

As Introduced

132nd General Assembly

Regular Session

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H. B. No. 580

Representative Thompson

**Cosponsors: Representatives Henne, Becker, Romanchuk, Riedel, Koehler, Hood,
Retherford**

A BILL

To enact sections 126.60, 126.61, 126.62, 126.63, 1
and 126.64 of the Revised Code to establish 2
procedures that executive agencies must follow 3
when applying for grants, to require the 4
Governor to approve any major grant application, 5
and to permit the Governor to disapprove any 6
minor grant application. 7

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 126.60, 126.61, 126.62, 126.63, 8
and 126.64 of the Revised Code be enacted to read as follows: 9

Sec. 126.60. As used in sections 126.60 to 126.64 of the 10
Revised Code: 11

(A) "Executive agency" means the office of an elected 12
executive official, a department created under section 121.02 of 13
the Revised Code, or any other state agency, department, board, 14
or commission controlled or directed by an elected executive 15
official or otherwise subject to an elected executive official's 16
authority. "Executive agency" does not include any court or 17

judicial agency, the general assembly or any legislative agency, 18
the controlling board, or the nonprofit corporation formed under 19
section 187.01 of the Revised Code. 20

(B) "Grant" means any funds, goods, or services awarded to 21
an executive agency by any person or entity other than a state 22
or local government entity in this state for which repayment is 23
not required, including any funds, goods, or services of which 24
an executive agency is a subrecipient. "Grant" does not include 25
a donation, gift, bequest, or devise of funds, goods, or 26
services provided to an executive agency without any 27
accompanying terms or conditions with which the executive agency 28
or any other person or entity must comply. 29

(C) "Major grant" means a grant whose total value exceeds 30
one million dollars. 31

(D) "Minor grant" means a grant whose total value does not 32
exceed one million dollars. 33

Sec. 126.61. (A) Except as otherwise provided in division 34
(C) of this section, an executive agency that seeks to receive 35
or renew a major grant shall, not later than sixty days before 36
applying for the grant, submit a copy of the completed grant 37
application and a written assessment of the grant to the office 38
of budget and management, on a form prescribed by the director 39
of budget and management, and shall submit copies of the 40
application and the assessment to the governor. The assessment 41
shall include all of the following: 42

(1) The grant's purpose and effect, including the grant's 43
effect on, or relationship to, any current state or local 44
program or policy; 45

(2) All mandates or policy directives that must be met in 46

order to comply with the terms of the grant; 47

(3) A complete cost-benefit analysis of the grant, 48
including a projection of any direct or indirect costs to the 49
state or to local governments resulting from the receipt of the 50
grant during a period of at least ten years after the grant 51
expires; 52

(4) The grant's impact on state and local government 53
policy, including any resulting transfer of authority or control 54
from state or local government officials to any other person or 55
entity; 56

(5) Any changes to the laws of this state or to 57
administrative rules that would be necessary in order to comply 58
with the terms of the grant. 59

(B) Except as otherwise provided in division (C) of this 60
section, an executive agency that seeks to receive or renew a 61
minor grant shall, not later than seven days before applying for 62
the grant, submit copies of the completed grant application to 63
the office of budget and management and to the governor. 64

(C) (1) If the office of budget and management seeks to 65
receive or renew a major grant, then not later than sixty days 66
before applying for the grant, the office shall submit the 67
assessment described in division (A) of this section to the 68
governor. If the office of budget and management seeks to 69
receive or renew a minor grant, then not later than seven days 70
before applying for the grant, the office shall submit a copy of 71
the completed grant application to the governor. 72

(2) If the office of the governor seeks to receive or 73
renew a grant, the office is not required to submit a copy of 74
the assessment or application to the governor under division (A) 75

or (B) of this section, as applicable. 76

Sec. 126.62. (A) Not later than thirty days after the 77
office of budget and management receives an assessment or 78
application submitted under division (A) or (B) of section 79
126.61 of the Revised Code or submits an assessment or 80
application to the governor under division (C) (1) of that 81
section, the office shall submit to the governor a written 82
report concerning the grant. The report shall assess whether the 83
executive agency has met the applicable requirements of section 84
126.61 of the Revised Code and whether the grant would impose 85
any new requirements or restrictions on private sector persons 86
or entities. 87

(B) Upon request by the office of budget and management, 88
an executive agency that submits an assessment or application 89
under section 126.61 of the Revised Code promptly shall provide 90
any information the office requires in order to complete its 91
report under this section. 92

(C) When the office of budget and management submits a 93
report to the governor under this section, the office shall 94
submit copies of the report, along with copies of the completed 95
grant application and any assessment submitted under section 96
126.61 of the Revised Code, to the speaker and minority leader 97
of the house of representatives and to the president and 98
minority leader of the senate. 99

Sec. 126.63. (A) No executive agency shall apply for, 100
accept, or renew a major grant without first complying with the 101
requirements of section 126.61 of the Revised Code and receiving 102
the governor's written approval. 103

(B) No executive agency shall apply for, accept, or renew 104

a minor grant without first complying with the requirements of 105
section 126.61 of the Revised Code. The governor may prohibit, 106
in writing, an executive agency from applying for, accepting, or 107
renewing a minor grant. 108

(C) Before approving or prohibiting a grant application 109
under this section, the governor may permit the executive agency 110
to revise the application and resubmit it to the governor. 111

(D) Upon approving or prohibiting a grant application 112
under this section, the governor shall submit a copy of the 113
governor's written approval or prohibition to the office of 114
budget and management. 115

Sec. 126.64. (A) The office of budget and management shall 116
maintain a database of all grants received or renewed by 117
executive agencies. For each such grant, the database shall 118
include all of the following: 119

(1) A copy of the completed grant application the 120
executive agency submitted under section 126.61 of the Revised 121
Code and any revised application submitted to the governor under 122
section 126.63 of the Revised Code; 123

(2) In the case of a major grant, a copy of the assessment 124
submitted under section 126.61 of the Revised Code; 125

(3) A copy of the report concerning the grant prepared by 126
the office of budget and management under section 126.62 of the 127
Revised Code; 128

(4) In the case of a major grant, a copy of the governor's 129
written approval provided under section 126.63 of the Revised 130
Code. 131

(B) The office of budget and management shall make the 132

<u>database available to the public on the office's official web</u>	133
<u>site.</u>	134
Section 2. The requirements of sections 126.60 to 126.64	135
of the Revised Code, as enacted by this act, first apply with	136
respect to a grant or grant renewal for which an executive	137
agency applies on or after the effective date of those sections.	138