board, to establish an employment connection incentive program to assist public assistance recipients in obtaining and maintaining employment.  |
| No provision. | No provision. | Makes participation in a program voluntary for the recipients.   |
| No provision. | No provision. | Provides for Medicaid MCOs, county departments of job and family services, and county workforce development agencies to earn incentive payments based on their successes with their programs.<br><br><b>Fiscal effect: Potential costs to establish programs and to provide incentive payments. Potential savings if the provision leads to employment for individuals enrolled in Medicaid.</b> |

MCD50 Testimony before JMOC

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <b>R.C. 5162.82</b><br>Requires the Medicaid Director to notify JMOC before making any Medicaid payment rate increases greater than 10% and to be available to testify before JMOC regarding the increase. |
|---------------|---------------|--|

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: None.**

**MCD48 Medicaid coverage of women postpartum**

No provision.

No provision.

**R.C. 5163.06, 5163.061, Section 333.253**

Requires Medicaid coverage for pregnant women for the maximum postpartum period permitted under federal law, instead of for 60 days after giving birth.

**Fiscal effect: ODM would need to apply for a state plan amendment to extend this coverage, which would result in administrative costs. If approved, which is likely given provisions in the American Rescue Plan Act of 2021, ODM would receive federal reimbursements at the applicable FMAP. ODM anticipated it will cost \$15.0 million (all funds) in the first year of implementation and could reach \$31.0 million (all funds) for subsequent years when the program is fully operational.**

**MCD52 Medicaid eligibility**

No provision.

No provision.

**R.C. 5163.52, 812.10**

Requires ODM to take certain actions in the event that it receives federal funding for the Medicaid Program that is contingent upon a temporary maintenance of effort restriction or other restriction that limits ODM's ability to disenroll ineligible Medicaid recipients.

No provision.

No provision.

Delays the effective date of this provision until January 1, 2022.

**Fiscal effect: Doing the audit in this timeframe could change the typical annual cycles of eligibility redeterminations. Thus, there could be considerable costs for ODM and CDJFSs to conduct the audit to complete and act on eligibility redeterminations. If this led to a decrease in**

Executive

As Passed By House

As Reported By Senate Finance

caseloads, there could be a reduction in costs.

**MCD66 Nursing facility Medicaid payment rates**

**R.C. 5165.01, 5165.16, 5165.17, 5165.191**

Makes the following changes to the nursing facility Medicaid payment rate formula:

(1) Clarifies the definition of "inpatient days" to mean all days during which a resident occupies a licensed bed in a nursing facility, instead of a bed that is included in the facility's Medicaid certified capacity;

(2) Clarifies occupancy rate to mean the percentage of occupied beds that, regardless of payer source, are reserved for use or actually being used;

(3) Clarifies that, for purposes of eligibility of the critical access incentive payment, the nursing facility's occupancy and utilization rates as of the last day of the calendar year are the rates for the entire cost reporting period;

(4) For the ancillary and support costs and capital costs components of the payment rate, removes law that requires, for the purpose of determining a nursing facility's occupancy rate, the Ohio Department of Medicaid (ODM) to include any beds that the facility removes from its Medicaid certified capacity, unless the facility also removes the beds from its licensed capacity;

(5) Requires that rules relating to the resident assessment data nursing facilities must compile must specify any resident

**R.C. 5165.01, 5165.16, 5165.17, 5165.191**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**R.C. 5165.01, 5165.16, 5165.17, 5165.191**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but specifies that the definition of "as of the last day of the calendar year" means the occupancy and utilization rates during the calendar year identified in the nursing facility's cost report (rather than those rates for the entire cost reporting period for which the nursing facility participated in the Medicaid program during the calendar year identified in the nursing facility's cost report).

(4) Same as the Executive.

(5) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

assessment data that is excluded from the facility's case mix score, as calculated by ODM.

**MCD7CD7 Nursing facility quality improvement payments**

R.C. 5165.15, 5165.151, Repealed: 5165.25 and 5165.26; Section 333.220

Repeals the nursing facility quality and quality incentive payments and establishes a new temporary quality improvement payment.

No provision.

No provision.

No provision.

No provision.

No provision.

R.C. 5165.15, 5165.151, and 5165.26, Repealed: 5165.25

Replaces the Executive provision with a provision that reinstates the statutory quality incentive payment, with modifications.

Provides that the payment is for FY 2022 and FY 2023, instead of ending after FY 2021.

No provision.

No provision.

Provides that for FY 2022, a nursing facility's quality points are reduced to zero if its quality points are less than the number of points equal to the 33rd percentile of all nursing facilities.

Provides that for FY 2023, a nursing facility's quality points are reduced to zero if its total points are less than its total number of points for FY 2022.

R.C. 5165.15, 5165.151, and 5165.26, Repealed: 5165.25

Same as the House, with the following changes.

Same as the House.

Clarifies that the CMS data used to calculate the quality metrics is based on data available in May of the calendar year during which the fiscal year begins, instead of the calendar year preceding the fiscal year.

Eliminates a current law provision that disqualifies a nursing facility from receiving a quality incentive payment if its licensed occupancy percentage is below 80%, unless certain conditions are met (such as a force majeure event or if the facility undergoes a renovation directly impacting the area where the licensed beds are located).

Same as the House, but reduces this to the 25th percentile of all nursing facilities, and also applies this provision to FY 2023.

No provision.



| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| No provision.   | No provision.   | Provides that a nursing facility receives no quality incentive payment if it's on CMS's Special Focus Facility Program List.  |
| No provision.   | For a nursing facility that undergoes a change of operator during FY 2022 or 2023, specifies that the payment rate for the existing operator for the remainder of the fiscal year is the same amount as for the exiting operator. | Replaces the House provision and instead provides that a new nursing facility or a nursing facility that undergoes a change of operator during FY 2022 or FY 2023 receives no quality incentive payment for that fiscal year.     |
| Provides a \$50,000,000 add-on in FY 2022 for temporary quality incentive payments.   | Replaces the Executive provision with a provision that Provides a \$108,500,000 add-on in each fiscal year for the quality incentive payments.  | Replaces the House provision with a provision that provides a \$25,000,000 add-on in each fiscal year for the quality incentive payments.   |
| Provides that for state FY 2022, the nursing facility quality improvement payment is calculated in a manner similar to the repealed quality incentive payment.  | No provision.   | No provision.   |
| Requires, by January 1, 2022, ODM, in consultation with the departments of Aging and Health, to develop and establish quality improvement criteria that will be used to calculate a quality improvement payment for eligible nursing facilities.  | No provision.   | No provision.   |
| Provides that the criteria replace the FY 2022 quality improvement criteria if implemented in that state fiscal year, and that if the criteria are developed after state FY 2022, no quality improvement payments are to be made until the criteria are established.  | No provision.   | No provision.   |
| Requires nursing facilities to operate a location in this state.  | No provision.   | No provision.   |
| <b>Fiscal effect: The budget provides \$170,000,000 all funds in each fiscal year (\$56.0 million in GRF state share in FY 2022 and \$61.0 million in GRF state share in FY 2023) for a replaced quality incentive payment. Additionally, the budget provides \$50,000,000 all funds in each fiscal year (\$16.5 million in GRF state share in FY 2022 and \$18.0</b> | <b>Fiscal effect: The bill increases appropriations to GRF line item 651525, Medicaid Health Care Services, by a total of \$58,500,000 in each fiscal year (\$19,258,000 in FY 2022 and \$21,001,500 in FY 2023 state share).</b> | <b>Fiscal effect: The bill decreases appropriations to GRF line item 651525, Medicaid Health Care Services, by a total of \$83,500,000 in each fiscal year (\$27,488,200 in FY 2022 and \$29,976,500 in FY 2023 state share).</b> |

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million in GRF state share in FY 2023) to fund an increase to the quality rate.

**MCD37 Quality Incentive Payment Commission**

|               | R.C. 5165.261   | R.C. 5165.261   |
|---------------|---|---|
| No provision. | Requires ODM to establish a Nursing Facility Payment Commission consisting of seven nursing facility stakeholders and requires that appointments be made by December 31, 2021.  | No provision.   |
| No provision. | Requires the Commission to analyze the current nursing facility quality incentive payment metrics, nursing facility base rates used to calculate the quality incentive payments, and cost centers for efficacy and, by August 31, 2022, submit a report to the General Assembly with its recommendations and determinations about whether or not they should be changed.<br><br><b>Fiscal effect: Commission members will serve without compensation. However, if reimbursements are made for necessary related expenses, costs could increase minimally.</b> | Replaces the House provision with a provision that instead requires JMOC to analyze the information and submit the report and expands the list of report recipients to enumerate specific members of the General Assembly and also include the Medicaid Director.<br><br><b>Fiscal effect: Minimal.</b> |

**MCD33 Nursing facility rebasing**

| Section: 333.240   | R.C. 5165.36, Section 333.240   | R.C. 5165.36, Section 333.240  |
|--|---|--|
| Delays ODM's next rebasing until July 1, 2023, notwithstanding current law requiring ODM to conduct a rebasing at least once every five years. | Replaces the Executive provision (in temporary law) with a provision (in codified law) that requires ODM to conduct its next rebasing by June 30, 2022, using nursing facility calendar year 2019 data. | Same as the House, but requires ODM to conduct its next rebasing on the effective date of the act (approximately October 1, 2021) instead of by June 30, 2022 and requires ODM to use calendar year 2019 data to make retroactive payments to nursing facility operators for the period from July 1, 2021, through the date of the rebasing. |
| No provision.  | Earmarks \$50,000,000 in each fiscal year in GRF line item 651525, Medicaid Health Care Services, for ODM to use to pay for rebasing determinations of nursing facilities'                              | Same as the House, but increases the earmark to \$174,000,000 in each fiscal year and requires ODM to pay for the rebasing in a specified cost center order (the   |

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|--|---|--|
| No provision.  | No provision.   | requirement to prorate to stay within the earmark is retained).  |
| No provision.  | No provision.   | Prohibits, for all rebasings conducted after FY 2022, the capital costs component of the rebasing from totaling more than 10% of the sum of all of the cost centers under the rebasing.  |
| <b>Fiscal effect: The impact will depend on what base year is selected to be used for the rebasing. ODM estimates that delaying will save \$233 million each fiscal year in the next biennium.</b>   | <b>Fiscal effect: The bill increases appropriations to GRF appropriation item 651525 by \$50,000,000 in each fiscal year (\$16,460,000 in FY 2022 and \$17,950,000 in FY 2023 state share).</b> | <b>Fiscal effect: Same as the House, but increases GRF appropriation item 651525, Medicaid Health Care Services, by an additional \$124,000,000 in each fiscal year (\$40,820,800 state share in FY 2022 and \$44,516,000 state share in FY 2023).</b> |
| <b>MCD8CD8 Special Focus Facility Program</b>  |   |  |
| <b>R.C. 5165.771</b>   | <b>R.C. 5165.771</b>  | <b>R.C. 5165.771, (repealed), with a conforming change in 5165.80</b>  |
| Modifies the nursing facility Special Focus Facility Program, which requires ODM to terminate a nursing facility's Medicaid participation if the nursing facility is placed on the federal Special Focus Facility (SFF) list and fails to make improvements or graduate from the SFF program within certain periods of time, as follows: | Same as the Executive.  | Replaces the Executive provision, with a provision that repeals the SFF Program and removes Executive modifications to the program.  |
| (1) Requires a nursing facility to take all necessary steps to avoid having its Medicaid participation terminated;   | (1) Same as the Executive.  | (1) No provision.  |
| (2) Provides that technical assistance and quality improvement initiatives to help a nursing facility avoid having its Medicaid participation terminated are available through   | (2) Same as the Executive.  | (2) No provision.  |

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the Nursing Home Quality Initiative (NHQI) and through a quality improvement organization under the Nursing Home Quality Initiative, instead of requiring the Department of Aging to provide assistance through the NHQI at least four months before ODM would be required to terminate the facility's Medicaid participation;

(3) Permits nursing facilities to appeal, under the Administrative Procedure Act, the length of time a facility is listed on the SFF table, instead of prohibiting any appeals;

(4) Permits the Medicaid Director to adopt rules to provide for an expedited appeal process, notwithstanding the Administrative Procedure Act's time limits.

**Fiscal effect: Any impact will depend on the number of nursing facilities placed on the SFF list.**

(3) Same as the Executive.

(4) Same as the Executive.

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

(3) No provision.

(4) No provision.

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

**MCD1CD1 Medicaid waiver component definition**

**R.C. 5166.01**

Specifies that the definition of a "Medicaid waiver component" under existing law does not include services delivered under a prepaid inpatient health plan.

**Fiscal effect: None.**

**R.C. 5166.01**

Same as the Executive.

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

**R.C. 5166.01**

Same as the Executive.

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

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**MCD47 Medicaid waiver - Ohio Breast and Cervical Cancer Project**

No provision.

No provision.

**R.C. 5166.33**

Requires the Medicaid Director to establish, subject to federal approval, a Medicaid waiver component under which women screened for breast or cervical cancer by providers neither participating in nor paid for the screening by ODH's Ohio Breast and Cervical Cancer Project (BCCP) may receive cancer treatment under the Medicaid program if the women are otherwise eligible to participate in BCCP.

**Fiscal effect: Potential increase in costs depending on the number of eligible women and whether federal approval is granted. Potential administrative costs to establish the program.**

**MCD42 Medicaid managed care organization procurement**

No provision.

No provision.

**R.C. 5167.10**

Requires ODM to, when contracting with Medicaid MCOs, include contracts with organizations that:

(1) No provision.

(1) No provision.

(1) Are domiciled in Ohio, including their parent entities;

No provision.

(2) No provision.

(2) Are currently Medicaid MCOs; and

(3) No provision.

(3) No provision.

(3) Have a proven history of quality and customer satisfaction, as reported by ODM's Medicaid Managed Care Plans Report Card and NCQA Medicaid health insurance plan ratings.

No provision.

No provision.

Requires the contracted organizations to participate, at minimum, in the areas of Ohio where they are providing services as of the bill's effective date.

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| No provision.                                     | No provision.      | Exempts from the reprocurement requirements a behavioral health managed care plan selected to assist with implementing the Ohio Resilience through Integrated Systems and Excellence (OhioRISE) Program.   |
| <b>MCD41 Competitive selection process</b>        |                    |  |
| No provision.                                     | No provision.      | <p><b>R.C. 5167.15</b></p> <p>Requires Medicaid MCOs to engage in a competitive selection process when contracting with a laboratory services provider vendor (The competitive selection process must include a request for proposal period. If all criteria between applicants are equal, the MCO must give preference to an applicant whose principal place of business is in Ohio.).</p> <p><b>Fiscal effect: Potential administrative costs involved in administering the competitive selection process. Any other impacts will depend on the bids received.</b></p> |
| <b>MCD51 Franchise permit fees report to JMOC</b> |                    |  |
| No provision.                                     | No provision.      | <p><b>R.C. 5168.90</b></p> <p>Requires the Medicaid Director to submit a report quarterly to JMOC members and executive director with the following franchise permit fee rates and aggregate totals: (1) the hospital franchise permit fee, (2) the nursing home and hospital long-term care unit franchise permit fee, (3) the ICF/IID franchise permit fee, and (4) the health insuring corporation franchise fee.</p>   |
| No provision.                                     | No provision.      | Requires the Medicaid Director to also report to the executive director and members of JMOC if there is a rate increase pending before the Centers for Medicare and Medicaid Services for any of those fees.   |

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**Fiscal effect: Potential administrative costs.**

**MCD9 Medicaid Health Care Services**

**Section: 333.20**

Requires that GRF appropriation item 651525, Medicaid Health Care Services, not be limited by R.C. 131.33, which requires that unexpended balances of appropriations revert to the funds from which they were made at the end of the appropriation period.

**Section: 333.20**

Same as the Executive.

**Section: 333.20**

Same as the Executive.

**MCD10 Lead abatement and related activities**

**Section: 333.30**

Allows the Director of OBM, upon the request of the Medicaid Director, to transfer state share appropriations from GRF appropriation item 651525, Medicaid Health Care Services, to appropriation items in other state agencies for the purposes of lead abatement and related activities.

**Section: 333.30**

Same as the Executive.

**Section: 333.30**

Replaces the Executive provision with a provision that: (1) allows the Medicaid Director to request the OBM Director to transfer up to \$5,000,000 in each fiscal year from GRF appropriation item 651525 to appropriation items in the Department of Health (as opposed to other state agencies) for the purposes of lead abatement activities (removes "and related activities"); and (2) allows the Medicaid Director to seek Controlling Board approval for transfers in excess of \$5,000,000 (all funds) in each fiscal year for lead abatement activities.

Permits the Director of OBM, if such a transfer occurs, to adjust the federal share of GRF appropriation item 651525, Medicaid Health Care Services, accordingly.

Same as the Executive.

No provision.

Allows the Medicaid Director to transfer federal funds for these transactions. Appropriates any transferred amounts.

Same as the Executive.

Same as the Executive.

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**MCD32 Positive Education Program Connections**

No provision.

**Section: 333.35**

Requires GRF appropriation item 651426, Positive Education Program Connections, to be used for the Positive Education Program Connections in Cuyahoga County.

**Section: 333.35**

Same as the House.

**MCD11 Hospital Franchise Fee Program**

**Section: 333.40**

Permits the Director of OBM to authorize additional expenditures from appropriation items 651623, Medicaid Services - Federal; 651525, Medicaid Health Care Services, and 651656, Medicaid Services - Hospital Franchise Fee, to implement the programs authorized by R.C. 5168.20 and 5168.28. Appropriates any authorized amounts.

**Section: 333.40**

Same as the Executive.

**Section: 333.40**

Same as the Executive.

**MCD5 Hospital Franchise Fee additional appropriations**

**Section: 333.45**

Allows the Medicaid Director to request that the Director of OBM authorize expenditures in excess of the amounts appropriated in DPF Fund 5GF0 appropriation item 651656, Medicaid Services – Hospital Franchise Fee, and Federal Fund 3F00 appropriation item 651623, Medicaid Services – Federal, if additional amounts are necessary due to the COVID-19 public health emergency.

Allows the Director of OBM to authorize excess expenditures by up to \$400.0 million in item 651656 and up to \$1.00 billion in item 651623 in each fiscal year. Appropriates any authorized excess expenditures.

**Section: 333.45**

Same as the Executive.

Same as the Executive.

**Section: 333.45**

Same as the Executive, but instead of allowing the Medicaid Director to request the OBM Director to authorize excess expenditures, allows the Medicaid Director to seek Controlling Board approval for excess expenditures.

Same as the Executive, but allows the Controlling Board to authorize the excess expenditures and upon approval appropriates additional amounts.



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**MCD2012 Medicare Part D**

**Section: 333.50**

Permits GRF appropriation item 651526, Medicare Part D, to be used by ODM for the implementation and operation of the Medicare Part D requirements contained in the Medicare Prescription Drug, Improvement, and Modernization Act of 2003.

Permits the Director of OBM, upon the request of ODM, to transfer the state share of appropriations between GRF appropriation items 651525, Medicaid Health Care Services, and 651526, Medicare Part D.

Requires the Director of OBM to adjust the federal share of item 651525, if the state share is adjusted.

Requires ODM to provide notification to the Controlling Board of any such transfers at their next scheduled meeting.

**Section: 333.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 333.50**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**MCD2029 Brigid's Path Program**

No provision.

No provision.

**Section: 333.55**

Requires GRF appropriation item 651529, Brigid's Path Program, be distributed to the Brigid's Path Program in Montgomery County.

Specifies that if the Medicaid Director files rules to implement a mother baby dyad program under which residential pediatric recovery centers would receive reimbursement for treatment of infants with neonatal abstinence syndrome, upon the rules' effective date or as soon as possible thereafter, the Medicaid Director must certify to the OBM Director the unexpended, unencumbered funds from appropriation item 651529 remaining for FY 2022

**Section: 333.55**

Same as the House.

Same as the House.

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| No provision.  | and FY 2023.<br>Requires, upon certification, the OBM Director to transfer the remaining appropriation to appropriation item 651525, Medicaid Health Care Services.  | Same as the House.                           |
| <b>MCD33 Food Farmacy pilot project</b>                        |  |  |
| No provision.  | <b>Section: 333.57</b><br>Requires GRF appropriation item 651533, Food Farmacy Pilot Project, to be distributed to the Akron Canton Regional Foodbank to provide comprehensive medical, nutrition, and lifestyle support for food-insecure patients with chronic diseases and their families.  | <b>Section: 333.57</b><br>Same as the House. |
| <b>MCD13 Care Innovation and Community Improvement Program</b> |  |  |
| <b>Section: 333.60</b>   | <b>Section: 333.60</b>   | <b>Section: 333.60</b>                       |
| No provision.  | Requires the Medicaid Director to continue the Care Innovation and Community Improvement Program (CICIP) for the FY 2022-FY 2023 biennium and permits any nonprofit hospital agency affiliated with a state university or public hospital agency to volunteer to participate if the agency operates a hospital that has a Medicaid provider agreement. | Same as the House.                           |
| No provision.  | Specifies that participating agencies are responsible for the state share of CICIP's costs and must make or request the appropriate government entity to make intergovernmental transfers to pay for those costs.  | Same as the House.                           |
| No provision.  | Requires each participating agency to receive supplemental payments under the Medicaid program for physician and other professional services that are covered by Medicaid and provided to recipients.  | Same as the House.                           |

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|--|--|-------------------------------|
| No provision.  | Permits the Medicaid Director to terminate or adjust the amount of the supplemental payments if funding is inadequate.   | Same as the House.            |
| No provision.  | Requires each participating agency to jointly participate in quality improvement initiatives that align with and advance the goals of ODM's quality strategy required under federal law.   | Same as the House.            |
| No provision.  | Requires the Medicaid Director to maintain a process to evaluate the work done by participating agencies.  | Same as the House.            |
| No provision.  | Requires the Medicaid Director, not later than December 31 each year, to submit a report to the Speaker of the House, the President of the Senate, and the Joint Medicaid Oversight Committee, detailing the efficacy, trends, outcomes, and number of agencies enrolled in CICIP. Requires that the report also specify the total amount of supplemental payments made to participating agencies. Requires intergovernmental transfers be deposited into the Care and Innovation and Community Improvement Fund and moneys in the fund and the corresponding federal funds to be used for these payments. | Same as the House.            |
| Allows the Medicaid Director to request the Director of OBM to authorize additional expenditures from the Care Innovation and Community Improvement Program Fund (Fund 5AN0) and the Health Care - Federal Fund (Fund 3F00) if the amounts appropriated and the corresponding federal share are inadequate to make the supplemental payments. Appropriates any authorized additional expenditures. | Same as the Executive.   | No provision.                 |

|                  |                           |                                      |
|------------------|---------------------------|--------------------------------------|
| <b>Executive</b> | <b>As Passed By House</b> | <b>As Reported By Senate Finance</b> |
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**MCD14 Deposits to the Health Care/Medicaid Support and Recoveries Fund**

**Section: 333.70**

Requires the Medicaid Director to deposit into the Health Care Services Support and Recoveries Fund (Fund 5DL0), \$2.5 million cash in each fiscal year from the first installment of assessments and intergovernmental transfers made under the Hospital Care Assurance Program (HCAP) under R.C. 5168.06 and 5168.07.

**Section: 333.70**

Same as the Executive.

**Section: 333.70**

Same as the Executive.

**MCD15 Health Care/Medicaid Support and Recoveries Fund expenditures**

**Section: 333.80**

Permits the Medicaid Director to request that the Director of OBM authorize expenditures from the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0) in excess of the amounts appropriated, if receipts credited to the fund exceed the amounts appropriated from the fund. Requires, if additional expenditures are authorized, that the Director of OBM adjust any federal appropriations accordingly. Appropriates authorized amounts and corresponding federal adjustments.

**Section: 333.80**

Same as the Executive.

No provision.

**MCD16 Cash transfers from the Health Care/Medicaid Support and Recoveries Fund to the Statewide Prevention and Treatment Fund**

**Section: 333.90**

Permits the Director of OBM, upon request of the Medicaid Director, to transfer up to \$2.0 million cash in each fiscal year from the Health Care/Medicaid Support and Recoveries Fund (Fund 5DL0) to the Statewide Prevention Treatment Fund (Fund 4750).

Requires any transferred funds be used to support Centers of Excellence and related activities. Appropriates any

**Section: 333.90**

Same as the Executive.

Same as the Executive.

**Section: 333.90**

Same as the Executive, but requires Controlling Board approval for cash transfers.

Same as the Executive.

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transferred funds.

**MCD17 Health Insuring Corporation Class Franchise Fee**

**Section: 333.100**

Permits the Director of OBM, at the request of the Medicaid Director, to authorize expenditures from the Health Insuring Corporation Class Franchise Fee Fund (Fund 5TN0) in excess of the amounts appropriated if receipts credited to the fund exceed appropriations. Requires the Director of OBM to adjust the federal appropriation item identified by the Medicaid Director if additional amounts are authorized. Appropriates any authorized amounts and corresponding federal adjustments.

**Section: 333.100**

Same as the Executive.

No provision.

**MCD18 Hospital Care Assurance Match**

**Section: 333.110**

Permits the Director of OBM, at the request of the Medicaid Director, to authorize additional expenditures from the Health Care Federal Fund (Fund 3F00) if receipts credited to the fund exceed the amounts appropriated for making the HCAP distribution. Appropriates any authorized amounts.

Requires that DPF Fund 6510, appropriation item 651649, Medicaid Services – Health Care Assurance Program, be used by ODM for distributing the state share of all HCAP funds to hospitals. Permits the Director of OBM, at the request of the Medicaid Director, to authorize additional expenditures from the Hospital Care Assurance Program Fund (Fund 6510) if receipts credited to the fund exceed the amounts appropriated for the HCAP distributions. Appropriates any authorized amounts.

**Section: 333.110**

Same as the Executive.

**Section: 333.110**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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**MCDCD19 Refunds and Reconciliation Fund**

**Section: 333.120**

Permits the Director of OBM, at the request of the Medicaid Director, to authorize additional expenditures from the Refunds and Reconciliation Fund (Fund R055) if receipts credited to the fund exceed the amounts appropriated. Appropriates any authorized amounts.

**Section: 333.120**

Same as the Executive.

No provision.

**MCDCD28 Medicaid Interagency Pass-Through**

**Section: 333.130**

Permits the Director of OBM, at the request of the Medicaid Director, to authorize expenditures from FED Fund 3G50 appropriation item 651655, Medicaid Interagency Pass-Through, in excess of amounts appropriated. Appropriates any authorized amounts.

**Section: 333.130**

Same as the Executive.

No provision.

**MCDCD20 Non-emergency medical transportation**

**Section: 333.140**

Permits the Director of OBM, at the request of the Medicaid Director, to transfer the state share appropriations between GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget and 655523, Medicaid Program Support - Local Transportation, in the ODJFS budget to ensure access to a non-emergency medical transportation brokerage program. Requires that the Director of OBM adjust the federal share of item 651525 and FED Fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget, accordingly. Requires the Medicaid Director to transmit federal funds it receives for the transaction to Fund 3F01, used by ODJFS.

**Section: 333.140**

Same as the Executive.

**Section: 333.140**

Same as the Executive.

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**MCD21 Public assistance eligibility determination and local program support**

**Section: 333.150**

Permits the Director of OBM, at the request of the Medicaid Director, to transfer up to \$5.0 million in each fiscal year in state share appropriations between GRF appropriation item 651525, Medicaid Health Care Services, in the ODM budget and 655522, Medicaid Program Support - Local, in the ODJFS budget. Requires that the Director of OBM adjust the federal share of item 651525 and FED Fund 3F01 appropriation item 655624, Medicaid Program Support - Federal, in the ODJFS budget, accordingly. Requires the Medicaid Director to transmit federal funds it receives for the transaction to Fund 3F01, used by ODJFS.

Requires the Medicaid Director to establish criteria for distribution of funds and for county departments of job and family services (CDJFS) to submit allowable expenses.

Requires CDJFSs to comply with new roles, processes, and responsibilities related to the new eligibility determination system and requires CDJFS to report to ODJFS and ODM how the funds were used.

**Section: 333.150**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 333.150**

Same as the Executive, but makes \$2.5 million of the transfer in each fiscal year mandatory (the remaining \$2.5 million of the transfer in each fiscal year will still be permissive and at the request of the Medicaid Director). Specifies that the OBM Director adjust the federal appropriations "when transfers occur" instead of "if such a transfer occurs."

Same as the Executive.

Same as the Executive.

**MCD22 Medicaid payment rates for community behavioral health services**

**Section: 333.160**

Permits ODM to establish Medicaid payment rates for community behavioral health services provided during FY 2022 and FY 2023 that exceed authorized rates paid for the services under the Medicare Program.

Specifies that this provision does not apply to community behavioral health services provided by hospitals on an inpatient basis, nursing facilities, and intermediate care

**Section: 333.160**

Same as the Executive.

Same as the Executive.

**Section: 333.160**

Same as the Executive.

Same as the Executive.

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facilities for individuals with intellectual disabilities.

**Fiscal effect: Any impact will depend on whether ODM chooses to pay these amounts.**

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

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

**MCD38 Adult day care and HCBS waiver rates**

No provision.

**Section: 333.165**

Earmarks \$5,000,000 in each fiscal year in GRF line item 651525, Medicaid Health Care Services, to be used to increase the payment rates during FY 2022 and FY 2023 for adult day care services provided by Medicaid-funded and state-funded providers under the PASSPORT Program.

**Section: 333.166, 333.165**

Replaces the House provision with a provision that increases the payment rates for the PASSPORT and Assisted Living waiver programs, including MyCare Ohio, for adult day care, by 4% in FY 2022 from the rates in effect on June 30, 2021 and by 2% in FY 2023 from the rates in effect on June 30, 2022.

No provision.

Requires ODM to establish a methodology for calculating the rate increase.

No provision.

No provision.

No provision.

Increases the payment rates for the PASSPORT, Ohio Home Care, MyCare Ohio, and Assisted Living waiver programs for specified services by 4% in FY 2022 from the rates in effect on June 30, 2021 and by 2% in FY 2023 from the rates in effect on June 30, 2022.

**Fiscal effect: The bill increases the appropriation in GRF line item 651525 by \$5.0 million in each fiscal year (about \$1.8 million in FY 2022 and \$1.7 million in FY 2023 state share).**

**Fiscal effect: Increases GRF line by additional \$14,827,821 (\$5,007,391 state share) in FY 2022 and \$35,720,670 (\$12,705,867 state share) in FY 2023.**

**MCD23 Area Agencies on Aging and Medicaid Managed Care**

**Section: 333.170**

Requires ODM, if it expands the inclusion of the aged, blind, and disabled (ABD) eligibility group or dual-eligibles in the care management system during the FY 2022-FY 2023 biennium, to do the following:

**Section: 333.170**

Same as the Executive.

**Section: 333.170**

Same as the Executive.



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|---|---|---|
| <p>(1) Require Area Agencies on Aging (AAA) to be the coordinators of home and community-based services available under Medicaid waiver components that those individuals and the group receive and permit Medicaid managed care organizations (MCOs) to delegate to the agencies full-care coordination functions for those services and other healthcare services those individuals and that group receive; and</p> | <p>(1) Same as the Executive.</p>   | <p>(1) Same as the Executive.</p>                     |
| <p>(2) Give preference, when selecting managed care organizations to contract with, organizations that will enter into subcapitation arrangements with AAAs under which the agencies are to perform, in addition to other functions, certain network management and payment functions.</p>  | <p>(2) Same as the Executive.</p>   | <p>(2) Same as the Executive.</p>                     |
| <p><b>Fiscal effect: Any impact will depend on if ODM chooses to include these populations into the care management system. AAAs currently coordinate services for dual-eligibles participating in MyCare.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <p><b>MCD40 Ohio Invests in Improvements for Priority Populations</b></p>   |   |   |
| <p>No provision.</p>  | <p><b>Section: 333.175</b><br/>Establishes the Ohio Invests in Improvements for Priority Populations (OIPP) Program as a directed payment program regarding inpatient and outpatient hospital services provided to Medicaid recipients enrolled in a Medicaid MCO plan.</p> | <p><b>Section: 333.175</b><br/>Same as the House.</p> |
| <p>No provision.</p>  | <p>Provides that, under the program, state university-owned hospitals with fewer than 300 beds can directly receive payment for inpatient and outpatient services provided to Medicaid care management system enrollees.</p>  | <p>Same as the House.</p>                             |
| <p>No provision.</p>  | <p>Requires participating hospitals to remit to ODM, through intergovernmental transfer, the nonfederal share of payment</p>  | <p>Same as the House.</p>                             |

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|--|--|--|
| No provision.  | <p>for those services.</p> <p>Requires appropriation item 651694 and any corresponding federal share in appropriation item 651623 be used for the OIPP Program.</p>  | Same as the House.   |
| No provision.  | <p>Specifies that if receipts credited into the Hospital Directed Payment Program Fund (Fund 5XY0) exceed the amounts appropriated, the Medicaid Director may request the Director of Budget and Management to authorize additional expenditures. Requires, if any amounts are authorized, the Director of Budget and Management to adjust the federal appropriation item accordingly. Appropriates authorized additional expenditures.</p> <p><b>Fiscal effect: The bill appropriates \$10.5 million in each fiscal year for DPF Fund 5XY0, appropriation item 651694, and increases appropriations to federal Fund 3F00 appropriation item 651623 by \$27.2 million in each fiscal year.</b></p> | <p>No provision.</p> <p><b>Fiscal effect: Same as the House.</b></p>                       |
| <b>MCD24 Work Community Engagement Program - OhioMeansJobs costs</b>   |  |  |
| <p><b>Section: 333.180</b></p> <p>Permits the Director of OBM, upon the request of the Medicaid Director, to transfer in each fiscal year state share appropriations between DPF Fund 5DL0 appropriation item 651685, Medicaid Recoveries -Program Support, within ODM, and GRF appropriation item 655425, Medicaid Program Support, within ODJFS. Requires that if any transfer occurs, the Director of OBM adjust federal share appropriations in specified line items, accordingly.</p> <p>Specifies that any funds provided to ODJFS shall only be used for costs related to transitioning to a new work community</p> | <p><b>Section: 333.180</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>   | <p><b>Section: 333.180</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> |

Executive

As Passed By House

As Reported By Senate Finance

engagement program for the Medicaid program as prescribed by the Medicaid Director.

**MCD25 Work Community Engagement Program - county costs**

**Section: 333.190**

Permits the Director of OBM, upon request of the Medicaid Director, to transfer state share appropriations in each fiscal year between GRF appropriation item 651525, Medicaid Health Care Services, used by ODM, and GRF appropriation item 655522, Medicaid Program Support - Local, used by ODJFS. Requires federal shares to be adjusted accordingly if such a transfer occurs.

Requires any increase to be provided to CDJFSs to be used only for costs related to transitioning to a new work and community engagement program under the Medicaid program. Prohibits funds from being used for existing and ongoing operating expenses.

Requires the Medicaid Director to establish criteria for distributing these funds and for CDJFSs to submit allowable expenses.

**Section: 333.190**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 333.190**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**MCD26 Managed Care Claims Fund**

**Section: 333.200**

Creates the Managed Care Claims Fund in the state treasury, which consists of money that Medicaid MCOs pay to ODM in order for ODM to make payments to providers under the care management system that the organizations are unable to make due to systems issues. Requires moneys in the fund to be used to make such payments.

No provision.

No provision.

| Executive  | As Passed By House   | As Reported By Senate Finance                             |
|--|--|---|
| <p>Allows the Medicaid Director to request the Director of OBM to authorize expenditures from the Managed Care Claims Fund and the corresponding federal share from the Health Care Federal Fund (Fund 3F00). Appropriates any requested amounts upon the approval of the Director of OBM.</p>   | <p>No provision.</p>   | <p>No provision.</p>                                      |
| <b>MCD31 Medicaid Health and Human Services</b>  |  |   |
| <p>No provision.</p>   | <p><b>Section: 333.205</b><br/>Requires the Medicaid Director to seek Controlling Board approval before any funds can be expended from DPF Fund 5SA4 line item 651689, Medicaid Health &amp; Human Services.</p> | <p><b>Section: 333.205</b><br/>Same as the House.</p>     |
| <b>MCD27 Voluntary Medicaid Community Engagement Program</b>   |  |   |
| <p><b>Section: 333.210</b><br/>Requires the Medicaid Director to establish a voluntary community engagement program since the COVID-19 public health emergency created impediments to implementing the Work and Community Engagement Waiver Component under R.C. 5166.37. Requires the voluntary program to be implemented no later than January 1, 2022 and to be available to all medical assistance recipients.</p> | <p><b>Section: 333.210</b><br/>Same as the Executive.</p>  | <p><b>Section: 333.210</b><br/>Same as the Executive.</p> |
| <p>Requires the program to do the following: encourage medical assistance recipients who are working age and able-bodied to work; promote the economic stability, financial independence, and improved health outcomes from work; and provide information about services available under the voluntary program, including an explanation of the importance of work to overall physical and mental health.</p>          | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>                             |
| <p>Provides that the program is in effect through the FY 2022 – FY 2023 biennium, or until Ohio is able to implement the waiver component under R.C. 5166.37, whichever is sooner.</p>   | <p>Same as the Executive.</p>  | <p>Same as the Executive.</p>                             |

| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| <p>Requires the Medicaid Director to explore partnerships with education and training providers to increase training opportunities for Medicaid recipients.</p> <p><b>Fiscal effect: ODM will realize costs to establish and implement this program. However, the budget provides the funding to support this.</b></p> | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <b>MCD30 Value-based purchasing supplemental rebate</b>  |  |  |
| No provision.  | <p><b>Section: 333.215</b></p> <p>Requires ODM to submit to the Centers for Medicare and Medicaid Services a Medicaid state plan amendment to permit ODM to enter into value-based purchasing supplemental rebate agreements with pharmaceutical manufacturers.</p>  | <p><b>Section: 333.215</b></p> <p>Same as the House.</p>   |
| No provision.  | <p>Requires the amendment to be submitted within 60 days after the section's effective date.</p>   | <p>Same as the House.</p>  |
| No provision.  | <p>Requires the agreements authorized by the state plan amendment to establish criteria for ODM to make supplemental rebate payments to pharmaceutical manufacturers and requires ODM to use its best efforts to ensure that the agreement submitted permits rebates to be calculated on many different bases.</p> <p><b>Fiscal effect: Potential administrative costs related to applying for the state plan amendment. Any other impacts will depend on the agreements entered into.</b></p> | <p>Same as the House, but makes a corrective change to remove a reference to ODM making the value-based purchasing supplemental rebate payments.</p> <p><b>Fiscal effect: Same as the House.</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

**MCD34 Medicaid Cost Assurance Pilot Program**

| Executive     | As Passed By House  | As Reported By Senate Finance  |
|---------------|---|--|
| No provision. | <p><b>Section: 333.217</b></p> <p>Establishes the Medicaid Cost Assurance Pilot Program to be available to expansion eligibility group ("Group VIII") enrollees in the care management system during FY 2022 and FY 2023.</p>   | <p><b>Section: 333.217</b></p> <p>Same as the House.</p>   |
| No provision. | <p>Enumerates pilot program requirements, including that the program provide Medicaid services to participants at a rate of 95% of current Medicaid MCO capitation rates, use technology in specified ways, develop strategies to assist participants rise above the poverty level for Medicaid eligibility, and include 90-day study periods to determine whether to expand the program.</p> | <p>Same as the House.</p>  |
| No provision. | <p>Requires ODM to implement the pilot program initially to a limited population of eligible participants, with future expansion to be determined based on demonstrated success criteria.</p>   | <p>Same as the House.</p>  |
| No provision. | <p>Requires ODM to select a single managed care entity to begin the program and prescribes criteria for the managed care entity, including that it be an insurer licensed under Title 39 of the Revised Code and have sufficient capital of at least \$30 million.</p>  | <p>Same as the House, but changes the prescribed criteria for the managed care entity by requiring that it be an Ohio-licensed health insuring corporation that meets the continuing law solvency requirements for health insuring corporations (instead of a Title 39 licensed insurer with sufficient capital of at least \$30 million).</p> |
| No provision. | <p>Requires, by December 31, 2022, ODM to submit a report to the Speaker of the House of Representatives, the Senate President, and JMOC members outlining clinical outcome data and cost impacts of the pilot program.</p>   | <p>Same as the House.</p>  |
| No provision. | <p>Requires the members of the House Health Committee to appoint a subcommittee to make recommendations about</p>   | <p>No provision.</p>   |

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As Passed By House

As Reported By Senate Finance

the pilot program’s progress.

**Fiscal effect: Potential administrative costs involved in establishing and reporting on the results of the pilot program. Any other impacts will depend on program outcomes.**

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

**MCDCD4 Lump sum payment for low Medicaid utilization**

**Section: 333.230**

Requires ODM to issue a lump sum payment to nursing facilities that have a Medicaid utilization rate for 2022 that is less than 90% of the aggregate Medicaid utilization for calendar year 2019, with certain exceptions.

No provision.

No provision.

Caps the total lump sum payments to the lesser of \$50.0 million or an amount equal to the aggregate utilization shortfall across all nursing facilities during that time period.

No provision.

No provision.

**Fiscal effect: The budget provides \$50.0 million all funds (\$16.5 million in GRF state share) in FY 2022 for the lump sum payment.**

**MCDCD49 Pharmacy supplemental dispensing fee**

No provision.

No provision.

**Section: 333.245**

Requires, effective July 1, 2021, ODM to establish a supplemental dispensing fee for retail pharmacies under the care management system for FY 2022 and FY 2023.

No provision.

No provision.

Requires the supplemental dispensing fee to have at least three payment levels, and requires the levels to be based on (1) the ratio of Medicaid prescriptions compared to total prescriptions a pharmacy location fills and (2) the number of pharmacy locations participating in the care management system in the geographic area, as determined by ODM.

| Executive  | As Passed By House | As Reported By Senate Finance  |
|--|--------------------|--|
| No provision.  | No provision.      | Requires the Medicaid Director to adjust the supplemental dispensing fees if federal Medicaid statutes or regulations reduce the amount of federal funds ODM receives for the supplemental dispensing fee.   |
| No provision.  | No provision.      | <p>Requires ODM to expend \$5,000,000 in FY 2022 and \$10,150,000 in FY 2023 in DPF Fund 5DLO line item 651639, Medicaid Services - Recoveries, along with any corresponding federal shares from FED Fund 3F00 line item 651623, Medicaid Services - Federal, for the supplemental dispensing fees.</p> <p><b>Fiscal effect: The bill increases DPF Fund 5DLO line item 651639 by \$5,000,000 in FY 2022 and \$10,150,000 in FY 2023. The bill also increases FED Fund 3F00 line item 651623 by \$13,804,062 in FY 2022 and \$24,922,564 in FY 2023.</b></p>   |
| <b>MCDCD46 Additional payment for low-income assisted living</b> |                    |  |
| No provision.  | No provision.      | <p><b>Section: 333.247</b></p> <p>Requires the Department of Aging and ODM to adopt rules to establish an additional payment amount for residential care facilities that utilize the Low-Income Housing Tax Credit Program and provide services under the Assisted Living program or the Integrated Care Delivery System (otherwise known as "MyCare Ohio") Medicaid waiver component.</p> <p><b>Fiscal effect: There will be costs for the additional payments. The total costs will depend on the payment amount determined in rule and the number of Medicaid enrollees that reside in eligible facilities.</b></p> |



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**MCD43 Managed care organization procurement**

|                   |                   |   |
|-------------------|-------------------|---|
| No provision.     | No provision.     | <b>Section: 333.250</b><br>Requires ODM to suspend its current procurement process and, during FY 2022, complete a new procurement process. Requires the process to significantly take into account the following:  |
| (1) No provision. | (1) No provision. | (1) Whether the MCO is domiciled in Ohio;   |
| (2) No provision. | (2) No provision. | (2) The number of jobs created or lost in this state by the award of the Medicaid MCO contracts;  |
| (3) No provision. | (3) No provision. | (3) Other economic impacts in this state resulting from the award of contracts; and   |
| (4) No provision. | (4) No provision. | (4) Whether the MCO has a proven track record of providing quality services and customer satisfaction.  |
| No provision.     | No provision.     | Exempts from the reprocurement requirements a behavioral health managed care plan selected to assist with implementing the Ohio Resilience through Integrated Systems and Excellence (OhioRISE) Program.<br><b>Fiscal effect: There will be administrative costs to complete the new procurement process.</b> |

**MCD53 Post-COVID Medicaid redetermination**

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <b>Section: 333.255</b><br>Requires ODM to use third-party data to conduct an eligibility redetermination of all Ohio Medicaid recipients within 60 days after the conclusion of the COVID-19 emergency period. |
|---------------|---------------|---|

| Executive  | As Passed By House  | As Reported By Senate Finance  |
|--|---|--|
| No provision.  | No provision.   | Requires ODM to conduct an expedited eligibility review of those recipients identified as likely ineligible for the program based on that verification, and to the extent permitted under federal law, to disenroll those recipients who are no longer eligible.   |
| No provision.  | No provision.   | Requires ODM to conduct an expedited eligibility review of those recipients who were newly enrolled in the Medicaid program for three or more months during the emergency period, but who were not newly enrolled during the last six months of the emergency period, and to the extent permitted under federal law, to disenroll those recipients who are no longer eligible.   |
| No provision.  | No provision.   | Requires ODM to complete a report containing its findings from the verification and submit it to various state entities.   |
| No provision.  | No provision.   | Provides that any third-party vendor expenses incurred by the verification is entirely contingent on ODM realizing cost savings, and limits vendor expenses to 20% of those savings.<br><br><b>Fiscal effect: There would be costs to ODM and CDJFSs to do these redeterminations, costs could be increased due to the timeframe. If the redeterminations led to a decrease enrollment, there could be a decrease in expenditures.</b> |
| <p><b>MCD2CD2 Hospital Care Assurance Program</b></p> <p><b>Section: 610.20, 610.21</b></p> <p>Amends Sections 125.10 and 125.11 of H.B. 59 of the 130th G.A. to delay the repeal of the Hospital Care Assurance Program, which compensates hospitals that provide a disproportionate share of care to indigent patients, for two additional years, from 2021 to 2023.</p> <p><b>Fiscal effect: The bill appropriates \$158.4 million in FY 2022</b></p> | <p><b>Section: 610.20, 610.21</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>Section: 610.20, 610.21</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |

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**and \$102.3 million in FY 2023 in DPF Fund 6510  
appropriation item 651649, Medicaid Services - Hospital  
Care Assurance Program, for the program. The cash used for  
the program is from an assessment imposed on hospitals**

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**MEDCD3 Personally furnishing drugs at employer-based clinics**

No provision.

No provision.

**R.C. 4730.43**

Permits a physician assistant to personally furnish supplies of specified drugs and therapeutic devices at an employer-based clinic.

**Fiscal effect: None.**

**MEDCD1 Massage Therapy Advisory Council**

No provision.

**R.C. 4731.152**

Creates the Massage Therapy Advisory Council to make recommendations to the State Medical Board regarding issues affecting the practice of massage therapy.

No provision.

No provision.

Requires the Board to appoint the Council's members, a majority of whom must be licensed and active in the practice of massage therapy. Authorizes associations of massage therapy professionals to nominate individuals for appointment.

No provision.

**Fiscal effect: While members will not receive compensation, they could receive reimbursements for related expenses. Thus, there could be minimal costs associated with this.**

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**MEDCD2 State Medical Board One-Bite Program**

No provision.

No provision.

**R.C. 4731.254, 4730.26, 4731.22, 4731.224, 4731.251, 4759.05, 4760.14, 4761.03, 4762.14, 4774.14, and 4778.18**

Specifies, for purposes of the State Medical Board's One-Bite Program for impaired practitioners, that a practitioner or applicant for licensure who discloses to the Board a previous impairment is not subject to Board discipline for that impairment, if the practitioner or applicant has completed treatment and complies with aftercare or remains in good standing with another state's version of the One-Bite Program. The program applies to physicians, podiatrists, massage therapists, physician assistants, dietitians, anesthesiologist assistants, respiratory therapists, acupuncturists, radiologist assistants, and genetic counselors.

**Fiscal effect: None.**

**MEDCD4 Out-of-state physician consultation with Ohio physicians**

No provision.

No provision.

**R.C. 4731.36**

Modifies a provision of existing law, which allows a physician licensed in another state or territory to provide consultation to a physician licensed in Ohio, by eliminating the specification that the Ohio-licensed physician who received the consultation from the out-of-state physician must also be responsible for the examination, diagnosis, and treatment of the patient who is the subject of the consultation.

**Fiscal effect: None.**

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**MEDCD6 Medical practitioner conscience clause**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <b>R.C. 4743.10</b><br>Recognizes the authority of a medical practitioner, health care institution, or health care payer to decline to perform, participate in, or pay for any health care service that violates the practitioner's, institution's, or payer's conscience as informed by the moral, ethical, or religious beliefs or principles held by the practitioner, institution, or payer. |
| No provision. | No provision. | Requires a medical practitioner, when the practitioner becomes aware of a health care service's conflict with or violation of the practitioner's beliefs or principles, to notify the practitioner's supervisor (if applicable), request to be excused from the service, and, if willing, seek a colleague to perform the service.   |
| No provision. | No provision. | Requires a patient, in the event that a medical practitioner does not participate in a transfer of care or a colleague is unwilling to perform the service, to be notified and provided an opportunity to find an alternative medical practitioner and upon request, receive the patient's medical records.  |
| No provision. | No provision. | Specifies that a medical practitioner, health care institution, or health care payer is not subject to civil, criminal, or administrative liability for declining to participate in or pay for a health care service.  |
| No provision. | No provision. | Authorizes a medical practitioner, health care institution, or health care payer to bring a civil action in the event of a violation of the bill's provisions and, if the practitioner, institution, or payer prevails, provides for treble damages, injunctive relief, costs, and attorney's fees.  |

**Fiscal effect: There could be impacts to local courts if there**

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were any violations.

MEDCD5 Exceptions to dietetics licensure

No provision.

No provision.

R.C. 4759.10

Exempts from dietetics licensure a person who provides wellness and lifestyle recommendations, individualized nutritional guidance or counseling, or individualized food and diet assessment or education, so long as the person does not use the title "dietitian" or any other title indicating that the person is practicing dietetics.

Fiscal effect: Minimal.

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As Passed By House

As Reported By Senate Finance

MHACD26 ADAMHS board composition and appointment

| Executive         | As Passed By House  | As Reported By Senate Finance  |
|-------------------|---|--|
|                   | <b>R.C. 340.02, 340.021</b>   | <b>R.C. 340.022</b>  |
| No provision.     | Authorizes boards of county commissioners, within three years after the bill's effective date, to reduce the membership of existing alcohol, drug addiction, and mental health services (ADAMHS) boards, alcohol and drug addiction services boards, and community mental health boards from 18 members to between five and nine members. Requires that boards newly established after the bill's effective date consist of five to nine members. | Replaces the House provision with a stipulation that if the OhioMHAS Director grants approval to a board of county commissioners to withdraw a county from a joint-county alcohol, drug addiction, and mental health service district between January 1, 2021, and December 31, 2022, for a county with a population between 70,000 and 80,000 (2010 Census), the ADAMHS board created as a result of the withdrawal is subject to the following alternatives: |
| (1) No provision. | (1) No provision.   | (1) If the ADAMHS board is newly established, it must consist of 18 members, 14 members, or seven to nine members, according to whichever option is selected by the board of county commissioners; or  |
| (2) No provision. | (2) No provision.   | (2) If the ADAMHS board already exists, its membership may be reduced to between seven and nine members. Specifies that this option is only available for a six-month period beginning on the date the OhioMHAS Director grants withdrawal approval and specifies procedures that must be followed before this option is exercised.  |
| No provision.     | No provision.   | Provides that if a county with a population between 35,000 and 45,000 joins an existing alcohol, drug addiction, and mental health service district during the two-year period beginning June 30, 2021, the ADAMHS board may elect to expand its membership from 14 members to 18 members. Permits the ADAMHS board to make this election for one year from the date the county joins the joint-county district.   |
| No provision.     | Modifies the appointment authority for members of ADAMHS boards, alcohol and drug addiction services boards,  | Replaces the House provision with a provision that specifies the number of ADAMHS board members that are to be   |



| Executive                                 | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| No provision.                             | <p>and community mental health boards so that 80% of the members are appointed by the board of county commissioners and 20% are appointed by the OhioMHAS Director.</p> <p>Eliminates existing law provisions that require the Director of OhioMHAS to ensure that these boards have a number of members with specified experiences and qualifications.</p> <p><b>Fiscal effect: If the number of board members is reduced, the number of reimbursements for necessary costs could also be reduced.</b></p> | <p>appointed by the OhioMHAS Director and the board of county commissioners representing the county constituting the service district.</p> <p>Replaces the House provisions with a provision that requires the OhioMHAS Director and the board of county commissioners to ensure that at least one member of the ADAMHS board is a person who has received or is receiving mental health services or is the parent or relative of such a person, and at least one member of the board is a person who has received or is receiving addiction services or is the parent or relative of such a person.</p> <p><b>Fiscal effect: Same as the House, but if a new board is created, or a board increases its membership when a new board joins, there could be costs involved.</b></p> |
| <b>MHACD29 ADAMHS boards requirements</b> |   |  |
| No provision.                             | <p><b>R.C. 340.03</b></p> <p>Specifies that an ADAMHS board must work with government programs that provide public benefits for the purpose of coordinating public benefits and improving the administration and management of those government programs.</p>   | No provision.  |
| No provision.                             | <p>Requires an ADAMHS board to comply with health information privacy standards under the federal "Health Insurance Portability and Accountability Act of 1996" as a covered entity under that law.</p> <p><b>Fiscal effect: Minimal.</b></p>   | No provision.  |

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As Passed By House

As Reported By Senate Finance

**MHACD24 Reimbursement program for opioid-related treatment with drugs in county jails**

No provision.

**R.C. 5119.191, Section 337.50**

Establishes a program, to be administered by OhioMHAS, to provide state reimbursement to counties for the cost of drugs that are administered or dispensed to inmates of county jails in medication assisted treatment or in withdrawal management or detoxification.

**R.C. 5119.191, Section 337.50**

Same as the House, but does the following regarding drugs covered by the program that are used for withdrawal management or detoxification: (1) specifies that eligible drugs include not only those used for opioid treatment, but also alcohol treatment, and (2) specifies that the treatment drugs include not only those approved by the U.S. Food and Drug Administration for those conditions, but also drugs in standard use for those conditions.

No provision.

Permits the OhioMHAS Director to allocate the funds to counties and to adopt rules to implement the program.

Same as the House.

No provision.

Earmarks \$2,000,000 in each fiscal year in GRF appropriation item 336422, Criminal Justice Services, for the reimbursement program.

Same as the House, but clarifies that these funds may be used to reimburse counties for such drugs as specified above.

**MHACD3 Confidentiality of substance use disorder records**

**R.C. 5119.27**

Modifies existing requirements for maintaining confidentiality of records or information regarding drug treatment programs and services that are licensed or certified by OhioMHAS and, in their place, establishes confidentiality requirements based on federal law for records or information regarding federally assisted programs for substance use disorder treatment.

**R.C. 5119.27**

Same as the Executive.

**R.C. 5119.27**

Same as the Executive.

Requires the disclosure of any confidential information comply with the applicable federal regulations.

Same as the Executive.

Same as the Executive.

Updates associated provisions that refer to programs used within the criminal justice system.

Same as the Executive.

Same as the Executive.

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As Passed By House

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**Fiscal effect: None.**

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

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

**MHACD2 Suspending admissions at hospitals for mentally ill persons**

**R.C. 5119.33**

Authorizes the Director of OhioMHAS to suspend the admission of patients to a hospital for mentally ill persons, without an opportunity for a hearing under the Administrative Procedure Act, if the Director determines that the licensee has demonstrated a pattern of serious noncompliance or that a violation creates a substantial risk to the health and safety of patients.

**R.C. 5119.33**

Same as the Executive.

**R.C. 5119.33**

Same as the Executive.

Specifies a process for appeals when a suspension of admissions is issued without a hearing.

Same as the Executive.

Same as the Executive.

Authorizes OhioMHAS, in relation to the following proceedings, to take action against a hospital regardless of whether some or all of the deficiencies that prompted the proceedings have been corrected: suspending admissions; denying license applications; refusing to renew a license; and revoking a license.

Same as the Executive.

Same as the Executive.

Specifies that OhioMHAS cannot grant an opportunity to submit a plan of correction when it issues an order suspending admissions or when it denies, refuses to renew, or revokes a hospital's license.

Same as the Executive.

Same as the Executive.

**Fiscal effect: Any impact will depend on the number of violations or noncompliance issues, as well as the actions taken.**

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

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

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As Passed By House

As Reported By Senate Finance

**MHACD1 Suspending admissions at residential facilities**

**R.C. 5119.34**

Authorizes the Director of OhioMHAS to suspend the admission of residents to a residential facility without an opportunity for a hearing under the Administrative Procedure Act if the Director determines that the licensee has demonstrated a pattern of serious noncompliance or that a violation creates a substantial risk to the health and safety of residents.

Specifies a process for appeals when an admissions suspension is issued without a prior hearing.

Authorizes OhioMHAS, in relation to the following proceedings, to take action regardless of whether some or all of the deficiencies that prompted the proceedings have been corrected: suspending admissions; denying license applications; refusing to renew a license; and revoking a license.

Specifies that OhioMHAS cannot grant an opportunity to submit a plan of correction when it issues an order suspending admissions or when it denies, refuses to renew, or revokes a residential facility license.

**Fiscal effect: Any impact will depend on the number of violations or noncompliance issues, as well as the actions taken.**

**R.C. 5119.34**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 5119.34**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

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As Passed By House

As Reported By Senate Finance

**MHACD22 Disciplinary procedures for certifiable services and supports**

**R.C. 5119.36, 5119.99**

Specifies reasons the Director of OhioMHAS may refuse to certify, refuse to renew certification, and revoke certification services and supports provided by community mental health or addiction services providers.

Eliminates requirements that the Director of OhioMHAS (1) identify areas of noncompliance if the Director determines an applicant's certifiable services and supports do not satisfy certification standards and (2) provide applicants with reasonable time to demonstrate compliance with standards.

Specifies that proceedings to deny, refuse to renew, or revoke certifications are governed by the Administrative Procedure Act.

Provides that OhioMHAS cannot grant an opportunity for submitting a plan of correction when it issues an order suspending admissions or when it denies, refuses to renew, or revokes certification.

**Fiscal effect: Any impact will depend on the number of potential disciplinary procedures.**

**R.C. 5119.36, 5119.99**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 5119.36, 5119.99**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**MHACD23 Suspending admissions for community addiction services providers**

**R.C. 5119.36, 5119.99**

Specifies that proceedings to suspend admissions to a community addiction services provider that provides overnight accommodations are governed by the Administrative Procedure Act, but permits admissions to be suspended without an adjudication if the OhioMHAS Director determines there has been a pattern of serious noncompliance or a violation creates a substantial risk to the health and safety of patients.

**Fiscal effect: Any impact depends on the number of such proceedings and the actions taken.**

**R.C. 5119.36, 5119.99**

Same as the Executive.

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

**R.C. 5119.36, 5119.99**

Same as the Executive.

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

**MHACD25 Opioid treatment program license expiration and employees**

No provision.

No provision.

No provision.

**R.C. 5119.37, Section 337.200**

Lengthens the validity of a license to operate an opioid treatment program (OTP) to two years from one year under current law.

Requires OhioMHAS to inspect all community addiction services providers licensed to operate OTPs at least biennially instead annually under current law.

Permits a community addiction services provider to employ an individual who receives medication-assisted treatment if the individual is a certified peer recovery supporter (under current law, a community addiction services provider is prohibited from employing an individual who receives medication-assisted treatment from that provider).

**Fiscal effect: There might be a decrease in administrative costs if licenses and inspections are done on a biennial basis instead of annually. However, if fees are charged, there**

**R.C. 5119.37, Section 337.200**

Same as the House, but permits the OhioMHAS Director to stipulate annual licensure for a provider if the Director has concerns about the provider's compliance record.

Same as the House.

Replaces the House provision with a provision that eliminates the current law prohibition on community addiction services providers employing individuals who receive medication-assisted treatment from the provider.

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

Executive

As Passed By House

As Reported By Senate Finance

could be a corresponding decrease in fee revenue collected as well.

**MHACD21 Transcranial Magnetic Stimulation Program**

No provision.

No provision.

**R.C. 5902.09, Section 337.190**

Renames the Transcranial Magnetic Stimulation Pilot Program to the Electroencephalogram (EEG) Combined Transcranial Magnetic Stimulation Pilot Program.

No provision.

No provision.

Expands the program to be available to first responders and law enforcement officers. Expands the list of disorders and conditions that establish eligibility for treatment under the program.

No provision.

No provision.

Authorizes the program to have up to ten branch sites, and specifies that a branch site may be a mobile unit or an EEG combined neuromodulation portable unit.

No provision.

No provision.

Specifies that the supplier must create and conduct a clinical trial, and also establish and operate a clinical practice.

No provision.

No provision.

Establishes certain criteria for the program in statute.

No provision.

No provision.

Requires that any individual who receives treatment at the clinical practice be eligible for a minimum of two electroencephalograms during the course of the individual's treatment.

No provision.

No provision.

Requires that clinical protocols and outcomes of the clinical trial, and of any treatment provided by the clinical practice, must be collected and reported quarterly in a report provided by the supplier to the Directors of Veterans Services and Mental Health and Addiction Services, and to the United States Food and Drug Administration.

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| <p>Requires GRF appropriation item 336515, Transcranial Magnetic Stimulation Program, to be used for the Transcranial Magnetic Stimulation Program for veterans with substance use disorders or mental illness as described in R.C. 5902.09.</p> <p><b>Fiscal effect: The bill appropriates \$3.0 million in each fiscal year in GRF line item 336515.</b></p>  | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   | <p>Replaces the Executive provision with a provision that does the following: (1) changes the funding source from GRF to DPF Fund 5VV0 appropriation item 336645, Transcranial Magnetic Stimulation Program; and (2) requires funds to be used for the program and also to serve up to 300 additional veterans and 300 first responders and law enforcement officers.</p> <p><b>Fiscal effect: The bill re-establishes an appropriation in DPF Fund 5VV0 line item 336645 of \$6.0 million in each fiscal year for the program and expansion (for cash transfers to support the appropriation in Fund 5VV0 see OBMCD52).</b></p> |
| <p><b>MHACD4 Prevention and Wellness</b></p> <p><b>Section: 337.20</b></p> <p>Makes the following earmarks in GRF appropriation item 336406, prevention and Wellness, in each fiscal year:</p> <p>(1) Up to \$1,250,000 to be distributed to ADAMHS boards to purchase the provision of evidence-based prevention services from OhioMHAS-certified providers.</p> <p>(2) Up to \$500,000 to be used to support suicide prevention efforts.</p> <p>(3) Up to \$2,250,000 to be used to increase access to early identification of behavioral health disorders.</p> <p>(4) No provision.</p> <p>(5) No provision.</p> | <p><b>Section: 337.20</b></p> <p>Same as the Executive, but makes the following changes to the earmarks:</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) \$250,000 to support the use of LifeAct's certified suicide prevention programs in middle schools and high schools.</p> <p>(5) \$120,000 to be allocated to the Northeast Ohio Medical University's statewide campus safety and mental health programs, including suicide prevention.</p> | <p><b>Section: 337.20</b></p> <p>Same as the House.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> <p>(3) Same as the Executive.</p> <p>(4) Same as the House.</p> <p>(5) Same as the House.</p>  |



Executive

As Passed By House

As Reported By Senate Finance

**MHACD5 Mental Health Facilities Lease Rental Bond Payments**

**Section: 337.30**

Requires GRF line item 336415, Mental Health Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2021, through June 30, 2023, by OhioMHAS under leases and agreements made under R.C. 154.20.

**Section: 337.30**

Same as the Executive.

**Section: 337.30**

Same as the Executive.

**MHACD6 Continuum of Care Services**

**Section: 337.40**

Specifies the following regarding GRF appropriation item 336421, Continuum of Care Services:

(1) Requires a portion be allocated to ADAMHS boards in accordance with a distribution methodology determined by the Director of OhioMHAS for the boards to purchase mental health and addiction services permitted under Chapter 340. of the Revised Code. Permits boards to use a portion of the funds allocated to provide:

(a) Subsidized support for psychotropic medication needs of indigent citizens in the community to reduce unnecessary hospitalization due to lack of medication; and

(b) Subsidized support for medication-assisted treatment costs.

(2) Permits a portion to be distributed to ADAMHS boards, community addiction and/or mental health services providers, courts, or other governmental entities to provide specific grants in support of initiatives concerning mental health and addiction services.

**Section: 337.40**

Same as the Executive, but makes the following changes (for the earmark in this line item for the pilot program relating to lockable containers see MHACD30):

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(2) Same as the Executive.

**Section: 337.40**

Same as the House, with the following change:

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

(3) Earmarks \$1,500,000 in each fiscal year be allocated to ADAMHS boards to establish and administer six mental health crisis stabilization centers, or with approval from the Director of OhioMHAS, the funds may be used in conjunction with funds from DPF Fund 5TZ0 appropriation item 336600 to establish and administer crisis stabilization centers that meet certain specifications (see MHACD15). Requires one center be located in each state psychiatric hospital region. Requires that each center established or administered comply with certain requirements. Requires ADAMHS boards to submit a plan to OhioMHAS for approval regarding the establishment of any stabilization centers.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Earmarks up to \$5,500,000 in each fiscal year to be used to develop a strategic approach to strengthening cross-systems collaboration efforts to serve adults with serious mental illness who are involved in multiple behavioral health, health, human services, and criminal justice systems.

(4) Same as the Executive.

(4) Same as the Executive.

(5) Earmarks up to \$2,500,000 in each fiscal year to be used to develop, evaluate, and expand crisis services infrastructure to provide support for adults, children, and families in a variety of settings.

(5) Same as the Executive.

(5) Same as the Executive.

(6) Earmarks up to \$475,000 in each fiscal year to be used to support the operation of a statewide, twenty-four-hour, seven-days-a-week, behavioral health support line.

(6) Same as the Executive.

(6) Same as the Executive.

(7) No provision.

(7) Earmarks \$400,000 in each fiscal year for the Bellefaire Jewish Children's Bureau to be used for unanticipated operating expenditures resulting from the COVID-19 pandemic that are not reimbursed by any other sources of state or federal funding. Specifies that expenditures may include, but are not limited to, personnel costs of health care

(7) Same as the House, but increases the amount of the earmark to \$1,400,000 in each fiscal year.

| Executive          | As Passed By House   | As Reported By Senate Finance  |
|--------------------|--|--|
|                    | and social workers.  |  |
| (8) No provision.  | (8) Earmarks \$325,000 in each fiscal year for OhioGuidestone for the Adverse Childhood Experiences Pilot Project.   | (8) Same as the House.   |
| (9) No provision.  | (9) Earmarks \$519,514 in each fiscal year for the Near West Side Multi-Service Corporation dba May Dugan Center.  | (9) Same as the House.   |
| (10) No provision. | (10) Earmarks \$225,000 in each fiscal year for LifeTown Columbus to provide additional support for facility renovations and operations, including professional development, curriculum development, educational materials, equipment, marketing, and recruitment. | (10) Same as the House.  |
| (11) No provision. | (11) Earmarks \$100,000 in each fiscal year for the Refuge, Inc. for facility improvements.  | (11) Same as the House.  |
| (12) No provision. | (12) Earmarks \$100,000 in FY 2022 for Applewood Centers, Inc. for information technology operations related to telehealth and electronic health records.  | (12) Same as the House.  |
| (13) No provision. | (13) Earmarks \$2,000,000 in each fiscal year to support new or expand existing confidential treatment and monitoring programs offered by occupational licensing boards for healthcare workers with mental health or substance use disorders.                      | (13) Same as the House.  |
| (14) No provision. | (14) No provision.   | (14) Earmarks \$591,750 in FY 2022 for the Ashland Center for Addictions Project.  |
| (15) No provision. | (15) No provision.   | (15) Earmarks \$100,000 in each fiscal year to provide loan repayment and forgiveness, scholarships and other forms of tuition assistance for pediatric behavioral health providers practicing in pediatric inpatient and outpatient settings, including Ohio's children's hospitals, and other community behavioral health care settings (see MHACD34). |

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| (16) No provision.   | (16) No provision.  | (16) Earmarks \$100,000 in each fiscal year to fund fellowships for the pediatric behavioral health workforce program (see MHACD 34). |
| <p><b>MHACD7 Criminal Justice Services</b></p> <p><b>Section: 337.50</b></p> <p>Requires GRF appropriation item 336422, Criminal Justice Services, be used to provide forensic evaluations to courts of common pleas and to conduct evaluation of patients of forensic status in facilities operated or designated by OhioMHAS prior to conditional release to the community. Permits a portion of item 336422 to be allocated through ADAMHS boards to community addiction and/or mental health services providers in accordance with a distribution methodology as determined by the Director of OhioMHAS.</p> <p>Earmarks up to \$3,000,000 in each fiscal year in GRF appropriation item 336422, Criminal Justice Services, to be allocated to the Psychotropic Drug Reimbursement Program established in R.C. 5119.19. Requires the Director of OhioMHAS, on July 1, 2022 or as soon as possible thereafter, to certify to the Director of OBM, the unexpended, unencumbered balance of the earmark at the end of FY 2022. Reappropriates the amount for FY 2023 for the same purpose.</p> <p>Permits GRF appropriation item 336422 to also be used to do any of the following: provide forensic monitoring and tracking of individuals on conditional release; provide forensic training; support projects to identify and develop alternative services to incarceration for nonviolent mentally ill offenders; provide specialized re-entry services to offenders leaving prisons and jails; provide specific grants;</p> | <p><b>Section: 337.50</b></p> <p>Same as the Executive.</p> <p>Same as the Executive, but specifies that funds from the earmark can only be allocated to existing programs.</p> <p>Same as the Executive.</p> | <p><b>Section: 337.50</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>               |

Executive

As Passed By House

As Reported By Senate Finance

support therapeutic communities; support specialty dockets and expand or create new certified court programs; and establish and administer outpatient competency restoration services.

**MHACD8 Substance use disorder treatment in Specialized Docket Programs**

**Section: 337.60**

Requires OhioMHAS to conduct a program to provide substance use disorder treatment, which may include medication-assisted treatment (MAT) and recovery supports, to persons who are eligible to participate in a MAT drug court program, and are selected under this section to be participants in a MAT drug court program because of a substance use disorder.

Requires OhioMHAS to conduct its program in collaboration with any counties in Ohio that are conducting MAT drug court programs.

Allows OhioMHAS to conduct its program in collaboration with any other court conducting a MAT drug court program.

Requires OhioMHAS to collaborate with the Supreme Court, the Department of Rehabilitation and Correction, and any agency that OhioMHAS determines may be of assistance in the program's objectives. Allows OhioMHAS to collaborate with ADAMHS boards and local law enforcement agencies that serve the counties of a participating court.

Requires a participating MAT drug court program to select persons to participate. Requires a person selected to be a criminal offender or involved in a drug or dependency court. Prohibits a person from being selected unless the person meets the legal and clinical eligibility criteria for the MAT

**Section: 337.60**

Same as the Executive, but adds that the program may also include services for withdrawal management or detoxification and drugs used in providing those services.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 337.60**

Same as the House, but specifies that the provision expanding the program to cover drugs for withdrawal management or detoxification includes coverage of not only drugs with federal approval for use in treating those conditions, but also drugs in standard use for those conditions.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

drug court program and is an active participant in the program or unless the offender is under a community control sanction with the program's participating judge.

Requires a program participant to comply with all MAT drug court program requirements.

Requires the substance use disorder treatment and recovery supports provided in collaboration with a MAT drug court program to be provided by a community addiction services provider.

Specifies providers' duties which include, among other things, providing access to the long-acting antagonist therapies, partial agonist therapies, or full agonist therapies, that are included in the program's MAT.

Specifies that in the case of MAT provided under the program all the following apply: (1) a drug has been approved by the U.S. Food and Drug Administration for use in treatment dependence on opioids, alcohol, or both or for preventing relapse into the use of opioids, alcohol, or both, (2) one or more drugs may be used, but each must constitute long-acting antagonist therapy, partial antagonist therapy, or full agonist therapy, and (3) if a drug constituting partial or full agonist therapy is used, the program must provide safeguards to minimize abuse and diversion.

Requires the Medicaid Director, in collaboration with major Ohio health care plans, to develop plans consistent with the implementation of the program. Specifies that there are to be no step therapies or prior authorization for MAT program participants. Specifies what the plans developed are to

Same as the Executive.

Same as the Executive, but emphasizes that any recovery supports that are provided must be provided by a community addiction services provider.

Same as the Executive, but requires providers to provide access to drugs that meet certain conditions and are used for the program's substance use disorder treatment and also includes alpha-2 agonist therapies that are included in the program's services for withdrawal management or detoxification.

Same as the Executive, but (1) includes drugs used in providing services for withdrawal management or detoxification and (2) includes Alpha-2 agonist therapy for withdrawal management or detoxification.

Same as the Executive, but (1) specifies that there are no prior authorizations or step therapies for program participants to have access to any drug included in the substance use disorder treatment provided under the OhioMHAS' program, and (2) specifies that in terms of the

Same as the Executive.

Same as the House.

Same as the House, but replaces references to the specific types of drugs.

Same as the House.

Same as the House, but modifies the provision related to the development of a consistent benefit package by replacing references to the specific types of drugs with a general reference to drugs.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

ensure such as, the development of a consistent benefit package that provides ready access to and reimbursement for essential health care services including, but not limited to, primary health care services, alcohol and opioid detoxification services, appropriate psychosocial services, and medication for long-acting injectable antagonist therapies, partial agonist therapies, and full agonist therapies.

Earmarks \$5,000,000 in each fiscal year in GRF line item 336422, Criminal Justice Services, to be used to support substance use disorder treatment, including MAT and recovery supports for drug court specialized docket programs and to support the administrative expenses of courts and community addiction services providers participating in the program.

consistent benefit package services include alcohol and opioid detoxification services "and drugs used in providing those" services and medications for "drugs used in providing" therapies.

Same as the Executive, but includes services for withdrawal management or detoxification and drugs used in providing those services.

Same as the House, but specifies that the funds be used to support the substance use disorder treatment included in OhioMHAS' program.

**MHACD9 Recovery Housing**

**Section: 337.70**

Requires GRF appropriation item 336424, Recovery Housing, be used to expand and support access to recovery housing.

Requires, for expenditures that are capital in nature, OhioMHAS to develop procedures to administer these funds in a manner that is consistent with current community capital assistance guidelines.

**Section: 337.70**

Same as the Executive.

Same as the Executive.

**Section: 337.70**

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**MHACD10 Specialized Docket Support**

**Section: 337.80**

Requires GRF appropriation item 336425, Specialized Docket Support, be used to defray a portion of the annual payroll costs associated with the specialized docket of a common pleas court, municipal court, county court, juvenile court, or family court that meets all specified eligibility requirements.

Permits GRF appropriation item 336425, Specialized Docket Support, to be used to defray costs associated with treatment services and recovery supports for participants.

Requires a specialized docket to have received Supreme Court of Ohio initial or final certification and include participants with behavioral health needs in its target population.

Requires OhioMHAS to use up to one per cent in each fiscal year of GRF appropriation item 336425, Specialized Docket Support, to pay the cost it incurs in administering the duties required by the docket program.

Permits OhioMHAS, in consultation with the Supreme Court of Ohio, to adopt funding distribution methodology, guidelines, and procedures as necessary to carry out the docket program.

No provision.

**Section: 337.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

**Section: 337.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Earmarks \$250,000 in each fiscal year in GRF appropriation item 336425, Specialized Docket Support, for the Participating in Victory of Transition (PIVOT) pilot program in Seneca County.



Executive

As Passed By House

As Reported By Senate Finance

**MHACD11 Community Innovations**

**Section: 337.90**

Permits GRF appropriation item 336504, Community Innovations, to be used by OhioMHAS to make targeted investments in programs, projects, or systems operated by or under the authority of other state agencies, governmental entities, or private not-for-profit agencies that impact, or are impacted by, the operations and functions of OhioMHAS, with the goal of achieving a net reduction in expenditure of GRF funds and/or improved outcomes for Ohio citizens without a net increase in GRF spending.

Requires the Director of OhioMHAS to identify and evaluate programs, projects, or systems proposed or operated outside of OhioMHAS' authority, where targeted investment of funds is expected to decrease demand for OhioMHAS or other resources funded from GRF, and/or to measurably improve outcomes for Ohio citizens with mental illness or with alcohol, drug, or gambling addictions.

Grants the Director of OhioMHAS discretion to transfer money from GRF appropriation item 336504, Community Innovations, to other state agencies, governmental entities, or private not-for-profit agencies in amounts determined most likely to achieve state savings and/or improved outcomes.

Requires OhioMHAS to enter into an agreement with each recipient receiving funds and specifies what information is to be identified in the agreement.

Earmarks up to \$6,000,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be

**Section: 337.90**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 337.90**

Same as the Executive.

Same as the Executive.

Same as the Executive, but makes the following changes: (1) removes the discretion to provide funds to "other state agencies" and "governmental entities" and (2) changes private not-for-profit "agencies" to private not-for-profit "entities."

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

used for operating expenses that result in improved quality of life for adults with severe mental illness living in class two and class three residential facilities.

Earmarks up to \$4,000,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used to provide funding for community projects across the state and that focus on support for families, assisting families in avoiding crisis, and crisis intervention.

Earmarks up to \$3,500,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used to support workforce development initiatives.

Earmarks up to \$1,500,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, to be used to improve behavioral health outcomes for racial and ethnic minorities.

No provision.

Same as the Executive.

Same as the Executive.

Same as the Executive.

No provision.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Earmarks \$500,000 in each fiscal year in GRF appropriation item 336504, Community Innovations, for the Values-in - Action Foundation for the organization's Just Be Kind Program and Values-in-Action Workforce Training.

**MHACD12 Residential State Supplement**

**Section: 337.100**

Permits GRF appropriation item 336510, Residential State Supplement, to be used to provide training and other supports for residential facilities providing accommodations, supervision, and personal care services to three to 16 unrelated adults with mental illness and to make payments to Residential State Supplement recipients.

**Section: 337.100**

Same as the Executive.

**Section: 337.100**

Same as the Executive.

| Executive  | As Passed By House  | As Reported By Senate Finance  |
|--|---|--|
| Requires OhioMHAS to adopt rules establishing eligibility criteria and payment amounts regarding the Residential State Supplement program.   | Same as the Executive.  | Same as the Executive.   |
| <b>MHACD13 Early Childhood Mental Health Counselors and Consultation</b>   |   |  |
| <b>Section: 337.110</b>  | <b>Section: 337.110</b>   | <b>Section: 337.110</b>  |
| Requires GRF appropriation item 336511, Early Childhood Mental Health Counselors and Consultation, to be used to promote identification and intervention for early childhood mental health and to enhance healthy social emotional development in order to reduce preschool to third grade classroom expulsions. | Same as the Executive.  | Same as the Executive.   |
| Requires funds to be used to support early childhood mental health credentialed counselors and consultation services, as well as administration and workforce development.   | Same as the Executive.  | Same as the Executive.   |
| <b>MHACD28 Appalachian Children Coalition</b>  |   |  |
| No provision.  | <b>Section: 337.115</b>   | <b>Section: 337.115</b>  |
|  | Requires GRF appropriation item 336516, Appalachian Children Coalition, to be provided to the Appalachian Children Coalition to address systemic challenges children face in southeast Ohio and makes the following earmarks from the item: | Same as the House.   |
| (1) No provision.  | (1) \$600,000 in each fiscal year for funding the training, hiring, and retention of entry-level child mental and behavioral health workers in school settings;   | (1) Same as the House, but increases the earmark to \$1.0 million in each fiscal year. |
| (2) No provision.  | (2) \$150,000 in each fiscal year to enhance child mental health outcomes, promote implementation of whole-child models of care, and to expand the mental health workforce in the region.   | (2) Same as the House, but increases the earmark to \$250,000 in each fiscal year.     |

| Executive  | As Passed By House   | As Reported By Senate Finance  |
|--|--|--|
| <p><b>MHACD14 Medicaid Support</b></p> <p><b>Section: 337.120</b></p> <p>Requires GRF appropriation item 652321, Medicaid Support, to be used to fund specified Medicaid services as delegated by the Ohio Department of Medicaid.</p>   | <p><b>Section: 337.120</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 337.120</b></p> <p>Same as the Executive.</p>                               |
| <p><b>MHACD27 COVID Response - Mental Health</b></p> <p>No provision.</p>  | <p><b>Section: 337.125</b></p> <p>Earmarks \$2,500,000 in each fiscal year in DPF Fund 5CV1 appropriation item 336513, COVID Response - Mental Health, for OhioMHAS-certified community behavioral health organizations to develop and sustain workforce recruitment and retention initiatives and to offer supervision support.</p> | <p><b>Section: 337.125</b></p> <p>Same as the House.</p>                                   |
| <p><b>MHACD15 Substance Abuse Stabilization Centers</b></p> <p><b>Section: 337.130</b></p> <p>Requires DPF Fund 5TZ0 appropriation item 336600, Substance Abuse Stabilization Centers, to be used to establish and administer, in collaboration with other boards that serve the same state psychiatric hospital region, substance use disorder stabilization centers or if approved by the Director of OhioMHAS, permits funds to be used in conjunction with GRF appropriation item 336421 to establish and administer crisis stabilization centers that meet specified criteria (see MHACD6). Requires one center to be located in each state psychiatric hospital region.</p> <p>Requires ADAMHS boards to submit a plan for approval to OhioMHAS addressing the establishment and administration of crisis stabilization centers.</p> | <p><b>Section: 337.130</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p>   | <p><b>Section: 337.130</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> |

Executive

As Passed By House

As Reported By Senate Finance

**MHACD16 ADAMHS boards**

**Section: 337.140**

Specifies that following regarding DPF Fund 5TZ0 appropriation item 336643, ADAMHS Boards:

(1) Earmarks \$5,000,000 in each fiscal year be allocated to ADAMHS boards by first providing \$50,000 per county in the board's district and distributing the remainder based on a formula developed by the Director of OhioMHAS.

(2) Earmarks up to \$6,000,000 in each fiscal year to be used to fund a continuum of crisis stabilization and crisis prevention services and supports to allow individuals to be served in the least restrictive setting.

Requires ADAMHS boards to submit a plan for approval to OhioMHAS addressing the establishment and administration of crisis services.

**Section: 337.140**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**Section: 337.140**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

Same as the Executive.

**MHACD17 Problem Gambling and Casino Addiction**

**Section: 337.150**

Requires a portion of DPF Fund 5JL0 appropriation item 336629, Problem Gambling and Casino Addiction, be allocated to ADAMHS boards in accordance with a methodology determined by the Director of OhioMHAS.

**Section: 337.150**

Same as the Executive.

**Section: 337.150**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**MHACD18 Family and Children First flexible funding pool**

**Section: 337.160**

Permits a county family and children first council to establish and operate a flexible funding pool to assure access to needed services by families, children, and older adults in need of protective services. Specifies the restrictions governing the flexible funding pools.

**Section: 337.160**

Same as the Executive.

No provision (see JFSCD9).

**MHACD19 Access Success II Program**

**Section: 337.170**

Permits the Director of OBM, to the extent cash is available, to transfer cash from a fund designated by the Medicaid Director to the Sale of Goods and Services Fund (Fund 1490). Appropriates any transferred cash.

Requires the transferred funds to be used to administer the Access Success II Program to help non-Medicaid patients in hospitals established, controlled, or supervised by OhioMHAS to transition from inpatient status to a community setting.

**Section: 337.170**

Same as the Executive.

Same as the Executive.

**Section: 337.170**

Same as the Executive.

Same as the Executive.

**MHACD20 Indigent Drivers Alcohol Treatment Fund cash transfer**

**Section: 337.180**

Requires, on a schedule determined by the Director of OBM, the Director of OhioMHAS to certify the amount of excess license reinstatement fees that are available to be transferred from the Indigent Drivers Alcohol Treatment Fund (Fund 7049) to the Statewide Treatment and Prevention Fund (Fund 4750). Permits, upon certification, the Director of OBM to transfer cash from Fund 7049 to Fund 4750.

**Section: 337.180**

Same as the Executive.

**Section: 337.180**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**MHACD30 Dispensing controlled substances in lockable containers**

| Executive     | As Passed By House   | As Reported By Senate Finance   |
|---------------|--|---|
| No provision. | <p><b>Section: 337.205, 337.40</b><br/>Requires OhioMHAS to operate a two-year pilot program under which lockable or tamper-evident containers are used by participating pharmacies when dispensing schedule II controlled substances in solid oral dosage formulations.</p> | <p><b>Section: 337.205, 337.40</b><br/>Same as the House.</p>   |
| No provision. | <p>Requires OhioMHAS to select the pharmacies to be included in the pilot program.</p>   | <p>Replaces the House provision with a provision that instead specifies that pharmacy participation is voluntary.</p> |
| No provision. | <p>Requires OhioMHAS to reimburse pharmacies for expenses incurred in participating in the pilot program.</p>  | <p>Same as the House.</p>   |
| No provision. | <p>Earmarks \$1,000,000 in each fiscal year from GRF appropriation item 336421, Continuum of Care Services, for the operation of the pilot program.</p>  | <p>Same as the House.</p>   |

**MHACD34 Pediatric behavioral health workforce support**

| Executive     | As Passed By House   | As Reported By Senate Finance   |
|---------------|----------------------|---|
| No provision. | <p>No provision.</p> | <p><b>Section: 337.210</b><br/>Requires OhioMHAS to establish a program to attract, train, support, and retain individuals involved in the behavioral health workforce to improve access for pediatric patients to evidence-based prevention and inpatient and outpatient services (see MHACD6 for earmarks).</p> |

Executive

As Passed By House

As Reported By Senate Finance

**MIHCD1 Infant Mortality Health Grants**

**Section: 339.20**

Earmarks the following from GRF appropriation item 149503, Infant Mortality Health Grants:

(1) Up to \$2,685,000 in each fiscal year to be distributed to up to ten community-based agencies to support the continuation or establishment of a pathways community HUB model that has the primary purpose of reducing infant mortality in the urban and rural communities with a targeted focus on disparities.

(2) \$135,000 in each fiscal year to be used to provide evaluation and review of the service delivery of grant recipients.

Requires the remainder of the appropriation to be used for administrative costs.

No provision.

(1) No provision.

(2) No provision.

No provision.

No provision.

(1) No provision.

(2) No provision.

No provision.



Executive

As Passed By House

As Reported By Senate Finance

DNRCD36 Oil and Gas Land Management Commission

| Executive                                      | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| DNRCD36 Oil and Gas Land Management Commission | <p>R.C. 155.011, (renumbered as 155.29), 1509.70-1509.75, 1509.77 (all renumbered as R.C. 155.30 through 155.36), 1505.09, 1509.28, 1531.33. Repealed: 131.50, 1503.012, 1509.76, 1509.78, and 1546.24. Section 715.10</p>  | <p>R.C. 131.50, 155.011 (renumbered as 155.29), 1509.70-1509.75, 1509.77, 1509.78 (all renumbered as R.C. 155.30 through 155.37), 1505.09, 1509.28, 1531.33. Repealed: 1503.012, 1509.76 and 1546.24. Section 715.10</p>  |
| No provision.                                  | <p>States that it is the policy of the state to promote exploration for, development of, and production of oil and natural gas resources owned or controlled by the state, rather than to provide access and support for those activities, as in current law.</p>   | Same as the House.  |
| No provision.                                  | <p>Renames the Oil and Gas Leasing Commission the Oil and Gas Land Management Commission. Revises the membership of the Commission as follows: (1) replaces the Chief of the Division of Geological Survey with the Director of Natural Resources or the Director's designee and applies the current requirement that that member serve as chairperson of the Commission, and (2) eliminates the requirement that the two members currently required to be recommended by a statewide organization representing the oil and gas industry be selected from a list of not less than four such people, but specifies that those two members must have knowledge or experience in the oil and gas industry.</p> | Same as the House.  |
| No provision.                                  | <p>Requires that all money received by a state agency in exchange for the lease of state agency-owned land be deposited into the Oil and Gas Land Management Fund, to be used for Commission administration purposes. Eliminates all of the following funds, which would have consisted of signing fees, rentals, and royalty payments received by a state agency in exchange for the lease of state-agency owned land for oil and gas development: (1) State Land Royalty</p>  | <p>Replaces the House provision with one that requires that all nomination and bid fees be deposited into the Oil and Gas Land Management Commission Administration Fund, to be used for the administrative purposes of the Commission. As with the House provision, eliminates the Forestry Minerals Royalty Fund and Parks Mineral Royalty Fund, but (1) retains the State Land Royalty Fund and requires revenue currently deposited into the Forestry Minerals Royalty Fund and Parks</p> |

Executive

As Passed By House

As Reported By Senate Finance

|                      |   |  |
|----------------------|---|--|
|                      | <p>Fund; (2) Forestry Minerals Royalty Fund; and (3) Parks Mineral Royalty Fund. Eliminates signing fees, rentals, and royalty payments received by a state agency for leases of land for oil and gas development when the land is owned or controlled by the Division of Wildlife in the Department of Natural Resources as a source of revenue for the Wildlife Habitat Fund. Eliminates a requirement that 30% of proceeds from a lease for oil and gas development under a state park be deposited into the fund that supports that state park.</p> | <p>Mineral Royalty Fund instead be deposited into the State Land Royalty Fund, and (2) redirects revenue from signing fees, rentals, and royalties deposited into the Wildlife Habitat Fund under current law to the State Land Royalty Fund; permits a state agency to use money allocated to it from the State Land Royalty Fund for any purpose rather than solely for capital expenditures as under current law, establishes procedures for distribution of money to state agencies, and special procedures for distribution to divisions within DNR from the State Land Royalty Fund.</p> |
| <p>No provision.</p> | <p>Requires every state agency to lease a parcel of land for oil and gas exploration, development, and production on terms that are just and reasonable (as determined by the custom and practice of the oil and gas industry) until the Commission adopts rules specifying requirements and procedures for the lease of such land.</p>   | <p>Replaces the House provision with one that authorizes, rather than requires, every state agency to lease a formation for oil and gas exploration, development, and production on terms that are just and reasonable (as determined by the custom and practice of the oil and gas industry) until the Commission adopts rules governing a standard lease form and other procedures.</p>  |
| <p>No provision.</p> | <p>Adds both of the following elements to the required standard lease form that must be used by a state agency (current law only specifies that the lease form include at least a 1/8th royalty): (1) a prohibition against the use of the surface of the parcel of land for oil and gas development without the execution by the state agency of a standard surface use agreement and (2) a limited warranty of title by the state agency to the lessee.</p>   | <p>Replaces the House provision with a provision that allows a state agency to execute a written surface use agreement established by the Commission, replaces the required 1/8th landowner royalty with a required gross 1/8th landowner royalty (the proceeds of oil and gas sales without any post-production cost reduction, minus taxes and government fees), and requires a primary lease term of three years with a possible three-year extension.</p>  |
| <p>No provision.</p> | <p>Requires the Commission to establish a standard surface use agreement form that must be used by a state agency to authorize the use of the surface of a parcel of land leased. Specifies that the Commission is not subject to certain administrative rulemaking restrictions when adopting new</p>  | <p>Same as the House, but requires the Commission to adopt rules establishing the standard form and to establish a standard surface use agreement within 120 days of the bill's effective date.</p>  |

| Executive     | As Passed By House  | As Reported By Senate Finance   |
|---------------|---|---|
| No provision. | <p>rules.</p> <p>Requires the Commission to hold a meeting regarding a nomination of a parcel of land for lease no later than 90 days (rather than 120 days, as in current law) after receipt of the nomination.</p>  | No provision.   |
| No provision. | <p>Requires a state agency to submit any special terms or conditions it believes should apply to a lease of a parcel of land because of specific conditions related to that land at the time of submission of comments and objections regarding the nomination of that parcel, rather than after that parcel has been approved for nomination by the Commission, as in current law. Eliminates a corresponding requirement that the Commission notify the state agency of the nomination and request any special terms or conditions be submitted to the Commission within 60 days of the notice.</p> | Same as the House.  |
| No provision. | <p>Eliminates specified property classification requirements and procedures (classes 1 through 4) that currently apply to the nomination and lease of state agency-owned land for oil and gas development.</p>  | Same as the House.  |
| No provision. | <p>Authorizes any person or a state agency to nominate a parcel of land owned by the state agency, rather than only an owner who has the right to drill for oil or gas, as in current law.</p>  | <p>Replaces the House provision with a provision that (1) revises procedures by which a formation within a parcel of state agency land may be nominated, (2) requires the nomination to include the identity of the nominating person and the nominated formation and parcel, a nomination fee of \$250, the proposed lease bonus, and (if the nominating entity is not a state agency) information concerning state registration and insurance and bonding requirements, and (3) exempts all nomination information from public record requirements, except the identity of the formation, until a bid for the nomination is accepted by the Commission.</p> |

| Executive     | As Passed By House  | As Reported By Senate Finance  |
|---------------|---|--|
| No provision. | Requires the Commission to establish procedures and requirements for publishing notice of nominated parcels on the Commission's web site, rather than requiring the Director of Natural Resources to do so on the Department's web site.  | Same as the House, but also requires the Commission to notify a state agency of a nomination of a formation under that agency's control and allows the agency to submit comments regarding the nomination and requires the Commission to post notice of its decision on its web site and sent it by email (along with certified mail as in current law) to the nominating person and the state agency. |
| No provision. | Requires any person nominating a state agency-owned parcel for lease to the Commission to submit the opinion of an attorney, prepared not earlier than one year immediately preceding the nomination date, explaining the status of title of the mineral rights underlying the nominated parcel of land.  | No provision.  |
| No provision. | Requires the Commission to advertise bids for all leases and post the deadline for submission of bids on its web site rather than the Department of Natural Resources as under current law.   | Same as the House, but requires the advertisement to include certain information, adds new bidding procedures and requirements, and states that a bid is not a public record until acceptance by the Commission.   |
| No provision. | Requires the Commission to hire at least one person to provide clerical and other services, rather than requiring the Department of Natural Resources to furnish those services and legal and technical services, as in current law.<br><br><b>Fiscal effect: Uncertain. As of April 2021, the Oil and Gas Leasing Commission had not adopted rules regarding leasing state land for oil and gas development.</b> | Same as the House.<br><br><b>Fiscal effect: Same as the House.</b>   |

Executive

As Passed By House

As Reported By Senate Finance

**DNRCD42 Tax reimbursements for DNR land**

No provision.

No provision.

**R.C. 1501.29, 1531.17, and 1546.21**

Requires the Director of Natural Resources to annually reimburse school districts and other taxing units for a portion of forgone property tax revenue resulting from the state's acquisition of certain Department of Natural Resources (DNR) land acquired beginning in 2018.

No provision.

No provision.

Specifies that the payments equal 2.5% of the land's unimproved taxable value for the tax year in which DNR acquired the land.

No provision.

No provision.

Requires that 60% of payments be allocated to school districts and the remaining 40% be allocated to other taxing units.

No provision.

No provision.

Requires the Director to draw the payments from the State Park Fund (Fund 5120), or the Wildlife Fund (Fund 7015), or both.

**Fiscal effect: These provisions appear to apply only to DNR property that encompasses the Jesse Owens State Park and Wildlife Area and Appalachian Hills Wildlife Area in Morgan, Muskingum, and Noble counties. DNR will incur new costs totaling hundreds of thousands of dollars per year to make the required payments.**

Executive

As Passed By House

As Reported By Senate Finance

**DNRC6 Forestry projects on federal land - timber sales**

**R.C. 1503.05, 1503.271**

Allows the Chief of the Division of Forestry to enter into agreements with the federal government for forest management projects, including timber sales, pursuant to specified federal statutes. Allows the Chief of the Division of Forestry to sell timber and other forest products from federal lands in accordance with the terms of an agreement with the federal government. (Under current law the Chief may sell timber and forest products from state forests and state forest nurseries.)

Requires the Chief to deposit money received from timber sales from federal lands into the established State Forest Fund. Specifies that, in addition to fund uses allowed under current law, the fund also may be used for forest management projects associated with federal lands in the case of revenues received pursuant to agreements entered into with the federal government.

**Fiscal effect: Unknown increase in revenue deposited to the credit of the State Forest Fund (Fund 5090) used to support operations and maintenance of state forests. The bill's expansion of permissible uses of money in Fund 5090, allowing expenditures of revenue received from the sale of timber or forest products on federal land to be used for projects on federal land under an agreement with the federal government, may also result in increased expenditures from Fund 5090.**

**R.C. 1503.05, 1503.271**

Same as the Executive.

Same as the Executive.

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

**R.C. 1503.05, 1503.271**

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**DNRCD8 ODNR wildfire reimbursement to firefighting agencies**

**R.C. 1503.141**

Allows the Director of Natural Resources to reimburse firefighting agencies and private fire companies for costs associated with wildfire suppression, prescribed fire assistance, or emergency response support to federal agencies, if those costs are eligible in accordance with an agreement between the Division of Forestry and the federal government.

**Fiscal effect: Under current law, the DNR Director may designate up to \$200,000 from Fund 5090 for wildfire suppression payments to firefighting agencies and private fire companies. Additional payments to these entities for assistance with fire activities on federal land will result in increased expenditures from Fund 5090.**

**R.C. 1503.141**

Same as the Executive.

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

**R.C. 1503.141**

Same as the Executive.

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

**DNRCD7 State worker assistance with out-of-state forest fires**

**R.C. 1503.33**

Specifies that any state employees whom the Chief of the Division of Forestry sends to another state to assist with forest fires, not solely employees of that Division, as under current law, are eligible for regular employment benefits (i.e., compensation, pension, indemnity fund rights, and workers' compensation) and are immune from civil liability when performing duties within the scope of employment.

**Fiscal effect: None.**

**R.C. 1503.33**

Same as the Executive.

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

**R.C. 1503.33**

Same as the Executive, but narrows the provision so that the changes only apply to employees of the departments of Natural Resources and Commerce.

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

Executive

As Passed By House

As Reported By Senate Finance

**DNRC4 Eliminate Ohio Geology license plate**

**R.C. 1505.09, 4503.515 (repealed)**

Eliminates the Ohio Geology license plate and the corresponding \$15 contribution that is deposited into the Geological Mapping Fund and that the Chief of the Division of Geological Survey may use to (1) award grants to geology departments at state colleges and universities for graduate level research, or (2) give educational materials such as rock and mineral kits to elementary or secondary schools. Allows, instead, the Chief to use any money in the Geological Mapping Fund for the above purposes, and allows the Chief to use the money to provide grants for undergraduate geological research.

**Fiscal effect: None. Although the bill eliminates the Ohio Geology license plate and the corresponding \$15 contribution to the Geological Mapping Fund (Fund 5110), because this plate is not currently issued by the Bureau of Motor Vehicles, the change will have no fiscal effect.**

**R.C. 1505.09, 4503.515 (repealed)**

Same as the Executive.

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

**R.C. 1505.09, 4503.515 (repealed)**

Same as the Executive.

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

**DNRC16 Defective well casing and plugging requirements**

**R.C. 1509.12**

(1) Prohibits any person (rather than only the owner of a well) from constructing a well that causes damage to other permeable strata, underground sources of drinking water, or the surface of the land or that threatens the public health and safety or the environment.

(2) Prohibits any person or an owner of a well from operating a well that causes the damages specified above or threatens the public health and safety or the environment.

**R.C. 1509.12**

(1) Same as the Executive.

(2) Same as the Executive.

**R.C. 1509.12**

(1) Same as the Executive.

(2) Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

(3) Retains current law that prohibits the owner of a well from allowing defective casing in a well to leak fluid or gases, but eliminates the requirement that the leak must cause the damages specified above, or threaten the public health and safety or the environment.

(3) Same as the Executive.

(3) Same as the Executive, but broadens the existing prohibition against allowing a defective well casing to leak fluid or gasses by applying the prohibition to any situation in which an owner of a well allows a well to leak fluids or gasses.

(4) Requires the person who constructed the well or the owner of the well to notify the Chief of the Division of Oil and Gas Resources Management of well or casing defects in writing within 24 hours of discovering the defect.

(4) Same as the Executive.

(4) Same as the Executive, but applies the requirement to the owner of the well or the person responsible for the well.

(5) Requires the owner of the well or the person who constructed the well to immediately repair any defects or plug the well.

(5) Same as the Executive.

(5) Same as the Executive, but applies the requirement to the owner of the well or the person responsible for the well.

(6) Specifies that the Chief may order a person who constructed a well or the owner of the well to plug it.

(6) Same as the Executive.

(6) Replaces the Executive provision with one that revises the Chief's authority to issue a plugging order so that the Chief may issue the order to any person who owns a well or who is responsible for a well rather than to only the owner or the person that constructed it.

(7) Prohibits any person, rather than only the owner as in current law, from failing or refusing to plug the well as specified in the order.

(7) Same as the Executive.

(7) Same as the Executive.

(8) Applies existing civil and criminal penalties to any violation of the prohibitions.

(8) Same as the Executive.

(8) Same as the Executive.

**Fiscal effect: Potentially allows for additional revenue to be deposited into the Oil and Gas Well Fund (Fund 5180) as a result of fines and civil penalties. Under continuing law, civil penalties may be assess up to \$10,000 for each violation and criminal fines of between \$100 and \$1,000 for a first offense and between \$200 and \$2,000 for additional offenses.**

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

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

Executive

As Passed By House

As Reported By Senate Finance

**DNRCD17 Oil and gas well plugging**

**R.C. 1509.13**

(1) Authorizes the holder of a valid drilling permit to obtain approval from the Division of Oil and Gas Resources Management to plug a well without a permit to plug and abandon if an oil and gas inspector approves the plugging and either of the following apply: (1) the well was drilled to total depth and the well cannot or will not be completed, or (2) the well is a lost hole or a dry hole.

(2) Requires a permit holder plugging a well that was drilled to a total depth and that cannot or will not be completed to do so within 30 days of inspector approval.

(3) Requires a permit holder plugging a lost hole or dry hole to do so immediately after determining that the well is a lost hole or dry hole in accordance with rules.

(4) Clarifies that the Chief may plug and abandon wells without a permit to do so.

(5) Specifies that the \$250 application fee for a permit to plug and abandon a well is nonrefundable and applies even if oil and gas has not been produced from the well.

(6) Requires any person undertaking plugging, other than a well owner already required to maintain an insurance policy under current law, to obtain \$1 million in bodily injury and property damage insurance coverage or \$3 million if the well is in an urbanized area.

(7) Requires a person to electronically submit proof of that insurance to the Chief upon the Chief's request.

**Fiscal effect: Minimal. Allowing someone who hold a valid**

**R.C. 1509.13**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 1509.13**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**drilling permit to plug wells without a permit to plug and abandon under certain circumstances may result in a minimal reduction of revenue deposited to the credit of the Oil and Gas Well Fund (Fund 5180). The fee for plug and abandon permits is set at \$250 under continuing law.**

**DNRC D3 Performance security for coal mining operations**

**R.C. 1513.08**

Requires a coal mining and reclamation permittee to submit full performance security instead of using partial security and money from the existing Reclamation Forfeiture Fund for purposes of land reclamation if: (1) ownership and operational control of the permittee has been transferred, assigned, or sold, and (2) the transferee has not held a mining permit in Ohio for at least five years. Specifies that this restriction applies even if the status and name of the permittee otherwise remain the same.

**Fiscal effect: Potential reduction in costs from the Reclamation Forfeiture Fund (Fund 5310). This fund is used to pay costs of reclaiming land affected by coal mining on which the coal mine operator has defaulted on the operator's obligation to reclaim the land.**

**R.C. 1513.08**

Same as the Executive.

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

**R.C. 1513.08**

Same as the Executive.

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

**DNRC D18 Water well, water diversion, and water withdrawal fines**

**R.C. 1521.06, 1521.99**

Requires criminal fines collected from violators of certain laws governing water well construction logs and water diversions and withdrawals to be credited to the Water Management Fund (Fund 5160) rather than the Dam Safety Fund (Fund 6150) as under current law.

**Fiscal effect: This change will not impact the amount of fine**

**R.C. 1521.06, 1521.99**

Same as the Executive.

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

**R.C. 1521.06, 1521.99**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

revenue collected but will affect the allowable uses of that revenue. Fund 5160, which would receive the revenue under the bill, is used by DNR for administration of its water management activities including the consumptive use and withdrawal programs. Fund 6150, which receives the fine revenue under current law is used to administer dam safety programs, including oversight of construction and safety inspections of dams and for emergency response to dam hazards.

**DNRC14 Dams and levees financial responsibility**

R.C. 1521.061

Revises the amount of the surety bond that an applicant for a dam or levee construction permit must file (currently, a flat 50% of the estimated construction project costs), to the following: (1) \$50,000; plus (2) 25% of the estimated costs above \$500,000 and up to \$5,000,000; plus (3) 10% of the estimated costs exceeding \$5,000,000.

Authorizes the Chief of the Division of Water Resources to reduce the bond amount to an amount equal to the cost estimate of construction activities necessary to render the dam nonhazardous, provided the estimate is provided by the applicant and it is approved by the Chief.

**Fiscal effect: Uncertain. Any fiscal effect will depend upon actual construction costs of a dam on which the permittee to construct the dam fails to complete the construction. For dams with construction costs greater than \$100,000, forfeiture of the surety by the permittee will result in less revenue deposited to the Dam Safety Fund (Fund 6150) than under current law.**

R.C. 1521.061

Same as the Executive.

Same as the Executive.

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

R.C. 1521.061

Same as the Executive.

Same as the Executive.

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

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p><b>DNRCD13 Dams and levees enforcement</b></p> <p><b>R.C. 1521.40</b></p> <p>Authorizes the Chief of the Division of Water Resources to assess a civil penalty of up to \$5,000 per day for each day of each violation of the laws governing dams and levees and water withdrawals and diversions or any term or condition of a permit issued under those laws.</p> <p>Disburses money derived from costs and civil penalties as follows: (1) for violations related to dams and levees, both costs and civil penalties are credited to the Dam Safety Fund (Fund 6150) and (2) for violations related to water diversions and withdrawals, civil penalties are credited to the Water Management Fund (Fund 5160).</p> <p><b>Fiscal effect: Potential increase in revenue to Fund 5160 and 6150.</b></p> | <p><b>R.C. 1521.40</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>              | <p><b>R.C. 1521.40</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>              |
| <p><b>DNRCD15 Lake Erie Sport Fishing District permit</b></p> <p><b>R.C. 1531.01, 1533.01, 1533.101, and 1533.38 (repealed)</b></p> <p>Eliminates the Lake Erie Sport Fishing District permit, which the Division of Wildlife issues to nonresidents to fish in Lake Erie, its embayments, and other specified areas connected to Lake Erie between January and April.</p> <p><b>Fiscal effect: Minimal loss of revenue deposited to the credit of the Wildlife Fund (Fund 7015). Under current law, revenue from the sale of this \$10 permit may only be used for specific purposes that benefit sport fishing in and the protection of the Lake Erie Sport Fishing District.</b></p>   | <p><b>R.C. 1531.01, 1533.01, 1533.101, and 1533.38 (repealed)</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 1531.01, 1533.01, 1533.101, and 1533.38 (repealed)</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

**DNRCD10 Wildlife Boater Angler Fund's cap on certain expenditures**

R.C. 1531.35

Removes the \$500,000 cap on annual expenditures from the Wildlife Boater Angler Fund that the Division of Wildlife may make to pay for equipment and personnel costs associated with boating access improvements.

**Fiscal effect: Removing the cap on expenditures from the Wildlife Boater Angler Fund (Fund 5P20) on equipment and payroll will likely result in a small increase in overall expenditures paid from the fund. Fund 5P20 receives 0.125% of revenues from the motor vehicle fuel tax.**

R.C. 1531.35

Same as the Executive.

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

R.C. 1531.35

Same as the Executive.

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

**DNRCD11 Senior deer and wild turkey fees**

R.C. 1533.11

Decreases the fees for a senior deer permit and senior wild turkey permit, available to Ohio residents 66 and older, from \$11.50 to \$11.00. Removes superfluous definitions of "resident" and "nonresident" in the law governing deer and wild turkey permits (those definitions already exist in R.C. 1531.01 and 1533.01).

**Fiscal effect: A 50¢ reduction in fees for senior deer and wild turkey permits will likely result in an annual loss of revenue of less than \$20,000. Revenue from deer and wild turkey permits is deposited to the credit of the Wildlife Fund (Fund 7015).**

R.C. 1533.11

Same as the Executive.

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

R.C. 1533.11

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**DNRC12 Veterans fishing and hunting benefits**

**R.C. 1533.12**

Aligns state veteran fishing and hunting benefits with federal benefits by replacing a reference that qualifying for the benefit requires a veteran to have a total and permanent disability as determined by the U.S. Veterans Administration instead with a reference that a veteran qualifies if entitled to benefits under the federal Dependent's Education Assistance Program administered by the U.S. Department of Veterans Affairs.

**Fiscal effect: None.**

**R.C. 1533.12**

Same as the Executive.

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

No provision.

**DNRC35 Multi-year and lifetime hunting and fishing license fees**

No provision.

No provision.

**R.C. 1533.321**

Decreases the following hunting and fishing fees: (1) Senior 3-year hunting or fishing license from \$27.50 to \$26.00; (2) Senior 5-year hunting or fishing license from \$45.75 to \$43.34; (3) Youth 3-year hunting license from \$27.50 to \$26.00; (4) Youth 5-year hunting license from \$45.75 to \$43.34; (5) Youth 10-year hunting license from \$91.50 to \$86.67; (6) Adult 5-year hunting license from \$86.75 to \$86.67; (7) Adult 10-year hunting license from \$173.50 to \$173.34; (8) Adult lifetime hunting license from \$450.00 to \$432.00.

Increases the following fishing fees: (1) Adult 3-year fishing license from \$52.00 to \$69.34; (2) Adult 5-year fishing license from \$86.75 to \$115.56; (3) Adult 10-year fishing license from \$173.50 to \$231.12; (4) Adult lifetime fishing license from \$450.00 to \$576.00.

**Fiscal effect: The fee changes to multi-year hunting and**

**R.C. 1533.321**

Same as the House.

Same as the House.

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

Executive

As Passed By House

As Reported By Senate Finance

fishing licenses provide a standardized 3.7% discount from the relative annual hunting and fishing license fees. For lifetime license fees, the bill applies the following formulas: (1) for adult lifetime hunting and fishing licenses, 24 times the annual hunting or fishing license fee, (2) for youth lifetime hunting licenses, 46 times the annual youth hunting fee, and (3) for senior lifetime hunting and fishing licenses, 9 times the annual senior hunting or fishing license fee. Because youth (under 16) are not required to have a fishing license, the fee for youth lifetime fishing licenses remains unchanged at \$414.00.

**DNRCD40 Doris Duke Woods**

|               |               |   |
|---------------|---------------|---|
| No provision. | No provision. | <p><b>R.C. 1546.31</b><br/>Designates 120 contiguous acres of Malabar State Park's most mature hardwood forest located between Bromfield Road and State Route 95 as the "Doris Duke Woods" at Malabar State Park.</p> |
| No provision. | No provision. | Requires the Director of Natural Resources, by October 31, 2021, to designate the Woods as a state nature preserve.   |
| No provision. | No provision. | Specifies that the Department of Natural Resources may not remove or allow any person or governmental entity to remove timber from the Woods, except for normal maintenance purposes.                                 |
| No provision. | No provision. | Specifies that the Department must maintain and keep open to the public any public hiking and horse trails that existed in the Woods prior to its designation.  |
| No provision. | No provision. | Specifies that the Department must allow the use of the "Doris Duke Woods" for maple syrup harvesting purposes.   |



| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p><b>DNRCD31 Fraudulent watercraft identification number or decal</b></p> <p><b>R.C. 1547.533</b></p> <p>Prohibits a person from operating a watercraft in Ohio if it displays an identification number or registration that is (1) fictitious, (2) a counterfeit or an unlawfully made copy of an identification number or registration decal, or (3) belongs to another watercraft. Applies the current minor misdemeanor penalty to a violation of the prohibition.</p> <p><b>Fiscal effect: Minimal.</b></p>   | <p><b>R.C. 1547.533</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 1547.533</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>DNRCD5 Reporting threshold for boating accidents</b></p> <p><b>R.C. 1547.59</b></p> <p>Increases the damage threshold that triggers a required watercraft accident report to the Chief of the Division of Parks and Watercraft from \$500 to \$1,000.</p> <p><b>Fiscal effect: Increasing the damage threshold for reporting watercraft accident reports may result in fewer reports being filed and a slight decrease in administrative costs paid from the Waterways Safety Fund (Fund 7086), used by DNR to cover the costs of its watercraft regulatory operations.</b></p> | <p><b>R.C. 1547.59</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 1547.59</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |

Executive

As Passed By House

As Reported By Senate Finance

**DNRC D2 Deputy mine inspector eligibility requirements**

**R.C. 1561.12**

Modifies the six years of work experience requirement of an applicant for the position of a deputy mine inspector of underground coal mines or underground noncoal mines by: (1) eliminating the requirement that two of the six years of experience be in Ohio underground coal mines for an underground coal mine inspector, (2) eliminating the requirement that two of the six years of experience be in Ohio underground noncoal mines for an underground noncoal mine inspector, and (3) allowing the experience for either type of inspector to be in any underground mine, rather than in specific mining operations.

Modifies the six years of work experience requirement of an applicant for the position of a deputy mine inspector of surface mines by eliminating the requirement that two of the six years be in Ohio surface mines.

**Fiscal effect: None.**

**R.C. 1561.12**

Same as the Executive.

Same as the Executive.

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

**R.C. 1561.12**

Same as the Executive.

Same as the Executive.

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

**DNRC D1 Reciprocity for mine personnel**

**R.C. 1561.23**

Authorizes the Chief of the Division of Mineral Resources Management to issue a certificate to work as a mine foreperson, foreperson, or mine electrician to an out-of-state applicant if (1) the applicant holds a valid certification or other authorization from a state with which the Department of Natural Resources has a reciprocal agreement for the certification or authorization, and (2) the applicant passes an examination on Ohio mining law or other topics determined by the Chief.

**R.C. 1561.23**

Same as the Executive.

**R.C. 1561.23**

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

Allows an out-of-state mine foreperson, foreperson, or mine electrician who has been issued a temporary certificate to act as a foreperson or mine electrician in Ohio prior to the provision's effective date to continue to work under that temporary certificate.

Same as the Executive.

Same as the Executive.

**Fiscal effect: None.**

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

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

**DNRCD19 Program Support Fund**

**Section: 343.20**

Requires the Director of Natural Resources to use a methodology for determining each DNR division's payments into the Program Support Fund (Fund 1570). Requires the methodology used to determine the payments to contain the characteristics of administrative ease and uniform application in compliance with federal grant requirements, and allows the methodology to include direct cost charges for specific services provided. Requires payments to Fund 1570 to be made using intrastate transfer voucher. Specifies that GRF appropriation item 725401, Division of Wildlife - Operating Subsidy, be used to cover the direct and indirect costs of the Division of Wildlife.

**Section: 343.20**

Same as the Executive.

**Section: 343.20**

Same as the Executive.

**DNRCD20 Parks and Recreational Facilities Lease Rental Bond Payments**

**Section: 343.20**

Requires GRF appropriation item 725413, Parks and Recreational Facilities Lease Rental Bond Payments, to be used during the FY 2022-FY 2023 biennium to make payments by DNR pursuant to leases and agreements made under RC 154.22. Specifies that these appropriations are the source of funds pledged for bond service charges on related obligations issued under Chapter 154 or the Revised Code.

**Section: 343.20**

Same as the Executive.

**Section: 343.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DNRC21 Healthy Lake Erie Program**

**Section: 343.20**

Requires appropriation item 725505, Healthy Lake Erie Program, to be used in support of: (1) conservation measures in the Western Lake Erie Basin, (2) funding assistance for soil testing, winter cover crops, edge of field testing, tributary monitoring, animal waste abatement, and (3) any additional efforts to reduce nutrient runoff as the DNR director may decide. Requires that the director give priority to recommendations that encourage farmers to adopt 4R nutrient stewardship practices.

**Section: 343.20**

Same as the Executive.

**Section: 343.20**

Same as the Executive.

**DNRC22 Coal and Mine Safety Programs**

**Section: 343.20**

Requires GRF appropriation item 725507, Coal and Mine Safety Program, to be used for the administration of the Mine Safety Program and the Coal Regulation Program.

**Section: 343.20**

Same as the Executive.

**Section: 343.20**

Same as the Executive.

**DNRC23 Natural Resource General Obligation Bond Debt Service**

**Section: 343.20**

Requires GRF appropriation item 725903, Natural Resources General Obligation Bond Debt Service, to be used during the FY 2022-FY 2023 biennium to pay all debt service and related financing costs on obligations issued under RC 151.01 and 151.05.

**Section: 343.20**

Same as the Executive.

**Section: 343.20**

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**DNRC24 Oil and Gas Well Plugging**

**Section: 343.30**

Requires Fund 5180 appropriation item 725677, Oil and Gas Well Plugging, to be used exclusively for plugging wells and properly restoring the land surface of idle and orphan oil and gas wells pursuant to RC 1509.071. Prohibits it from being used for salaries, maintenance, equipment, or other administrative purposes, except those costs directly attributable to the plugging of an idle or orphan well. Prohibits the line item from being used to transfer cash to any other fund or appropriation item.

**Section: 343.30**

Same as the Executive.

**Section: 343.30**

Same as the Executive.

**DNRC25 H2Ohio Fund**

**Section: 343.30**

Allows the Director of DNR, on July 1, 2022, or as soon as possible thereafter, to certify to OBM an amount up to the unexpended, unencumbered balance of Fund 6H20 appropriation item 725681, H2Ohio, at the end of FY 2022 to be appropriated in FY 2023. Appropriates the certified amounts for FY 2023.

**Section: 343.30**

Same as the Executive, but subjects the reappropriation to Controlling Board approval.

**Section: 343.30**

Same as the House.

**DNRC26 Well log filing fees**

**Section: 343.30**

Requires the Chief of the Division of Water Resources to deposit well log filing fees forwarded to the Division into the Water Management Fund (Fund 5160) for the purposes described in RC 1521.05.

**Section: 343.30**

Same as the Executive.

**Section: 343.30**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DNRC27 Parks Capital Expenses Fund**

**Section: 343.30**

Requires that the Director of DNR submit to the Director of OBM the estimated design, engineering, and planning costs of capital related work to be done by DNR staff for parks projects within the Ohio Parks and Recreation Improvement Fund (Fund 7035). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7035 appropriation item C725E6, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Parks Capital Expenses Fund (Fund 2270), and requires expenses paid from Fund 2270 to be reimbursed by Fund 7035 using an intrastate transfer voucher.

**Section: 343.30**

Same as the Executive.

**Section: 343.30**

Same as the Executive.

**DNRC28 NatureWorks Capital Expenses Fund**

**Section: 343.30**

Requires the Department of DNR to submit to the Director of OBM the estimated design, planning, and engineering costs of capital related work to be done by DNR staff for each capital improvement project within the Ohio Parks and Natural Resources Fund (Fund 7031). Permits the Director of DNR, if OBM approves the estimated costs, to release appropriations from Fund 7031 appropriation item C725E5, Project Planning, for those purposes. Requires DNR to pay for these expenses from the Capital Expenses Fund (Fund 4S90), and requires expenses paid from Fund 4S90 to be reimbursed by Fund 7031 by using an intrastate transfer voucher.

**Section: 343.30**

Same as the Executive.

**Section: 343.30**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DNRC29 Park Maintenance**

**Section: 343.30**

Requires that appropriation item 725514, Park Maintenance, be used to pay the costs of projects supported by the State Park Maintenance Fund (Fund 5TD0). Requires the Director of Natural Resources, on July 1, of each fiscal year, or as soon as possible thereafter, to certify the amount of 5% of the average of the previous five years of deposits in the State Park Fund (Fund 5120) to the Director of OBM. Allows the Director of OBM to transfer up to \$1,600,000 in cash from Fund 5120 to Fund 5TD0.

**Section: 343.30**

Same as the Executive.

**Section: 343.30**

Same as the Executive.

**DNRC30 Clean Ohio Trail Operating Expenses**

**Section: 343.50**

Requires that appropriation item 725405, Clean Ohio Trail Operating, be used to administer Clean Ohio Trail Fund (Fund 7061) projects under RC 1519.05.

**Section: 343.50**

Same as the Executive.

**Section: 343.50**

Same as the Executive.

**DNRC32 Parks and Recreation Improvement Fund capital appropriations**

No provision.

**Section: 610.14**

Amends Sections 223.10, 223.15, and 223.50 of S.B. 310 of the 133rd General Assembly to increase capital appropriations under Parks and Recreation Improvement Fund (Fund 7035) capital appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, by \$2,776,000 to a total of \$67,229,745 for the FY 2021-FY 2022 capital biennium.

**Section: 610.14, 610.18**

Same as the House, but reduces the amount of the increase to \$337,500 to a total of \$64,791,245.

No provision.

Earmarks the additional \$2,776,000 in funding as follows: \$2,000,000 for the Bailey's Bike Trail Project in Athens County, \$750,000 for the Scranton Trail Project in Cuyahoga

Replaces the House provision with one that earmarks the additional \$337,500 as follows: \$212,500 for the Bay Village Walker Road Retention Basin, \$125,000 for the Henry County

| Executive  | As Passed By House   | As Reported By Senate Finance   |
|--|--|---|
|  | County, and \$26,000 for a wheelchair accessible fishing pier at Sunny Lake Park in Aurora, Portage County.  | Park Board Bridge Project, and \$100,000 for the Williams County West Unity Village Splash Pad. Additionally, eliminates existing S.B. 310 earmarks of \$50,000 for the Bay Village Interurban Pedestrian Bridge and \$50,000 for the Jewish Federation of Greater Dayton Nature Trail.   |
| No provision.  | No provision.  | Changes the recipient of a \$150,000 earmark from the Lancaster All Abilities Playground to the Lancaster All Accessible Sports Complex and Park.   |
| No provision.  | Increases the amount of original obligations the Treasurer of State is authorized to issue to support the costs of Fund 7035 by \$3,000,000 to a total of \$258,000,000. | Same as the House.  |
| No provision.  | No provision.  | Amends Section 223.15 of H.B. 481 of the 133rd General Assembly to eliminate a \$130,000 earmark for Cahoon Memorial Park Improvements.   |
| <b>Fiscal effect: Same as the House.</b>                             |  |   |
| <b>DNRCD38 Geneva Lodge and Conference Center ownership transfer</b> |  |   |
| No provision.  | No provision.  | <p><b>Section: 715.20, 343.20</b></p> <p>Requires the Director of Natural Resources to assume ownership and operation of the Geneva Lodge and Conference Center from Ashtabula County by December 31, 2021, with DNR assuming any outstanding notes, principal, or interest due on construction of the facility.</p>                            |
| No provision.  | No provision.  | Earmarks \$3,650,000 under State Park Fund (Fund 5120) appropriation item 725605, State Park Operations, over the FY 2022-FY 2023 biennium to make lease or mortgage payments and pay operating costs for the Geneva Lodge and Conference Center (GLCC) prior to and upon execution of the agreement to assume ownership and operation of GLCC. |



Executive

As Passed By House

As Reported By Senate Finance

**DNRC41 Agreement between DNR and Malabar Farm Foundation**

No provision.

No provision.

**Section: 715.30**

Requires the Director of Natural Resources to enter into a cooperation agreement with the Malabar Farm Foundation for two years beginning on the date of execution.

No provision.

No provision.

Requires the cooperation agreement to contain a variety of terms and provisions, including specifications for an annual planning meeting, written plans for the Malabar Farm Park, and each party's authority over the operation of the Park's properties.

No provision.

No provision.

Requires the Director to enter into a lease agreement with the Foundation for two years beginning on the date of execution to lease office space to the Foundation (located on the second floor of the Berry House) and use of the kitchen area on the first floor of the Berry House.

No provision.

No provision.

Requires the lease agreement to contain a variety of contractual terms and provisions, including lease payment terms, a description of authority over the property, and authorized uses and activities allowed on the property.

**Fiscal effect: DNR may incur a small increase in administrative costs to negotiate the terms of the agreement.**

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p><b>PYTC9 Board membership vacancies</b></p> <p><b>R.C. 4755.01</b></p> <p>Extends from 60 days to 90 days the maximum transition period that may occur between an expired term of office and the Governor's appointment of a person to fill a vacancy on the Board.</p> <p><b>Fiscal effect: None.</b></p>   | <p><b>R.C. 4755.01</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 4755.01</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>PYTC1 Limited permits</b></p> <p><b>R.C. 4755.08, conforming changes in 121.22, 4755.01, 4755.02, 4755.04-4755.06, 4755.11, 4755.12</b></p> <p>Eliminates the Board's authority to issue limited permits to practice as an occupational therapist or occupational therapy assistant until the licensing examination results were available.</p> <p><b>Fiscal effect: None. The Board no longer issues limited permits.</b></p>  | <p><b>R.C. 4755.08, conforming changes in 121.22, 4755.01, 4755.02, 4755.04-4755.06, 4755.11, 4755.12</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 4755.08, conforming changes in 121.22, 4755.01, 4755.02, 4755.04-4755.06, 4755.11, 4755.12</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>PYTC7 Discipline for sexual interactions with patients</b></p> <p><b>R.C. 4755.11, 4755.47, 4755.64, 4779.28</b></p> <p>Adds reasons the Board may take disciplinary action related to sexual interactions with a patient, other than the professional's spouse:</p> <p>(1) For physical therapists and physical therapist assistants, includes sexual conduct.</p> <p>(2) For occupational therapists, occupational therapy assistants, athletic trainers, orthoptists, prosthetics, and pedorthists, includes sexual conduct, sexual contact, and sexually demeaning verbal behavior.</p> | <p><b>R.C. 4755.11, 4755.47, 4755.64, 4779.28</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p>   | <p><b>R.C. 4755.11, 4755.47, 4755.64, 4779.28</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p>   |

| Executive  | As Passed By House   | As Reported By Senate Finance                                   |
|--|--|---|
| <p><b>Fiscal effect: This may result in an increase investigations costs.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p>                              | <p><b>Fiscal effect: Same as the Executive.</b></p>             |
| <p><b>PYTCD8 Intervention in lieu of conviction</b><br/><b>R.C. 4755.11, 4755.47, 4755.64, 4779.28</b><br/>Permits the Board to impose discipline on an applicant or licensee due to the person being subject to a judicial finding of eligibility for intervention in lieu of conviction for crimes that would otherwise be a reason for disciplinary action.</p> | <p><b>R.C. 4755.11, 4755.47, 4755.64, 4779.28</b><br/>Same as the Executive.</p> | <p>No provision.</p>  |
| <p><b>Fiscal effect: Permissive.</b></p>   | <p><b>Fiscal effect: Same as the Executive.</b></p>                              |   |
| <p><b>PYTCD2 Inactive licenses</b><br/><b>R.C. 4755.12, 4755.06</b><br/>Eliminates law that allows an occupational therapist or occupational therapy assistant not in active practice to register as being non-active and have the person's license placed in escrow.</p>  | <p><b>R.C. 4755.12, 4755.06</b><br/>Same as the Executive.</p>                   | <p>No provision.</p>  |
| <p><b>Fiscal effect: None. The Board no longer provides the option to escrow a license.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p>                              |   |
| <p><b>PYTCD5 Photograph and physical description</b><br/><b>R.C. 4755.42, 4755.421</b><br/>Eliminates the requirement that a physical therapist or physical therapist assistant applying for a license submit a physical description and photograph.</p>   | <p><b>R.C. 4755.42, 4755.421</b><br/>Same as the Executive.</p>                  | <p><b>R.C. 4755.42, 4755.421</b><br/>Same as the Executive.</p> |
| <p><b>Fiscal effect: Potential savings due to eliminating delays in processing licenses and removing the need to store photographs.</b></p>  | <p><b>Fiscal effect: Same as the Executive.</b></p>                              | <p><b>Fiscal effect: Same as the Executive.</b></p>             |

| Executive   | As Passed By House   | As Reported By Senate Finance  |
|---|--|--|
| <p><b>PYTCD6 Professional physical therapy programs</b></p> <p><b>R.C. 4755.42, 4755.421, 4755.48</b></p> <p>Specifies that a physical therapy licensure applicant must graduate from a professional program, rather than complete an education program.</p> <p>Requires an applicant to graduate from a professional program that is accredited by a national physical therapy accreditation agency approved by the Board's Physical Therapy Section, rather than approved by the U.S. Department of Education.</p> <p><b>Fiscal effect: None.</b></p>   | <p><b>R.C. 4755.42, 4755.421, 4755.48</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>                      | <p>No provision.</p> <p>No provision.</p>  |
| <p><b>PYTCD3 Discipline and hearings</b></p> <p><b>R.C. 4779.28, 4779.281</b></p> <p>Permits the Board to impose a fine or require corrective action courses as a form of discipline against a licensed orthotist, prosthetist, or pedorthist.</p> <p>Permits the Board to impose discipline against a licensed orthotist, prosthetist, or pedorthist due to the individual's denial, revocation, suspension, or restriction of authority to practice any health care occupation (other than for failure to renew) in Ohio, another state, or other jurisdiction.</p> <p>Requires a sanctioned orthotist, prosthetist, or pedorthist to pay a fee for the actual cost of the administrative hearing.</p> <p><b>Fiscal effect: Granting the Board the authority to impose a fine and require a sanctioned licensee to pay administrative hearing costs could result in additional revenue.</b></p> | <p><b>R.C. 4779.28, 4779.281</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 4779.28, 4779.281</b></p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

**PYTCD4 Investigations of license holders**

**R.C. 4779.33**

Transfers the duty to investigate violations relating to the practice of orthotics, prosthetics, and pedorthics from the Board's secretary to the full Board.

Permits the Board to share confidential investigatory information, relating to the practice of orthotics, prosthetics, and pedorthics, with any federal, state, or local law enforcement, prosecutorial, or regulatory agency, but requires the entity receiving the information to comply with the same confidentiality requirements as the Board.

Allows the shared information to be admitted as evidence at a criminal trial or administrative hearing, but requires measures be taken to maintain the confidentiality of identifying information.

**Fiscal effect: Minimal. These changes align the disciplinary statute for these professions with others overseen by the Board.**

**R.C. 4779.33**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

**R.C. 4779.33**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**OODCD8 Employer inclusive workplace award**

**R.C. 3304.24**

Requires the Governor to present an award during National Disability Employment Awareness Month to employers who meet the criteria for having a workplace inclusive of individuals with disabilities.

Requires OOD to determine the criteria for recommending employers for the award.

**Fiscal effect: Minimal.**

**R.C. 3304.24**

Same as the Executive.

Same as the Executive.

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

**R.C. 3304.24**

Same as the Executive.

Same as the Executive.

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

**OODCD1 Independent Living**

**Section: 353.20**

Requires that GRF appropriation item 415402, Independent Living Council , be used to support state independent living programs and centers pursuant to Title VII of the federal Rehabilitation Act Amendments of 1992.

Earmarks \$67,662 in each fiscal year from GRF appropriation item 415402 to be used as state matching funds for vocational rehabilitation innovation and expansion activities.

Requires GRF appropriation item 415511, Centers for Independent Living, to support the Centers for Independent Living in accordance with the State Plan for Independent Living.

**Section: 353.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 353.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**OODCD2 Assistive Technology**

**Section: 353.20**

Requires that GRF appropriation item 415406, Assistive Technology, be provided to Assistive Technology of Ohio and used to provide grants and assistive technology services for people with disabilities in Ohio.

**Section: 353.20**

Same as the Executive.

**Section: 353.20**

Same as the Executive.

**OODCD3 Brain Injury**

**Section: 353.20**

Requires that GRF appropriation item 415431, Brain Injury, be provided to The Ohio State University College of Medicine to support the Brain Injury Program.

**Section: 353.20**

Same as the Executive.

**Section: 353.20**

Same as the Executive.

**OODCD4 Services for Individuals with Disabilities**

**Section: 353.20**

Requires that in addition to funding the general vocational rehabilitation program, GRF appropriation item 415506, Services for Individuals with Disabilities, also be used to do the following:

- (1) Continue partnerships with certified drug courts to expand access to employment and increase employment outcomes that promote recovery and rehabilitation.
- (2) Continue partnerships with community colleges and state universities to ensure college students with disabilities can compete for in-demand jobs and increase the median earnings of these individuals.
- (3) Create paid on-the-job work experiences for eligible candidates placed in state agencies to develop work skills and increase the number of individuals with disabilities employed in state government.

**Section: 353.20**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

**Section: 353.20**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

| Executive   | As Passed By House  | As Reported By Senate Finance   |
|---|---|---|
| <p>(4) Increase access to vocational rehabilitation services for eligible students enrolled at the Ohio State School for the Blind and the Ohio School for the Deaf to prepare these students for transition to college or employment.</p> <p>Requires expenses related to these activities be used as state match for the federal vocational rehabilitation grant.</p>   | <p>(4) Same as the Executive.</p> <p>Same as the Executive.</p>   | <p>(4) Same as the Executive.</p> <p>Same as the Executive.</p>   |
| <p><b>OODCD5 Services for the Deaf</b></p> <p><b>Section: 353.20</b></p> <p>Requires that GRF appropriation item 415508, Services for the Deaf, be used to provide grants to community centers for the deaf.</p>  | <p><b>Section: 353.20</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 353.20</b></p> <p>Same as the Executive.</p>   |
| <p><b>OODCD6 Visually Impaired Reading Services</b></p> <p><b>Section: 353.20</b></p> <p>Requires that GRF appropriation item 415512, Visually Impaired Reading Services, be used to support VOICEcorps Reading Services to provide reading services for blind individuals.</p>   | <p><b>Section: 353.20</b></p> <p>Same as the Executive.</p>   | <p><b>Section: 353.20</b></p> <p>Same as the Executive.</p>   |
| <p><b>OODCD7 Sight centers</b></p> <p><b>Section: 353.20</b></p> <p>Makes the following earmarks from FED Fund 3L40 appropriation item 415617, Independent Living Older Blind, to provide independent living services to the community of individuals with blindness or low vision:</p> <p>(1) \$10,000 in each fiscal year to the Cleveland Sight Center.</p> <p>(2) \$10,000 in each fiscal year to the Cincinnati Association for the Blind and Visually Impaired.</p> | <p><b>Section: 353.20</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> | <p><b>Section: 353.20</b></p> <p>Same as the Executive.</p> <p>(1) Same as the Executive.</p> <p>(2) Same as the Executive.</p> |



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

(3) \$10,000 in each fiscal year to the Sight Center of Northwest Ohio.

(3) Same as the Executive.

(3) Same as the Executive.

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**PENCD1 Police and Fire Death Benefit Fund**

**Section: 361.20**

Specifies that appropriation item 090575, Police and Fire Death Benefits, be disbursed quarterly by the Treasurer of State (TOS) at the beginning of each quarter of each fiscal year to the Board of Trustees of the Ohio Police and Fire Pension Fund (OP&F), which serves as trustees of the Ohio Public Safety Officers Death Benefit Fund. Requires TOS to certify such amounts quarterly to the Director of Budget and Management.

Specifies that the OP&F Board of Trustees must certify to TOS, by June 20 of each fiscal year, the amount disbursed in the current fiscal year to make the payments associated with benefits paid under the death benefit fund and applicable costs for the fund's recipients who elected benefits under the state employees' health benefit plans. Requires the OP&F Board of Trustees to return to TOS all monies received from appropriation item 090575, Police and Fire Death Benefits, but not disbursed.

Requires the OP&F Board of Trustees to also withhold from the benefits paid from the death benefit fund to a fund recipient, who elected any benefits under state employees' health benefit plans, the percentage of the cost for health benefits that would be paid by a state employee, and forward the withheld amounts to the Department of Administrative Services (DAS), from the revenue received from ALI 090575.

Specifies that the OP&F Board of Trustees, for each death benefit fund recipient who participates in health, medical, hospital, dental, surgical, or vision benefits under the state

**Section: 361.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 361.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

employees' health benefit plans, must forward from the revenue received from ALI 090575 the percentage of the cost for the applicable benefits that would be paid by a state employer for a state employee who elects that coverage and any applicable administrative costs, which must not exceed 2% of the total cost of the benefits.

Specifies that if the DAS Director determines, in consultation with the Chairperson of the OP&F Board of Trustees (or designee), that additional amounts are necessary to pay the cost of providing required death or health benefits from ALI 090575 in FY 2022 or 2023, the DAS Director may certify the additional amount necessary to the OBM Director, and appropriates that amount.

**Fiscal effect: Potential increase in amounts appropriated in GRF line item 090575 in FY 2022 and FY 2023, depending on the DAS Director's determination.**

Same as the Executive.

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

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**PRXCD1 Dispensing tobacco cessation drugs without a prescription**

**R.C. 4729.42, 4731.90**

(1) Permits a pharmacist or pharmacy intern to dispense tobacco cessation drugs without a prescription in accordance with a physician-established protocol that meets specified requirements and establishes recordkeeping and notice requirements.

(2) Requires a pharmacist or pharmacy intern to provide notice to the individual's primary care provider within 30 days after a screening is conducted.

(3) Requires a pharmacy to keep records for an unspecified period of time.

(4) No provision.

(5) Requires the State Board of Pharmacy to adopt rules in consultation with the State Medical Board and the Department of Health regarding dispensing tobacco cessation drugs.

(6) No provision.

**Fiscal effect: Potential increase in administrative expenses for the State Board of Pharmacy to promulgate rules and regulate additional pharmacist and pharmacy intern duties.**

**R.C. 4729.42, 4731.90**

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive

(4) No provision.

(5) Same as the Executive.

(6) No provision.

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

**R.C. 4729.42, 4731.90**

(1) Same as Executive, but removes the authority for pharmacy interns to dispense the drugs, and limits the dispensing authority to nicotine replacement therapy, as opposed to all tobacco cessation drugs.

(2) Same as the Executive, but requires a pharmacist to notify an individual's primary care provider within 72-hours, as opposed to 30 days.

(3) Same as the Executive, but requires a pharmacy to keep records for three years

(4) Requires the individual to whom the nicotine replacement therapy is dispensed to be 18 years old or older.

(5) Same as Executive.

(6) Provides qualified immunity for physicians who authorize dispensing of nicotine replacement therapy in accordance with a protocol.

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

Executive

As Passed By House

As Reported By Senate Finance

PUBCD7 Adoption proceedings

Section: 371.10

R.C. 3107.019

(1) No provision.

(1) No provision.

(1) Specifies that because adoption proceedings and custody proceedings under the Juvenile Code are significantly different, parents in an adoption proceeding and parents in a custody proceeding are not similarly situated and do not have to be covered by the same rules and procedures in the proceedings.

(2) No provision.

(2) No provision.

(2) Specifies that, notwithstanding any other provision of law, in any adoption proceeding that is initiated by any private party or parties, no party in the proceeding, even if indigent, is entitled to have counsel appointed for the person under the Public Defender Law or any other provision of law.

(3) No provision.

(3) Earmarks \$3,000,000 in each fiscal year from GRF appropriation item 019501, County Reimbursement, for reimbursing counties for the costs and expenses of providing legal representation to indigent persons in adoption proceedings.

(3) No provision.

**Fiscal effect: Potential estimated savings of up to \$3,000,000 annually for the state and counties combined for the costs and expenses that otherwise would have been incurred to provide legal representation to indigent persons in adoption proceedings.**

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**PUBCD1 Insufficient operating expenses funding**

**Section: 371.10**

Permits the Director of Budget and Management, in each fiscal year and upon written request of the State Public Defender, to approve an appropriation transfer of up to \$100,000 from GRF appropriation item 019501, County Reimbursement, to GRF appropriation item 019401, State Legal Defense Services, to fund the operating expenses of the Public Defender Commission if the State Public Defender determines that the amounts appropriated to GRF appropriation item 019401 are insufficient.

**Section: 371.10**

Same as the Executive.

No provision.

**PUBCD2 Indigent defense office**

**Section: 371.10**

Requires GRF appropriation item 019404, Trumbull County - State Share, and DPF Fund 4X70 appropriation item 019610, Trumbull County - County Share, to be used to support an indigent defense office for Trumbull County.

**Section: 371.10**

Same as the Executive.

**Section: 371.10**

Same as the Executive.

**PUBCD3 Multi-county office**

**Section: 371.10**

Requires GRF appropriation item 019403, MultiCounty: State Share, and DPF Fund 4C70 appropriation item 019601, Multi-County: County Share, to be used to support the Commission's Multi-County Branch Office Program.

**Section: 371.10**

Same as the Executive.

**Section: 371.10**

Same as the Executive.

## Executive

## As Passed By House

## As Reported By Senate Finance

**PUBCD4 Training Account****Section: 371.10**

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

**Section: 371.10**

Same as the Executive.

**Section: 371.10**

Same as the Executive.

**PUBCD5 Cash transfer from the General Revenue Fund to the Legal Aid Fund****Section: 371.10**

(1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$500,000 cash from the GRF to the Legal Aid Fund (Fund 5740).

**Section: 371.10**

(1) Same as the Executive.

**Section: 371.10**

(1) Same as the Executive.

(2) Requires \$250,000 in each fiscal year to be distributed by the Ohio Access to Justice Foundation to Ohio's civil legal aid societies for the sole purpose of providing legal services for economically disadvantaged individuals and families seeking assistance with legal issues arising as a result of substance abuse disorders.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Requires \$250,000 in each fiscal year to be distributed by the Ohio Legal Assistance Foundation to Ohio's civil legal aid societies for the sole purpose of providing legal services for veterans.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Prohibits any of the money to be used for administrative costs, including, but not limited to, salaries, benefits, or travel reimbursements.

(4) Same as the Executive.

(4) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**PUBCD6 Federal Representation**

**Section: 371.10**

Requires FED Fund 3S80 appropriation item 019608, Federal Representation, to be used to support representation provided by the Ohio Public Defender in federal court cases.

**Section: 371.10**

Same as the Executive.

**Section: 371.10**

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

**DPSCD35 Minimum age to sell tobacco products**

**R.C. 2927.02**

Expands the offense of illegal distribution of tobacco products to additionally prohibit tobacco businesses from permitting an employee under 18 years of age to sell tobacco products. Makes the penalty for a first violation of the prohibition a fourth degree misdemeanor, and a third degree misdemeanor for any subsequent violation.

**Fiscal effect: Potential increase in annual operating costs for county and municipal criminal justice systems to prosecute and sanction violators, and a related annual revenue gain in court costs and fees, and fines distributed between the state and subdivisions.**

**R.C. 2927.02**

Same as the Executive.

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

No provision.

**DPSCD54 "U.S. Power Squadron" license plate contribution distribution**

No provision.

**R.C. 4501.21**

Revises the distribution of contributions the Registrar of Motor Vehicles receives from the issuance of the "U.S. Power Squadron" license plate by requiring U.S. Power Squadron District 7 (Mansfield) to annually distribute the contributions in equal amounts to all U.S. Power Squadrons in Ohio, rather than requiring the Registrar to do so.

**Fiscal effect: Potential savings in time and effort for the Bureau of Motor Vehicles.**

**R.C. 4501.21**

Same as the House.

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

Executive

As Passed By House

As Reported By Senate Finance

**DPSCD33 Enforcement of illegal tobacco distribution**

**R.C. 5502.14**

Authorizes a Department of Public Safety enforcement agent to investigate and enforce the law related to illegally selling and distributing cigarettes and tobacco without the offense being associated with a Liquor Law violation.

**Fiscal effect: Potential increase in annual operating costs for county and municipal criminal justice systems to prosecute and sanction violators, and a related annual revenue gain in court costs and fees, and fines distributed between the state and subdivisions.**

**R.C. 5502.14**

Same as the Executive.

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

No provision.

**DPSCD34 Local government employee immunity**

**R.C. 5502.30**

Specifies that an employee of a political subdivision who renders aid in another state in accordance with the Emergency Management Assistance Compact is considered a state employee for immunity purposes, is considered an agent of the requesting state for tort liability and immunity purposes, and not liable for any act or omission done in good faith while engaged or on account of the maintenance or use of any equipment or supplies.

**Fiscal effect: Potential state and local government savings effect in relation to adjudication, litigation, and settlement costs that otherwise may be incurred under current law.**

**R.C. 5502.30**

Same as the Executive.

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

**R.C. 5502.30**

Same as the Executive.

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

**DPSCD22 Recovery Ohio Law Enforcement**

**Section: 373.20**

Makes the following earmarks in each fiscal year of GRF appropriation item 761403, Recovery Ohio Law Enforcement:

**Section: 373.20**

Same as the Executive.

**Section: 373.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

(1) Up to \$6,575,000 to create and maintain a highly specialized Narcotics Intelligence Center consisting of personnel assigned to intelligence and computer forensic analysis that will assist Ohio narcotics task forces and law enforcement agencies.

(1) Same as the Executive.

(1) Same as the Executive.

(2) Up to \$3,400,000 to be used to support local law enforcement narcotics task forces that focus on cartel trafficking interdiction. Requires the interdiction task forces to be designated Ohio Organized Crime Commission task forces subject to approval and supervision of the Commission. Permits the money to also be used to provide funding to local law enforcement agencies, the Commission for task force related equipment purchases, and for operating expenses of the Office of Criminal Justice Services related to the narcotics interdiction task force program.

(2) Same as the Executive.

(2) Same as the Executive.

(3) Up to \$2,500,000 for narcotics task forces in order to build new and strengthen existing partnerships with local law enforcement, for local law enforcement agencies, and for operating expenses of the Office of Criminal Justice Services related to the Ohio narcotics task force program.

(3) Same as the Executive.

(3) Same as the Executive.

(4) Up to \$600,000 to be used to partner with the Office of Information Technology in the Department of Administrative Services to enhance and maintain a uniform records management and data intelligence system, and provide case management, collaboration, data sharing, and data analytics tools for Ohio narcotics task forces and law enforcement agencies.

(4) Same as the Executive.

(4) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DPSCD23 Justice Program Services**

**Section: 373.20**

Earmarks the following amounts of GRF appropriation item 768425, Justice Program Services, for use by the Office of Criminal Justice Services in each fiscal year:

(1) Up to \$5,000,000 to administer and distribute grants to state and local law enforcement agencies for body-worn camera programs.

(2) Up to \$4,000,000 to administer and distribute grants to local law enforcement agencies to assist local communities in reducing and preventing crime through the use of promising and proven crime reduction strategies. Specifies that the funds may be used for, but are not limited to, overtime, equipment, technical assistance, and analytical support to implement crime reduction strategies.

(3) Up to \$1,000,000 for grants to state and/or local law enforcement to conduct investigations on sexual assault kit testing results and related expenditures.

(4) Up to \$500,000 to support state and local law enforcement agencies in the recruitment, hiring, and training of qualified individuals to serve as peace officers.

(5) Up to \$250,000 for the purposes of implementing recommendations of the Governor's Warrant Task Force.

**Section: 373.20**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the Executive, but requires approval by the Controlling Board before the grants are disbursed.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

**Section: 373.20**

Same as the Executive.

(1) Same as the Executive.

(2) Same as the House.

(3) Same as the Executive.

(4) Same as the Executive.

(5) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DPSCD24 Youthful Driver Safety**

**Section: 373.20**

Requires GRF appropriation item 769407, Youthful Driver Safety, be used to enhance driver training for a statewide youthful driver safety program using best practices and technology focused on behind-the-wheel driver training for drivers aged 16-24 in order to reduce the number of at-fault youthful fatal car crashes.

**Section: 373.20**

Same as the Executive.

**Section: 373.20**

Same as the Executive.

**DPSCD25 School Safety**

**Section: 373.20**

Requires GRF appropriation item 769501, School Safety, be used to pay for the operations of the Ohio School Safety Center, including maintaining and promoting the Safer Ohio Schools Tip Line, and assisting local schools and first responders in preventing, preparing for, and responding to threats and acts of violence, including self-harm, through a holistic, solutions-based approach to improving school safety.

**Section: 373.20**

Same as the Executive.

**Section: 373.20**

Same as the Executive.

**DPSCD26 Local Disaster Assistance**

**Section: 373.20**

(1) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763511, Local Disaster Assistance, at the end of FY 2021 to FY 2022 for the April 17, 2018, and April 8, 2019 Major Disaster Declarations for FY 2022.

(2) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763511, Local Disaster Assistance, at the end of FY 2022 to FY 2023 for the same purpose.

**Section: 373.20**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 373.20**

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DPSCD27 State Disaster Relief**

**Section: 373.20**

(1) Permits the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$1,875,000 from the Disaster Services Fund (Fund 5E20) to the State Disaster Relief Fund (Fund 5330) to pay for estimated program administrative costs and Emergency Operations Center activation costs for that fiscal year.

(2) Permits Fund 5330 to be used for the following purposes:

(a) Accept transfers of cash or appropriations from Controlling Board appropriation items for Ohio Emergency Management Agency (Ohio EMA) disaster response costs and disaster program management costs.

(b) Accept transfers of cash or appropriations from Controlling Board appropriation items for Ohio EMA recovery and mitigation program match costs to reimburse eligible local governments and private nonprofit organizations for disaster-related costs.

(c) Accept transfers of cash or appropriations from Controlling Board appropriation items to cover costs incurred and to reimburse government entities for Emergency Management Assistance Compact (EMAC) missions.

(d) Accept disaster-related reimbursement from federal, state, and local governments. Permits the Director of Budget and Management to transfer cash from reimbursements received by Fund 5330 to other state funds from which transfers were originally approved by the Controlling Board.

**Section: 373.20**

(1) Same as the Executive.

(2) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

**Section: 373.20**

(1) Same as the Executive.

(2) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

(e) Accept transfers of cash or appropriations from Controlling Board appropriation items to fund the State Disaster Relief Program, for disasters qualifying for the program by written authorization of the Governor, and the State Individual Assistance Program for disasters that have been declared by the federal Small Business Administration and that qualify for the program by written authorization of the Governor.

(e) Same as the Executive.

(e) Same as the Executive.

(3) Permits Fund 5330 to accept, hold, administer and expend any cash received from a gift, donation, bequest, devise or contribution.

(3) Same as the Executive.

(3) Same as the Executive.

**DPSCD51 Ohio Task Force One**

No provision.

**Section: 373.20**

Earmarks \$250,000 of GRF appropriation item 763512, Ohio Task Force One, for distribution to the Ohio Task Force One – Urban Search and Rescue Unit to pay for its operating expenses and developing new programs.

No provision.

**DPSCD53 Lake County Emergency Management Agency**

No provision.

**Section: 373.20**

Earmarks \$300,000 of GRF appropriation item 763403, EMA Operating, in FY 2022 for the Lake County Emergency Management Agency to improve wireless and microwave communication for emergency operations.

**Section: 373.20**

Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

**DPSCD28 Transfer from State Fire Marshal Fund to Emergency Management Agency Service Reimbursement Fund**

**Section: 373.30**

(1) Requires the Director of Budget and Management, on July 1 of each fiscal year, or as soon as possible thereafter, to transfer \$200,000 from the State Fire Marshal Fund (Fund 5460) used by the Department of Commerce to the Emergency Management Agency Service and Reimbursement Fund (Fund 4V30) used by the Department of Public Safety.

(2) Requires those amounts to be distributed to the Ohio Task Force One – Urban Search and Rescue Unit, other similar urban search and rescue programs around the state, and for maintenance of the statewide fire emergency response by an entity recognized by the Ohio Emergency Management Agency.

**Section: 373.30**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 373.30**

(1) Same as the Executive, but increases the amount of the transfer by \$250,000, from \$200,000 to \$450,000, in each fiscal year.

(2) Same as the Executive, but also earmarks \$250,000 in each fiscal year for Ohio Task Force One to pay for its operating expenses and developing new programs.

**DPSCD29 Drug Law Enforcement Fund**

**Section: 373.30**

Specifies that, notwithstanding R.C. 5502.68, in FYs 2022 and 2023, the cumulative amount of funding provided to any single drug task force out of the Drug Law Enforcement Fund (Fund 5ET0) may not exceed \$500,000 in any calendar year.

**Section: 373.30**

Same as the Executive.

**Section: 373.30**

Same as the Executive.

**DPSCD30 Community Police Relations**

**Section: 373.30**

Requires DPF Fund 5RS0 appropriation item 768621, Community Police Relations, be used to implement key recommendations of the Ohio Task Force on Community-Police Relations, including a database on use of force and officer involved shootings, a public awareness campaign, and state-provided assistance with policy-making and manuals.

**Section: 373.30**

Same as the Executive.

**Section: 373.30**

Same as the Executive, but removes the requirement to implement a database on use of force and officer involved shootings.



Executive

As Passed By House

As Reported By Senate Finance

**DPSCD31 SARA Title III HAZMAAT Planning**

**Section: 373.30**

Authorizes the SARA Title III HAZMAT Planning Fund (Fund 6810) to receive grants from the Emergency Response Commission to implement the Ohio Emergency Management Agency’s responsibilities under R.C. Chapter 3750.

**Section: 373.30**

Same as the Executive.

**Section: 373.30**

Same as the Executive.

**DPSCD32 Security Grants**

**Section: 373.30**

(1) Requires GRF appropriation item 763513, Security Grants, be used to make competitive grants of up to \$100,000 to nonprofit organizations, houses of worship, chartered nonpublic schools, and licensed preschools for the following purposes:

(a) To make eligible security improvements that assist the organization in preventing, preparing for, or responding to acts of terrorism;

(b) To acquire the services of a resource officer, special duty police officer, or licensed armed security guards; or

(c) To purchase qualified equipment, including equipment for emergency and crisis communication, crisis management, or trauma and crisis response to assist in preventing, preparing for, or responding to acts of terrorism.

**Section: 373.30**

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive, but specifies that the grants may be used to acquire new or retain existing personnel (as opposed to "acquire" under the Executive version of the bill), and requires the Emergency Management Agency(EMA) to allow for a portion of the funds granted to acquire or retain the services of a resource officer, special duty police officer, or licensed armed security guard to be used for training, licensing, or certification of such as resource officers.

(c) Same as the Executive, but adds a purpose permitting the EMA to prioritize a portion of funding, but not more than \$1,000,000 in each fiscal year, for innovative community-public safety partnerships addressing counterterrorism prevention, provided the grantee is still eligible as a

**Section: 373.30**

(1) Same as the Executive.

(a) Same as the Executive.

(b) Same as the House.

(c) Same as the House.

Executive

As Passed By House

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(2) Requires the Emergency Management Agency (EMA) to administer and award the grants, as well as establish procedures and forms by which applicants may apply for a grant, a competitive process for ranking applicants and awarding the grants, and procedures for distributing grants to recipients.

(3) Specifies that the EMA’s procedures shall require each applicant do all of the following and requires the EMA to consider all of the following in evaluating grant applications:

(a) Identify and substantiate prior threats or attacks by a terrorist organization, network, or cell against the nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool.

(b) Indicate the symbolic or strategic value of one or more site that renders the site a possible target of terrorism.

(c) Discuss potential consequences to the organization if the site is damaged, destroyed, or disrupted by a terrorist.

(d) Describe how the grant will be used to integrate organizational preparedness with broader state and local preparedness efforts.

(e) Submit a vulnerability assessment conducted by experienced security, law enforcement, or military personnel, or a credible intelligence and threat analysis from one or more qualified homeland security, counterintelligence, or anti-terrorism experts, and a description of how the grant will be used to address the vulnerabilities identified in the assessment.

nonprofit organization that is at risk of terror attack.

(2) Same as the Executive, but specifies that the grantee has twenty-four months from the date of the first disbursement to meet program requirements.

(3) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(e) Same as the Executive.

(2) Same as the House.

(3) Same as the Executive.

(a) Same as the Executive.

(b) Same as the Executive.

(c) Same as the Executive.

(d) Same as the Executive.

(e) Same as the Executive.

| Executive   | As Passed By House  | As Reported By Senate Finance |
|---|---|-------------------------------|
| (4) Specifies that any grant submission described in R.C. 3313.536 or 149.433 is not a public record under R.C. 149.43 and is not subject to mandatory release or disclosure under that section.  | (4) Same as the Executive.  | (4) Same as the Executive.    |
| (5) Permits the EMA to use up to 2.5% of the total amount appropriated to administer the program and specifies that a portion of that amount may be used to pay costs incurred by the Department of Public Safety to provide security-related or specialized assistance in reviewing vulnerability assessments and prioritizing grant applications. | (5) Same as the Executive.  | (5) Same as the Executive.    |
| (6) Defines “eligible security improvements” as:  | (6) Same as the Executive.  | (6) Same as the Executive.    |
| (a) Physical security enhancement equipment or inspection and screening equipment included on the Authorized Equipment List published by the United States Department of Homeland Security, or  | (a) Same as the Executive, but adds the purchase, upgrade, and maintenance of high-speed internet for those utilizing it for security purposes as an eligible security improvement. | (a) Same as the House.        |
| (b) Attendance fees and associated materials, supplies, and equipment costs for security-related training courses and programs regarding the protection of critical infrastructure and key resources, physical and cyber security, target hardening, or terrorism awareness or preparedness.  | (b) Same as the Executive.  | (b) Same as the Executive.    |
| (c) Specifies that personnel and travel costs associated with training are not considered to be an eligible expense of the grant.   | (c) Same as the Executive.  | (c) Same as the Executive.    |
| (7) Defines “nonprofit organization” as a corporation, association, group, institution, society, or other organization that is exempt from federal income taxation under section 501(c)(3) of the “Internal Revenue Code of 1986,” 100 Stat. , 26 U.S.C 501(c)(3), as amended.  | (7) Same as the Executive.  | (7) Same as the Executive.    |

Executive

As Passed By House

As Reported By Senate Finance

(8) Defines "resource officer" as any law enforcement officer of an accredited local law enforcement agency providing special duty services in a school setting to create or maintain a safe, secure, and orderly environment, and specifies that a resource officer may include a special duty police officer, off-duty police officer, deputy sheriff, or other peace officer of the applicable local law enforcement agency in which the chartered nonpublic school or licensed preschool is located or qualifying personnel of an accredited local law enforcement agency for any jurisdiction in Ohio.

(8) Same as the Executive.

(8) Same as the Executive.

(9) Defines "terrorism" as any act taken by a group or individual used to intimidate or coerce a nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool, its employees, and anyone who is or in the future may be associated with it, as well as their families; to influence the policy of the nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool; and to affect the conduct of the nonprofit organization, house of worship, chartered nonpublic school, or licensed preschool.

(9) Same as the Executive.

(9) Same as the Executive.

(10) Requires the Director of Budget and Management, on July 1, 2021 to cancel any existing encumbrances against GRF appropriation item 763514, Security Grants – Personnel, and reestablish them against GRF appropriation item 763513, Security Grants.

(10) Same as the Executive.

(10) Same as the Executive.

(11) Reappropriates the unexpended, unencumbered balance of GRF appropriation item 763513, Security Grants, at the end of FY 2021 and FY 2022, respectively, to the following fiscal year.

(11) Same as the Executive.

(11) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DPSCD56** Alternate use of funding for Guernsey County capital project funding

No provision.

No provision.

**Section: 520.10**

Allows for \$25,000 that was previously distributed to Guernsey County under Administrative Building Fund (Fund 7026) appropriation item C76027, Southeast Ohio Emergency Responder Facility, in H.B. 562 of the 127th General Assembly to instead be used by Guernsey County to support the Deerassic Park Education Center.

**DPSCD52** MARCS tower capital appropriations

No provision.

**Section: 610.14, 610.15**

Amends S.B. 310 of the 133rd General Assembly to increase Administrative Building Taxable Bond Fund (Fund 7016) appropriation item C76073, Fredericksburg MARCS Tower, by \$250,000, from \$250,000 to \$500,000, for the FY 2021-FY 2022 capital biennium.

No provision (see DASCD43).

**DPSCD55** Registration tax and fee waiver for amusement ride owners

(1) No provision.

**Section: 745.10**

(1) Waives vehicle and trailer registration taxes and fees, for one year after the effective date of the provision, for an amusement ride owner that was not able to operate the owner's amusement rides in calendar year 2020.

(1) No provision.

(2) No provision.

(2) Specifies that the following taxes and fees are included in the waiver: the annual registration tax, any annual registration fees (BMV or alternative fuel vehicle fees), any local motor vehicle taxes, any license plate fees, and the BMV or deputy registrar service fee.

(2) No provision.

**Fiscal effect: Likely no more than minimal one-time loss in registration tax and fee revenue that is collected by the**

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

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**Bureau of Motor Vehicles and distributed according to  
statutory formula to the state and political subdivisions.**

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| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| <p><b>PUCCD1 Commission office operating hours</b></p> <p><b>R.C. 4901.10</b></p> <p>Removes the requirement that the Public Utilities Commission office be open during specific business hours.</p> <p><b>Fiscal effect: None.</b></p>   | <p><b>R.C. 4901.10</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 4901.10</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>                                   |
| <p><b>PUCCD2 Power Siting Board contract for expert or analyst</b></p> <p><b>R.C. 4906.02</b></p> <p>Allows the Ohio Power Siting Board to obtain the services of outside experts through contracts and fund the expense through certificate or amendment application fees imposed under existing law.</p> <p><b>Fiscal effect: Potential increase in expenditures from DPF line item 870606, Power Siting Board. Any such increase would be funded by a corresponding increase in fee revenue.</b></p> | <p><b>R.C. 4906.02</b></p> <p>Same as the Executive, but requires Controlling Board approval of these contracts.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 4906.02</b></p> <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>   |
| <p><b>PUCCD3 Internet telephone directories</b></p> <p>No provision.</p> <p>No provision.</p>   | <p><b>R.C. 4927.01, Section 749.10</b></p> <p>Provides that an internet-accessible database of directory listings is a reasonable format for the telephone directory, required as part of a telephone company's basic local exchange service (BLES).</p> <p>Requires a BLES provider that no longer offers a printed directory to provide reasonable customer notice of available options to obtain directory information.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 4927.01, Section 749.10</b></p> <p>Same as the House.</p> <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p> |

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As Passed By House

As Reported By Senate Finance

**PWCCD3 Conservation General Obligation Bond Debt Service**

**Section: 377.20**

Requires GRF appropriation item 150904, Conservation General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the FY 2022-FY 2023 biennium on obligations issued for the Clean Ohio Conservation Program under RC 151.01 and 151.09 of the Revised Code.

**Section: 377.20**

Same as the Executive.

**Section: 377.20**

Same as the Executive.

**PWCCD4 Infrastructure Improvement General Obligation Bond Debt Service**

**Section: 377.20**

Requires GRF appropriation item 150907, Infrastructure Improvement General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the FY 2022-FY 2023 biennium for obligations issued for the State Capital Improvement Program under RC 151.01 and 151.08.

**Section: 377.20**

Same as the Executive.

**Section: 377.20**

Same as the Executive.

**PWCCD5 Clean Ohio Conservation - Operating**

**Section: 377.20**

Requires that Clean Ohio Conservation Fund (Fund 7056) appropriation item 150403, Clean Ohio Conservation Operating, be used to administer the Clean Ohio Conservation Program pursuant to RC 164.20 to 164.27.

**Section: 377.20**

Same as the Executive.

**Section: 377.20**

Same as the Executive.



**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**PWCCD6 State Capital Improvements Program Operating Expenses**

**Section: 377.20**

Requires that State Capital Improvements Fund (Fund 7038) appropriation item 150321, State Capital Improvement Program - Operating Expenses, be used to administer the State Capital Improvement Program pursuant to RC 164.01 to 164.16.

**Section: 377.20**

Same as the Executive.

**Section: 377.20**

Same as the Executive.

**PWCCD7 District administration costs**

**Section: 377.20**

Authorizes PWC to use the proceeds of the State Capital Improvement Fund (Fund 7038) and the Local Transportation Improvement Program Fund (Fund 7052) for a District Administration Costs Program, which covers the administrative costs incurred by the 19 individual District Public Works Integrating Committees (DPWICs). Permits no more than \$1,235,000 per fiscal year to be made available for reimbursement and allows each DPWIC to receive up to \$65,000 for this purpose.

**Section: 377.20**

Same as the Executive.

**Section: 377.20**

Same as the Executive.

Requires PWC to define allowable costs for the program, and specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable. Requires DPWICs to approve such costs in order to participate in the program.

Same as the Executive.

Same as the Executive.

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As Passed By House

As Reported By Senate Finance

**PWCCD8 Natural Resource Assistance Council administration costs**

**Section: 377.20**

Authorizes PWC to use the proceeds of the Clean Ohio Conservation Fund (Fund 7056) for a District Administration Costs Program to cover administrative costs incurred by Natural Resource Assistance Councils (NRACs). Allows any of the 19 NRACs to receive up to \$15,000 per fiscal year for these costs.

Requires PWC to define the allowable costs of the program and specifies that indirect costs, elected official salaries and benefits, and project-specific costs are not allowable.

**Section: 377.20**

Same as the Executive.

Same as the Executive.

**Section: 377.20**

Same as the Executive.

Same as the Executive.

|           |                    |                               |
|-----------|--------------------|-------------------------------|
| Executive | As Passed By House | As Reported By Senate Finance |
|-----------|--------------------|-------------------------------|

**DRCCD14 Removing outdated law about the Ohio River Valley Facility**

|               |   |  |
|---------------|---|--|
| No provision. | <p><b>R.C. 307.39, 341.12, 341.121 (repealed)</b><br/>Removes outdated provisions of the Revised Code that allowed Lawrence County to place inmates in the Ohio River Valley Facility.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 307.39, 341.12, 341.121 (repealed)</b><br/>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p> |
|---------------|---|--|

**DRCCD15 Sacramental wine brought into a state facility**

|               |  |   |
|---------------|--|---|
| No provision. | <p><b>R.C. 2921.36</b><br/>Exempts small amounts of sacramental wine from the offense of "illegal conveyance of intoxicating liquor onto the grounds of a specified governmental facility" when the person conveying, delivering, or attempting to convey or deliver the wine is a cleric. Under continuing law, a "specified governmental facility" is a place under the control of the departments of Mental Health and Addiction Services, Developmental Disabilities, Youth Services, or Rehabilitation and Correction.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 2921.36</b><br/>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p> |
|---------------|--|---|

**DRCCD10 Certain firearms-related offense penalties**

|  |                   |                   |
|--|-------------------|-------------------|
| <b>R.C. 2923.13, 2923.20, 2923.21</b>  |                   |                   |
| (1) Increases the penalty for "having weapons while under disability" as follows:  | (1) No provision. | (1) No provision. |
| (a) From a third degree felony to a second degree felony when the offender has previously been convicted of an offense of having weapons while under disability;       | (a) No provision. | (a) No provision. |
| (b) From a third degree felony to a second degree felony when the offender is under indictment for or has been convicted of any felony offense of violence or has been | (b) No provision. | (b) No provision. |

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adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence; and

(c) From a third degree felony to a first degree felony when the offender has previously been convicted of an offense of having weapons while under disability and is under indictment for or has been convicted of any felony offense of violence or has been adjudicated a delinquent child for the commission of an offense that, if committed by an adult, would have been a felony offense of violence.

(c) No provision.

(c) No provision.

(2) Increases the penalty for "unlawful transactions in weapons" as follows:

(2) No provision.

(2) No provision.

(a) From a fourth degree felony to a third degree felony if the violation is recklessly selling, lending, giving, or furnishing a firearm or dangerous ordnance to any person prohibited by state law from acquiring or using a firearm or dangerous ordnance, or possessing a firearm or dangerous ordnance with purpose to dispose of it; and

(a) No provision.

(a) No provision.

(b) From a third degree felony to a second degree felony if the violation is (i) knowingly soliciting, persuading, encouraging, or enticing a federally licensed firearms dealer or private seller to transfer a firearm or ammunition to any person in a manner prohibited by state or federal law, (ii) knowingly providing materially false information to a federally licensed firearms dealer or private seller with an intent to deceive, or (iii) knowingly procuring, soliciting, persuading, encouraging, or enticing a person to act in violation of either of the preceding (i) or (ii).

(b) No provision.

(b) No provision.

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(3) Increases the penalty for "improperly furnishing firearms to a minor" from a fifth degree felony to a third degree felony.

(3) No provision.

(3) No provision.

**Fiscal effect: Annual cost increase for the Department of Rehabilitation and Correction due to the potential for longer prison terms imposed on certain offenders or certain offenders being sentenced to a prison term that otherwise may not have been imposed under current law.**

**DRCCD11 Firearms specification penalties**

**R.C. 2929.14, 2941.141, 2941.144, 2941.145**

Increases the penalty for conviction of a firearm specification charging the offender with having a firearm on or about the offender's person or under the offender's control while committing a felony and displaying, brandishing, indicating possession of, or using the firearm:

No provision.

No provision.

(1) From three years to three, four, or five years; or

(1) No provision.

(1) No provision.

(2) From 54 months to 54, 66, or 78 months if the offender previously was convicted of a firearms specification, subject to a limitation on duration if the offender also is convicted of a repeat violent offender or violent career criminal specification.

(2) No provision.

(2) No provision.

**Fiscal effect: Annual cost increase for the Department of Rehabilitation and Correction due to the potential for longer prison terms imposed on certain offenders or certain offenders being sentenced to a prison term that otherwise may not have been imposed under current law.**

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**DRCCD8 Community control sanctions, judicial release, and 80% release mechanism**

**R.C. 2929.15, 2929.20, 2929.25, 2967.19**

(1) Modifies the existing authorized duration of community control sanctions a court is permitted to impose on an offender for a felony from a maximum of five years for all felonies to:

(1) No provision.

(1) No provision.

(a) Maximum of five years for first, second, and third degree felonies and felony sex offenses;

(a) No provision.

(a) No provision.

(b) Maximum of three years for fourth degree felonies that are not felony sex offenses; and

(b) No provision.

(b) No provision.

(c) Maximum of two years for fifth degree felonies that are not felony sex offenses.

(c) No provision.

(c) No provision.

(2) Modifies the existing authorized duration of community control sanctions a court is permitted to impose on an offender for a misdemeanor from a maximum of five years to a maximum of two years.

(2) No provision.

(2) No provision.

(3) Modifies the authorized duration of community control sanctions which a court is permitted to impose on a prisoner released on judicial release or under the 80% release mechanism from a maximum of five years for all offenders to:

(3) No provision.

(3) No provision.

(a) Maximum of five years if the most serious offense from which the release is granted is a first, second, or third degree felony or a felony sex offense;

(a) No provision.

(a) No provision.

(b) Maximum of three years if the most serious offense from which the release is granted is a fourth degree felony that is not a felony sex offense; and

(b) No provision.

(b) No provision.

(c) Two years if the most serious offense from which release is granted is a fifth degree felony that is not a felony sex

(c) No provision.

(c) No provision.

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offense.

**Fiscal effect: Administrative cost savings for the state's Adult Parole Authority and county probation departments, as their respective monthly community supervision caseloads will be reduced to some degree.**

**DRCCD17 Prison term as sanction for community control violation**

|                          |                          |  |
|--------------------------|--------------------------|--|
| <p>No provision.</p>     | <p>No provision.</p>     | <p><b>R.C. 2929.15</b><br/>Changes the law that pertains to a court's imposition of a prison term as a sanction for a convicted felon who is sentenced to a community control sanction and violates the community control sanction, violates a law, or leaves the state without permission as follows:</p>                                 |
| <p>(1) No provision.</p> | <p>(1) No provision.</p> | <p>(1) Replaces the references to "suspended" sentences with references to "reserved" sentences.</p>   |
| <p>(2) No provision.</p> | <p>(2) No provision.</p> | <p>(2) Relocates the provision authorizing a judge to use a prison term as a sanction multiple times, to clarify that the authorization is an option along with the other authorized prison term sanctions, and that the sanctions may not exceed the length of the remaining period of community control or of the reserved sentence.</p> |
| <p>(3) No provision.</p> | <p>(3) No provision.</p> | <p>(3) Specifies that if a prison term is imposed on an offender under either provision described above for a technical violation, one of the following applies with respect to the time that the offender spends in prison under the term:</p>  |
| <p>(a) No provision.</p> | <p>(a) No provision.</p> | <p>(a) Subject to the provisions described below in (b), the time must be credited against the offender's community control sanction that was being served at the time of the violation, the remaining time under that community control sanction must be reduced by the time that the offender spends in</p>                              |

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(b) No provision.

(b) No provision.

prison under the term, and the court is to determine whether the offender upon release from the prison term must continue serving the remaining time under the community control sanction, as reduced by the credit, or must have the sanction terminated (the same as current law, except that currently, no reference to community control sanction "termination" is included);

(b) If, at the time a prison term is imposed for a technical violation, the offender was serving a "residential" community control sanction imposed under the Felony Sentencing Law, the time spent serving the residential community control sanction must be credited against the offender's "reserved" prison sentence, the remaining time under that "residential" community control sanction and under the "reserved" prison sentence must be reduced by the time that the offender spends in prison under the prison term, and the court is to determine whether the offender upon release from the prison term must continue serving the remaining time under the community control sanction, as reduced by the credit, or must have the sanction terminated (currently, the application of the provision is not limited to "residential" community control sanctions, the references to "reserved" prison sentences are to "suspended" sentences, and no reference to community control sanction "termination" is included).

**Fiscal effect: Uncertain. Any increase or decrease in county community control and state incarceration expenses will depend on local court interpretation and application.**



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**DRCCD20 Sealed records and certificate of qualification for employment**

|                   |                   |   |
|-------------------|-------------------|---|
| No provision.     | No provision.     | <b>R.C. 2953.25, 2953.31, 2953.33</b><br>Specifies that, if a criminal record is sealed, all of the following apply with regard to a certificate of qualification for employment (CQE): |
| (1) No provision. | (1) No provision. | (1) When a criminal record is sealed, records related to a CQE are also sealed.   |
| (2) No provision. | (2) No provision. | (2) When submitting a petition for a CQE, an individual does not have to include or disclose information contained in a sealed record.  |
| (3) No provision. | (3) No provision. | (3) When considering a petition for a CQE, a court is prohibited from reviewing information contained in a sealed record.   |
| (4) No provision. | (4) No provision. | (4) In any petition for a CQE, an individual may not be questioned about information contained in a sealed record.  |

**Fiscal effect: Minimal.**

**DRCCD5 Adult Parole Authority – grant of administrative release**

|  |   |   |
|--|---|---|
| <b>R.C. 2967.17</b><br>(1) Expands the existing provision that allows the Adult Parole Authority (APA) to grant an administrative release to certain offenders in specified circumstances and under specified conditions to also allow the Authority to grant an administrative release under the specified conditions to a "releasee" serving another felony sentence in a prison or taken into custody by the U.S. Department of Justice and deported from the U.S.<br><br>(2) Defines "releasee" as an inmate who has been released from confinement at the expiration of a prison term under a | <b>R.C. 2967.17</b><br>(1) Same as the Executive.<br><br>(2) Same as the Executive. | <b>R.C. 2967.17</b><br>(1) Same as the House.<br><br>(2) Same as the House. |
|--|---|---|

Executive

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period of post-release control that includes one or more post-release control sanctions.

**Fiscal effect: Potential administrative cost savings for the APA, as certain offenders will no longer be under the Authority's jurisdiction.**

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

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

**DRCCD9 Post-release control sanctions**

**R.C. 2967.28**

- (1) Changes the duration of mandatory post-release control (PRC):
  - (a) From five years to "up to five years, but not less than two years" for a first degree felony that is not a felony sex offense;
  - (b) From three years to "up to three years, but not less than 18 months" for a second degree felony that is not a felony sex offense; and
  - (c) From three years to "up to three years, but not less than one year" for a third degree felony that is an offense of violence and is not a felony sex offense.
- (2) Changes the duration of discretionary PRC from "up to three years" to "up to two years" for a third, fourth, or fifth degree felony that is not subject to mandatory PRC.
- (3) Removes juvenile court delinquent child adjudications as items that must be considered by the Parole Board or court in determining PRC sanctions.
- (4) Changes from mandatory to discretionary the use of active GPS monitoring for the first 14 days of a prisoner on PRC who is released before the expiration of the prisoner's term and who earned over 60 days of earned credit.

**R.C. 2967.28**

- (1) Same as the Executive.
  - (a) Same as the Executive.
  - (b) Same as the Executive.
  - (c) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

**R.C. 2967.28**

- (1) Same as the Executive.
  - (a) Same as the Executive.
  - (b) Same as the Executive.
  - (c) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.

| Executive  | As Passed By House                           | As Reported By Senate Finance                |
|--|--|--|
| (5) Modifies the mechanism for shortening or terminating PRC of an offender who is complying with the PRC sanctions.   | (5) Same as the Executive.                   | (5) Same as the Executive.                   |
| (6) Specifies that if an offender is under a period of PRC and if, during the period of PRC, the offender serves as a sanction for violating PRC conditions, the maximum prison sanction time available as a PRC sanction, the PRC terminates. | (6) Same as the Executive.                   | (6) Same as the Executive.                   |
| (7) Provides rules for determining the manner in which PRC operates when an offender is simultaneously subject to a period of parole and a period of PRC or is subject to two simultaneous periods of PRC.                                     | (7) Same as the Executive.                   | (7) Same as the Executive.                   |
| (8) Specifies that a period of PRC shall not be imposed consecutively to any other period of PRC.  | (8) Same as the Executive.                   | (8) Same as the Executive.                   |
| <b>Fiscal effect: Administrative cost savings for the state's Adult Parole Authority, as their monthly community supervision caseload will be reduced to some degree.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |
| <b>DRCCD6 Expands the community-based substance use disorder treatment program</b>   |  |  |
| <b>R.C. 5120.035</b>   | <b>R.C. 5120.035</b>                         | <b>R.C. 5120.035</b>                         |
| (1) Extends eligibility for the community-based substance use disorder treatment program to non-violent third degree felony offenders while continuing eligibility for non-violent fourth- and fifth-degree felony offenders.                  | (1) Same as the Executive.                   | (1) Same as the Executive.                   |
| (2) Removes a restriction that prevents those with any prior conviction of a felony offense of violence or a prior conviction of a misdemeanor offense of violence within the preceding five years from participating in the program.          | (2) Same as the Executive.                   | (2) Same as the Executive.                   |
| <b>Fiscal effect: None.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b> |

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As Passed By House

As Reported By Senate Finance

**DRCCD12 Internet access for prisoners**

**R.C. 5120.62, 5145.31**

Allows prisoner access to the internet for uses or purposes approved by the managing officer of a prison or their designee, rather than only while participating in an educational program that requires use of the internet for training or research, as under current law.

**Fiscal effect: None.**

**R.C. 5120.62, 5145.31**

Same as the Executive.

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

**R.C. 5120.62, 5145.31, 9.08**

Same as the Executive, but expands the permission to include inmate internet access at private prisons.

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

**DRCCD7 Subsidies for community-based corrections programs**

**R.C. 5149.31**

(1) Modifies the requirements for the program of subsidies provided by the Department of Rehabilitation and Correction to counties for community-based corrections programs by making the subsidies contingent upon the outcomes of any performance-based standards established by the Department, in addition to being contingent upon the number of offenders participating in such programs who satisfy the participation suitability standards established by the Department as under current law.

(2) Requires the Department's standards for community-based corrections programs to be designed to support evidence-based policies and practices, as defined by the Department.

**Fiscal effect: Certain counties may be awarded larger or lesser amounts than otherwise may have been the case under current law.**

**R.C. 5149.31**

(1) Same as the Executive.

(2) Same as the Executive.

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

**R.C. 5149.31**

(1) Same as the Executive.

(2) Same as the Executive.

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

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**DRCCD16 Targeting community alternatives to prison (T-CAP)**

No provision.

**R.C. 5149.38, 2929.34, 5149.311**

Requires, instead of allows, each county: (1) to participate in the targeting community alternatives to prison (T-CAP) program, and (2) to enter into a memorandum of understanding relating to the T-CAP program, unless the county has already entered into a memorandum of understanding relating to the T-CAP program.

**Fiscal effect: GRF appropriation item 501407, Community Nonresidential Programs, is increased by \$7,200,000 in each fiscal year to fund the changes to the T-CAP program.**

**R.C. 5149.38, 2929.34**

Replaces the House provision with a provision that expands the voluntary T-CAP program to include fourth degree felony offenders, rather than only fifth degree felony offenders as under continuing law.

**Fiscal effect: The Department may realize some institutional operating cost savings, as fewer offenders may be sentenced to a prison term than would otherwise have been the case under current law and practice.**

**DRCCD13 Reentry employment grants**

(1) No provision.

**Section: 383.10**

(1) Earmarks \$275,000 in each fiscal year from GRF appropriation item 503321, Parole and Community Operations, to create and implement a program to award grants to at least one nonprofit organization that operates reentry employment programs that meet certain criteria.

**Section: 383.10**

(1) Same as the House.

(2) No provision.

(2) Requires the Department to establish guidelines, procedures, grant application forms, and outcome-based criteria upon which performance is evaluated.

(2) Same as the House.

**DRCCD19 Ashland University Correctional Education Expansion Program**

No provision.

No provision.

**Section: 383.10**

Earmarks \$654,250 from GRF appropriation item 506321, Institution Education Services, in fiscal year 2022 for the Ashland University Correctional Education Expansion Program.

Executive

As Passed By House

As Reported By Senate Finance

**DRCCD4 Expedited Pardon Initiative**

**Section: 383.10**

Earmarks up to \$500,000 in each fiscal year of GRF appropriation item 501321, Institutional Operations, to be used by the Department of Rehabilitation and Correction to distribute grants for advancing the expedited pardon initiative and encouraging eligible individuals to participate.

**Section: 383.10**

Same as the Executive, but permits, rather than requires, the Department of Rehabilitation and Correction to use up to \$500,000 of GRF appropriation item 501321, Institutional Operations, in each fiscal year for the expedited pardon initiative, and changes the purpose of the earmarked amounts to creating up to five regional collaborative partnership pilot projects to connect rehabilitated citizens with community partners to advance the expedited pardon initiative and help eligible individuals navigate the process and access clemency.

**Section: 383.10**

Same as the House, but earmarks up to \$100,000 in each fiscal year for the expedited pardon initiative.

**DRCCD1 OSU medical charges**

**Section: 383.10**

1) Requires The Ohio State University Medical Center, including the Arthur G. James Cancer Hospital and Richard J. Solove Research Institute and the Richard M. Ross Heart Hospital, at the request of the Department of Rehabilitation and Correction (DRC), to provide necessary care to persons who are confined in state adult correctional facilities.

(2) Requires the provision of necessary inpatient care billed to DRC to be reimbursed at the rate not to exceed the authorized reimbursement rate for the same service established by the Department of Medicaid under the Medicaid Program.

**Section: 383.10**

(1) Same as the Executive.

(2) Same as the Executive.

**Section: 383.10**

(1) Same as the Executive.

(2) Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DRCCD2 Adult Correctional Facilities Lease Rental Bond Payments**

**Section: 383.10**

Requires GRF appropriation item 501406, Adult Correctional Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2021, through June 30, 2023, by the Department of Rehabilitation and Correction pursuant to leases and agreements for buildings under R.C. Chapters 152. and 154. Specifies that the appropriations are the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

**Section: 383.10**

Same as the Executive.

**Section: 383.10**

Same as the Executive.

**DRCCD3 Probation Improvement and Incentive Grants**

**Section: 383.10**

Requires DPF Fund 5TZ0 appropriation item 501610, Probation Improvement and Incentive Grants, to be allocated by the Department of Rehabilitation and Correction to municipalities as grants with an emphasis on: (1) providing services to those addicted to opiates and other illegal substances, and (2) supplementing the programs and services funded by grants distributed from GRF appropriation item 501407, Community Nonresidential Programs.

**Section: 383.10**

Same as the Executive.

**Section: 383.10**

Same as the Executive.

**DRCCD21 Conveyance of certain state-owned land in Madison and Warren counties**

(1) No provision.

(1) No provision.

**Section: 753.10, 753.20**

(1) Authorizes the conveyance of certain state-owned land in Madison and Warren counties under the jurisdiction of the Department of Rehabilitation and Correction (DRC) through a negotiated purchase agreement or by sealed bid auction or public auction.

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(2) No provision.

(2) No provision.

(2) Requires the proceeds from the conveyances to be deposited into the Adult and Juvenile Correctional Facilities Bond Retirement Fund (Fund 7097), which is used for the purpose of debt retirement.

(3) No provision.

(3) No provision.

(3) Specifies requirements for the Department of Administrative Services (DAS) and DRC regarding how the land is to be advertised and sold, including that DRC pay all advertising costs incidental to the sale of the real estate, and the purchaser pay all other costs associated with the purchase, closing, and conveyance of the real estate.



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**As Passed By House**

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**RDFCD1 State Revenue Distributions additional appropriations**

**Section: 387.20**

Specifies that appropriation items in Section 387.10 are to be used for the purpose of administering and distributing the designated revenue distribution funds according to the Revised Code. Appropriates any additional amounts that are determined to be necessary for this purpose.

**Section: 387.20**

Same as the Executive.

**Section: 387.20**

Same as the Executive.

**RDFCD2 GRF transfers**

**Section: 387.20**

Specifies that in FY 2022 and FY 2023, the Director of Budget and Management may 1) transfer from the GRF to the Local Government Tangible Property Tax Replacement Fund (Fund 7081) and the School District Tangible Property Tax Replacement Fund (Fund 7047) in the Revenue Distribution Fund Group, those amounts necessary to reimburse local taxing units and school districts under sections 5709.92 and 5709.93 of the Revised Code, and 2) make temporary transfers from the GRF to ensure sufficient balances in Fund 7081 and Fund 7047 and to replenish the GRF for such transfers.

**Section: 387.20**

Same as the Executive.

**Section: 387.20**

Same as the Executive.

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As Passed By House

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**RDFCD3 Property tax reimbursement - Education**

**Section: 387.20**

Specifies that appropriation item 200903, Property Tax Reimbursement - Education, is appropriated to pay for the state's costs incurred because of the homestead exemption, the property tax rollback, and payments required under division (C) of section 5705.2110 of the Revised Code. Requires the Department of Education, in cooperation with the Department of Taxation, to distribute these funds directly to the appropriate school districts of the state, notwithstanding sections 321.24 and 323.156 of the Revised Code, which provide for payment of the homestead exemption 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. Appropriates any additional sums that may be needed to make these payments. Requires each school district to distribute these amounts among the proper funds as if they had been paid as real or tangible personal property taxes. (Payments for the costs of administration are to 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.)

**Section: 387.20**

Same as the Executive.

**Section: 387.20**

Same as the Executive.

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**RDFCD4 Homestead exemption, property tax rollback**

**Section: 387.20**

Specifies that appropriation item 110908, Property Tax Reimbursement - Local Government, be used to pay for the state's costs incurred due to the Homestead Exemption, the Manufactured Home Property Tax Rollback, and the Property Tax Rollback. Requires the Tax Commissioner to 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 funds 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. Requires each local taxing district, upon receipt of these amounts, to distribute the amount among the proper funds as if it had been paid as real property taxes. Appropriates any additional sums that may be needed to make these payments. (Payments for the costs of administration are to 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.)

**Section: 387.20**

Same as the Executive.

**Section: 387.20**

Same as the Executive.

**RDFCD5 Tangible personal property tax reimbursements**

**Section: 387.20**

Specifies that in FY 2022 and FY 2023, any school district that has a nuclear power plant located within its territory is to receive the same payment amount under section 5709.92 of the Revised Code as in FY 2017, notwithstanding any provision of law to the contrary.

**R.C. 5709.92, 5709.93**

Same as the Executive, but extends the provision through FY 2026.

**Section: 387.20**

Same as the Executive.

| Executive  | As Passed By House  | As Reported By Senate Finance  |
|--|---|--|
| No provision.  | Requires that the tangible personal property (TPP) supplement payment amount to be paid to joint fire districts that have a nuclear power plant located in their territory should be not less than the amount that was paid to them in fiscal year 2017.  | No provision.  |
| <b>Fiscal effect: Benton-Carroll-Salem Local School District in Ottawa County will receive an additional \$828,538 in the biennium as a result of this provision; Perry Local School District in Lake County will receive an additional \$796,542. The additional transfers imply that less money remains available to transfer to the GRF.</b>  | <b>Fiscal effect: Same as the Executive, but the supplement will be continue to be paid to the school districts through FY 2026. Will also increase payments to Perry Joint Fire District in Lake County by \$255,092 in FY 2022 and \$306,111 in FY 2023. The local fire department at Ohio's other nuclear power plant, in Ottawa County, is the Carroll Township fire department, not a joint fire district.</b> | <b>Fiscal effect: Same as the Executive.</b>                                   |
| <b>RDFCD6 Municipal income tax</b><br><b>Section: 387.20</b><br>Specifies that appropriation item 110995, Municipal Income Tax, be used to make payments to municipal corporations under section 5745.05 of the Revised Code. Appropriates additional amounts if it is determined that additional amounts are needed to make such payments.  | <b>Section: 387.20</b><br>Same as the Executive.  | <b>Section: 387.20</b><br>Same as the Executive.                               |
| <b>RDFCD7 Municipal net profit tax fund</b><br><b>Section: 387.20</b><br>Specifies that appropriation item 110902, Municipal Net Profit Tax, be used to make payments to municipal corporations under section 718.83 of the Revised Code. Appropriates additional amounts determined to be necessary to make such payments.<br><br>Requires the Tax Commissioner, if the Commissioner determines that insufficient cash is in the Municipal Net Profit Tax Fund (Fund 5VR0) to meet monthly distribution | <b>Section: 387.20</b><br>Same as the Executive.<br><br>Same as the Executive.  | <b>Section: 387.20</b><br>Same as the Executive.<br><br>Same as the Executive. |

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obligations under section 718.83 of the Revised Code during FY 2022 and FY 2023, to certify to the Director of Budget and Management the amount of additional cash necessary to satisfy those obligations. Requires the Commissioner, in such a case, to submit a plan to the Director requesting that the necessary cash be transferred from one or a combination of the following funds: the Municipal Income Tax Administrative Fund, the Local Sales Tax Administrative Fund, the General School District Income Tax Administrative Fund, the Motor Fuel Tax Administrative Fund, the Property Tax Administrative Fund, or the GRF. Requires the plan to include a proposed repayment schedule to reimburse those funds for any cash so transferred. Authorizes the Director, after receiving the certification and funding plan from the Commissioner and if the Director determines that sufficient cash is available, to transfer the cash to Fund 5VR0 in accordance with the plan submitted by the Commissioner or as otherwise determined by the Director, and subsequently permits the Director to transfer cash from Fund 5VR0 to reimburse the funds from which cash was transferred.

**Fiscal effect: May facilitate administration of the municipal net profit tax.**

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

Other Taxation Provisions

RDFCD9 Public Library Fund

No provision.

No provision.

**Section: 387.10, 387.20**

Increases the share of GRF tax revenue transferred to the Public Library Fund each month from 1.66% in codified law to 1.70% in FY 2022 and FY 2023.

**Fiscal effect: Increases RDF appropriation item 110965, Public Library Fund, by \$11 million in FY 2022 and by \$11**

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**million in FY 2023. The amounts retained by the GRF are reduced by these same amounts.**

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**SOSCD1 Secretary of State process fees**

**R.C. 111.16**

Specifies that the \$5 fee the Secretary of State may charge for service of process is per address served.

**Fiscal effect: Potential minimal loss in fee revenue collected from process service. This fee revenue is deposited into the Business Services Fund (Fund 5990).**

**R.C. 111.16**

Same as the Executive.

**R.C. 111.16**

Same as the Executive.

**SOSCD15 Secretary of State funding and abolishment of Citizens Education Fund**

No provision.

No provision.

**R.C. 111.27, 111.29 (repealed), 3501.054, section 516.20**

Prohibits a public official responsible for administering or conducting an election from collaborating with or soliciting, accepting, expending, or using any monetary gift, grant, or donation from a nongovernmental person or entity for any costs or activities related to voter registration, voter education, voter identification, get-out-the-vote, absent voting, election official recruitment or training, or any other election-related purpose.

No provision.

No provision.

Prohibits the Board of Elections Reimbursement and Education Fund (Fund 5FG0) from receiving revenues from fees, gifts, grants, or donations.

No provision.

No provision.

Abolishes the Citizen Education Fund (Fund 4140) after the following actions occur: (1) the Secretary of State certifies to the Director of Budget and Management the cash balance of and current encumbrances against the Citizen Education Fund; (2) the Secretary of State specifies the sources of revenue that make up the remaining cash balance of the fund; (3) the Director of Budget and Management cancels any existing encumbrances against Fund 4140, appropriation item 050602, Citizen Education Fund; and (4) the Director of

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Budget and Management returns the remaining cash balance in the fund to the original revenue source as specified by the Secretary of State.

**SOSCD4 Disposition of U.S. Elections Assistance Commission grant revenue**

**R.C. 111.28**

Requires that grants the Secretary of State receives from the Elections Assistance Commission, other than those through the Help America Vote Act (HAVA), be deposited into the Miscellaneous Federal Grants Fund (Fund 3FM0), and spent in accordance with the grant agreement.

**Fiscal effect: No change other than the fund that would house the grants. The Help America Vote Act Fund (Fund 3AS0) formerly housed the grants described in the provision.**

**R.C. 111.28**

Same as the Executive.

**R.C. 111.28**

Same as the Executive.

**SOSCD16 Copies of new laws sent to clerk of courts**

No provision.

No provision.

**R.C. 149.08, (repealed); 149.11 (conforming)**

Eliminates a requirement that the Secretary of State forward a copy of each new law to each clerk of court of common pleas.

**SOSCD2 Foreign nonprofit corporation principal offices**

**R.C. 1703.27**

Removes the requirement that a foreign nonprofit corporation, in order to obtain a certificate of authority, list the corporation's principal office in Ohio in its filing statements.

**Fiscal effect: None.**

**R.C. 1703.27**

Same as the Executive.

**R.C. 1703.27**

Same as the Executive.



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**SOSCD17 Limited Liability Company Act effective date**

No provision.

No provision.

**R.C. 1706.83, Sections 610.1165 and 610.1166**  
 Makes certain provisions of the Ohio Revised Limited Liability Company Act, S.B. 276 of the 133rd G.A., effective February 11, 2022, as opposed to January 1, 2022.

**SOSCD5 Poll Workers Training**

**Section: 395.20**

Requires GRF appropriation 050407, Poll Workers Training, be used to reimburse county boards of elections for precinct election official (PEO) training pursuant to R.C. 3501.27. Reappropriates the unexpended, unencumbered portion of the line item at the end of FY 2022 for the same purpose in FY 2023.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

**SOSCD6 County Voting System Lease Rental Payments**

**Section: 395.20**

Requires GRF appropriation item 050509, County Voting System Lease Rental Payments, to be used to make payments during the FY 2022-FY 2023 biennium pursuant to leases and agreements entered into under Section 4 of S.B. 135 of the 132nd G.A., that were used to finance the costs of acquiring, developing, installing, and implementing county voting systems.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

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**SOSCD7 Board of Voting Machine Examiners**

**Section: 395.20**

Requires that Fund 4S80 appropriation item 050610, Board of Voting Machine Examiners, be used for the services and expenses of the members of the Board of Voting Machine Examiners and for other expenses that are authorized to be paid from the Board of Voting Machine Examiners Fund (Fund 4S80). Requires that unused money be returned to the person or entity submitting equipment for examination. Permits the Secretary of State to request that the Director of Budget and Management approve additional appropriations if necessary, and appropriates the additional amounts approved.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

**SOSCD8 Ballot Advertising Costs**

**Section: 395.20**

Allows the Controlling Board, upon request of the Secretary of State, to approve cash transfers from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Statewide Ballot Advertising Fund (Fund 5FH0) in order to pay for the cost of public notices associated with statewide ballot initiatives.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

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**SOSCD9 Absent Voter's Ballot Application Mailing**

**Section: 395.20**

Authorizes the Controlling Board, upon request of the Secretary of State, to approve cash and appropriation transfers from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the Absent Voter's Ballot Mailing Fund (Fund 5RG0) to be used by the Secretary of State to pay the costs of printing and mailing unsolicited applications for absent voters' ballots for the November 2022 general election.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

**SOSCD13 Address Confidentiality Program**

**Section: 395.20**

Authorizes the Director of Budget and Management, upon request of the Secretary of State, to transfer up to \$200,000 cash per fiscal year from the Business Services Operating Expenses Fund (Fund 5990) to the Address Confidentiality Program Fund (Fund 5SN0).

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

**SOSCD10 Women's Suffrage Centennial Commission**

**Section: 395.20**

Requires DPF appropriation item 050634, Women's Suffrage Centennial Commission, to be used to pay for the duties of the Women's Suffrage Centennial Commission in accordance with S.B. 30 of the 133rd G.A. Reappropriates the unexpended, unencumbered balance of the appropriation item at the end of FY 2021 for the same purpose in FY 2022, and similarly, any unexpended, unencumbered amounts from FY 2022 for use in FY 2023.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

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**SOSCD11 Corporate/Business Filing Refunds**

**Section: 395.20**

Requires that Fund R002 appropriation item 050606, Corporate/Business Filing Refunds, be used to hold revenues until they are directed to appropriate accounts or until they are refunded. Allows the Secretary of State to determine if additional appropriations are needed and request that the Director of Budget and Management approve such additional amounts. Appropriates the approved amounts.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

**SOSCD12 HAVA Funds**

**Section: 395.20**

Requires an amount equal to the unexpended, unencumbered portion of appropriation item 050616, Help America Vote Act (HAVA), at the end of FY 2021 and FY 2022, to be reappropriated for the same purposes in the following fiscal year.

**Section: 395.20**

Same as the Executive.

**Section: 395.20**

Same as the Executive.

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**SENCD2 General Assembly intervention in lawsuits**

(1) No provision.

(1) No provision.

**R.C. 101.55, 109.02**

(1) Allows the Speaker of the House of Representatives and the President of the Senate to intervene in any case challenging the constitutionality of a statute on behalf of the House, the Senate, or the General Assembly, and to retain independent legal counsel.

(2) No provision.

(2) No provision.

(2) Allows the Speaker and the President to intervene in any case challenging a General Assembly or congressional redistricting plan adopted by the Ohio Redistricting Commission on behalf of the House, the Senate, or the Commission, and to retain independent legal counsel.

**SENCD1 Operating expenses**

**Section: 397.10**

Permits the Clerk of the Senate, on July 1 of each fiscal year, or as soon as possible thereafter, to certify to the Director of Budget and Management an amount up to the unexpended, unencumbered balance of GRF appropriation item 020321, Operating Expenses, to be reappropriated from FY 2021 to FY 2022, and similarly, from FY 2022 to FY 2023. Reappropriates the amounts certified.

**Section: 397.10**

Same as the Executive.

**Section: 397.10**

Same as the Executive.

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**CSFCD1 Debt service costs**

**Section: 401.10**

Specifies that appropriation items of the Commissioners of the Sinking Fund be used for the purpose of paying debt service and financing costs during the period from July 1, 2021 through June 30, 2023 on bonds or notes of the state issued under the Ohio Constitution and acts of the General Assembly. Appropriates additional amounts, if necessary, to fully fund debt service and financing costs.

**Section: 401.10**

Same as the Executive.

**Section: 401.10**

Same as the Executive.

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**As Passed By House**

**As Reported By Senate Finance**

**SOACD1 Abolishment of the Southern Ohio Agricultural and Community Development Foundation**

**Section: 518.30, R.C. 102.02, 183.021, 183.33, Repealed: 183.12 - 183.17**

Abolishes the Southern Ohio Agricultural Community Foundation on December 30, 2021 and takes the following steps related to that action: (1) eliminates SOA's board of trustees; (2) confers the responsibility for winding down SOA's affairs upon the Department of Agriculture (AGR), including the possible transfer of employees from the Foundation to AGR; (3) abolishes the Southern Ohio Agricultural and Community Development Foundation Endowment Fund and requires the Treasurer of State to remit the cash balance in the Fund to the Ohio Proud Marketing Fund (Fund 4R00) used by AGR; and (4) abolishes the Southern Ohio Agricultural and Community Development Operating Expenses Fund (Fund 5M90) and requires the OBM Director to transfer the cash balance in Fund 5M90 to Fund 4R00.

**Fiscal effect: At the end of CY 2020, the cash balance in the Endowment Fund was \$1.0 million.**

**Section: 518.30, R.C. 102.02, 183.021, 183.33, Repealed: 183.12 - 183.17**

Same as the Executive.

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

**Section: 518.30, R.C. 102.02, 183.021, 183.33, Repealed: 183.12 - 183.17**

Same as the Executive.

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

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Personal Income Tax

**TAXCD80 Ohio opportunity zone investment tax credit**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <p><b>R.C. 122.84</b></p> <p>Makes the following changes to the existing income tax credit for investments in federally authorized Ohio opportunity zones:</p>   |
| No provision. | No provision. | <p>Increases, from \$1 million to \$2 million, the limit on the amount of credits that may be awarded to an individual during a fiscal biennium.</p>   |
| No provision. | No provision. | <p>Expands the eligibility to receive a credit allocation (i.e., tax credit certificate) to all investors in Ohio opportunity zones, not just investors subject to the personal income tax. (A nontaxpayer investor that cannot claim the credit may sell or transfer the credit to a taxpayer.)</p> <p><b>Fiscal effect: None. A \$50 million per fiscal biennium limit on issuance of tax credit certificates in current law is unchanged by the bill.</b></p> |

**TAXCD82 Motion picture tax credit**

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <p><b>R.C. 122.85</b></p> <p>Revokes the eligibility of "production contractors" (persons other than the production company that are involved in a motion picture or Broadway theatrical production) for the motion picture tax credit.</p> <p><b>Fiscal effect: Reduces the value of prospective credits awarded by the Director of Development. Continuing law permits a refundable tax credit that may be claimed for Ohio production expenditures by eligible productions. The total amount issued may not exceed \$40 million per fiscal year, but the latest Tax Expenditure Report estimated that</b></p> |
|---------------|---------------|--|



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the credit would reduce GRF receipts between \$25 million and \$30 million per year over the FY 2022- FY2023 biennium. The motion picture tax credit can be taken against the financial institutions tax, income tax and the commercial activity tax.

**TAXCD2 Reciprocity agreement deduction**

**R.C. 5747.01, Section 803.60**

Clarifies that income not subject to tax based on a reciprocity agreement between Ohio and another state may be deducted on a taxpayer's annual return. (Those agreements allow nonresidents to be exempted from Ohio's income tax on income earned or received as long as that other state provides the same tax treatment for Ohio residents.)

**Fiscal effect: None.**

**R.C. 5747.01, Section 803.60**

Same as the Executive.

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

**R.C. 5747.01, Section 803.60**

Same as the Executive.

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

**TAXCD26 Reference to a federal tax credit in Ohio income tax law**

**R.C. 5747.01, Section 803.60**

Amends references in the state's income tax law to the federal "targeted jobs" tax credit, which has been renamed in federal law as the "work opportunity" tax credit.

**Fiscal effect: None. The work opportunity tax credit (WOTC) is a federal tax credit available to employers for hiring individuals from certain targeted groups who have faced significant barriers to employment.**

**R.C. 5747.01, Section 803.60**

Same as the Executive.

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

**R.C. 5747.01, Section 803.60**

Same as the Executive.

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

**TAXCD30 Definition of taxable business income - technical amendment**

**R.C. 5747.01, 5747.10**

Corrects, in the definition of taxable business income, a cross-reference error to the business income deduction.

**Fiscal effect: None.**

**R.C. 5747.01, 5747.10**

Same as the Executive.

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

**R.C. 5747.01, 5747.10**

Same as the Executive.

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

| Executive   | As Passed By House  | As Reported By Senate Finance  |
|---|---|--|
| <p><b>TAXCD37 Railroad retirement benefits</b></p> <p><b>R.C. 5747.01, Section 803.60</b></p> <p>Explicitly authorizes a personal income tax deduction for all railroad retirement benefits that are exempt from state taxation under federal law.</p> <p><b>Fiscal effect: None.</b></p> | <p><b>R.C. 5747.01, Section 803.60</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p><b>R.C. 5747.01, Section 803.60</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |
| <p><b>TAXCD53 Venture capital gains income tax deduction</b></p> <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>   | <p><b>R.C. 5747.01, 122.851, 5703.21</b></p> <p>Authorizes an income tax deduction, for taxable years beginning in and after 2026, for all or a portion of capital gains received by investors in certain Ohio-based "venture capital operating companies" (VCOCs) certified by the Director of Development.</p> <p>Requires that a VCOC, in order to qualify for certification, must manage, or have capital commitments of, at least \$50 million in active assets and must have residents of Ohio constitute at least two-thirds of its managing and general partners. Limits deductibility of gains to those that occur during the period for which the company is certified as an Ohio VCOC.</p> <p>Provides that the deduction equals 100% of the capital gain received by the taxpayer in the taxable year from a qualifying interest in an Ohio VCOC attributable to the company's investments in Ohio businesses and 50% of the capital gain received by the taxpayer from a qualifying interest in an Ohio VCOC attributable to the company's investments in all other businesses.</p> <p><b>Fiscal effect: LBO staff is uncertain about the total amount of capital gains that will be generated by a VCOC after it is</b></p> | <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>   |

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certified by the Development Services Agency. However, it is feasible to anticipate an income tax revenue loss of tens of millions per year beginning in FY 2027, albeit with substantial variability in revenue effects from year-to-year.

**TAXCD47 Personal income tax rate reduction**

No provision.

R.C. 5747.02, Section 803.97

Reduces tax rates on nonbusiness income by 2% across-the-board, starting for taxable years beginning in 2021.

R.C. 5747.02, Section 803.97

Replaces the House version with a reduction in nonbusiness tax rates of 3.5% for taxable years beginning in 2021 and an additional 1.5% for taxable years beginning in 2022, for a total 5% reduction (the 1.5% reduction is calculated in comparison to tax year 2020 tax rates).

No provision.

No provision.

Suspends the annual inflation indexing adjustment of income tax brackets and personal exemption amounts for taxable years beginning in 2021 and 2022; indexing resumes in 2023.

**Fiscal effect:** Reduces all funds revenue by \$170 million in FY 2022 and \$180 million in FY 2023. The GRF revenue loss would account for about \$164 million and \$174 million of these amounts, with the remaining losses split equally between the Local Government Fund and Public Library Fund. There would be an additional one-time revenue loss in FY 2022 associated with a reduction in withholding rates; depending on when the rates are adjusted, which may add roughly \$85 million (\$82 million GRF) to the FY 2022 revenue loss. (Note: This entry was revised on May 13, 2021. The error in the original estimates was corrected, which resulted in higher revenue loss estimates for both fiscal years. The original estimates showed all funds revenue losses of \$148 million in FY 2022 and \$156 million in FY 2023 with an additional one-time revenue loss of about \$74 million in FY 2022 associated with a reduction in

**Fiscal effect:** The reduction in tax rates would reduce PIT revenue by about \$298 million in FY 2022 and about \$450 million in FY 2023. In addition, there would be a one time revenue reduction of about \$225 million from adjustments to withholding rates, the timing of which would depend on decisions by the Tax Commissioner, but which would likely occur in FY 2022. The suspension of inflation indexing would partially offset these revenue losses, increasing FY 2022 revenue by about \$44 million in FY 2022 and \$145 million in FY 2023. The GRF share of these revenue losses would be 96.68% under codified law.

Executive

As Passed By House

As Reported By Senate Finance

withholding rates.)

**TAXCD1 Resident credit amended return time period**

**R.C. 5747.05**

Changes the time within which to file an amended return to report changes to a taxpayer’s Ohio resident credit from 60 days to 90 days, making the time period consistent with other amended return deadlines. (Because the resident credit is often contingent on tax required to be paid to another state or the District of Columbia, when the tax liability to the other jurisdiction is corrected, the Ohio resident tax credit must also be corrected.)

**Fiscal effect: None.**

**R.C. 5747.05**

Same as the Executive.

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

**R.C. 5747.05**

Same as the Executive.

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

**TAXCD77 Unemployment compensation income tax withholding**

No provision.

No provision.

**R.C. 5747.065, 610.02, 610.03**

Requires the Department of Job and Family Services (JFS) to report and remit state income tax withholding on unemployment compensation on a monthly basis instead of using the frequencies prescribed for employer withholding, which vary according to the overall amount of accumulated withholdings. Amends S.B. 18 of the 134th General Assembly to delay by one year, from 2022 to 2023, the date by which JFS must begin to accept state income tax withholding requests from unemployment compensation recipients.

**Fiscal effect: Potential administrative costs for JFS to report and remit these withholdings. Potential change in the timing of a relatively small amount of personal income tax receipts.**

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD25 Income tax credit for tax withholdings**

**R.C. 5747.08, Section 803.70**

Clarifies that any income tax withheld, including from a taxpayer's wages, lottery and casino winnings, or retirement income, entitles the taxpayer to a credit for such amounts on the taxpayer's annual return.

States that the provision is intended to clarify existing law and applies to taxable years beginning on and after January 1, 2016.

**Fiscal effect: None.**

**R.C. 5747.08, Section 803.70**

Same as the Executive.

Same as the Executive.

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

**R.C. 5747.08, Section 803.70**

Same as the Executive.

Same as the Executive.

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

**TAXCD27 Business Income Deduction (BID) reporting requirement**

**R.C. 5747.08, Section 803.80**

Removes the requirement that taxpayers claiming the business income deduction indicate on their annual return the North American Industry Classification System (NAICS) code of each business or professional activity from which that income is derived.

**Fiscal effect: None. The reporting requirement was originally imposed by S.B. 26 of the 133rd General Assembly, which provided that, beginning with tax year 2020, taxpayers claiming the BID must report the 6-digit NAICS code for each of their sources of business income on "Ohio Schedule IT BUS," for purposes of the state income tax.**

No provision.

**R.C. 5747.08, Section 803.130**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD79 College savings 529 plan deduction expansion**

No provision.

No provision.

**R.C. 5747.70, 5747.01, Section 803.200**

Expands the income tax deduction allowed for contributions to Ohio's 529 education savings program to include contributions to 529 programs established by other states.

**Fiscal effect: Loss of revenue from Ohio's PIT, likely in the low millions. PIT revenue is deposited into the GRF.**

**TAXCD73 Income tax credits for education-related items**

No provision.

No provision.

**R.C. 5747.72, 5747.08, 5747.73, and 5747.98; Section 803.97**

Authorizes the following two nonrefundable income tax credits for taxable years beginning on or after January 1, 2021:

1) No provision.

1) No provision.

1) A credit of up to \$250 for certain education expenses for one or more of the taxpayer's dependents who are home schooled for the school year;

2) No provision.

2) No provision.

2) A credit of up to \$1,000 for cash donations made to nonprofit scholarship granting organizations for primary and secondary school students that prioritize awards to low-income students and are certified by the Attorney General.

**Fiscal effect: State personal income tax revenue loss from the \$250 credit per taxpayer for homeschooled dependents estimated at \$2.8 million per year by Department of Taxation. In FY 2020, 33,238 students were homeschooled in Ohio, Department of Education figures show. Additional losses for donations to scholarship granting organizations are uncertain, because of insufficient data, are expected in a range with an upper end of \$70 million, in a Department of Taxation estimate. GRF revenue losses would reduce**

Executive

As Passed By House

As Reported By Senate Finance

distributions to the Local Government Fund (Fund 7069) and the Public Library Fund (Fund 7065), which each receive 1.66% of GRF tax revenues in codified law. The rest of the loss would remain with the GRF.

**TAXCD76 Income tax credit for private school tuition**

No provision.

No provision.

**R.C. 5747.75, 5747.08, and 5747.98; Section 803.180**

Authorizes a nonrefundable income tax credit of up to \$2,500 per year for tuition paid for one or more dependents to attend a nonchartered nonpublic school (i.e., a private school that is not chartered by the State Board of Education). Limits eligibility to taxpayers whose total federal adjusted gross income (FAGI), or the total FAGI of the taxpayer and spouse if filing jointly, does not exceed 300% of the federal poverty level.

**Fiscal effect: Potential all-funds revenue loss in excess of \$2.1 million per year, in Department of Taxation estimates, including more than \$2.0 million loss to the GRF and less than \$0.1 million loss to the Local Government Fund (LGF, Fund 7069) and the Public Library Fund (PLF, Fund 7065). The LGF and PLF each receive 1.66% of GRF tax revenue in codified law.**

**TAXCD52 Income tax deduction for capital gain from sale of business**

No provision.

**R.C. 5747.79, 5747.01**

Allows an income tax deduction, beginning tax year 2026, for capital gains for taxpayers with an ownership interest in a business. Provides that the deduction equals the lesser of 1) the capital gain or 2) a percentage of the business' payroll over a specified period, based on the taxpayer's proportionate interest in the business.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

No provision.

Allows the deduction to taxpayers who either 1) materially participated in a business that was headquartered in Ohio for the five preceding years or 2) made a venture capital investment of at least \$1 million in such a business. Provides that the deduction based on the business' payroll is based on payroll as defined for income tax withholding purposes, excluding amounts paid to the taxpayer or specified relatives of the taxpayer.

**Fiscal effect: Revenue loss to the GRF, Local Government Fund, and Public Library Fund, beginning in FY 2027. Revenue losses likely would vary considerably from year to year. The Department of Taxation estimates annual revenue losses ranging from the upper tens of millions to the lower to middle hundreds of millions of dollars.**

No provision.

TAXCD64 Eliminate campaign contribution tax credit

No provision.

No provision.

**R.C. 5747.98, 5747.29 (repealed); Section 803.160**  
Eliminates the nonrefundable dollar-for-dollar income tax credit (up to \$50 for individuals or \$100 for joint filers) for contributions made to the campaign committees of certain candidates for state offices. (The credit was previously repealed by H.B. 166 of the 133rd General Assembly, but was later reinstated by S.B. 39 of the 133rd General Assembly.)  
**Fiscal effect: Increases all-funds state income tax revenue. In tax years 2015-2019, credits totaled \$2.5 million to \$4.0 million per year. Increases revenue to the Local Government Fund (LGF, Fund 7069) and the Public Library Fund (PLF, Fund 7065), each of which receive 1.66% of GRF tax revenue under codified law. Increases amounts remaining in the GRF after transfers to the LGF and PLF.**



Executive

As Passed By House

As Reported By Senate Finance

**TAXCD36** Fraudulent unemployment compensation

**Section: 757.10**

Declares that the State of Ohio does not intend to impose tax on unemployment compensation reported to a person whose identity was fraudulently used by a third party to collect unemployment compensation.

**Fiscal effect: None. The Internal Revenue Service instructs taxpayers who are unable to obtain a timely, corrected Form 1099-G for unemployment benefits from states to file an accurate tax return, reporting only the income they received. Taxpayers are not expected to include unemployment benefits they did not actually receive because of identity theft.**

**Section: 757.10**

Same as the Executive, but requires the publication of information about such fraud on the websites of the Department of Job and Family Services and the Department of Taxation until June 2023.

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

**Section: 757.10**

Same as the House.

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

Sales and Use Taxes

**TAXCD68** Sales tax exemption for sales of employment services

No provision.

No provision.

**R.C. 5739.01, 5739.02, 5739.03, Section 803.93**

Exempts employment services (providing personnel to perform work under the supervision and control of the purchaser) and employment placement services (locating employment for a job-seeker or locating job candidates for an employer) from sales and use tax.

**Fiscal effect: Reduces sales tax revenue in FY 2022 to the GRF by \$92.4 million, the LGF and the PLF by a combined \$3.2 million and by \$25.6 million to counties and transit authorities. Reduces sales tax revenue in FY 2023 to the GRF by \$138.6 million, the LGF and the PLF by a combined \$4.8 million and by \$38.5 million to counties and transit authorities. Estimates are from the Department of Taxation.**

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD75 Sales tax exemption for nonprofit fitness and recreational and sports club facilities**

No provision.

No provision.

**R.C. 5739.01, Section 803.93**

Exempts from the sales and use tax memberships to physical fitness facilities or recreational and sports club facilities operated by nonprofit 501(c)(3) organizations.

**Fiscal effect: Would reduce revenue from the sales and use tax to the GRF by up to \$6.2 million in FY 2022 and up to \$8.6 million in FY 2023. Would also reduce distributions to the LGF and the PLF by a total of \$0.2 million to \$0.3 million per year. Would decrease revenue from permissive county and transit authorities sales taxes by up to \$2.2 million per year.**

**TAXCD40 Sales tax exemption-investment metal bullion and coins**

No provision.

**R.C. 5739.02, Section 803.93**

Reinstates the sales and use tax exemption for sales of investment metal bullion and investment coins. (The exemption was repealed by H.B. 166 of the 133rd General Assembly.)

**Fiscal effect: Reduces sales tax revenue by about \$4.6 million in FY 2022 and \$6.9 million in FY 2023. GRF losses would be \$4.4 million and \$6.7 million, respectively. Combined losses to the LGF and the PLF would be about \$0.2 million each year. Reduces revenue from permissive county and transit authorities sales taxes by \$1.1 million in FY 2022 and \$1.7 million in FY 2023.**

**R.C. 5739.02, Section 803.93**

Same as the House.

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

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD49** County sales tax -operation of detention facility

No provision.

**R.C. 5739.021**

Authorizes county sales taxes levied to fund the construction, acquisition, equipping, or repair of a detention facility to additionally be used to fund the facility's operations. (Continuing law authorizes counties, under certain circumstances, to levy up to a 0.5% sales tax for this purpose).

**Fiscal effect: None.**

**R.C. 5739.021**

Same as the House.

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

**TAXCD33** Use tax for remote sellers

**R.C. 5741.01, 5741.03, 5741.032 (repealed), Section 610.30**

Repeals certain provisions of use tax law that would have applied only in the event that an act of Congress authorized states to compel "remote sellers" to collect and remit use tax.

**Fiscal effect: None. Following a U.S. Supreme Court decision in 2018 which allowed states to require collection and remittance of use tax by remote sellers, H.B. 166 (133rd G.A.) enacted language implementing the Court's decision. The Court's decision made Congressional action unnecessary, which made the provisions to be repealed obsolete.**

**R.C. 5741.01, 5741.03, 5741.032 (repealed), Section 610.30**

Same as the Executive.

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

**R.C. 5741.01, 5741.03, 5741.032 (repealed), Section 610.30**

Same as the Executive.

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

Commercial Activity Tax

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD28 JCTC reporting of work-from home employees**

**R.C. 122.17**

Allows any business that receives the Job Creation Tax Credit (JCTC) to include work-from-home employees in its annual reporting of employment and payroll, thus allowing those employees' payroll to count towards computing and verifying the credit, beginning with reports filed for 2020. (Current law only allows JCTC recipients whose applications were approved after September 29, 2017, to include work-from-home employees).

**Fiscal effect: None. (Potentially prevents a loss of approved credits for taxpayers with JCTC agreements authorized prior to September 29, 2017, and whose employees may be required to work from home).**

**R.C. 122.17**

Same as the Executive.

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

**R.C. 122.17**

Same as the Executive.

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

**TAXCD29 JCTC expansion - alternative eligibility**

**R.C. 122.17, 122.86, Section 701.20**

Requires the Director of Development to adopt rules establishing alternative JCTC eligibility requirements for businesses that do not meet the minimum employment (ten new employees) or payroll thresholds prescribed by current rules but are otherwise eligible for the credit. Limits total credits awarded under the new eligibility criteria to \$25 million per fiscal biennium.

Reduces, from \$50 million to \$25 million, the biennial credit allotment for an existing income tax credit for investments in smaller businesses. (This credit is issued by the Director of Development).

**Fiscal effect: The JCTC may be claimed against the commercial activity tax (CAT), the petroleum activity tax,**

No provision.

No provision.

No provision.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

the personal income tax, the financial institutions tax, the domestic and foreign insurance taxes, and the corporate franchise tax. The executive anticipates this provision would reduce CAT receipts to the GRF by \$10 million in FY 2023, the earliest expected revenue loss.

**TAXCD71 Job retention tax credit: priority of applications**

No provision.

No provision.

**R.C. 122.171**

Requires the Tax Credit Authority and Director of Development, when recommending and approving job retention tax credit (JRTC) applications, to give priority to applications that meet one or more of the following criteria: (1) the applicant has not received a JRTC or job creation tax credit (JCTC) for the same location within the preceding five years, (2) the applicant is not currently receiving a JRTC or JCTC, (3) the applicant's facility has been operating in Ohio for the preceding 10 years, (4) the project will involve more than routine maintenance, and (5) the applicant intends to use materials and equipment sourced from Ohio businesses in the project.

**Fiscal effect: None.**

**TAXCD69 Permanent CAT exemption for BWC dividends**

No provision.

No provision.

**R.C. 5751.01, Section 803.170**

Authorizes a CAT exemption for Bureau of Workers' Compensation (BWC) dividends paid to employers, beginning with dividends paid in 2022. (S.B. 18 of the 134th General Assembly exempted dividends paid in 2020 and 2021).

**Fiscal effect: Decreases yearly CAT receipts by an uncertain amount, dependent on BWC distributions to employers. CAT receipts are distributed to the GRF (85%), the School**

Executive

As Passed By House

As Reported By Senate Finance

District Tangible Property Tax Replacement Fund (Fund 7047, 13%) and the Local Government Tangible Property Tax Replacement Fund (Fund 7081, 2%).

**TAXCD34 Common ownership test for CAT taxpayers groups**

**R.C. 5751.015**

Codifies an administrative rule related to which business entities are considered to be part of a consolidated elected or combined taxpayer group. (Under the CAT, each entity in a consolidated elected taxpayer group may elect, and each entity in a combined taxpayer group is required, to aggregate their taxable gross receipts and file as a single taxpayer.)

No provision.

No provision.

**Fiscal effect: None.**

**TAXCD41 Commercial activity tax (CAT) administrative earmark**

No provision.

**R.C. 5751.02, 812.20**

Reduces from 0.65% to 0.5% beginning July 1, 2021, the percentage of CAT revenue credited to the Revenue Enhancement Fund (Fund 2280).

**Fiscal effect: Lowers the amount of CAT revenue deposited into Fund 2280 for the Department's tax administration purposes by about \$3.3 million each fiscal year, and correspondingly increases the combined amount of CAT receipts deposited in the GRF (85%), the School District Tangible Property Tax Replacement Fund (Fund 7047, 13%), and the Local Government Tangible Property Tax Replacement Fund (Fund 7081, 2%) by \$3.3 million per year.**

**R.C. 5751.02, 812.20**

Same as the House, but reduces the percentage only from 0.65% to 0.575%.

**Fiscal effect: Same as the House, but reduces revenue to Fund 2280 by roughly \$1.7 million instead of \$3.3 million, with commensurate gains to the GRF and Funds 7047 and 7081.**

| Executive  | As Passed By House   | As Reported By Senate Finance   |
|--|--|---|
| <p><b>TAXCD31 Calculation of the annual minimum tax for the CAT</b></p> <p><b>R.C. 5751.03, Section 812.20</b></p> <p>Requires the calculation of the annual minimum tax applicable to the first \$1 million in taxable gross receipts to be determined on the basis of taxable gross receipts reported in the preceding, rather than the current calendar year.</p> <p><b>Fiscal effect: None. (Clarifies the reporting requirement for AMT taxpayers and reduces the process of reconciling actual tax paid with what was actually owed, as current law demands taxpayers estimate future gross receipts.)</b></p> | <p><b>R.C. 5751.03, Section 812.20</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 5751.03, Section 812.20</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <p><b>TAXCD32 CAT: QDC technical amendment</b></p> <p><b>R.C. 5751.40</b></p> <p>Corrects a cross reference error in the law governing the qualified distribution center (QDC) exclusion used in computing taxable gross receipts for the CAT.</p> <p><b>Fiscal effect: None.</b></p>  | <p><b>R.C. 5751.40</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>                 | <p><b>R.C. 5751.40</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  |
| <b><u>Cigarette Taxes</u></b>  |  |   |
| <p><b>TAXCD72 Changes to cigarette minimum pricing</b></p> <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>  | <p>No provision.</p> <p>No provision.</p> <p>No provision.</p>   | <p><b>R.C. 1333.11, 1333.12 through 1333.15</b></p> <p>Qualifies the manner in which cigarettes' wholesale minimum sale price is calculated.</p> <p>Prescribes the manner by which a wholesaler must obtain the Tax Commissioner's approval before using its actual cost of doing business in pricing cigarettes instead of statutory cost.</p> <p>Explicitly permits one wholesaler to sell cigarettes to another wholesaler without having to recover the minimum</p> |

| Executive  | As Passed By House                           | As Reported By Senate Finance  |
|--|--|--|
| No provision.  | No provision.                                | wholesale cost.<br>Requires a retailer or wholesaler to obtain approval from the Commissioner before conducting cigarette sales exempt from the minimum pricing law. |
| No provision.  | No provision.                                | Explicitly requires a competitor's price to be approved by the Commissioner before another wholesaler may match the competitor's price.                              |
| No provision.  | No provision.                                | Clarifies an existing offense prohibiting a wholesaler from selling cigarettes at less than the applicable minimum sale price.<br><b>Fiscal effect: None.</b>        |
| <b>Financial Institutions Tax</b>  |  |  |
| <b>TAXCD12 Financial institutions tax - technical amendment</b>              |  |  |
| <b>R.C. 5726.20, Section 803.50</b>  | <b>R.C. 5726.20, Section 803.50</b>          | <b>R.C. 5726.20, Section 803.50</b>  |
| Corrects an erroneous cross-reference in the financial institutions tax law. | Same as the Executive.                       | Same as the Executive.   |
| <b>Fiscal effect: None.</b>  | <b>Fiscal effect: Same as the Executive.</b> | <b>Fiscal effect: Same as the Executive.</b>   |

Kilowatt-hour and Natural Gas Consumption Taxes



Executive

As Passed By House

As Reported By Senate Finance

**TAXCD48 Kilowatt-hour tax exemption**

No provision.

**R.C. 5727.80, 5727.81 and Section 803.100**

Clarifies the law exempting certain end users from the kilowatt-hour tax by specifying that the tax does not apply to an end user that (1) generates its own electricity primarily for its own consumption on the same premises, but that also provides excess electricity to other entities, or (2) generates its own electricity primarily for its own consumption at a facility that is located on property that is contiguous to the property on which the electricity is consumed, provided, in either case, the generation facility does not initially exceed the end user's necessary electricity needs. (Currently, an end user is exempt if it uses self-generated electricity on the same site where the electricity was generated.)

**R.C. 5727.80, 5727.81 and Section 803.100**

Same as the House.

No provision.

States that the amendment is intended to clarify existing law.

Same as the House.

**Fiscal effect: The Tax Department estimates that this would reduce all funds revenue by approximately \$2.6 million in FY 2022 and \$3.9 million in FY 2023, of which the GRF revenue loss would be about \$2.5 million and \$3.8 million in FY 2022 and FY 2023, respectively. The remaining approximately \$0.1 million revenue loss each year would be split equally between the Local Government Fund and Public Library Fund. The reductions to LGF and PLF allocations will reduce distributions to counties, municipalities, townships, public libraries and other political subdivisions.**

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

Property Taxes and Transfer Fees

Executive

As Passed By House

As Reported By Senate Finance

TAXCD45 Property tax exemption: urban agricultural area

No provision.

**R.C. 323.161, 319.302, 323.155**

Allows a county with a population between 400,000 and 450,000 (Lucas County) to designate areas within the boundaries of a municipality an "urban agricultural area" and to allow qualifying urban farmers located within such an area to apply for a full or partial exemption only from property taxes charged by the county. Limits the initial term of the exemption to five years or less, but permits it to be renewed. Specifies that the urban farm must not be enrolled in the current agricultural use valuation program, and the urban farmer must meet certain eligibility criteria in order to

**Fiscal effect: May result in loss of property tax revenue to Lucas County. The county's levies totaled about 20.08 mills or 2% for tax year 2020, implying that the county could choose to exempt taxes totaling about that percentage of the taxable value of the qualifying urban farm.**

No provision.

TAXCD43 Clark County lodging tax

No provision.

**R.C. 351.021**

Authorizes a county that has a 2000 population of between 130,000 and 150,000, and that has a city with a 2000 population of more than 50,000 (Clark County), to increase its existing Convention Facilities Authority lodging tax rate from 3% to 4%.

**Fiscal effect: Department of Taxation data indicate that 6% lodging taxes in the City of Springfield and two townships, all in Clark County, raised \$1.1 million in 2018. Based on these figures, a 1 percentage point increase in Clark County's lodging tax might raise about \$190,000 per year.**

No provision.

Executive

As Passed By House

As Reported By Senate Finance

(No data are shown in this source for the county's lodging tax.)

TAXCD61 JEDD notice, petition, and contract requirements

No provision.

No provision.

**R.C. 715.72**

Makes the following changes to the procedure for creating certain joint economic development districts (JEDDs):  
 1) Modifies the notice and opt-out procedures for certain property that (a) is located within 1/2 mile of the JEDD or (b) receives water or sewer services under certain agreements from a municipality that is not part of the JEDD, and  
 2) Requires that the JEDD contract include certain information relating to the district's public utility infrastructure, if the proposed JEDD would include any property in which any non-JEDD party would provide water or sewer services.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD56 Special assessments exemption: nonprofit arts institutions**

No provision.

No provision.

**R.C. 727.031, 1710.06, 6101.48, and 6101.53; Section 803.30**

Temporarily exempts, for tax years 2020 to 2024, real property (1) located in a county having a population greater than 500,000 but less than 540,000 and (2) owned and operated by a qualifying tax-exempt nonprofit arts institution, or a limited liability company whose sole member is such an institution, from special assessments levied by a municipality, special improvement district, or a conservancy district, but only if that owner and operator does not currently owe any delinquent special assessments. Requires the county auditor and treasurer to refund any special assessments already paid for a tax year in which such real property qualifies for the exemption, i.e., tax year 2020.

**Fiscal effect: Will result in loss of revenue from special assessments on qualifying property located in Montgomery County.**

**TAXCD44 Improper homestead exemption recovery**

No provision.

**R.C. 4503.066, 323.153**

Imposes a charge against real property or manufactured or mobile homes receiving the homestead exemption if the property owner or occupant failed to notify the county auditor that the owner or occupant no longer qualified for the exemption, as required under continuing law. Specifies the amount of the charge equals the tax savings, plus interest, for each tax year that the owner or occupant did not qualify for the exemption.

**Fiscal effect: Increases local property tax receipts by an**

**R.C. 4503.066, 323.153**

Same as the House.

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

Executive

As Passed By House

As Reported By Senate Finance

indeterminate amount on behalf of erroneously claimed homestead exemptions later recovered by the applicable county. Although existing law provides for the recoupment of the owner-occupancy reduction (i.e., 2.5% property tax rollback) if the auditor later discovers that the owner was not entitled to the reduction and failed to notify the auditor, there is no similar reference in law for the recoupment of a homestead exemption. Nor is there any reference to an auditor’s ability to retroactively invalidate a prior year’s application or continuing application.

**TAXCD46 Emergency and police services combined levy**

No provision.

**R.C. 5705.19, Section 803.90**

Authorizes a municipal corporation or a township to permanently impose, with voter approval, a combined levy for fire and emergency medical services (EMS) and police services. (Separate police and fire/EMS levies may already be levied for a continuing period, and combined levies may already be levied for five or fewer years.)

**Fiscal effect: Allows another option for funding local police and fire/EMS services, reducing the number of times levies would need voter approval.**

**R.C. 5705.19, Section 803.90**

Same as the House.

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

**TAXCD54 Wetland-related property tax exemption**

No provision.

No provision.

**R.C. 5709.09, Section 803.140**

Authorizes a property tax exemption for certain property owned by a charitable organization and used for federal or state wetland mitigation or water quality improvement projects.

**Fiscal effect: May result in revenue losses for local governments, the extent of which appears uncertain.**

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD4 Property tax exemption for supportive mental health housing**

**R.C. 5709.121, Section 803.30**

Authorizes a property tax exemption for qualifying housing used by individuals diagnosed with mental illness or substance use disorder and their families. Applies beginning in tax year 2021, as well as to any pending tax exemption application.

**Fiscal effect: Expanded criteria under which housing for disabled persons may qualify for property tax exemption may result in lower real property tax revenue to school districts and other units of local government. Such property was determined to be taxable in a recent Board of Tax Appeals decision. Revenue loss from tax exemption is uncertain but may range up to \$15 million-\$32 million per year.**

**R.C. 5709.121, Section 803.30**

Same as the Executive.

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

No provision. (An identical provision was recently enacted in S.B. 57 of the 134th General Assembly.)

**TAXCD51 Disability housing property tax exemption**

No provision.

**R.C. 5709.121, Section 803.30**

Modifies the eligibility criteria for an existing tax exemption for property used to provide housing to persons with developmental disabilities. Waives a requirement in current law, that the charitable organization that owns the property must receive funding from one or more county boards of developmental disabilities, if at least 75% of the persons who lease the property for housing are eligible for certain Medicaid-funded services administered by the Department of Developmental Disabilities.

**Fiscal effect: Exempts additional property from taxation. Will result in revenue losses for school districts and local governments.**

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD55 Property tax exemption: Arts institution parking garage**

No provision.

No provision.

**R.C. 5709.121, Section 803.30**

Temporarily extends, for tax years 2020 to 2024, the charitable use property tax exemption to any parking garage owned and operated by a qualifying tax-exempt nonprofit arts institution, or a limited liability company whose sole member is such an institution, but only if that owner and operator does not currently owe any delinquent property tax.

No provision.

No provision.

Allows the owner and operator of that parking garage to file a special exemption application for tax year 2020 to allow the parking garage to qualify for the tax exemption for that tax year and to receive a refund of any taxes paid.

**Fiscal effect: Will result in loss of property tax revenue from a parking garage in Montgomery County. May apply to other qualifying real property.**

**TAXCD58 Fraternal organization property tax exemption**

No provision.

No provision.

**R.C. 5709.17, Section 803.150**

Allows a fraternal organization operating under a national governing body that has been operating in Ohio for at least 85 years to qualify for the existing property tax exemption for certain of its property. (Currently, the exemption is available only to fraternal organizations operating under a state governing body meeting those requirements.)

**Fiscal effect: Will result in loss of property tax revenue to school districts and local governments.**

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD59 TIF and downtown development district changes**

No provision.

No provision.

**R.C. 5709.40, 5709.41; Section 803.100**

Modifies the law governing tax increment financing districts (TIF) and downtown redevelopment districts (DRD) to (1) allow subdivisions to use TIF or DRD service payments for off-street parking facilities and (2) allow municipalities that create certain types of TIFs the discretion to designate the beginning date of the TIF exemption, rather than the exemption automatically beginning on the effective date of the designating ordinance. (This latter discretion is already allowed to subdivisions creating other types of TIFs and DRDs.)

**Fiscal effect: Explicitly allows use of service payments for off-street parking facilities.**

**TAXCD78 Exempt property: Notice of taxable use**

No provision.

No provision.

**R.C. 5713.083, 803.190**

Requires the owner of tax-exempt property to notify the county auditor if the property ceases to qualify for exemption so that the auditor may return the property to the tax list. Imposes a charge on property whose owner fails to give such notice equal to the tax savings for up to the five preceding years that the property did not qualify for exemption.

**Fiscal effect: Likely no fiscal effect for most owners of such property; may result in an increase, likely minimal, for charges imposed for failure to give the required notice.**



Executive

As Passed By House

As Reported By Senate Finance

**TAXCD65 Valuation of subsidized residential rental property**

No provision.

No provision.

**R.C. 5715.01, 5713.03**

Requires federally subsidized residential rental property to be valued for tax purposes based on its market rent without regard to the effects of government police powers or other governmental action, which may include subsidized rent, favorable financing, tax credits, or use restrictions.

**Fiscal effect: Could result in higher tax revenues than otherwise to units of local government, the magnitude of which is uncertain but could be substantial. This conclusion is based on an assumption that the Ohio Supreme Court’s 2018 decision in Notestine Manor, Inc. v. Logan Cty. Bd. of Revision would be generally applicable throughout the state. The decision affirmed the use of contract rents in property tax value determinations for certain properties.**

**TAXCD50 Property tax exemption for qualified energy projects**

No provision.

**R.C. 5727.75**

Extends, by two years, the deadline by which the owner or lessee of a qualified renewable energy project may apply for a property tax exemption.

**Fiscal effect: Potential revenue losses to school districts and other political subdivisions, though revenue losses to counties are permissive in certain cases, as explained below. The provision applies to prospective renewable energy (e.g., wind and solar) facilities that will newly obtain the property tax exemption for the two-year period, tax year (TY) 2024-TY 2025. Once a renewable energy project qualifies for this certification, it is exempt from taxation in all ensuing tax years. Since this exemption was originally**

**R.C. 5727.75**

Same as the House.

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

Executive

As Passed By House

As Reported By Senate Finance

enacted in 2010, the Ohio Development Services Agency has certified more than 60 renewable energy projects. The property tax exemption applies to real and tangible personal property used by the energy facility. If the nameplate capacity of a qualified energy project is 20 megawatts (MW) or greater, the local board of county commissioners must approve its tax-exempt status. In return for this approval, the owner or lessee of an energy project must make a payment in lieu of taxes (or "PILOT") ranging between \$6,000 and \$9,000 per each MW of nameplate capacity.

**TAXCD10 Property tax administration**

**Section: 409.20**

Requires the Tax Commissioner in FY 2022, notwithstanding section 5703.80 or division (F) of section 321.24 of the Revised Code, not to compute or certify the amounts calculated under divisions (A) and (B) of that section. Requires the Director of Budget and Management not to transfer any amounts from the General Revenue Fund to the Property Tax Administration Fund (Fund 5V80) in fiscal year 2022.

Prohibits the Director of Budget and Management to transfer any amounts from the General Revenue Fund to the Property Tax Administration Fund in fiscal year 2022, and prohibits the Tax Commissioner to subtract any amounts computed under section 5703.80 of the Revised Code, as amended by this act, from the payments made from the GRF to county treasurers under division (F) of section 321.24 of the Revised Code.

Specifies that the Property Tax Administration Fund shall be funded as provided in section 5703.80 and division (F) of

**Section: 409.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 409.20**

Same as the Executive.

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

section 321.24 of the Revised Code during FY 2023.

**Fiscal effect: Section 5703.80 provides for funding of property tax administration with 0.25% or less of the amount of the 10% rollback on residential and agricultural real property and 0.45% or less of the amount of taxes on public utility tangible personal property, limited to costs to administer these taxes. These percentages were reduced by H.B. 26 of the 132nd G.A. and calculation of them was suspended in FY 2018 through FY 2021. Prior to FY 2018, revenues to Fund 5V80 considerably outpaced expenditures, and cash accumulated in Fund 5V80, due in part to expansion of pipelines in the state. Property tax administration costs were paid out of these accumulated cash balances during FY 2018 through FY 2021 while transfers to Fund 5V80 were suspended. Property tax administration expenses totaled about \$3.6 million in FY 2020. Suspension of transfers is to continue in FY 2022 under the Executive's proposed budget, and transfers resume in FY 2023.**

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

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

**TAXCD84 Property tax abatement for charitable use property**

No provision.

No provision.

**Section: 757.50**

Establishes a temporary procedure by which a 501(c)(3) organization that acquired property from a school district may apply for a tax exemption and the abatement of more than three years of unpaid property taxes, penalties, and interest due on the property, provided it currently qualifies for the charitable use exemption. (Under continuing law, property is tax-exempt if it is used exclusively for a charitable purpose, but such property may not be exempted if more than three years' worth of taxes remain unpaid.)

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Will reduce taxes due from a property owner in Stark County and possibly elsewhere on any other qualifying property.**

**Other Taxation Provisions**

**TAXCD62 Tax Expenditure Review Committee repeal**

No provision.

No provision.

**R.C. 107.03, 5101.806, and 5703.95 (repealed)**

Eliminates the Tax Expenditure Review Committee and its related reporting duties. Repeals a provision recommending that any bill proposing to enact or modify a tax expenditure include a statement of the bill's intent.

**Fiscal effect: Possible minimal cost savings for state agencies required to assist the committee, including the Department of Taxation, the Office of Budget and Management, the Department of Development, and the Legislative Service Commission.**

**TAXCD83 Transformational mixed use development tax credit**

No provision.

No provision.

**R.C. 122.09**

Modifies an existing insurance premium tax credit for capital contributions to the construction of a transformational mixed use development (TMUD) by (1) extending the sunset date for certifying new TMUD projects by two years, to June 30, 2025; and (2) setting the maximum annual credit allotment for FY 2024 and FY 2025 at \$100 million (the same limit that applies under current law to FY 2020 to FY 2022, though no credits have been issued in FY 2020 or FY 2021).

**Fiscal effect: None. Potential revenue loss associated with the tax credit may occur in future fiscal years, instead of beginning in FY 2021.**

Executive

As Passed By House

As Reported By Senate Finance

TAXCD81 Rural business growth program

No provision.

No provision.

**R.C. 122.15, 122.151, 122.153, 122.154, 122.156, and section 757.60**

Makes the following changes to the existing insurance premiums tax credit for investments in rural business growth funds:

Increases by \$45 million the amount of tax credits that may be awarded by the Department of Development. (The current tax credit program has already exhausted its previous \$45 million credit limit. Under continuing law, credits are claimed in four annual installments following a three-year holding period after the investment is certified as tax-credit eligible.)

No provision.

No provision.

Modifies the eligibility criteria and investment criteria for the new credit allocation as follows: (1) decreases for businesses located in a border county, the percentage of the business’s employees who must reside in Ohio or, alternatively, the percentage of the business’s payroll that must be paid to Ohio residents in order for investments in that business to be credit-eligible, (2) increases, by one year, the time over which the rural business growth fund must invest its contribution in a way that would qualify for the credit, (3) creates tiers of rural counties, based on population, where eligible investments must occur, and (4) adjusts the amount of credit-eligible contributions that may be invested in a single business.

No provision.

No provision.

Authorizes the Department to begin accepting applications from growth funds to qualify for the new credit allocation beginning 30 days after the bill’s 90-day effective date.

**Fiscal effect: No revenue impact for the FY2022-FY 2023**

Executive

As Passed By House

As Reported By Senate Finance

biennium. The tax credits created in this amendment and associated revenue losses to the GRF, the Local Government Fund, and the Public Library Fund will first occur in FY 2024.

**TAXCD13 Wireless 9-1-1 Government Assistance Fund distribution**

**R.C. 128.55**

Requires the monthly disbursements made by the Tax Commissioner from the Wireless 9-1-1 Government Assistance Fund (Fund 7093) to county treasurers to be made in the same proportion distributed to that county in the corresponding month of the previous calendar year, instead of the current law disbursements requirement that is based on the same amounts disbursed in the corresponding months in 2013 made by the Public Utilities Commission of Ohio (PUCO).

Requires any shortfall in distributions resulting from the timing of funds received in a previous month to be distributed in the following month. (Under current law, the distribution requirement due to insufficient funds is based on reducing each county's share in proportion to the corresponding month in 2013 until the amount available in Fund 7093 is allocated, and such shortfalls must be remedied in the following month.)

**Fiscal effect: None. Total disbursements to counties in calendar year (CY) 2020 were the same as the distributions made by PUCO in CY 2013.**

**R.C. 128.55**

Same as the Executive.

Same as the Executive.

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

**R.C. 128.55**

Same as the Executive.

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD42 Delinquent municipal income tax collection: federal Treasury Offset Program**

| Executive     | As Passed By House  | As Reported By Senate Finance   |
|---------------|---|---|
| No provision. | <p><b>R.C. 131.025</b></p> <p>Requires the Attorney General to participate in the federal Treasury Offset Program (TOP) for the collection of past due municipal income taxes to the extent that such taxes qualify for the program.</p>  | <p><b>R.C. 131.025</b></p> <p>Same as the House.</p>                      |
| No provision. | <p>Specifies that the Attorney General is the tax administrator with respect to past due municipal income taxes that are certified to the Attorney General for collection solely for the purpose of qualifying for the TOP.</p> <p><b>Fiscal effect: TOP is a program in which state and federal tax administrators cooperate to collect delinquent taxes. Adding municipal income taxes to the program will increase collections, but likely not by a substantial amount; participation is voluntary for municipalities. Since the state already participates in TOP, additional costs, including AGO costs, would be minimal.</b></p> | <p>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p> |

**TAXCD14 Estate tax filing and fees**

| Executive  | As Passed By House  | As Reported By Senate Finance   |
|--|---|---|
| <p><b>R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41</b></p> <p>Makes administrative changes to the repealed estate tax and the fees allowed to officials and agents for collecting the tax. Provides that no estate tax is due for property first discovered after December 31, 2021. (The state estate tax was repealed on January 1, 2013, but the tax continues to apply to newly-discovered property of decedents who died before that date.)</p> <p><b>Fiscal effect: Potential revenue loss is likely negligible; estate tax receipts continue to trickle in since the tax was</b></p> | <p><b>R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> | <p><b>R.C. 319.54, 321.27, 5731.21, 5731.24, 5731.28, and 5731.41</b></p> <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p> |

Executive

As Passed By House

As Reported By Senate Finance

repealed. In FY 2020, receipts were about \$0.5 million; about \$0.1 million was deposited into the GRF and \$0.4 million was the share to local governments.

**TAXCD70** Local gross receipts taxes and fees on medical marijuana

No provision.

No provision.

**R.C. 3796.31**

Prohibits local governments from imposing a tax or fee based on the gross receipts of medical marijuana businesses, or one that is the same or similar to a tax or fee imposed by the state, unless explicitly authorized by the Revised Code.

**Fiscal effect: Eliminates a potential source of revenue for political subdivisions.**

**TAXCD18** Verification of liquor permit holder payments to local subdivisions

**R.C. 4303.271, 4303.26, Section 803.20**

Requires the Tax Commissioner, beginning February 1, 2022, to annually verify that a liquor permit holder is current on its payments of resort area and tourism development district gross receipts taxes, which are levied by certain subdivisions.

**Fiscal effect: May increase resort areas and tourism development districts receipts by a minimal amount.**

**R.C. 4303.271, 4303.26, Section 803.20**

Same as the Executive.

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

**R.C. 4303.271, 4303.26, Section 803.20**

Same as the Executive.

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

**TAXCD35** Motor vehicle title fee partial reallocation

**R.C. 4505.09**

Reallocates 10¢ of each fee collected on vehicle title issuance from the Motor Vehicle Sales Audit Fund (Fund 4360), used by the Department of Taxation, to the Highway Operating Fund (Fund 7002), used by the Department of Transportation.

**Fiscal effect: Revenue increase of approximately \$600,000 per fiscal year to Fund 7002, and an equal decline of revenue to Fund 4360.**

**R.C. 4505.09**

Same as the Executive.

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

**R.C. 4505.09**

Same as the Executive.

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



Executive

As Passed By House

As Reported By Senate Finance

**TAXCD20 Sharing information with State Racing Commission, other tax administrators**

**R.C. 5703.21**

Permits the Department of Taxation to share certain information with the State Racing Commission necessary to verify compliance with horse-racing laws.

No provision.

**Fiscal effect: None.**

**R.C. 5703.21**

Same as the Executive.

No provision.

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

**R.C. 5703.21**

Same as the Executive.

Authorizes the Department of Taxation to provide to municipal tax administrators municipal income tax returns or other information filed or reported electronically with the state, including through the Ohio Business Gateway, but only if the return or information relates to that municipality's income taxes.

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

**TAXCD3 Tax refund application review process**

**R.C. 5703.70**

Explicitly authorizes the Tax Commissioner to adjust the amount of a state tax refund multiple times before issuing a final refund determination in response to the refund requestor's submission of additional information following notice of the Commissioner's preliminary determination.

**Fiscal effect: None.**

**R.C. 5703.70**

Same as the Executive.

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

**R.C. 5703.70**

Same as the Executive.

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

**TAXCD21 Political subdivision funds transfer approval period**

**R.C. 5705.16**

Extends, from 10 days to 30 days, the time allowed the Tax Commissioner to approve or disapprove a political subdivision's petition for a transfer of moneys between certain of the subdivision's funds.

**Fiscal effect: None.**

**R.C. 5705.16**

Same as the Executive.

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

**R.C. 5705.16**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD11 Pollution control facility tax exemptions**

**R.C. 5709.21, Section 803.40**

Requires an application to the Tax Commissioner for a property and sales and use tax exemption for certain facilities used to abate pollution, noise, or energy waste (i.e., an exempt facility certificate) to separately identify property exclusively and necessarily used for the operation of the facility ("exclusive property"), as distinct from auxiliary property that may also be used for other purposes. (A property tax exemption for auxiliary property is calculated differently than for exclusive property.)

No provision.

No provision.

Specifies that the requirement to separately identify exclusive property applies to applications for an exempt facility certificate filed on and after the provision's effective date.

No provision.

No provision.

Requires an applicant to prove which property is exclusive property for applications filed before that date, in which such property was not separately distinguished.

No provision.

No provision.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD74** Municipal income tax temporary COVID-19 withholding rules

|               |               |  |
|---------------|---------------|--|
| No provision. | No provision. | <p><b>Section: 610.115, 610.116, 757.40</b></p> <p>Amends section 29 of H.B. 197 of the 133rd General Assembly to provide that a temporary municipal income tax withholding rule in effect during the Governor's COVID-19 emergency declaration extends through December 31, 2021, regardless of when the declaration ends. (Under current law, the rule is set to expire 30 days after the emergency declaration expires; under the temporary rule, employers withhold municipal income taxes to an employee's principal place of work even though the employee may be working from home or another location due to the emergency declaration.)</p> |
| No provision. | No provision. | <p>States that the temporary rule applies only to an employer's tax withholding obligations and net profit calculation, and not to an employee's actual tax liability.</p>   |
| No provision. | No provision. | <p>Prohibits a municipal tax administrator from assessing tax, penalty, or interest against an employer for the failure to withhold municipal income tax from an employee's wages to the extent the employer withheld taxes to the employee's principal place of work during the period of time the temporary withholding rule is in effect.</p>   |
| No provision. | No provision. | <p>Provides that, if an employee requests a refund of municipal income taxes withheld pursuant to the temporary rule, the municipal tax administrator may not require any documentation from the employer to process the request other than a statement verifying that the employer has not refunded any withholding to the employee and the number of days the employee worked at their employee's principal place of work.</p>   |

Executive

As Passed By House

As Reported By Senate Finance

No provision.

No provision.

Clarifies the manner in which an employee's municipal corporation of residence may treat the employee's qualifying wages as income if the tax rate of the municipal corporation in which the employee's principal place of work is located is higher than the municipal corporation of residence.

No provision.

No provision.

Clarifies the manner in which an employee's municipal corporation of residence may treat the employee's qualifying wages as income for the purpose of determining the amount of tax if municipal credits to the employee are less than one hundred per cent of the taxes paid to another municipal corporation.

**Fiscal effect: Would likely result in an undetermined revenue loss for certain municipalities for calendar years 2020 and 2021. May increase the cost to certain municipalities of processing requests for refunds and other administrative costs.**

**TAXCD38 Business incentive tax credits**

**Section: 757.20**

Provides estimates of the amounts of business incentive tax credits that may be authorized and claimed during the biennium and the amount of authorized credits that may be outstanding at the end of the biennium.

**Section: 757.20**

Same as the Executive.

**Section: 757.20**

Same as the Executive.

Appropriation Language

**TAXCD5 Tax refunds**

**Section: 409.20**

Specifies that appropriation item 110635, Tax Refunds, is to be used to pay refunds under section 5703.052 of the Revised Code. Appropriates additional amounts if needed for this purpose.

**Section: 409.20**

Same as the Executive.

**Section: 409.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD6 Vendor's license payments**

**Section: 409.20**

Specifies that appropriation item 110631, Vendor's License Application, is to be used to make payments to county auditors under section 5739.17 of the Revised Code. Appropriates additional amounts if necessary to make such payments.

**Section: 409.20**

Same as the Executive.

**Section: 409.20**

Same as the Executive.

**TAXCD7 International registration plan administration**

**Section: 409.20**

Specifies that appropriation item 110616, International Registration Plan Administration, is to be used under section 5703.12 of the Revised Code for audits of persons with vehicles registered under the International Registration Plan.

**Section: 409.20**

Same as the Executive.

**Section: 409.20**

Same as the Executive.

**TAXCD8 Travel expenses for the streamlined sales tax project**

**Section: 409.20**

Specifies that appropriation item 110607, Local Tax Administration, may be used by the Tax Commissioner to 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. Requires any travel expense reimbursement paid for by the Department of Taxation to be done in accordance with applicable state laws and guidelines.

**Section: 409.20**

Same as the Executive.

**Section: 409.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**TAXCD9 Tobacco settlement enforcement**

**Section: 409.20**

Requires appropriation item 110404, Tobacco Settlement Enforcement, to be used by the Tax Commissioner to pay costs incurred in the enforcement of divisions (F) and (G) of section 5743.03 of the Revised Code.

**Section: 409.20**

Same as the Executive.

**Section: 409.20**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DOTCD50 Maritime Assistance Program**

No provision.

No provision.

**Section: 411.10, 411.40**

Requires Fund 5QT0 appropriation item 776670, Ohio Maritime Assistance Program, to be used to issue grants to qualifying port authorities under the Ohio Maritime Assistance Program established in R.C. 5501.91.

No provision.

No provision.

Requires the Director of Budget and Management to transfer \$11,000,000 in fiscal year 2022 and \$12,000,000 in fiscal year 2023 from the Facilities Establishment Fund (Fund 7037) to the Ohio Maritime Assistance Fund (Fund 5QT0).

**DOTCD49 Local Transportation Projects**

No provision.

No provision.

**Section: 411.15**

Requires that appropriation item 772502, Local Transportation Projects, be used to support the Regional Transportation Improvement Project in Carrol, Columbiana, and Stark counties.

**DOTCD29 Public Transportation - State**

**Section: 411.20**

Requires that GRF appropriation item 775470, Public Transportation - State, be used for grants to support public transit.

**Section: 411.20**

Same as the Executive.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**DOTCD47 Airport Improvements - State**

No provision.

**Section: 411.30**

Requires GRF appropriation item 777471, Airport Improvements - State, to be used to administer the Ohio Airport Grants Program to support capital improvements, maintain infrastructure, and ensure safety at publicly owned, public use airports.

**Section: 411.30**

Same as the House.

**DOTCD37 Diesel Emissions Reduction Grant Program**

**Section: 755.10**

Establishes the Diesel Emissions Grant Reduction Program, administered by the Director of Environmental Protection and funded by Highway Operating Fund (Fund 7002) appropriations under the budget of the Department of Transportation. Requires the EPA Director to solicit, evaluate, score, and select projects submitted by public and private entities that are eligible for funding under the federal Congestion Mitigation and Air Quality (CMAQ) Program.

Specifies that in addition to the expenditures allowed under RC 122.861, program funds also may be used for projects proposing to buy or use hybrid and alternative fuel vehicles as allowed under CMAQ guidelines provided by the Federal Highway Administration (FHWA).

Specifies that public entities eligible to receive funds under RC 122.861 and CMAQ shall be reimbursed from money in Fund 7002 that is set aside for the Diesel Emissions Reduction Grant Program. Specifies that private entities are to be reimbursed, at the direction of the local public agency sponsor and upon approval of ODOT, through direct payments. Limits the amount of funding available for the

**Section: 755.10**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 755.10**

Same as the Executive.

Same as the Executive.

Same as the Executive.



Executive

As Passed By House

As Reported By Senate Finance

Diesel Emissions Reduction Grant Program to \$10,000,000 in each fiscal year of the FY 2022-FY 2023 biennium.

Specifies that the funding for CMAQ under this section does not reduce the amount of CMAQ funding designated for metropolitan planning organizations.

Requires the EPA Director, in consultation with the ODOT Director, to develop guidance for funding and administering the Diesel Emissions Reduction Grant Program, including a method for prioritizing projects, acceptable technologies, and procedures for awarding grants.

Same as the Executive.

Same as the Executive.

Same as the Executive.

Same as the Executive.

**DOTCD48 Traffic safety study**

No provision.

No provision.

No provision.

**Section: 755.20**

Requires the ODOT Director, in conjunction with the chief executive officers and legislative authorities of Strongsville, North Royalton, and Brunswick, to conduct a traffic safety study of roads and highways in those cities.

Requires the ODOT Director to submit a report of the study's findings (and potential solutions to the safety concerns) to the Governor, Speaker of the House of Representatives, President of the Senate, the chairpersons of the transportation committees in the House and Senate, and the chief executive officers of the cities listed above.

Requires the ODOT Director to use up to \$100,000 of flexible funding available under the Highway Operating Fund (Fund 7002) to pay for the study.

**Section: 755.20**

Same as the House.

Same as the House.

Same as the House.

Executive

As Passed By House

As Reported By Senate Finance

TOSCD7 State and local government expenditure database

|               | R.C. 113.71, 113.70, 113.72, 113.73, 113.74, 113.75, 113.76, 113.77   | R.C. 113.71, 113.70, 113.72, 113.73, 113.74, 113.75, 113.76, 113.77 |
|---------------|---|---|
| No provision. | Requires the Treasurer of State (TOS), in collaboration with the Director of Budget and Management (OBM) and the Director of Administrative Services (DAS), to establish and maintain the Ohio State and Local Government Expenditure Database, which is to include detailed data on expenditures of state government and those of volunteering political subdivisions and state retirement systems. Requires the database be made freely available to the public via the TOS and OBM websites. Requires TOS to enter into an annual agreement with OBM and DAS to ensure the proper maintenance and operation of the database. | Same as the House.  |
| No provision. | Requires the database to include specified expenditure information and salary and employment information for state and school district workers, and to have specified capabilities to filter and display data.  | Same as the House.  |
| No provision. | Requires the database to omit any information that is confidential or not a public record under state law, and exempts the state and state employees from liability in the event a confidential record is published.  | Same as the House.  |
| No provision. | Allows a political subdivision or state retirement system to publish expenditure information on the database, pursuant to laws governing the database's content.  | Same as the House.  |
| No provision. | Requires each state agency to display a link to the database on their website.  | Same as the House.  |
| No provision. | Requires TOS to coordinate with OBM to allow for public comment regarding the database's usability.   | Same as the House.  |

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Most of these provisions codify existing practice of operating Ohio Checkbook website: [Checkbook.ohio.gov](http://Checkbook.ohio.gov).**

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

**TOSCD9 Treasurer's investment in negotiable certificates of deposit**

**R.C. 135.143, 135.45, 3770.06**

No provision.

No provision.

Authorizes the Treasurer of State to invest or execute transactions for interim funds in negotiable certificates of deposit. Limits investment in negotiable certificates of deposit to not more than 25% of the state's total average portfolio.

No provision.

No provision.

Expands an existing limit on investment in debt interests of a single issuer, such that when the amount of such investment, when added to the amount invested in commercial paper (existing law) and negotiable certificates of deposit (added by the bill), it may not exceed in the aggregate 5% of the state's investment portfolio.

**Fiscal effect: Expands current options for investment of state interim funds by the Treasurer.**

**TOSCD1 Office of the Sinking Fund**

**Section: 413.20**

**Section: 413.20**

**Section: 413.20**

Specifies that appropriation item 090401, Office of the Sinking Fund, be used to pay costs incurred by or on behalf of the Commissioners of the Sinking Fund and the Public Facilities Commission with respect to State of Ohio general obligation bonds or notes.

Same as the Executive.

Same as the Executive.

Requires the GRF to be reimbursed for such costs relating to the issuance and administration of Highway Capital Improvement bonds or notes authorized under Ohio Constitution, Article VIII, Section 2m and Chapter 151 of the

Same as the Executive.

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

Revised Code from appropriation item 155902, Highway Capital Improvement Bond Retirement Fund (Fund 7072), by intrastate transfer voucher pursuant to a certification by the Office of the Sinking Fund of the actual amounts used. Appropriates amounts necessary to provide such reimbursements from Fund 7072.

**TOSCD2 STABLE account administration**

**Section: 413.20**

Requires appropriation item 090613, STABLE Account Administration, to be used for administration of the Achieve a Better Living Experience (ABLE) account program.

**Section: 413.20**

Same as the Executive.

**Section: 413.20**

Same as the Executive.

**TOSCD3 Tax Refunds**

**Section: 413.20**

Requires appropriation item 090635, Tax Refunds, to be used to pay specified tax refunds. Appropriates additional amounts if the Director of Budget and Management determines that additional amounts are necessary for that purpose.

**Section: 413.20**

Same as the Executive.

**Section: 413.20**

Same as the Executive.

**TOSCD4 Treasury management system**

**Section: 413.30**

Requires appropriation item 090406, Treasury Management System Lease Rental Payments, to be used for payments during the period from July 1, 2021 through June 30, 2023, pursuant to leases and agreements with respect to financing the costs associated with the acquisition, development, implementation, and integration of the Treasury Management System.

**Section: 413.30**

Same as the Executive.

**Section: 413.30**

Same as the Executive.

|                  |                           |                                      |
|------------------|---------------------------|--------------------------------------|
| <b>Executive</b> | <b>As Passed By House</b> | <b>As Reported By Senate Finance</b> |
|------------------|---------------------------|--------------------------------------|

**TOSCD5 OhioMeansJobs Workforce Development Revolving Loan Program**

**Section: 413.40**

Requires appropriation item 090610, OhioMeansJobs Workforce Development, to be used to provide loans to individuals for workforce training.

Earmarks up to \$250,000 in each fiscal year to provide for administration of the program, and reappropriates unexpended and unencumbered funds at the end of FY 2022 to be used for the same purpose in FY 2023.

Requires the Treasurer of State, during the second half of FY 2023, to determine if funding sources will be adequate to support the FY 2023 appropriation, and permits the Treasurer to request up to \$325,000 from the Controlling Board if funding sources are determined to be inadequate. Specifies that the request should be for a transfer from the Controlling Board Emergency Purposes/Contingencies Fund (Fund 5KM0) to the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0).

**Section: 413.40**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**Section: 413.40**

Same as the Executive.

Same as the Executive.

Same as the Executive.

**TOSCD6 Pay for Success Contract Fund**

**Section: 701.10**

Requires the State Pay for Success Contract Fund (Fund 5VZ0) to be used for the purpose of funding a pay for success project pursuant to R.C. 113.60.

Requires the Treasurer of State (TOS), in consultation with the Director of Administrative Services and the Chancellor of Higher Education, to initiate a pay for success contract with a service intermediary and service provider to improve Ohio National Guard Scholarship utilization and postsecondary outcomes for scholarship recipients. Specifies that the

**Section: 701.10, 413.50**

Same as the Executive.

Same as the Executive.

**Section: 701.10, 413.50**

Same as the Executive.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

program must be delivered to Ohio National Guard members planning to matriculate at a state institution of higher education in Ohio.

No provision.

Requires appropriation line item 090615, State Pay for Success Contract Fund, to be used to fund a pay for success contract with OneFifteen Recovery for the purpose of delivering the Providing Rigorous Outcomes Generating Reliable Effects and Strengthening Systems (PROGRESS) Program and an independent evaluator contract. Reappropriates any unexpended and unencumbered funds remaining at the end of FY 2022 in FY 2023 to be used for the same purpose.

**Fiscal effect: The House budget provides \$1 million in FY 2022 in appropriation line item 090615, State Pay for Success Contract Fund.**

Same as the House, except the service intermediary is changed from OneFifteen Recovery to Foundation for Appalachian Ohio, and the contract is changed to one for a program for vision care services.

**Fiscal effect: The Senate budget provides \$1.2 million in FY 2022 in appropriation line item 090615, State Pay for Success Contract Fund.**

Executive

As Passed By House

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**DVSCD1 Veterans organizations' rent**

**Section: 415.10**

Requires GRF appropriation item 900408, Department of Veterans Services, to be used to pay veterans organizations' rent in buildings managed by the Department of Administrative Services.

**Section: 415.10**

Same as the Executive.

**Section: 415.10**

Same as the Executive.

**DVSCD2 Veterans Compensation General Obligation Bond Debt Service**

**Section: 415.10**

Requires GRF appropriation item 900901, Veterans Compensation General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs during the period from July 1, 2021, through June 30, 2023, on obligations issued under Section 2r of Article VIII, Ohio Constitution.

**Section: 415.10**

Same as the Executive.

**Section: 415.10**

Same as the Executive.

**DVSCD3 Uniforms to Unions**

No provision.

**Section: 415.10**

Earmarks \$150,000 in each fiscal year from GRF appropriation item 900408, Department of Veterans Services, to make grants to the AFL-CIO for the Uniforms to Unions Ohio initiative and to hire an employee to run and promote the grant program. Specifies that, to the extent possible, the employee should be a veteran of the armed forces of the United States. Requires grant funds to be used to recruit, retain, assist, and support National Guard, reserve, and active duty military member and veteran participation.

No provision.

Executive

As Passed By House

As Reported By Senate Finance

DVSCD4 Volunteers of America Cleveland shelter for female veterans

No provision.

No provision.

**Section: 415.10**

Earmarks \$200,000 in fiscal year 2022 from GRF appropriation item 900408, Department of Veterans Services, to be distributed to Volunteers of America to construct temporary housing for female veterans in need and to provide related services to Ohio female veterans at their facility located in Cuyahoga County. Requires all of this funding to be spent in Ohio on Ohio female veterans.

DVSCD5 Save a Warrior

No provision.

No provision.

**Section: 415.10**

Earmarks \$100,000 in each fiscal year from GRF appropriation item 900408, Department of Veterans Services, to be distributed to Save a Warrior to provide post-traumatic stress rehabilitation services to Ohio veterans at their facility located in Highland County.



Executive

As Passed By House

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**DYSCD1 Community Programs**

**Section: 421.10**

Permits the Department of Youth Services, for purposes of implementing juvenile sentencing reforms, to use up to \$1,375,000 of the unexpended, unencumbered balance of the portion of GRF 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.

**Section: 421.10**

Same as the Executive.

**Section: 421.10**

Same as the Executive.

**DYSCD2 Juvenile Correctional Facilities Lease Rental Bond Payments**

**Section: 421.10**

Requires GRF appropriation item 470412, Juvenile Correctional Facilities Lease Rental Bond Payments, to be used to meet all payments during the period from July 1, 2021, through June 30, 2023, by the Department of Youth Services under the leases and agreements for facilities under R.C. Chapters 152. and 154., and specifies that the appropriated amounts are the source of funds pledged for bond service charges on related obligations issued under R.C. Chapters 152. and 154.

**Section: 421.10**

Same as the Executive.

**Section: 421.10**

Same as the Executive.

**DYSCD3 Education Services**

**Section: 421.10**

Requires DPF Fund 1750 appropriation item 470613, Education Services, to be used to fund the operating expenses of providing educational services to youth supervised by the Department of Youth Services, including, but not limited to, teachers' salaries, maintenance costs, and educational equipment.

**Section: 421.10**

Same as the Executive.

**Section: 421.10**

Same as the Executive.

Executive

As Passed By House

As Reported By Senate Finance

**DYSCD4 Flexible Funding for Children and Families**

**Section: 421.10**

Permits the juvenile court, in collaboration with that county's family and children first council, to transfer portions of its allocations from one or both of GRF appropriation items 470401, RECLAIM Ohio, and 470510, Youth Services, to a flexible funding pool as authorized by Section 337.160 (Family and Children First Flexible Funding Pool) of the bill.

**Section: 421.10**

Same as the Executive.

**Section: 421.10**

Same as the Executive.

**DYSCD5 Cleveland Rape Crisis Center**

No provision.

No provision.

**Section: 421.10**

Earmarks \$300,000 in each fiscal year to be distributed from GRF appropriation item 470401, RECLAIM Ohio, to the Cleveland Rape Crisis Center to provide services for at-risk youth through the Cleveland Rape Crisis Center Human Trafficking Drop-in Center.

Executive

As Passed By House

As Reported By Senate Finance

LOCCD22 Dishonesty and faithful performance of duty policy

No provision.

R.C. 3.061, 940.05

Authorizes a soil and water conservation district to use an "employee dishonesty and faithful performance of duty policy" in lieu of surety bonds for all officers, employees, and appointees that are required by law to give a bond. (Certain political subdivisions have this authority under current law.)

**Fiscal effect: Gives SWCDs another option for insuring against officials and employees found to have mishandled SWCD funds.**

No provision.

LOCCD1 Jurisdiction for appeals

R.C. 119.12

Establishes the Franklin County Court of Common Pleas as the jurisdiction for all appeals from orders issued by the Occupational Therapy, Physical Therapy, and Athletic Trainers Board (instead of the court of common pleas of the licensee's county of residence or of the county in which the licensee's place of business is located).

**Fiscal effect: Possible increase in expenses related to additional cases in the Franklin County Court of Common Pleas, with some offsetting revenue in the form of court costs and fees. Corresponding decrease in expenses and offsetting revenue in the court of common pleas that would have otherwise heard such an appeal. Potential savings effect for the Board, as staff would not have to travel and defend action(s) in another county.**

R.C. 119.12

Same as the Executive.

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

No provision.

Executive

As Passed By House

As Reported By Senate Finance

LOCCD39 Government-owned broadband networks

No provision.

No provision.

**R.C. 122.4090, 122.4091, 122.4093, 122.4095, 122.4097, and 122.4098**

Permits political subdivisions to establish a government-owned network for the provision of broadband service on a wholesale or retail basis only in unserved areas within the political subdivision, but not to any part of the state outside of that unserved area.

No provision.

No provision.

Defines "unserved areas" as areas within the geographic boundaries of the political subdivision with a network that are without access to "tier one broadband service" (broadband service capable of speeds of at least 10 but less than 25 Mbps downstream and at least 1 but less than 3 Mbps upstream) or "tier two broadband service" (broadband service capable of speeds of at least 25 Mbps downstream and at least 3 Mbps upstream).

No provision.

No provision.

Requires a political subdivision with a network to (1) provide notice in a newspaper of its intent to provide broadband service in an unserved area and (2) obtain the same approvals and authorizations that private entities must obtain to construct and deploy broadband facilities in public rights of way.

No provision.

No provision.

Requires the political subdivision to perform certain other tasks such as (1) preparing a formal business plan for the network, (2) establishing measures to protect residents from any increase in taxes or fees to offset any losses if the network performance is poor or demand for the service is insufficient, (3) providing information demonstrating that the network and provision of broadband service does not adversely affect the political subdivision's credit rating, and

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No provision.

No provision.

(4) establishing a mechanism to refund any profits to taxpayers if the provision of broadband service through the operation of the network generates a net profit.

Requires the network to be funded by capital funds allocated by the legislative authority of the political subdivision in a resolution adopted by the legislative authority after it approves the business plan submitted by the political subdivision.

No provision.

No provision.

Prohibits the political subdivision with a network from aggregating federal funds received at different times or using revenues and other public monies allocated for other residential or business services to fund or subsidize the construction, deployment, purchase, lease, or operation of broadband facilities, or the provision of broadband service to subscribers.

**Fiscal effect: Political subdivision that establish a broadband network in unserved areas will incur new costs for building out the system and operating it. The costs could be at least partially offset via fees to subscribers of the network.**

**LOCCD3 Political subdivision purchases through DAS**

R.C. 125.04, 3501.302

Authorizes DAS to permit political subdivisions of another state to participate in DAS contracts for the purchase of supplies and services.

Allows a county board of elections to participate in DAS contracts for the purchase of supplies and services if DAS has authorized that county to participate in those contracts, rather than making the board apply separately.

R.C. 125.04, 3501.302

Same as the Executive.

Same as the Executive.

R.C. 125.04, 3501.302

Same as the Executive.

Same as the Executive.

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <p>Clarifies that a county board of elections is permitted to purchase election supplies through DAS's cooperative purchasing program, through the Secretary of State's bulk purchasing program, or through other means.</p> <p><b>Fiscal effect: Provides county boards of elections purchasing flexibility that would allow the boards to acquire supplies at a lower cost in some instances.</b></p> | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>  | <p>Same as the Executive.</p> <p><b>Fiscal effect: Same as the Executive.</b></p>   |
| <b>LOCCD23 Attorneys fees and costs in inverse condemnation proceedings</b>   |  |   |
| <p>No provision.</p>  | <p><b>R.C. 163.62, Section 701.50</b></p> <p>Requires courts in inverse condemnation (a variation of the eminent domain concept where the suit is initiated by the property owner) proceedings to award amounts sufficient to reimburse a property owner for reasonable expenses in the proceeding if (1) the property owner is successful in the proceeding, or (2) reaches a settlement.</p> <p><b>Fiscal effect: Potentially increases the costs to applicable state agencies or local governments related to eminent domain actions.</b></p> | <p>No provision.</p>  |
| <b>LOCCD29 Auxiliary container restrictions</b>   |  |   |
| <p>No provision.</p>  | <p>No provision.</p>   | <p><b>R.C. 301.30, 504.04, 715.013, 3736.01, and 3736.021</b></p> <p>Makes permanent the following provisions from H.B. 242 of the 133rd G.A., which are set to expire on January 15, 2022: (1) prohibits a local government from imposing a tax, fee, assessment or other charge on auxiliary containers, the sale or consumption of auxiliary containers, or on the basis of receipts received from the sale of auxiliary containers; (2) authorizes a person to use an auxiliary container for purposes of commerce or otherwise; and (3) clarifies that existing law prohibiting the improper deposit of litter applies</p> |

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As Passed By House

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to auxiliary containers under the state anti-littering law.

**Fiscal effect: Permanently bars political subdivisions from enacting auxiliary container ordinances after the current prohibition expires.**

LOCCD34 Developer requirements for certain new community authorities

No provision.

No provision.

**R.C. 349.01**

Specifies that a person controlling land pursuant to certain 99-year renewable leases qualifies as a developer eligible to form a new community authority (NCA), which may carry out development and management activities respecting such property and levy development charges to fund the NCA's activities, provided that developer establishes the NCA on or before December 31, 2021. (Continuing law qualifies developers that control property pursuant to a lease of at least a 75-year term.)

LOCCD35 Tourism development districts

No provision.

No provision.

**R.C. 503.56, 715.014; Section 803.120**

Clarifies that a municipality or township may enlarge the territory of an existing Tourism Development District (TDD) after December 31, 2020, the deadline under continuing law for creating a new TDD.

**Fiscal effect: Allows for municipal corporations to assess fees on property owners within a TDD if the TDD is being enlarged.**

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**LOCCD37 Township fiscal officer assistant compensation**

No provision.

No provision.

**R.C. 507.021**

Allows township fiscal officers to set the compensation of their hired assistants without prior approval from the board of township trustees.

**LOCCD28 Liens for unpaid municipal garbage collection**

No provision.

No provision.

**R.C. 701.10**

Allows a municipal corporation to place as a lien on property the amount of unpaid garbage/trash collection charges, when the unpaid amount is greater than the annual charge for the services, in addition to the ability to do so when the unpaid amount is at least \$250 as under current law.

No provision.

No provision.

Specifies the limitations above do not apply to a municipal corporation that collects all garbage/trash charges (not only unpaid amounts) via the tax list.

**Fiscal effect: Provides for an additional way to recoup unpaid waste collection fees.**

**LOCCD40 Force accounts for local governments**

No provision.

No provision.

**R.C. 723.52, 5543.19, 5575.01**

Increases force account limits for highway projects undertaken by an unchartered municipal corporation from \$30,000 per project to \$90,000 per project.

No provision.

No provision.

Increases the force account limits for highway and bridge projects undertaken by a county engineer in the following ways: (1) for roads, raises the limits from \$30,000 per mile of construction or reconstruction to \$90,000 per mile; and (2) for bridges or culverts, raises the limit from \$100,000 to \$225,000 for construction, reconstruction, improvement,



| Executive  | As Passed By House | As Reported By Senate Finance   |
|--|--------------------|---|
| No provision.  | No provision.      | <p data-bbox="1803 289 2112 313">maintenance, or repair.</p> <p data-bbox="1803 342 2596 565">Increases the force account limits for road projects undertaken by a board of township trustees in the following ways: (1) for maintenance and repair, raises the limit from \$45,000 per project to \$90,000 per project; and (2) for construction and reconstruction, raises the limit from \$15,000 per mile to \$45,000 per mile.</p>                       |
| No provision.  | No provision.      | <p data-bbox="1803 589 2596 776">Increases the threshold for a required force account assessment form for township road projects as follows: (1) for a maintenance or repair project, from \$15,000 to \$30,000; and (2) for a construction or reconstruction project, from \$5,000 to \$15,000 per mile.</p> <p data-bbox="1803 800 2596 865"><b>Fiscal effect: Gives local governments more flexibility to decide how to complete various projects.</b></p> |
| <b>LOCCD36 Municipal fiscal officer continuing education</b> |                    |   |
| No provision.  | No provision.      | <p data-bbox="1803 938 2032 963"><b>R.C. 733.81</b></p> <p data-bbox="1803 987 2596 1133">Requires an appointed municipal fiscal officer to complete 18 hours of continuing education during the first term of office and 12 hours in each subsequent term, thereby matching the requirements for elected municipal fiscal officers.</p>  |

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**LOCCD21 Acceptance of financial transaction devices by soil and water conservation districts**

No provision.

**R.C. 940.111**

Establishes procedures by which a soil and water conservation district (SWCD) may accept financial transaction devices (including credit cards and debit cards) for payment of certain district goods and services, including designating the county treasurer as the SWCD's agent for soliciting proposals from issuers, recommending proposals to the SWCD, and implementing the SWCD's financial transaction devices program. Allows the county treasurer to opt out of this responsibility.

No provision.

No provision.

Allows the SWCD to administer the program if the county treasurer fails to implement the financial transaction device program according to the SWCD's plan under the resolution authorizing such a program, and fails to correct deficiencies within six months after being notified by the board of the SWCD.

No provision.

**Fiscal effect: Minimal cost for SWCD to establish procedures.**

**LOCCD38 Meetings on drainage improvement meetings held by video or teleconference**

No provision.

No provision.

**R.C. 940.39, 6133.041 (both repealed)**

Eliminates the authority for a board of supervisors of a soil and water conservation district and a joint board of county commissioners to conduct drainage improvement meetings by video conference or, if video conference is not available, by teleconference.

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LOCCD15 Agreements with animal shelters

No provision.

R.C. 955.15

Expands the types of entities with which a board of county commissioners may enter into a written agreement to operate as a dog pound on behalf of the county to include an animal shelter that (1) is suitable to act as a dog pound, and (2) maintains devices for humanely destroying dogs. (Current law allows such agreements only with humane societies that operate animal shelters.)

**Fiscal effect: Gives counties flexibility to select other animal shelter operators to serve as dog pounds, the costs of which are paid from county dog and kennel funds.**

R.C. 955.15

Same as the House, but makes the following clarifications and additions: (1) specifies that the written agreement with the animal shelter must be with "an animal shelter for dogs"; (2) specifies that the animal shelter for dogs must be able to adopt out, transfer out, or humanely destroy a dog; (3) removes references to county humane societies as those are included in "an animal shelter for dogs"; (4) removes references to euthanasia devices; (5) requires a dog pound or animal shelter for dogs to maintain public records pertaining to the intake and disposition of any dog that is delivered by a dog warden; and (6) allows the county to pay for expenses related to delivering a dog to an animal shelter for dogs from a county's general fund in addition to the county's dog and kennel fund.

**Fiscal effect: Same as the House, but also allows for such costs to be paid from the county general fund.**

LOCCD18 Shoreline improvement district project expansion

No provision.

R.C. 1710.01

Allows a special improvement district to fund projects, including by assessing property within the district, to abate soil erosion along waters within a watershed district.

**Fiscal effect: Provides an additional funding mechanism to undertake soil erosion abatement projects within**

R.C. 1710.01

Same as the House, but provides that an existing qualified nonprofit corporation may create a special improvement district to implement a shoreline improvement project even if the corporation (1) does not have an established police department and (2) is not organized for purposes that include the acquisition of real property.

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

| Executive   | As Passed By House   | As Reported By Senate Finance   |
|---|--|---|
| <b>watershed districts.</b>                                 |  |   |
| <b>LOCCD30</b> Lima Municipal Court Clerk                   |  |   |
| No provision.   | No provision.  | <p><b>R.C. 1901.31</b><br/>Specifies that the Lima Municipal Court Clerk is an elected position and includes the Lima Municipal Court Clerk within the current law procedure that applies for filling a vacancy in that elected office.</p>   |
| <b>LOCCD16</b> Jefferson County County Court                |  |   |
| No provision.   | <p><b>R.C. 1907.15, Section 812.10</b><br/>Removes, effective January 1, 2022, the requirement that the presiding judge of the Jefferson County Court determine areas of separate jurisdiction for the judges of that Court and that the judges hold court in Wintersville or Cross Creek, Dillonvale, and Toronto.</p> <p><b>Fiscal effect: Potential cost savings for the Jefferson County County Court.</b></p> | <p><b>R.C. 1907.15, Section 812.10</b><br/>Same as the House.</p> <p><b>Fiscal effect: Same as the House.</b></p>   |
| <b>LOCCD27</b> Court order to interview and examine a child |  |   |
| (1) No provision.   | (1) No provision.  | <p><b>R.C. 2151.25, 2151.23</b><br/>(1) Allows a juvenile court, if it determines probable cause exists, to issue an order, without a hearing, authorizing a public children services agency (PCSA) to interview or examine a child who may be abused, neglected, or dependent if the child's parent, guardian, custodian, or caretaker refuses the PCSA reasonable access to the child..</p> |
| (2) No provision.   | (2) No provision.  | <p>(2) Requires that a PCSA request the order and submit a sworn affidavit detailing the facts that would support the order.</p>  |

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(3) No provision.

(3) No provision.

(3) Specifies that the order is not a final, appealable order, which means that the order may not be reviewed, affirmed, modified, or reversed, with or without trial.

**Fiscal effect: Minimal.**

**LOCCD4 Protection orders**

**R.C. 2151.34, 2903.213, 2903.214, 2919.26, 3113.31**

(1) Requires a law enforcement agency, upon notification by the clerk of court, to enter any juvenile court protection orders, temporary protection orders (related to a criminal offense), and civil protection orders into the Law Enforcement Automated Data System (LEADS) and the National Crime Information Center (NCIC) by the close of the next business day after the day on which the court issues the order.

(1) No provision.

(1) No provision.

(2) Requires, upon the termination or cancellation of the order and notification by the clerk of court, a local law enforcement agency to remove the order from LEADS by the close of the next business day after the day on which the termination or cancellation of the order occurred and that it be ensured that the order is terminated, cleared, or canceled in the protection order database of the NCIC.

(2) No provision.

(2) No provision.

**Fiscal effect: Potential increase in administrative expenses for the clerks of court to notify law enforcement of orders issued and canceled, and for law enforcement agencies to enter and remove such orders within the time limit set.**

**Executive**

**As Passed By House**

**As Reported By Senate Finance**

**LOCCD25 Exemption of chief probation officers from county classified civil service**

No provision.

No provision.

**R.C. 2301.27**

Exempts a county department chief probation officer from the county's classified civil service, thus placing the officer in the unclassified service.

**LOCCD24 Clerk of courts endorsement**

No provision.

No provision.

**R.C. 2303.05**

Requires that the appointments of deputies to a clerk of court of common pleas be endorsed by the clerk, rather than that such appointments be in writing.

**Fiscal effect: None.**

**LOCCD7 Notification of possible prison term for community control violation**

**R.C. 2929.15, 2929.19**

Changes the law that requires a court sentencing an offender to a community control sanction for a felony to notify the offender of the possible prison term that may be imposed if the offender violates the sanction, violates a law, or leaves the state without permission from an indication of "the specific prison term that may be imposed" to an indication of the "range from which the prison term may be imposed," which must be the range of terms available for the offense.

**Fiscal effect: None.**

**R.C. 2929.15, 2929.19**

Same as the Executive.

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

**R.C. 2929.15, 2929.19**

Same as the Executive.

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

Executive

As Passed By House

As Reported By Senate Finance

**LOCCD5 Arrest warrant entry into LEADS/NCIC**

**R.C. 2935.01, 2935.10**

(1) Creates a class of serious offenses known as "Tier 1" offenses and defines a "Tier 1" offense as the offenses of aggravated murder, murder, voluntary manslaughter, involuntary manslaughter, aggravated vehicular homicide, vehicular homicide, vehicular manslaughter, felonious assault, aggravated assault, aggravated menacing, menacing by stalking, kidnapping, abduction, trafficking in persons, rape, sexual battery, unlawful sexual conduct with a minor, gross sexual imposition, pandering obscenity involving a minor or an impaired person, pandering sexually oriented matter involving a minor or an impaired person, illegal use of a minor or impaired person in nudity-oriented material or performance, aggravated arson, arson, terrorism, aggravated robbery, robbery, aggravated burglary, domestic violence, escape, improperly discharging a firearm at or into a habitation, in a school safety zone, or with intent to cause harm or panic to persons in a school, in a school building, or at a school function or the evacuation of a school function, failure to register as a sexually oriented offender, failure to provide notice of residence address change as a registered sexually oriented offender, failure to timely verify residence address change as a registered sexually oriented offender.

(2) Requires law enforcement agencies to enter Tier 1 warrants into the Law Enforcement Automated Data System (LEADS) and the National Crime Information system (NCIC) within 48 hours of receipt, and to enter the warrants with a full extradition radius as defined by the Ohio LEADS administrator, who is the Superintendent of the Ohio State Highway Patrol under continuing law.

(1) No provision.

(2) No provision.

(1) No provision.

(2) No provision.

Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Potential increase in administrative expenses for law enforcement agencies to enter and remove such orders within the time limit set, and for the Superintendent of the Ohio State Highway Patrol to define "full extradition radius."**

**LOCCD6 Incompetency and not guilty by reason of insanity entry into LEADS/NCIC**

**R.C. 2945.403**

(1) Requires if an individual is found to be incompetent to stand trial (IST) or not guilty by reason of insanity (NGRI):

(1) No provision.

(1) No provision.

(a) The judge who made the finding to notify the Attorney General of the finding not later than seven days after the adjudication or commitment;

(a) No provision.

(a) No provision.

(b) The Attorney General to enter the information into the Law Enforcement Automated Data System (LEADS) by the close of the next business day after the day on which the notice is received;

(b) No provision.

(b) No provision.

(c) The judge to notify the Attorney General if the person subsequently is found to be competent or has commitment terminated not later than seven days after the finding, discharge, or final termination; and

(c) No provision.

(c) No provision.

(d) The Attorney General, upon receipt of a notice, to take all steps necessary to ensure that the information regarding the person entered is removed from LEADS and terminated, cleared, or canceled in the National Crime Information Center (NCIC) by the close of the next business day after the day on which the notice is received.

(d) No provision.

(d) No provision.

(2) Requires the Attorney General to make available to all judges forms to be used by them for the purpose of making the required notifications.

(2) No provision.

(2) No provision.



Executive

As Passed By House

As Reported By Senate Finance

**Fiscal effect: Potential increase in administrative expenses for courts to notify the Attorney General of orders issued and canceled and for the Attorney General to enter and remove such orders within the time limit and to make the necessary forms available to judges.**

**LOCCD8 Sealing of records related to an unconditional pardon**

**R.C. 2967.04**

Allows the Governor to include as a condition of an unconditional pardon that the records related to conviction be sealed and generally provides that the records are not subject to public inspection.

**Fiscal effect: Increased administrative expenses for any state or local agency to seal related files and a potential decrease in pardon-related hearing costs for local courts that may have been the venue for a record sealing application in lieu of this procedure.**

**R.C. 2967.04**

Same as the Executive.

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

**R.C. 2967.04**

Same as the Executive, but: (1) specifies that a writ issued by the Governor for the sealing of records related to an unconditional pardon does not impact any reports that are required to be made under law, and (2) makes clarifying changes.

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

**LOCCD32 Partisan designation for judicial candidates**

No provision.

No provision.

**R.C. 3501.01, 3505.03, 3505.04, 3513.257**

Requires a candidate for Chief Justice, Justice of the Ohio Supreme Court, or judge of a court of appeals who was nominated at a primary election to appear on the ballot at the general election with a political party designation. Changes the placement of these races on the ballot.

**Fiscal effect: None.**

Executive

As Passed By House

As Reported By Senate Finance

**LOCCD17 Indigent Drivers Alcohol Treatment Fund**

No provision.

**R.C. 4511.191**

Expands the authorized uses a court may make of surplus money in an Indigent Drivers Alcohol Treatment Fund to allow, in addition to the currently authorized uses, expenditures for staffing, equipment, training, drug testing, supplies, and other expenses of any specialized docket program certified by the Supreme Court.

**Fiscal effect: Potential expenditure increase, up to available revenue.**

**R.C. 4511.191**

Same as the House.

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

**LOCCD31 Discriminatory restrictive covenants**

No provision.

No provision.

**R.C. 5301.05**

Declares void discriminatory covenants in deeds limiting the transfer or lease of real property to individuals against whom discrimination is prohibited under Ohio Civil Rights Law.

No provision.

No provision.

Allows attorneys preparing new deeds to omit discriminatory restrictive covenants that are contained in prior deeds.

No provision.

No provision.

Provides that omission of a discriminatory restrictive covenant from a new deed does not affect the validity of the deed and prohibits county recorders from refusing to record such a deed due to that omission.

**LOCCD19 Open meetings law extension**

No provision.

**Section: 610.115, 610.116**

Extends the temporary authorization for public bodies to meet via electronic technology currently scheduled to expire on July 1, 2021 instead to December 31, 2021.

**Fiscal effect: None.**

No provision.

Executive

As Passed By House

As Reported By Senate Finance

**LOCCD26 Actuarial study and report of Post-Traumatic Stress Fund**

No provision.

No provision.

**Section: 610.117, 610.118**

Permits the Board of Trustees of the Ohio Police and Fire Pension Fund to use its actuary or, as under current law, a disinterested third-party actuary to perform an actuarial valuation and report required by continuing law related to the funding requirements of the State Post-Traumatic Stress Fund.

No provision.

No provision.

Extends the due date for the actuarial study and report from October 1, 2021, to December 15, 2021.

**Fiscal effect: None. The requirements related to the actuarial study and funding are included in H.B. 308 of the 133rd General Assembly.**

**LOCCD20 Eminent domain for recreational trails**

No provision.

**Section: 715.05**

Prohibits park districts in counties with a population between 220,000 and 240,000 (Lake and Mahoning counties according to the 2010 Census) from using eminent domain to appropriate property for recreational trails. Specifies that this prohibition expires on July 1, 2026.

No provision.

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| <b>DAS</b>                                     | <b>Department of Administrative Services</b>  |      |
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| <b>DEVCD4</b>                                  | Transfer of Equal Employment Opportunity Division and Contractor Compliance Program from DAS to DEV | 119  |
| <b>DPSCD52</b>                                 | MARCS tower capital appropriations  | 633  |
| <b>DRCCD21</b>                                 | Conveyance of certain state-owned land in Madison and Warren counties                               | 651  |
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| <b>PENCD1</b>                                  | Police and Fire Death Benefit Fund  | 614  |
| <b>TOSCD6</b>                                  | Pay for Success Contract Fund   | 713  |
| <b>TOSCD7</b>                                  | State and local government expenditure database   | 710  |
| <b>AGE</b>                                     | <b>Department of Aging</b>  |      |
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| <b>DEVCD46</b>                                 | Meat Processing Investment Program   | 146  |
| <b>OBMCD9</b>                                  | OBM oversight over certain fund allocations  | 64   |
| <b>OBMCD40</b>                                 | Utility Radiological Safety Board assessments                                      | 84   |
| <b>SOACD1</b>                                  | Abolishment of the Southern Ohio Agricultural and Community Development Foundation | 667  |
| <b>AGO</b>                                     | <b>Attorney General</b>  |      |
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| <b>AUDCD10</b>                                 | Compliance with terms of state economic development awards                         | 59   |
| <b>DASCD29</b>                                 | DAS insurance program  | 4    |
| <b>LOCCD6</b>                                  | Incompetency and not guilty by reason of insanity entry into LEADS/NCIC            | 732  |
| <b>OBMCD51</b>                                 | Unclaimed Fund remittance  | 77   |
| <b>TAXCD42</b>                                 | Delinquent municipal income tax collection: federal Treasury Offset Program        | 699  |
| <b>AUD</b>                                     | <b>Auditor of State</b>  |      |
| <u>Also affected by the following item(s):</u> |  |      |
| <b>DASCD30</b>                                 | Deeds conveying and records showing ownership of state land                        | 7    |
| <b>EDUCD181</b>                                | Academic distress commissions - phase out of ADC control                           | 251  |

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| <b>OBM</b>                                     | <b>Office of Budget and Management</b>                          |      |
| <u>Also affected by the following item(s):</u> |   |      |
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| <b>CEBCD3</b>                                  | Controlling Board agenda  | 111  |
| <b>JFSCD62</b>                                 | Unemployment Compensation unrecovered fraudulent representation | 492  |
| <b>JFSCD67</b>                                 | Transfer of Ohio Family and Children First Council              | 483  |
| <b>LCOCD1</b>                                  | Vacating COVID-19 violations and refunding fines to businesses  | 516  |
| <b>TOSCD7</b>                                  | State and local government expenditure database                 | 710  |
| <b>CAC</b>                                     | <b>Ohio Casino Control Commission</b>                           |      |
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| <b>AGOCD19</b>                                 | Collecting debts from lottery and casino winnings               | 44   |
| <b>COM</b>                                     | <b>Department of Commerce</b>                                   |      |
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| <b>DASCD23</b>                                 | Information Technology Development Fund and InnovateOhio        | 20   |
| <b>LCOCD2</b>                                  | Serving alcohol during bingo                                    | 516  |
| <b>OBMCD9</b>                                  | OBM oversight over certain fund allocations                     | 64   |
| <b>OBMCD51</b>                                 | Unclaimed Fund remittance                                       | 77   |
| <b>CEB</b>                                     | <b>Controlling Board</b>  |      |
| <u>Also affected by the following item(s):</u> |   |      |
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| <b>DOHCD31</b>                                 | Cash transfer to Emergency Preparedness and Response Fund       | 379  |
| <b>OBMCD39</b>                                 | Fiscal year 2021 General Revenue Fund ending balance            | 83   |

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| <b>DEV</b>                                     | <b>Department of Development</b>                                      |      |
| <u>Also affected by the following item(s):</u> |   |      |
| <b>AUDCD10</b>                                 | Compliance with terms of state economic development awards            | 59   |
| <b>EDUCD87</b>                                 | STEM schools - STEM Committee membership, grants, and recommendations | 275  |
| <b>OBMCD38</b>                                 | GRF transfer to Tourism Ohio Fund                                     | 78   |
| <b>OBMCD49</b>                                 | GRF transfer to Meat Processing Investment Program Fund               | 80   |
| <b>TAXCD28</b>                                 | JCTC reporting of work-from home employees                            | 680  |
| <b>TAXCD29</b>                                 | JCTC expansion - alternative eligibility                              | 680  |
| <b>TAXCD50</b>                                 | Property tax exemption for qualified energy projects                  | 693  |
| <b>TAXCD53</b>                                 | Venture capital gains income tax deduction                            | 670  |
| <b>TAXCD81</b>                                 | Rural business growth program   | 697  |
| <b>TAXCD82</b>                                 | Motion picture tax credit   | 668  |
| <b>TAXCD83</b>                                 | Transformational mixed use development tax credit                     | 696  |
| <b>DDD</b>                                     | <b>Department of Developmental Disabilities</b>                       |      |
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| <b>OBMCD45</b>                                 | GRF transfer to Student Wellness and Success Fund (Fund 5VS0)  | 79   |
| <b>RDFCD5</b>                                  | Tangible personal property tax reimbursements  | 655  |
| <b>REPCD3</b>                                  | Joint Legislative Study Committee regarding career pathways and post-secondary workforce training programs | 446  |
| <b>TAXCD73</b>                                 | Income tax credits for education-related items   | 674  |
| <b>TAXCD76</b>                                 | Income tax credit for private school tuition   | 675  |
| <b>EPA</b>                                     | <b>Environmental Protection Agency</b>   |      |
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| <b>OBMCD9</b>                                  | OBM oversight over certain fund allocations  | 64   |
| <b>OBMCD40</b>                                 | Utility Radiological Safety Board assessments  | 84   |
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| <b>AGOCD36</b>                                 | Court orders awarding money to the state   | 40   |
| <b>BORCD81</b>                                 | Ohio National Guard Scholarship Program eligibility  | 399  |
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| <b>OBMCD9</b>                                  | OBM oversight over certain fund allocations  | 64   |
| <b>OBMCD39</b>                                 | Fiscal year 2021 General Revenue Fund ending balance   | 83   |
| <b>OBMCD40</b>                                 | Utility Radiological Safety Board assessments  | 84   |
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| <b>EDUCD59</b>                                 | P-Tech model of education pilot program  | 286  |
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| <b>OBMCD58</b>                                 | GRF transfer to Second Chance Grant Pilot Program Fund   | 81   |
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| <b>AGOCD36</b>                                 | Court orders awarding money to the state   | 40   |
| <b>GOVCD2</b>                                  | Governor's Office of Faith-Based and Community Initiatives TANF report                       | 348  |
| <b>JFSCD50</b>                                 | TANF Spending Plan   | 469  |
| <b>JFSCD51</b>                                 | General Assembly evaluation of publicly funded child care and the Step Up to Quality Program | 490  |
| <b>JFSCD54</b>                                 | Streamlining County Level-Information Access Task Force                                      | 495  |
| <b>JFSCD62</b>                                 | Unemployment Compensation unrecovered fraudulent representation                              | 492  |
| <b>INS</b>                                     | <b>Department of Insurance</b>   |      |
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| <b>JFS</b>                                     | <b>Department of Job and Family Services</b>                           |      |
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| <b>AGOCD19</b>                                 | Collecting debts from lottery and casino winnings                      | 44   |
| <b>BORCD81</b>                                 | Ohio National Guard Scholarship Program eligibility                    | 399  |
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| <b>LOCCD27</b>                                 | Court order to interview and examine a child                           | 728  |
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| <b>OBMCD43</b>                                 | GRF transfer to Targeted Addiction Program Fund (Fund 5TZ0)            | 78   |
| <b>TAXCD36</b>                                 | Fraudulent unemployment compensation                                   | 677  |
| <b>TAXCD77</b>                                 | Unemployment compensation income tax withholding                       | 672  |
| <b>JCR</b>                                     | <b>Joint Committee on Agency Rule Review</b>                           |      |
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| <b>JMO</b>                                     | <b>Joint Medicaid Oversight Committee</b>                              |      |
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| <b>MCDCD51</b>                                 | Franchise permit fees report to JMOC                                   | 530  |

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| <b>JSC</b>                                     | <b>Judiciary/Supreme Court</b>   |      |
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| <b>LOCCD32</b>                                 | Partisan designation for judicial candidates   | 733  |
| <b>LSC</b>                                     | <b>Legislative Service Commission</b>  |      |
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| <b>JCRCD1</b>                                  | Operating guidance   | 497  |
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| <b>LCO</b>                                     | <b>Liquor Control Commission</b>   |      |
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| <b>LOT</b>                                     | <b>Ohio Lottery Commission</b>   |      |
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| <b>MCD</b>                                     | <b>Department of Medicaid</b>   |      |
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| <b>DOHCD47</b>                                 | Help Me Grow report   | 383  |
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| <b>MED</b>                                     | <b>State Medical Board</b>  |      |
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| <b>JFSCD54</b>                                 | Streamlining County Level-Information Access Task Force                               | 495  |
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| <b>MHA</b>                                     | <b>Department of Mental Health and Addiction Services</b>                             |      |
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| <b>JFSCD67</b>                                 | Transfer of Ohio Family and Children First Council                                    | 483  |
| <b>OBMCD42</b>                                 | GRF transfer to Statewide Treatment and Prevention Fund (Fund 4750)                   | 78   |
| <b>OBMCD43</b>                                 | GRF transfer to Targeted Addiction Program Fund (Fund 5TZO)                           | 78   |
| <b>OBMCD52</b>                                 | Transfers to the Electroencephalogram Combined Transcranial Magnetic Stimulation Fund | 79   |

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| <b>DNR</b>                                     | <b>Department of Natural Resources</b>                                       |      |
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| <b>OBMCD60</b>                                 | GRF transfer to State Park Fund  | 81   |
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| <b>PYT</b>                                     | <b>Occupational Therapy, Physical Therapy, and Athletic Trainers Board</b>   |      |
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| <b>DPS</b>                                     | <b>Department of Public Safety</b>   |      |
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| <b>AGOCD33</b>                                 | Modification of a public record exemption                                    | 42   |
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| <b>LOCCD5</b>                                  | Arrest warrant entry into LEADS/NCIC   | 731  |
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| <b>OBMCD44</b>                                 | GRF transfer to Statewide Community Police Relations Fund (Fund 5RS0)        | 78   |

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| <b>PUC</b>                                     | <b>Public Utilities Commission of Ohio</b>                                       |      |
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| <b>RAC</b>                                     | <b>Ohio State Racing Commission</b>  |      |
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| <u>Also affected by the following item(s):</u> |  |      |
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| <b>OSB</b>                                     | <b>Ohio State School for the Blind</b>   |      |
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| <b>BORCD71</b>                                 | College Credit Plus Program - eligibility for students in state-operated schools | 398  |
| <b>OSD</b>                                     | <b>Ohio School for the Deaf</b>  |      |
| <u>Also affected by the following item(s):</u> |  |      |
| <b>BORCD71</b>                                 | College Credit Plus Program - eligibility for students in state-operated schools | 398  |
| <b>SOS</b>                                     | <b>Secretary of State</b>  |      |
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| <b>AGOCD36</b>                                 | Court orders awarding money to the state   | 40   |
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| <b>JFSCD50</b>                                 | TANF Spending Plan   | 469  |
| <b>JFSCD51</b>                                 | General Assembly evaluation of publicly funded child care and the Step Up to Quality Program               | 490  |
| <b>JFSCD54</b>                                 | Streamlining County Level-Information Access Task Force  | 495  |
| <b>JFSCD62</b>                                 | Unemployment Compensation unrecovered fraudulent representation  | 492  |
| <b>REPCD3</b>                                  | Joint Legislative Study Committee regarding career pathways and post-secondary workforce training programs | 446  |
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| <b>TOS</b>                                     | <b>Treasurer of State</b>   |      |
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| <b>DYS</b>                                     | <b>Department of Youth Services</b>  |      |
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| <b>DRCCD15</b>                                 | Sacramental wine brought into a state facility                                   | 639  |

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| <b>LOCCD22</b> | Dishonesty and faithful performance of duty policy                                   | 719  |          |         |      |
| <b>TAXCD13</b> | Wireless 9-1-1 Government Assistance Fund distribution                               | 698  |          |         |      |
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