

Executive

As Passed by the House

**DRCCD16 Minimum standards for jails**

**R.C. 341.34, 753.21, 5120.10**

(1) Modifies an action by the Director of Rehabilitation and Correction to enjoin compliance with the minimum standards and minimum renovation, modification, and construction criteria for minimum security jails by expanding the applicable standards and criteria to those for jails instead of for minimum security jails.

(2) Makes conforming changes in the laws establishing minimum security jails in municipal corporations and counties to references to minimum standards and minimum renovation, modification, and construction criteria for jails instead of for minimum security jails.

**Fiscal effect: None, as these provisions codify current practice.**

**R.C. 341.34, 753.21, 5120.10**

(1) Same as the Executive.

(2) Same as the Executive.

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

**DRCCD12 Probation services**

**R.C. 2301.27**

Allows a county or counties without a probation department to contract with other agencies, associations, or organizations for the provision of probation and supervisory services regardless of whether or not the county or counties has entered into an agreement with the Adult Parole Authority to provide similar services.

**Fiscal effect: Uncertain.**

No provision.

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**DRCCD13 Agreement for joint supervision of parolees**

**R.C. 2301.28, 2301.30, 2967.29**

(1) Changes the entity with whom a court of common pleas may enter into an agreement for joint supervision of offenders released from prison from the Department of Rehabilitation and Correction to the Adult Parole Authority (APA), and replaces the Parole Board with the APA as the supervising entity under those agreements.

(1) No provision.

(2) Requires a county probation department to receive into its legal custody or supervision persons paroled, released under a post-release control sanction, or conditionally pardoned if the court of common pleas has entered into an agreement with the APA for the joint supervision of offenders.

(2) No provision.

(3) Clarifies that a county probation department is required to furnish a written statement of the conditions of supervision to each person under its supervision or in its custody for a community control sanction or, pursuant to an agreement for joint supervision with the APA, under a post-release control sanction or on parole.

(3) No provision.

**Fiscal effect: None.**

**DRCCD9 Authority to limit probation services on county level**

**R.C. 2301.32**

(1) Allows the Adult Parole Authority (APA) to limit its provision of supplemental investigation and supervisory services and community control supervisory services to counties in order to meet its caseload and supervision standards.

(1) No provision.

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(2) Allows the APA to choose not to enter into an agreement with a county to provide investigation or community control supervisory services if there is no existing agreement with a county.

(2) No provision.

(3) Allows the APA to terminate or choose not to renew an existing agreement with a county for its services, but requires that the county instead be offered funding from the Division of Parole and Community Services, provided the General Assembly has appropriated sufficient funds for that purpose.

(3) No provision.

**Fiscal effect: These provisions will potentially reduce APA caseloads and related annual expenditures relative to the supervisory services provided to 42 counties.**

**DRCCD7                      Community control sanctions list provided to courts**

**R.C.                      2929.13, 815.10**

Repeals a criterion in current law establishing a presumption in favor of a community control sanction, instead of a prison term, for most felonies of the fourth and fifth degree, that pertains to the Department of Rehabilitation and Correction (DRC) providing the court, upon the court's request, with a list of available community control sanctions.

**R.C.                      2929.13, 815.10**

Same as the Executive.

**Fiscal effect: Potential minimal annual savings on DRC's operating budget, as the Department would no longer have to prepare, maintain, and distribute the detailed list of community control sanctions to the courts.**

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

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**DRCCD17                    Supervision of offenders serving community control sanctions**

**R.C.            2929.15**

(1) Clarifies when a sentencing court may place offenders subject to community control sanctions under the Adult Parole Authority's (APA) supervision, and permits, if a county lacks a probation department, offenders serving a community control sanction to be supervised by the APA if the court has entered into an agreement with the APA for its services.

(2) Clarifies that if an offender violates a community control sanction, condition of release, or law, or leaves the state without permission, the violation or departure must be reported to the APA if the court has entered into an agreement with the APA for its supervisory services.

**Fiscal effect: None.**

**R.C.            2929.15**

(1) Same as the Executive.

(2) Same as the Executive.

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

**DRCCD14                    Targeted community alternatives to prison**

**R.C.            2929.34, 5149.38**

Removes a requirement that certain prison terms imposed for a fifth degree felony be served in a county, multicounty, municipal, municipal-county, or multicounty-municipal jail or workhouse, in a community alternative sentencing center or district community alternative sentencing center, or in a community-based correction facility if the court that imposed the fifth degree felony term was a common pleas court of a "target county" ("target counties" are Franklin, Cuyahoga, Hamilton, Summit, Montgomery, Lucas, Butler, Stark, Loran, and Mahoning).

**R.C.            2929.34, 5149.38**

Same as the Executive.

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**Fiscal effect: Uncertain, as this provision essentially makes participation voluntary.**

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

**DRCCD5 Supervision and custody of releasees**

**R.C. 2967.02**

Clarifies that the Adult Parole Authority will supervise releasees and that the Department of Rehabilitation and Correction will have custody of releasees until the authority grants a termination.

No provision.

**Fiscal effect: None.**

**DRCCD8 Authority regarding medical release**

**R.C. 2967.05**

(1) Assigns to the Director of Rehabilitation and Correction, rather than the Governor as under current law, responsibilities relating to the medical release of an inmate.

(1) No provision.

(2) Provides that the Director may order the release of an inmate who is terminally ill, medically incapacitated, or in imminent danger of death.

(2) No provision.

(3) Permits the Director, subsequent to an inmate’s release, to order the return of the inmate to an institution if either of the following occurs: (a) the inmate’s health so improves that the inmate is no longer terminally ill, medically incapacitated, or in imminent danger of death, or (b) the inmate violates any rules or conditions that apply to the inmate. (under current law, if (a) above occurs the inmate must be returned to an institution.)

(3) No provision.

(4) Requires the Director direct the Adult Parole Authority (APA) to investigate the inmate and make a recommendation, and requires the released inmate be supervised by the APA in

(4) No provision.

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accordance with this recommendation if it is approved by the Director (under current law, the Director is not required to direct the APA to investigate and make a recommendation).

**Fiscal effect: Potential indeterminate annual savings effect on DRC's operating Budget.**

**DRCCD15                      Community-based correctional facility award agreements**

**R.C.                      5120.112**

Modifies the effectivity of state financial assistance agreements between the Director of Rehabilitation and Correction (DRC) and Deputy Director of the Division of Parole and Community Services on the part of the state, and the facility governing board of a community-based correctional facility and program or district community-based correctional facility and program that outline the agreement's terms and conditions, from an annual basis or a period of one year from the date of the agreement to not longer than the state fiscal biennium in which the financial assistance is to be awarded.

**Fiscal effect: Potential minimal annual savings effect on DRC's operating budget.**

**R.C.                      5120.112**

Same as the Executive.

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

**DRCCD4                      DRC authority to provide laboratory services**

**R.C.                      5120.135, 5119.44**

Repeals the Department of Rehabilitation and Correction's (DRC) authority to provide laboratory services to certain state departments, federal, state, county, or local agencies, public or private entities, and private persons.

**Fiscal effect: None, as DRC no longer provides laboratory services.**

**R.C.                      5120.135, 5119.44**

Same as the Executive.

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

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**DRCCD6 Office of Enterprise Development Advisory Board**

**R.C. 5145.162**

Requires the Office of Enterprise Development Advisory Board to solicit business proposals offering job training, apprenticeship, education programs, and employment opportunities for the Department of Rehabilitation and Correction's Ohio Penal Industries. (Under current law, the Board advises and assists the Department with the creation of training programs and jobs for inmates and releasees through partnerships with private sector businesses, including soliciting business proposals.)

**Fiscal effect: None, as the Board already more or less provides such services to the Department.**

**R.C. 5145.162**

Same as the Executive.

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

**DRCCD10 Adult Parole Authority Field Services Section**

**R.C. 5149.01, 5149.06**

(1) Defines “caseload” as the number of persons who are under the supervision of any individual parole officer or field officer of the Field Services Section of the Adult Parole Authority (APA), including persons placed on probation, community control, judicial release, or another form of supervision imposed by a court and persons paroled, conditionally pardoned, or released to post-release control supervision.

(2) Specifies that the primary duty of the Field Services Section is to supervise persons released from prison who are paroled, conditionally pardoned, or released under post-release control supervision.

(1) No provision.

(2) No provision.

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(3) Limits the Section’s existing authority to supervise probationers from local courts to situations in which the APA and the court have entered into an agreement for such supervision, and requires the APA to limit the provision of those services in order to meet supervision and caseload standards it develops for its officers.

(3) No provision.

**Fiscal effect: These provisions will potentially reduce the caseloads and related annual expenditures of the APA relative to supervision services provided to 42 counties.**

DRCCD11

Adult Parole Authority supervision

**R.C. 5149.01, 5140.04**

(1) Specifies that persons paroled, conditionally pardoned, or released from prison on post-release control (instead of those paroled, conditionally pardoned, or released to community control) are under the Adult Parole Authority’s (APA) jurisdiction and supervised by its Field Services Section.

(1) No provision.

(2) Expands an existing provision that requires the Field Services Section’s Superintendent to formulate and use an effective program of offender supervision, to require the program:

(2) No provision.

(a) Establish supervision standards for parole and field officers of persons under its jurisdiction, based on results of the single validated risk assessment tool selected under current law, so that higher risk probationers receive the most supervision.

(a) No provision.

(b) Specify caseloads for parole officers, taking into consideration available personnel and funds, and prioritize the supervision of persons paroled, conditionally pardoned, or released to post-release control under the APA’s jurisdiction.

(b) No provision.

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(c) Allow for limiting probation services provided to a court pursuant to an agreement entered into with the court, to the extent that doing so will allow the APA to meet effective caseload sizes for persons described in (b) above.

(c) No provision.

(3) Defines “caseload” as the number of persons who are under the supervision of any individual parole officer or field officer of the Field Services Section of the APA, including persons placed on probation, community control, judicial release, or another form of supervision imposed by a court and persons paroled, conditionally pardoned, or released to post-release control supervision.

(3) No provision.

**Fiscal effect: These provisions will potentially reduce the caseloads and related annual expenditures of the APA relative to supervision services provided to 42 counties.**

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.

**Section: 383.10**

(1) Same as the Executive.

(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.

(2) Same as the Executive.

Executive

As Passed by the House

**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, 2019, through June 30, 2021, 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.

**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, used by the Department.

**Section:    383.10**

Same as the Executive.

Executive

As Passed by the House

DRCCD18

Institution Education Services

**Section: 383.10**

(1) No provision.

(1) Earmarks \$1,450,000 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs associated with providing postsecondary education programs to eligible students.

(2) No provision.

(2) Earmarks up to \$620,500 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs to expand postsecondary education programming to security level 3 and 4 correctional institutions. Provides the Director of Rehabilitation and Correction with sole discretion on the allocation of these funds based upon needs of the security level 3 and 4 correctional institutions and those individuals classified as such. Permits any unused balance of these funds in each fiscal year to be used to cover the costs of postsecondary education programs other than security level 3 and 4 correctional institutions or individuals classified as such.

(3) No provision.

(3) Earmarks \$329,293 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs to expand the current certificate offering for students eligible for postsecondary education programs to attain degree credentials in employments fields of study.

(4) No provision.

(4) Earmarks \$192,490 of GRF appropriation item 506321, Institution Education Services, in each fiscal year to be used to pay for the costs associated with increasing tuition for postsecondary education programming by 5%.

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DRCCD19

Community based correctional facilities

No provision.

**Section: 383.10**

Earmarks \$2,970,000 in FY 2020 and \$3,053,977 in FY 2021 from GRF appropriation item 501501, Community Residential Programs – Community Based Correctional Facilities, to support staff retention for community based correctional facilities.

**Fiscal effect: The House budget provides GRF appropriation item 501501, Community Residential Programs – Community Based Correctional Facilities, with an additional \$2,970,000 in FY 2020 and \$3,053,977 in FY 2021 for this purpose.**

Executive

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**OBMCD41 GRF transfer to Targeted Addiction Program Fund (Fund 5TZ0)**

**Section: 512.40**

Authorizes the Director of OBM, in each fiscal year, to transfer up to \$23,150,000 cash from the GRF to the Targeted Addiction Program Fund (Fund 5TZ0).

**Section: 512.40**

Same as the Executive.

**OBMCD44 FY 2019 GRF ending balance**

**Section: 513.10**

Requires the Director of OBM to determine the GRF surplus revenue that existed on June 30, 2019, and transfer cash, up to the actual surplus revenue amount, from the GRF as follows:

- (1) Up to \$10 million to the Targeted Addiction Program Fund (Fund 5TZ0)
- (2) Up to \$31 million to the Statewide Treatment and Prevention Fund (Fund 4750)
- (3) Up to \$100 million to the H2Ohio Fund (Fund 6H20)
- (4) No provision.
- (5) Up to \$5 million to the Books from Birth Fund (Fund 5VJ0)
- (6) Up to \$25 million to the State Park Fund (Fund 5120)

**Section: 513.10**

Same as the Executive, but requires the first \$470 million of surplus revenue to remain in the GRF prior to any transfers and also makes the following transfer changes:

- (1) Same as the Executive.
- (2) Same as the Executive.
- (3) Same as the Executive, but reduces the amount to \$86,000,000.
- (4) Up to \$20 million to the School Bus Purchase Fund (Fund 5VU0)
- (5) Same as the Executive.
- (6) Same as the Executive, but subjects the transfer to Controlling Board approval.

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(7) Up to \$25 million to the Emergency Purposes Fund (Fund 5KM0)

(7) Same as the Executive.

(8) Up to \$25 million to the Disaster Services Fund (Fund 5E20)

(8) Same as the Executive.

(9) Up to \$2 million to the Ohio Public Health Priorities Fund (Fund L087)

(9) Same as the Executive.

(10) Up to \$19 million to the Tobacco Use Prevention Fund (Fund 5BX0)

(10) Same as the Executive.

(11) Up to \$6.9 million to the Economic Development Programs Fund (Fund 5JC0)

(11) Same as the Executive, but increases the amount to \$8.9 million.

(13) No provision.

(12) An amount to the Budget Stabilization Fund (Fund 7013) to bring the balance of the fund to 8.5% of FY 2019 GRF revenue.

(13) Remaining surplus cash to the H2Ohio Fund (Fund 6H20)

(13) Same as the Executive.

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As Passed by the House

**MHACD1                      Prevention and Wellness**

**Section:    337.30**

Makes the following earmarks from GRF appropriation item 336406, Prevention and Wellness:

- (1) Up to \$1,250,000 in each fiscal year to be distributed to ADAMHS boards to purchase the provision of evidence-based prevention services from OhioMHAS-certified providers.
- (2) Up to \$500,000 in each fiscal year to be used to support suicide prevention efforts.
- (3) No provision.

**Section:    337.30**

Same as the Executive, but makes the following changes:

- (1) Same as the Executive.
- (2) Same as the Executive, but also requires funds to be used for a study on the rates of suicide in Ohio conducted by OhioMHAS, in coordination with the Department of Veterans Services.
- (3) \$120,000 in each fiscal year to be allocated to the Northeast Ohio Medical University's statewide campus safety and mental health programs.

**MHACD6                      Addiction Services Partnership with Corrections**

**Section:    337.80**

Continues temporary law pertaining to the transfer of the Bureau of Recovery Services (BRS), formerly in ODRC to OhioMHAS as follows:

Requires any business commenced but not completed by July 1, 2015, by ODRC regarding recovery services to be completed by OhioMHAS.

Specifies that any rules, orders, and determinations pertaining to BRS continue in effect as rules, orders, and determinations of OhioMHAS until modified or rescinded by OhioMHAS. Requires, if necessary to ensure the integrity of the numbering of the Administrative Code, the Director of LSC to renumber the rules

**Section:    337.80**

Same as the Executive.

Same as the Executive.

Same as the Executive.

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to reflect their transfer to OhioMHAS.

Transfers, subject to the lay-off provisions of sections 124.321 to 124.382 of the Revised Code, all employees of BRS to OhioMHAS and retain their positions and all of their benefits.

Same as the Executive.

Requires any business commenced by not completed under GRF line item 505321, Institution Medical Services, pertaining to BRS, be completed under GRF line item 336423, Addiction Services Partnership with Corrections.

Same as the Executive.

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DPSCD51

Non-opioid directives

R.C. 4765.60, 4765.601, 4765.602, 4765.603, 4765.604, 4765.604, 4765.605, 4765.606, 4765.607, 4765.608, 4765.609

(1) No provision.

(1) Requires the State Board of Emergency Medical, Fire, and Transportation Services, within one year of the provision's effective date, to develop and make available free of charge a non-opioid directive form for use by a patient who does not want to be provided an opioid analgesic.

(2) No provision.

(2) Provides that a patient's decision to sign a non-opioid directive form is voluntary and does not become effective until it is signed and placed in the patient's medical record.

(3) No provision.

(3) Requires an individual who places a signed non-opioid directive form in a patient's medical record, or that individual's delegate, to notify the State Board of Pharmacy that the patient has signed a non-opioid directive form and where the form is maintained.

(4) No provision.

(4) Requires a non-opioid directive form be distributed to each individual who has completed treatment with a community addiction services provider at the time of discharge from such treatment, and each individual who served a prison term for a drug offense.

(5) No provision.

(5) Provides that the patient may revoke a non-opioid directive form at any time.

(6) No provision.

(6) Provides immunity, generally, from criminal prosecution, civil liability, or professional disciplinary action to certain first responders, pharmacists or pharmacy interns, and prescribers when providing an opioid analgesic to a person with a non-

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(7) No provision.

opioid director form in certain specified situations.

(7) Prohibits the existence or nonexistence of a non-opioid directive from: (a) affecting the sale, procurement, issuance, or renewal of a life insurance policy or annuity, (b) modifying or invalidating the terms of a life insurance policy or annuity that is in effect on this provision's effective date, and (c) impairing or invalidating a life insurance policy or annuity or any health benefit plan.

**Fiscal effect: Uncertain.**