OHIO LEGISLATIVE SERVICE COMMISSION

Wendy Zhan, Director

www.lsc.ohio.gov

Office of Research and Drafting

Legislative Budget Office

R-133-2836

To: The Honorable Dave Greenspan
Ohio House of Representatives

From: Kailey Henry, Research Analyst *KH*

Date: January 21, 2020

Subject: Comparison of Am. H.B. 46 (As Passed by the House) and Proposed Sub. H.B. 46 (l_133_0159-3)

You asked LSC staff to compare the As Passed by the House version of H.B. 46 of the 133rd General Assembly to proposed Sub. H.B. 46 (l_133_0159-3). The following table summarizes the topics on which the two versions differ substantively. It does not list the topics on which the two bills are the same.

Am. H.B. 46 (As Passed by the House)	Proposed Sub. H.B. 46 (l_133_0159-3)
Database name	
Names the database created in the bill the Ohio State Government Expenditure Database *(R.C. 113.61)*.	Changes the name to the Ohio State and Local Government Expenditure Database *(R.C. 113.71, with conforming changes throughout the bill)*.
Database creation and maintenance	
Requires the Treasurer of State to establish and maintain the Database.	Adds that the Treasurer must collaborate with the Directors of Budget and Management and Administrative Services.

Am. H.B. 46 (As Passed by the House)	Proposed Sub. H.B. 46 (l_133_0159-3)
No provision.	Requires the Treasurer to enter into an annual agreement with the Directors to define data storage and handling, user interface requirements, and other provisions necessary to operate and maintain the Database.
Requires the Database to be available on the Treasurer's website.	Requires that the Database be accessible on the Treasurer's website and on the Office of Budget and Management's website.
Requires state entities to assist the Treasurer in the development, establishment, operation, storage, hosting, and support of the Database at no cost to the Treasurer and to comply with the bill using existing resources.	Removes the requirement that the assistance be provided to the Treasurer and at no cost to the Treasurer. *(R.C. 113.71(A), (D), and (E).)*
Prohibits a state entity from charging the Treasurer for any costs arising from the state entity complying with the bill. *(R.C. 113.61.)*	No provision.
Political subdivision and state retirement system voluntary participation	
Does not include a political subdivision or state retirement system in the Database.	Requires, if a political subdivision or state retirement system agrees to have information on the political subdivision's or state retirement system's expenditures included in the Database, the political subdivision or state retirement system to provide information to the Treasurer and comply with the bill in the same manner as a state entity.
Defines a "political subdivision" as a county, city, village, township, park district, school district, regional water and sewer district, or regional transit authority. *(R.C. 113.60(B) and (D).)*	Adds "public library" to the definition. *(R.C. 113.70(B) and (C) and 113.77.)*

Am. H.B. 46 (As Passed by the House)	Proposed Sub. H.B. 46 (l_133_0159-3)
Database information	
Requires a state entity to submit information monthly to the Treasurer through the Ohio Administrative Knowledge System (OAKS) regarding the entity's expenditures for the preceding month.	No provision.
Requires the Departments of Administrative Services and Education to provide employee salary and employment information to the Treasurer in a format, manner, and time frame determined by the Treasurer. *(R.C. 113.63(B) and (C).)*	Removes the requirement that the information be provided to the Treasurer and in the format, manner, or time frame determined by the Treasurer *(R.C. 113.73(B))*.
Publicly available and confidential information	
States that the Treasurer or the Treasurer's employees are not liable for the disclosure of a record in the Database that is confidential or is not a public record *(R.C. 113.66)*.	Adds that a state entity or any employee of the state entity that provides information to the Database is not liable for such a disclosure.
No provision.	States that the Treasurer is not prohibited from including any information in the Database that is not required to be included under the bill and is available to the public. *(R.C. 113.71(F) and 113.75.)*
Public comment	
Requires the Treasurer to provide an opportunity for public comment on the Database's utility on the Treasurer's website not later than one year after the Database is implemented *(R.C. 113.65)*.	Adds that the Treasurer must coordinate with the OBM Director and removes the requirement to provide the opportunity on the Treasurer's website *(R.C. 113.74)*.
Expenditure	
Defines an "expenditure" as a payment, distribution, loan, advance, reimbursement, deposit, or gift of money from a state entity to any vendor that is processed through OAKS *(R.C. 113.60(A)).*	Removes the requirement that an expenditure must be processed through OAKS and specifies that it is made from a state entity to a supplier *(R.C. 113.70(A))*.

Am. H.B. 46 (As Passed by the House)	Proposed Sub. H.B. 46 (l_133_0159-3)
Graphical data representations	
Requires the Treasurer to develop and publish charts and graphs on the Treasurer's website that represent data in the Database *(R.C. 113.64)*.	No provision.
Annual report	
Requires the Treasurer to include Database usage data in the Treasurer's annual report to the Governor *(R.C. 113.67).*	No provision.
Rulemaking authority	
Authorizes the Treasurer to adopt reasonable rules under the abbreviated rulemaking procedure that implement, and are consistent with, the bill *(R.C. 113.69)*.	No provision.
Suppliers	
Defines a "vendor" as any person, partnership, corporation, association, organization, state entity, or other party, including any executive officer, legislative officer, judicial officer, or member or employee of a state entity that either (1) sells, leases, or otherwise provides equipment, materials, goods, supplies, or services to a state entity pursuant to a contract between the vendor and a state entity, or (2) receives reimbursement from a state entity for any expense (R.C. 113.60(E)).	Renames as "supplier" *(R.C. 113.70(G), with conforming changes throughout the bill.)*

R-2836-133/ts