

OHIO

House

of

Representatives

JOURNAL

SECOND CORRECTED VERSION
WEDNESDAY, JUNE 10, 2020

ONE HUNDRED NINETY-NINTH DAY
Hall of the House of Representatives, Columbus, Ohio
Wednesday, June 10, 2020, 9:00 o'clock a.m.

The House met pursuant to adjournment.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Callender was selected to preside under the Rule.

The journal of yesterday was read and approved.

INTRODUCTION OF BILLS

The following bill was introduced:

H. B. No. 697 - Representative Manning, G.

To maintain a student's Ohio College Opportunity Grant award amount in the 2020-2021 academic year if that student enrolls in a state institution of higher education and to declare an emergency.

Said bill was considered the first time.

REPORTS OF STANDING AND SELECT COMMITTEES AND BILLS FOR SECOND CONSIDERATION

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **S. B. No. 163**-Senator Kunze, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: CREATE ALS AWARENESS LICENSE PLATE

Representative McClain moved to amend the title as follows:

Add the names: "Green, Sheehy, Manning, G., O'Brien"

DOUG GREEN

JUANITA O. BRENT

STEPHANIE D. HOWSE

JEFF LARE

SUSAN MANCHESTER

JESSICA E. MIRANDA

THOMAS F. PATTON

MICHAEL SHEEHY

JAMES M. HOOPS

DON JONES

MICHELE LEPORE-HAGAN

GAYLE MANNING

MICHAEL J. O'BRIEN

REGGIE STOLTZFUS

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 689**-Representative LaRe, having had the same under consideration, reports it back with the following amendment and recommends its passage when so amended.

RE: DESIGNATES SGT JOSEPH P. COLLETTE MEMORIAL HIGHWAY

Representative McClain moved to amend the title as follows:

Add the names: "Green, McClain, Sheehy"

Representative McClain moved to amend as follows:

In line 1 of the title, delete "section" and insert "sections 5534.418 and"

In line 2 of the title, delete "a portion of State Route 158 in"

Delete lines 3 and 4 of the title and insert "two memorial highways."

In line 5, delete "section" and insert "sections 5534.418 and"

After line 6, insert:

"Sec. 5534.418. In addition to any other name prescribed by the Revised Code or otherwise, the eastbound and westbound lanes of state route number three hundred nine, between the intersection of that route and Marion-Williamsport road west and the intersection of that route and Holland road, in Marion county, shall be known as the "Deputy Sheriff Bill Bender and Trooper Randy Bender Memorial Highway."

The director of transportation may erect suitable markers along the highway indicating its name."

The motion was agreed to and the bill so amended.

DOUG GREEN

MICHAEL SHEEHY

JAMES M. HOOPS

DON JONES

MICHELE LEPORE-HAGAN

GAYLE MANNING

MICHAEL J. O'BRIEN

REGGIE STOLTZFUS

RIORDAN T. MCCLAIN

JUANITA O. BRENT

STEPHANIE D. HOWSE

JEFF LARE

SUSAN MANCHESTER

JESSICA E. MIRANDA

THOMAS F. PATTON

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 688**-Representative Carruthers, having had the same under consideration, reports it back and recommends its passage.

RE: CREATE THREE HIGH SCHOOL LICENSE PLATES

Representative McClain moved to amend the title as follows:

Add the name: "Green"

DOUG GREEN

MICHAEL SHEEHY

JAMES M. HOOPS

DON JONES

MICHELE LEPORE-HAGAN

GAYLE MANNING

MICHAEL J. O'BRIEN

REGGIE STOLTZFUS

RIORDAN T. MCCLAIN

JUANITA O. BRENT

STEPHANIE D. HOWSE

JEFF LARE

SUSAN MANCHESTER

JESSICA E. MIRANDA

THOMAS F. PATTON

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Lepore-Hagan submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 674**-Representative Hillyer, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REVISES LIQUOR LAWS

GAYLE MANNING

JAY EDWARDS

DON JONES

MICHAEL SHEEHY

BRIDE ROSE SWEENEY

CINDY ABRAMS

MARK FRAIZER

MARY LIGHTBODY

DICK STEIN

The following members voted "NO"

BILL DEAN

RON HOOD

THOMAS F. PATTON

JUANITA O. BRENT

MICHELE LEPORE-HAGAN

KENT SMITH

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Lepore-Hagan submitted the following report:

The standing committee on Commerce and Labor to which was referred **H. B. No. 669**-Representatives Swearingen, LaRe, et al., having had the same under consideration, reports it back as a substitute bill and recommends its

passage.

RE: EXPANDS THE DEFINITION OF PREMISES AND SALES FOR LIQUOR PERMITS

Representative Dean moved to amend the title as follows:

Add the name: "Sheehy"

GAYLE MANNING	MICHELE LEPORE-HAGAN
CINDY ABRAMS	JUANITA O. BRENT
JAY EDWARDS	MARK FRAIZER
DON JONES	MARY LIGHTBODY
THOMAS F. PATTON	MICHAEL SHEEHY
KENT SMITH	DICK STEIN
BRIDE ROSE SWEENEY	

The following members voted "NO"

BILL DEAN	RON HOOD
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The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sheehy submitted the following report:

The standing committee on Transportation and Public Safety to which was referred **H. B. No. 664**-Representatives Galonski, Sykes, having had the same under consideration, reports it back and recommends its passage.

RE: CREATE SUMMIT METRO PARKS LICENSE PLATE

Representative McClain moved to amend the title as follows:

Add the names: "Green, Sheehy"

DOUG GREEN	RIORDAN T. MCCLAIN
MICHAEL SHEEHY	JUANITA O. BRENT
JAMES M. HOOPS	STEPHANIE D. HOWSE
DON JONES	JEFF LARE
MICHELE LEPORE-HAGAN	SUSAN MANCHESTER
GAYLE MANNING	JESSICA E. MIRANDA
MICHAEL J. O'BRIEN	THOMAS F. PATTON
REGGIE STOLTZFUS	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative West submitted the following report:

The standing committee on Health to which was referred **H. B. No. 484-**

Representatives Abrams, Carfagna, et al., having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: REGARDS PRACTICE OF ATHLETIC TRAINING

P. SCOTT LIPPS	JIM BUTLER
SARA P. CARRUTHERS	RANDI CLITES
TIMOTHY E. GINTER	DIANE V. GRENDALL
ADAM HOLMES	CANDICE KELLER
BETH LISTON	PHIL PLUMMER
C. ALLISON RUSSO	D. J. SWEARINGEN
TERRENCE UPCHURCH	THOMAS WEST

The following members voted "NO"

NIRAJ J. ANTANI	MICHELE LEPORE-HAGAN
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The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative West submitted the following report:

The standing committee on Health to which was referred **H. B. No. 436-** Representative Baldrige, et al., having had the same under consideration, reports it back and recommends its passage.

RE: REGARDS SCREENING AND INTERVENTION FOR CHILDREN WITH DYSLEXIA

Representative Lipps moved to amend the title as follows:

Add the names: "Clites, Lepore-Hagan, Liston, Russo, West"

P. SCOTT LIPPS	NIRAJ J. ANTANI
JIM BUTLER	SARA P. CARRUTHERS
RANDI CLITES	TIMOTHY E. GINTER
DIANE V. GRENDALL	ADAM HOLMES
CANDICE KELLER	MICHELE LEPORE-HAGAN
BETH LISTON	PHIL PLUMMER
C. ALLISON RUSSO	D. J. SWEARINGEN
TERRENCE UPCHURCH	THOMAS WEST

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Cera submitted the following report:

The standing committee on Finance to which was referred **H. B. No. 270-** Representative Merrin, having had the same under consideration, reports it back as a substitute bill and recommends its passage.

RE: ENACT UNCLAIMED FUNDS REFORM ACT

Representative Oelslager moved to amend the title as follows:

Add the names: "Hambley, Rogers"

SCOTT OELSLAGER	JAMIE CALLENDER
GARY SCHERER	JACK CERA
BRIAN BALDRIDGE	JIM BUTLER
RICK CARFAGNA	SARA P. CARRUTHERS
JON CROSS	ROBERT R. CUPP
JAY EDWARDS	HARAZ N. GHANBARI
DAVE GREENSPAN	STEPHEN D. HAMBLEY
PAULA HICKS-HUDSON	JAMES M. HOOPS
STEPHANIE D. HOWSE	BRIGID KELLY
P. SCOTT LIPPS	MICHAEL J. O'BRIEN
JOHN PATTERSON	RICK PERALES
PHIL PLUMMER	BILL ROEMER
JOHN M. ROGERS	MARK J. ROMANCHUK
MICHAEL J. SKINDELL	THOMAS WEST
SHANE WILKIN	

The report was agreed to.

The bill was ordered to be engrossed and placed on the calendar.

Representative Sykes reported for the Rules and Reference committee recommending that the following House Bill and Senate Bills be considered for the second time and referred to the following committees for consideration:

H. B. No. 696 - Representative Swearingen
REGARDING CAREER INFORMATION AND CAREER-TECHNICAL
EDUCATION FOR MIDDLE AND HIGH SCHOOL STUDENTS IN
PUBLIC SCHOOLS.

To the committee on Primary and Secondary Education

Sub. S. B. No. 204 - Senators Schuring and Sykes
TO AUTHORIZE THE CREATION OF AN AIRPORT DEVELOPMENT
DISTRICT FOR THE PURPOSE OF FUNDING PUBLIC
INFRASTRUCTURE IMPROVEMENTS AND ATTRACTING AIRLINES
AND ADDITIONAL FLIGHTS TO QUALIFYING AIRPORTS.

To the committee on Economic and Workforce Development

S. B. No. 252 - Senators Hackett and Craig
TO PROHIBIT "FAIL FIRST" COVERAGE OF DRUGS USED TO TREAT
STAGE FOUR ADVANCED METASTATIC CANCER.

To the committee on Health

S. B. No. 277 - Senator Schuring

TO MAKE CHANGES TO THE OHIO POOLED COLLATERAL PROGRAM.

To the committee on Financial Institutions

Sub. S. B. No. 308 - Senator Huffman, M.

TO REVISE THE LAW GOVERNING IMMUNITY FROM CIVIL LIABILITY FOR HEALTH CARE PROVIDERS DURING DISASTERS, TO PROVIDE QUALIFIED CIVIL IMMUNITY TO SERVICE PROVIDERS PROVIDING SERVICES DURING AND AFTER A GOVERNMENT-DECLARED DISASTER OR EMERGENCY DUE TO COVID-19, AND TO DECLARE AN EMERGENCY.

To the committee on Civil Justice

JIM BUTLER

KRISTIN BOGGS

JAMIE CALLENDER

JAY EDWARDS

LAURA LANESE

EMILIA STRONG SYKES

RICHARD D. BROWN

ANTHONY DEVITIS

PAULA HICKS-HUDSON

BILL SEITZ

Representative Lanese moved that the House and Constitutional Rules requiring bills to be considered by each house on three different days be suspended as to the second consideration of all House Bill and Senate Bills contained in the report of the committee on Rules and Reference.

The motion was agreed to without objection.

The report was agreed to.

Said House Bill and Senate Bills were considered the second time and referred as recommended.

MOTIONS AND RESOLUTIONS

Representative Sykes reported for the Rules and Reference committee recommending that the following Senate Concurrent Resolution be introduced and referred to the following committee for consideration:

S. C. R. No. 13 - Senator Johnson

TO RESOLVE THAT NO BRANCH OF GOVERNMENT, BE IT EXECUTIVE, LEGISLATIVE, OR JUDICIAL, NOR ANY SUBORDINATE DEPARTMENT, AGENCY, OR ENTITY THEREOF, MAY TAKE OR OTHERWISE PROMULGATE ACTIONS THAT EXCEED ITS AUTHORITY TO DO SO AS EXPRESSLY GRANTED UNDER THE OHIO CONSTITUTION OR UNITED STATES CONSTITUTION.

To the committee on State and Local Government

/s/ JIM BUTLER
Jim Butler, Vice Chair

Representative Lanese moved that the Rules and Reference committee report on resolutions be agreed to and that the Senate Concurrent Resolution contained therein be introduced and referred as recommended.

The motion was agreed to.

Said Senate Concurrent Resolution was introduced and referred as recommended.

Representative Lanese moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

On motion of Representative Lanese, the House recessed.

The House met pursuant to recess.

Prayer was offered by Representative Ginter- 5th district, followed by the Pledge of Allegiance to the Flag.

MOTIONS AND RESOLUTIONS

Representative Butler moved that the following resolution be brought up for immediate adoption, read by title only, and spread upon the pages of the journal.

The motion was agreed to.

The question being on the adoption of the resolution, reading as follows:

H. R. No. 350-Speaker Householder, Representative Sykes

Relative to travel allowance.

WHEREAS, Section 101.27 of the Revised Code provides that each member receive a travel reimbursement based upon the mileage from and to the member's place of residence, by the most direct highway route of public travel to and from the seat of government; therefore be it

RESOLVED, That the Chief Administrative Officer of the House of Representatives is hereby authorized to pay the following member's travel allowance based upon their round-trip mileage as set opposite their name and district number:

Member's Name	District Number	Round-Trip Mileage
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Alessandro Cutrona

59

350

The question being, "Shall the resolution be adopted?"

The yeas and nays were taken and resulted – yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cupp	Cutrona
Dean	Denson	DeVitis	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Howse	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Vitale	Weinstein	West	Wiggam
Wilkin	Zeltwanger		Householder-95

The resolution was adopted.

BILLS FOR THIRD CONSIDERATION

Sub. H. B. No. 669-Representatives Swearingen, LaRe.

Cosponsors: Representatives Romanchuk, Jordan, Reineke, Seitz, Becker, Abrams, Jones, Carfagna, Cross, Hambley, Lang, Antani, Weinstein, Sheehy.

To amend sections 4301.10, 4301.62, and 4303.041 and to enact sections 4303.185 and 4303.186 of the Revised Code to enact provisions of law relative to the sale and delivery of alcoholic beverages by liquor permit holders and to declare an emergency, was taken up for consideration the third time.

The question being, "Shall the emergency clause stand as part of the bill?"

The yeas and nays were taken and resulted – yeas 89, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman

Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Cross
Crossman	Cupp	Cutrona	Denson
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Grendell	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hoops	Howse	Ingram
Jones	Jordan	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Miller, J.	Miranda	O'Brien	Oelslager
Patterson	Patton	Perales	Plummer
Reineke	Richardson	Riedel	Robinson
Roemer	Rogers	Romanchuk	Russo
Scherer	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	Upchurch	Vitale	Weinstein
West	Wiggam	Wilkin	Zeltwanger
			Householder-89

Representatives Crawley, Dean, Hood, Keller, Merrin, and Powell voted in the negative-6.

Having received the required Constitutional majority, the emergency clause stood as part of the bill.

The question being, "Shall the bill pass as an emergency measure?"

The yeas and nays were taken and resulted – yeas 87, nays 8, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Boggs	Brent	Brinkman	Brown
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Cross
Crossman	Cupp	Cutrona	Denson
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hoops
Howse	Ingram	Jones	Jordan
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Miller, J.	Miranda
O'Brien	Oelslager	Patterson	Patton
Perales	Plummer	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Vitale	Weinstein	West	Wiggam
Wilkin	Zeltwanger		Householder-87

Representatives Antani, Dean, Ginter, Green, Hood, Keller, Merrin, and Powell voted in the negative-8.

Having received the required constitutional majority, the bill passed as an emergency measure.

Representative Swearingen moved to amend the title as follows:

Add the names: "Carruthers, Clites, Crossman, Galonski, Greenspan, Hillyer, Holmes, A., Ingram, Miller, J., Miranda, Patton, Perales, Rogers, Strahorn, West."

Remove the name: "Antani."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 673-Representative Roemer.

Cosponsor: Representative Wiggam.

To amend sections 4709.02, 4709.05, 4709.12, 4709.13, and 4729.41 and to enact sections 4709.071, 4713.351, and 4729.42 of the Revised Code and to amend Section 30 of H.B. 197 of the 133rd General Assembly regarding the operation of businesses, practice of certain professions, and completion of education as it relates to COVID-19, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Butler moved that **Sub. H. B. No. 673**-Representative Roemer, et al., be informally passed and retain its place on the calendar.

The motion was agreed to without objection.

Sub. S. B. No. 163-Senator Kunze.

Cosponsors: Senators Williams, Yuko, Schaffer, Fedor, Antonio, Johnson, Manning, Hoagland, Sykes, Maharath, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hottinger, Huffman, M., Huffman, S., Lehner, McColley, Obhof, O'Brien, Peterson, Rulli, Thomas, Wilson
Representatives Green, Sheehy, Manning, G., O'Brien.

To amend sections 4501.21, 4503.571, 4503.68, and 4503.70 and to enact sections 4503.506, 4503.557, 4503.558, 4503.581, 4503.596, 4503.714, 4503.716, 4503.725, 4503.767, 4503.881, 4503.883, 4503.893, 4503.899, 4503.931, 4503.932, 4503.942, 4503.945, 4503.956, 4503.957, 4503.958, 4503.961, 4503.962, and 4503.963 of the Revised Code to create and amend multiple nonstandard license plates, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 95, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cupp	Cutrona
Dean	Denson	DeVitis	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Howse	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Vitale	Weinstein	West	Wiggam
Wilkin	Zeltwanger		Householder-95

The bill passed.

Representative Green moved to amend the title as follows:

Add the names: "Abrams, Butler, Carruthers, Crossman, DeVitis, Galonski, Ginter, Grendell, Hambley, Ingram, Lanese, Lepore-Hagan, Liston, Richardson, Riedel, Roemer, Rogers, Scherer."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

H. B. No. 436-Representative Baldrige.

Cosponsors: Representatives Sheehy, Rogers, Seitz, Jones, Blair, Strahorn, Stephens, Clites, Lepore-Hagan, Liston, Russo, West.

To amend sections 3301.079, 3314.03, 3323.11, 3326.11, and 3328.24; to enact new section 3323.25 and sections 3319.077, 3319.078, and 3323.251; and to repeal section 3323.25 of the Revised Code with regard to screening and intervention for children with dyslexia, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 89, nays 6, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Blair
Boggs	Brent	Brown	Butler
Callender	Carfagna	Carruthers	Cera
Clites	Crawley	Cross	Crossman
Cupp	Cutrona	Dean	Denson
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Grendell	Hambley	Hicks-Hudson	Hillyer
Holmes, A.	Hood	Hoops	Howse
Ingram	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Manning, G.
McClain	Merrin	Miller, J.	Miranda
O'Brien	Oelslager	Patterson	Patton
Perales	Plummer	Reineke	Richardson
Robinson	Roemer	Rogers	Romanchuk
Russo	Scherer	Seitz	Sheehy
Skindell	Smith, K.	Smith, T.	Stein
Stephens	Stoltzfus	Strahorn	Swearingen
Sweeney	Sykes	Upchurch	Weinstein
West	Wiggam	Wilkin	Zeltwanger
			Householder-89

Representatives Becker, Brinkman, Manchester, Powell, Riedel, and Vitale voted in the negative-6.

The bill passed.

Representative Baldrige moved to amend the title as follows:

Add the names: "Abrams, Antani, Brown, Carfagna, Crossman, Fraizer, Galonski, Hambley, Hicks-Hudson, Ingram, Lanese, Manning, G., Miller, J., O'Brien, Smith, K., Stein, Sykes, Upchurch."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 624-Representative Grendell.

Cosponsors: Representatives Wiggam, Romanchuk, Riedel, Roemer, Stein, Keller, Cross.

To require the reporting and release of certain COVID-19 testing and related information, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 61, nays 34, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cross	Cupp	Cutrona
Dean	DeVitis	Edwards	Fraizer
Ghanbari	Ginter	Green	Greenspan

Grendell	Hambley	Hillyer	Holmes, A.
Hood	Hoops	Jones	Jordan
Keller	Kick	Koehler	Lanese
Lang	LaRe	Lipps	Manchester
Manning, G.	McClain	Merrin	Oelslager
Patton	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Roemer
Romanchuk	Scherer	Seitz	Smith, T.
Stein	Stephens	Stoltzfus	Swearingen
Vitale	Wiggam	Wilkin	Zeltwanger
			Householder-61

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Denson	Galonski	Hicks-Hudson	Howse
Ingram	Kelly	Leland	Lepore-Hagan
Lightbody	Liston	Miller, J.	Miranda
O'Brien	Patterson	Robinson	Rogers
Russo	Sheehy	Skindell	Smith, K.
Strahorn	Sweeney	Sykes	Upchurch
Weinstein			West-34

The bill passed.

Representative Grendell moved to amend the title as follows:

Add the names: "Abrams, Baldrige, Butler, Carruthers, Cupp, Cutrona, DeVitis, Edwards, Fraizer, Ghanbari, Green, Hambley, Hillyer, Holmes, A., Jones, Jordan, Koehler, Lang, Patton, Reineke, Seitz, Smith, T., Stephens, Stoltzfus, Zeltwanger."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 484-Representatives Abrams, Carfagna.

Cosponsors: Representatives Russo, Carruthers, Miller, J., Seitz, Swearingen.

To amend sections 4755.60 and 4755.62 and to enact section 4755.621 of the Revised Code regarding the practice of athletic training, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 90, nays 5, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Boggs	Brent	Brinkman	Brown
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Cross
Crossman	Cupp	Cutrona	Denson
DeVitis	Edwards	Fraizer	Galonski
Ghanbari	Ginter	Green	Greenspan
Grendell	Hambley	Hicks-Hudson	Hillyer

Holmes, A.	Hoops	Howse	Ingram
Jones	Jordan	Keller	Kelly
Kick	Koehler	Lanese	Lang
LaRe	Leland	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Smith, K.	Smith, T.	Stein
Stephens	Stoltzfus	Strahorn	Swearingen
Sweeney	Sykes	Upchurch	Vitale
Weinstein	West	Wiggam	Wilkin
Zeltwanger			Householder-90

Representatives Antani, Dean, Hood, Lepore-Hagan, and Skindell voted in the negative-5.

The bill passed.

Representative Abrams moved to amend the title as follows:

Add the names: "Clites, Crossman, Edwards, Fraizer, Ginter, Koehler, Patterson, Patton, Rogers."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 679-Representatives Fraizer, Holmes, A.

Cosponsors: Representatives Abrams, Butler, Crossman, Patton, Seitz, Swearingen.

To amend sections 3902.30, 4723.94, 4732.33, and 5164.95; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 4731.2910 (4743.09); and to enact sections 3701.1310, 3721.60, 4730.60, 4753.20, 4755.90, 4757.50, 4758.80, 4759.20, and 5119.368 of the Revised Code to establish and modify requirements regarding the provision of telehealth services, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

Representative Fraizer moved to amend, amendment 2879, as follows:

In line 1 of the title, after "3902.30" insert ", 4715.01, 4715.09"

In line 5 of the title, after "3721.60" insert ", 4715.44"

In line 10, after "3902.30" insert ", 4715.01, 4715.09"

In line 13, after "3721.60" insert ", 4715.44"

After line 136, insert:

"Sec. 4715.01. Any person shall be regarded as practicing dentistry,

who is a manager, proprietor, operator, or conductor of a place for performing dental operations, or who teaches clinical dentistry, or who performs, or advertises to perform, dental operations of any kind, or who diagnoses or treats diseases or lesions of human teeth or jaws, or associated structures, or attempts to correct malpositions thereof, or who takes impressions of the human teeth or jaws, or who constructs, supplies, reproduces, or repairs any prosthetic denture, bridge, artificial restoration, appliance, aligner, or other structure to be used or worn as a substitute for natural teeth, except upon the order or prescription of a licensed dentist and constructed upon or by the use of casts or models made from an impression taken by a licensed dentist, or who advertises, offers, sells, or delivers any such substitute or the services rendered in the construction, reproduction, supply, or repair thereof to any person other than a licensed dentist, or who places or adjusts such substitute in the oral cavity of another, or uses the words "dentist," "dental surgeon," the letters "D.D.S.," or other letters or title in connection with his the person's name, which in any way represents ~~him~~ the person as being engaged in the practice of dentistry.

Personal fitting by an individual of self-fabricated or over-the-counter mouth guards does not constitute the practice of dentistry.

"Manager, proprietor, operator, or conductor" as used in this section includes any person:

(A) Who employs licensed operators;~~(B)~~

~~(B)~~ Who places in the possession of licensed operators dental offices or dental equipment necessary for the handling of dental offices on the basis of a lease or any other agreement for compensation or profit for the use of such office or equipment, when such compensation is manifestly in excess of the reasonable rental value of such premises and equipment;

(C) Who makes any other arrangements whereby ~~he~~ the person derives profit, compensation, or advantage through retaining the ownership or control of dental offices or necessary dental equipment by making the same available in any manner for the use of licensed operators; provided that this section does not apply to bona fide sales of dental equipment secured by chattel mortgage.

Whoever having a license to practice dentistry or dental hygiene enters the employment of, or enters into any of the arrangements described in this section with, an unlicensed manager, proprietor, operator, or conductor, or who is determined mentally incompetent by a court of competent jurisdiction, or is committed by a court having jurisdiction for treatment of mental illness, may have his the person's license suspended or revoked by the state dental board.

Sec. 4715.09. (A) No person shall practice dentistry without a current license from the state dental board. No person shall practice dentistry while

the person's license is under suspension by the state dental board.

(B)(1) No dentist shall use the services of any person not licensed to practice dentistry in this state, or the services of any partnership, corporation, or association, to construct, alter, repair, or duplicate any denture, plate, bridge, splint, or orthodontic or prosthetic appliance, or orthodontic aligner without first furnishing the unlicensed person, partnership, corporation, or association with a written or digital work authorization on forms prescribed by the state dental board.

The unlicensed person, partnership, corporation, or association shall retain the original work authorization, and the dentist shall retain a duplicate copy of the work authorization, for two years from its date. Work authorizations required by this section shall be open for inspection during the two-year period by the state dental board, its authorized agent, or the prosecuting attorney of a county or the director of law of a municipal corporation wherein the work authorizations are located.

(2) A dentist who uses the services described in division (B)(1) of this section shall evaluate and review the denture, plate, bridge, splint, orthodontic or prosthetic appliance, or orthodontic aligner constructed, altered, repaired, or duplicated.

(C) If the person, partnership, association, or corporation receiving a written or digital authorization from a licensed dentist engages another person, firm, or corporation, referred to in this division as "subcontractor," to perform some of the services relative to the work authorization, the person shall furnish a written or digital sub-work authorization with respect thereto on forms prescribed by the state dental board.

The subcontractor shall retain the sub-work authorization and the issuer thereof shall retain a duplicate copy, attached to the work authorization received from the licensed dentist, for inspection by the state dental board or its duly authorized agents, for a period of two years in both cases.

(D) No unlicensed person, partnership, association, or corporation shall perform any service described in division (B) of this section without a written or digital work authorization from a licensed dentist. Provided, that if a written or digital work authorization is demanded from a licensed dentist who fails or refuses to furnish it for any reason, the unlicensed person, partnership, association, or corporation shall not, in such event, be subject to the enforcement provisions of section 4715.05 or the penal provisions of section 4715.99 of the Revised Code.

(E) No dentist shall employ or use conscious sedation unless the dentist possesses a valid permit issued by the state dental board authorizing the dentist to do so.

(F) No dentist shall employ or use general anesthesia unless the

dentist possesses a valid permit issued by the state dental board authorizing the dentist to do so.

(G) Division (A) of this section does not apply to a person who meets both of the following conditions:

(1) The person holds a license in good standing to practice dentistry issued by another state.

(2) The person is practicing as a volunteer without remuneration during a charitable event that lasts not more than seven days.

When a person meets the conditions of this division, the person shall be deemed to hold, for the course of the charitable event, a license to practice dentistry from the state dental board and shall be subject to the provisions of this chapter authorizing the board to take disciplinary action against a license holder. Not less than seven calendar days before the first day of the charitable event, the person or the event's organizer shall notify the board of the person's intent to engage in the practice of dentistry at the event. During the course of the charitable event, the person's scope of practice is limited to the procedures that a dentist licensed under this chapter is authorized to perform unless the person's scope of practice in the other state is more restrictive than in this state. If the latter is the case, the person's scope of practice is limited to the procedures that a dentist in the other state may perform.

(H) No dentist shall practice dentistry unless a bona fide dentist-patient relationship is established in person or through teledentistry. A bona fide dentist-patient relationship exists if all of the following are the case:

(1) The dentist has obtained or caused to be obtained a health and dental history of the patient;

(2) The dentist has performed or caused to be performed an appropriate examination of the patient, either physically, through use of instrumentation and diagnostic equipment through which digital scans, photographs, images, and dental records are able to be transmitted electronically, or through use of face-to-face interactive two-way real-time communications services or store-and-forward technologies;

(3) The dentist provided information to the patient about the services to be performed;

(4) The dentist initiates additional diagnostic tests or referrals as needed.

In cases in which a dentist is providing teledentistry, the examination required by this division shall not be required if a dentist licensed under this chapter has examined the patient within the six months prior to the initiation of teledentistry and the patient's dental records of such examination have been reviewed by the dentist providing teledentistry.

(I) No dentist, including a dentist who provides teledentistry services,

shall require a patient to sign an agreement that limits the patient's ability to file a complaint with the state dental board.

Sec. 4715.44. (A) As used in this section, unless the context requires a different meaning:

(1) "Digital scan" means digital technology that creates a computer-generated replica of the hard and soft tissues of the oral cavity using enhanced digital photography.

(2) "Digital scan technician" means a person who has completed a training program approved by the state dental board to take digital scans of intraoral and extraoral hard and soft tissues for use in teledentistry and is registered with the state dental board.

(3) "Store-and-forward technologies" means the technologies that allow for the electronic transmission of dental and health information, including images, radiographs, photographs, documents, and health histories, through a secure communication system.

(4) "Teledentistry" means the delivery of dentistry between a patient and a dentist who holds a license issued under this chapter through the use of telehealth systems and electronic technologies or media, including interactive, two-way audio or video.

(B)(1) No person other than a dentist, dental hygienist, expanded function dental auxiliary, digital scan technician, or qualified personnel under the direction of a dentist licensed under this chapter shall obtain dental scans for use in the practice of dentistry.

(2) A digital scan technician who obtains dental scans for use in the practice of teledentistry shall work under the direction of a dentist licensed under this chapter who is both of the following:

(a) Accessible and available for communication and consultation with the digital scan technician at all times during the patient interaction in real time upon request;

(b) Responsible for ensuring that the digital scan technician has completed a program of training approved by the board for such purpose.

(3) All protocols and procedures for the performance of digital scans by digital scan technicians and evidence that a digital scan technician has complied with the training requirements of the board shall be made available to the board upon request.

(C)(1) No person shall deliver dental services through teledentistry unless the person holds a license to practice dentistry issued under this chapter and has established written or electronic protocols for the practice of teledentistry that include all of the following:

(a) Methods to ensure that patients are fully informed about services

provided through the use of teledentistry, including obtaining informed consent;

(b) Safeguards to ensure compliance with all state and federal laws and regulations related to the privacy of health information;

(c) Documentation of all dental services provided to a patient through teledentistry, including the full name, address, telephone number, and license number of the dentist providing the dental services;

(d) Procedures for providing in-person services or for the referral of patients requiring dental services that cannot be provided by teledentistry to another dentist licensed to practice dentistry under this chapter who actually practices dentistry in an area of the state the patient can readily access;

(e) Provisions for the use of appropriate encryption when transmitting patient health information via teledentistry;

(f) Any other provisions required by the board.

(2) A dentist who delivers dental services using teledentistry shall, upon request of the patient, provide health records to the patient or a dentist of record in a timely manner in accordance with any applicable federal or state laws or regulations. All patients receiving dental services through teledentistry shall have the right to speak or communicate with the dentist providing such services upon request.

(3) Dental services delivered through use of teledentistry shall be consistent with the standard of care, including when the standard of care requires the use of diagnostic testing or the performance of a physical examination, and comply with the requirements of this chapter and rules of the board.

(4) In cases in which teledentistry is provided to a patient who has a dentist of record but has not had a dental examination in the six months prior to the initiation of teledentistry, the dentist providing teledentistry shall recommend that the patient schedule a dental examination. If a patient to whom teledentistry is provided does not have a dentist of record, the dentist shall provide or cause to be provided to the patient options for referrals for obtaining a dental examination.

(D)(1) When delivering services through teledentistry, a dentist may employ instrumentation and diagnostic equipment, including store-and-forward technology, digital scans, photographs, images, electronic records, and face-to-face interactive two-way real-time communications services.

(2) Any dentist licensed under this chapter who provides services via teledentistry shall establish written policy and procedures describing how the dentist will ensure that any dental hygienist, expanded function dental auxiliary, digital scan technician, or qualified person assisting patients in the receipt or delivery of telehealth services is fully trained in using equipment

necessary for such services.

(3) Nothing in this section eliminates or modifies any other provision of the Revised Code that requires a dental hygienist, expanded function dental auxiliary, certified dental assistant, or qualified personnel to be supervised by a dentist.

(E) The state dental board shall adopt rules providing for the registration of digital scan technicians. The rules shall be adopted in accordance with Chapter 119. of the Revised Code."

In line 432, after "3902.30" insert ", 4715.01, 4715.09"

After line 440, insert:

"Section 4. Section 4715.09 of the Revised Code is presented in this act as a composite of the section as amended by both H.B. 541 and S.B. 259 of the 132nd General Assembly. The General Assembly, applying the principle stated in division (B) of section 1.52 of the Revised Code that amendments are to be harmonized if reasonably capable of simultaneous operation, finds that the composite is the resulting version of the section in effect prior to the effective date of the section as presented in this act."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted – yeas 92, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cupp	Cutrona
Dean	Denson	DeVitis	Edwards
Fraizer	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hood	Hoops
Howse	Jones	Jordan	Keller
Kelly	Kick	Koehler	Lanese
Lang	LaRe	Leland	Lepore-Hagan
Lightbody	Lipps	Liston	Manchester
Manning, G.	McClain	Merrin	Miller, J.
Miranda	O'Brien	Oelslager	Patterson
Patton	Perales	Plummer	Powell
Reineke	Richardson	Riedel	Robinson
Roemer	Rogers	Romanchuk	Russo
Scherer	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Stein	Stephens
Strahorn	Swearingen	Sweeney	Sykes
Upchurch	Vitale	Weinstein	West
Wiggam	Wilkin	Zeltwanger	Householder-92

Representatives Galonski and Stoltzfus voted in the negative-2.

The motion was agreed to and the bill so amended.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 91, nays 3, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Boggs	Brent	Brinkman	Brown
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Cross
Crossman	Cupp	Cutrona	Dean
Denson	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hoops	Howse
Ingram	Jones	Jordan	Kelly
Kick	Koehler	Lanese	Lang
LaRe	Leland	Lepore-Hagan	Lightbody
Lipps	Liston	Manchester	Manning, G.
McClain	Merrin	Miller, J.	Miranda
O'Brien	Oelslager	Patterson	Patton
Perales	Plummer	Powell	Reineke
Richardson	Riedel	Robinson	Roemer
Rogers	Romanchuk	Russo	Scherer
Seitz	Sheehy	Skindell	Smith, K.
Smith, T.	Stein	Stephens	Stoltzfus
Strahorn	Swearingen	Sweeney	Sykes
Upchurch	Weinstein	West	Wiggam
Wilkin	Zeltwanger		Householder-91

Representatives Antani, Hood, and Keller voted in the negative-3.

The bill passed.

Representative Fraizer moved to amend the title as follows:

Add the names: "Carfagna, Carruthers, Cutrona, Edwards, Galonski, Ghanbari, Grendell, Lanese, LaRe, Liston, Miller, J., O'Brien, Patterson, Perales, Plummer, Robinson, Rogers, Russo, Scherer, Stephens."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 163-Representative Brinkman.

Cosponsors: Representatives Seitz, Blessing, Keller, Lipps, Romanchuk, Patton, Lang, Riedel, Edwards, LaTourette, DeVitis, Becker, Zeltwanger.

To amend sections 5747.50, 5747.51, and 5747.53 and to enact sections 9.662, 743.80, and 5747.504 of the Revised Code to create a process for withholding local government funds and state water and sewer assistance from municipal corporations that engage in certain water and sewer practices with respect to extraterritorial service, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 56, nays 38, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Brinkman	Butler	Callender	Carfagna
Carruthers	Cross	Cutrona	DeVitis
Edwards	Fraizer	Ginter	Green
Greenspan	Grendell	Hillyer	Holmes, A.
Hood	Jones	Jordan	Keller
Kick	Koehler	Lanese	Lang
LaRe	Lipps	Liston	Manchester
McClain	Merrin	Miranda	Oelslager
Patton	Plummer	Powell	Reineke
Richardson	Roemer	Romanchuk	Russo
Scherer	Seitz	Smith, T.	Stein
Stephens	Stoltzfus	Swearingen	Weinstein
Wiggam	Wilkin	Zeltwanger	Householder-56

Those who voted in the negative were: Representatives

Blair	Boggs	Brent	Brown
Cera	Clites	Crawley	Crossman
Cupp	Dean	Denson	Galonski
Ghanbari	Hambley	Hicks-Hudson	Hoops
Howse	Ingram	Kelly	Leland
Lepore-Hagan	Lightbody	Manning, G.	Miller, J.
O'Brien	Patterson	Perales	Riedel
Robinson	Rogers	Sheehy	Skindell
Smith, K.	Strahorn	Sweeney	Sykes
Upchurch			West-38

The bill passed.

Representative Brinkman moved to amend the title as follows:

Add the names: "Carruthers, Koehler, Lanese, Merrin."

Remove the name: "Riedel."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Representative Butler moved that House Rule 66, pertaining to setting the calendar twenty-four hours in advance of session, be suspended and that **Sub. H. B. No. 67**-Representatives Brinkman, Kelly be taken up for immediate consideration the third time.

The question being, shall the motion be agreed to?

The motion was agreed to without objection.

Sub. H. B. No. 67-Representatives Brinkman, Kelly.

Cosponsors: Representatives Smith, R., Becker, Lanese, Riedel, Roemer, Scherer, Lepore-Hagan, Seitz, Plummer, Galonski, Manning, G., Abrams, Edwards, Jones, Lightbody, Sheehy, Stein, Sweeney.

To amend section 4743.05 and to enact sections 4741.50, 4741.51, 4741.52, 4741.53, 4741.54, 4741.55, 4741.56, and 4741.57 of the Revised Code to create the Veterinarian Student Debt Assistance Program, was taken up for consideration the third time.

The question being, "Shall the bill pass?"

The yeas and nays were taken and resulted – yeas 92, nays 2, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Baldrige	Becker	Blair
Boggs	Brent	Brinkman	Brown
Butler	Callender	Carfagna	Carruthers
Cera	Clites	Crawley	Cross
Crossman	Cupp	Cutrona	Dean
Denson	DeVitis	Edwards	Fraizer
Galonski	Ghanbari	Ginter	Green
Greenspan	Grendell	Hambley	Hicks-Hudson
Hillyer	Holmes, A.	Hood	Hoops
Howse	Ingram	Jones	Jordan
Keller	Kelly	Kick	Koehler
Lanese	Lang	LaRe	Leland
Lepore-Hagan	Lightbody	Lipps	Liston
Manchester	Manning, G.	McClain	Merrin
Miller, J.	Miranda	O'Brien	Oelslager
Patterson	Patton	Perales	Plummer
Reineke	Richardson	Riedel	Robinson
Roemer	Rogers	Romanchuk	Russo
Scherer	Seitz	Sheehy	Skindell
Smith, K.	Smith, T.	Stein	Stephens
Stoltzfus	Strahorn	Swearingen	Sweeney
Sykes	Upchurch	Weinstein	West
Wiggam	Wilkin	Zeltwanger	Householder-92

Representatives Antani and Powell voted in the negative-2.

The bill passed.

Representative Brinkman moved to amend the title as follows:

Add the names: "Carfagna, Carruthers, Crossman, Fraizer, Ghanbari, Hoops, Patterson, Rogers, Russo."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

Sub. H. B. No. 673-Representative Roemer.

Cosponsor: Representative Wiggam.

To amend sections 4709.02, 4709.05, 4709.12, 4709.13, and 4729.41 and to enact sections 4709.071, 4713.351, and 4729.42 of the Revised Code and to amend Section 30 of H.B. 197 of the 133rd General Assembly regarding the operation of businesses, practice of certain professions, and completion of education as it relates to COVID-19, was taken up for consideration the third

time.

The question being, "Shall the bill pass?"

Representative Callender moved to amend, amendment 2887, as follows:

After line 456, insert:

"(C)(1) An individual is not eligible for a temporary license issued under this section if any of the following apply:

(a) The individual has previously taken and failed the examination for licensure to practice as a registered nurse or as a licensed practical nurse.

(b) A criminal records check conducted in accordance with section 4723.091 of the Revised Code indicates that the individual has been convicted of, pleaded guilty to, or had a judicial finding of guilt for, any felony.

(c) The individual has taken a drug test and failed that test, as determined by the Board.

(2) If, while holding a temporary license issued under this section, any of the following occur, the licensee's temporary license is void and has no effect immediately beginning on the date of the occurrence:

(a) The licensee fails the examination for licensure to practice as a registered nurse or as a licensed practical nurse.

(b) A criminal records check conducted in accordance with section 4723.091 of the Revised Code indicates that the licensee has been convicted of, pleaded guilty to, or had a judicial finding of guilt for, any felony.

(c) The licensee fails a drug test, as determined by the Board."

The question being, "Shall the motion to amend be agreed to?"

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldrige	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cupp	Cutrona
Dean	Denson	DeVitis	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Howse	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales

Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Weinstein	West	Wiggam	Wilkin
Zeltwanger			Householder-94

The motion was agreed to and the bill so amended.

The question being, "Shall the bill as amended pass?"

The yeas and nays were taken and resulted – yeas 94, nays 0, as follows:

Those who voted in the affirmative were: Representatives

Abrams	Antani	Baldridge	Becker
Blair	Boggs	Brent	Brinkman
Brown	Butler	Callender	Carfagna
Carruthers	Cera	Clites	Crawley
Cross	Crossman	Cupp	Cutrona
Dean	Denson	DeVitis	Edwards
Fraizer	Galonski	Ghanbari	Ginter
Green	Greenspan	Grendell	Hambley
Hicks-Hudson	Hillyer	Holmes, A.	Hood
Hoops	Howse	Ingram	Jones
Jordan	Keller	Kelly	Kick
Koehler	Lanese	Lang	LaRe
Leland	Lepore-Hagan	Lightbody	Lipps
Liston	Manchester	Manning, G.	McClain
Merrin	Miller, J.	Miranda	O'Brien
Oelslager	Patterson	Patton	Perales
Plummer	Powell	Reineke	Richardson
Riedel	Robinson	Roemer	Rogers
Romanchuk	Russo	Scherer	Seitz
Sheehy	Skindell	Smith, K.	Smith, T.
Stein	Stephens	Stoltzfus	Strahorn
Swearingen	Sweeney	Sykes	Upchurch
Weinstein	West	Wiggam	Wilkin
Zeltwanger			Householder-94

The bill passed.

Representative Roemer moved to amend the title as follows:

Add the names: "Crossman, Galonski, Hambley, Rogers, Seitz."

The motion was agreed to and the title so amended.

The title as amended was agreed to.

On motion of Representative Butler, the House recessed.

The House met pursuant to recess.

Pursuant to House Rule No. 23, the Clerk called the House to order.

Representative Baldrige was selected to preside under the Rule.

Representative Swearingen moved that the House revert to the second order of business, being introduction of bills.

The motion was agreed to.

INTRODUCTION OF BILLS

The following bills were introduced:

H. B. No. 698 - Representatives Holmes, A., Crossman.

To amend sections 127.19, 2152.021, 2743.60, 2901.01, 2921.01, 2923.01, 2925.01, 2925.03, 2925.11, 2929.01, 2929.13, 2929.14, 2941.1410, 2951.02, 2951.08, 2967.131, 2967.28, 3719.21, 4141.01, 5747.01, and 5751.01 and to enact sections 121.53, 341.231, 341.232, 2925.111, 2925.112, 2925.113, 2935.34, 2951.023, 2967.49, 2967.50, 2967.51, 2967.52, 2967.53, 2967.54, 2967.55, 2967.56, 2967.57, 2967.58, 2967.59, 2967.60, 4123.392, 5120.67, 5120.85, 5139.60, 5139.61, 5139.62, and 5139.63 of the Revised Code regarding a proposal to establish addiction treatment facilities, to increase penalties for drug trafficking violations, to modify penalties for drug possession, to require an offender convicted of a drug possession or drug trafficking offense involving certain drugs to be subject to ten years of post-release control, to allow a criminal defendant who has a severe substance use disorder involving certain drugs to be confined by a state detoxification provider while awaiting trial, to create restitution work programs, and to make an appropriation.

H. B. No. 699 - Representatives Holmes, A., Crossman.

To amend sections 3719.062, 4723.51, 4729.75, 4729.79, 4730.55, and 4731.056 and to enact sections 313.213, 3719.065, 3719.066, 4729.811, and 5164.7515 of the Revised Code regarding reducing the abuse of prescription opiates.

H. B. No. 700 - Representatives Holmes, A., Crossman.

To amend sections 1751.91, 3719.063, 3923.89, 4723.52, 4729.283, 4729.45, 4729.75, 4729.80, 4729.84, 4730.56, 4731.83, 5119.363, and 5164.14; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 3719.064 (3719.067); and to enact new section 3719.064 and sections 3719.065, 3727.27, 3727.61, 4729.791, 4731.92, and 5119.441 of the Revised Code regarding making addiction treatment widely available.

H. B. No. 701 - Representatives Holmes, A., Crossman.

To enact sections 5120.90 and 5120.91 of the Revised Code to establish the social impact bond fund and the social impact bond program to be

administered by the department of rehabilitation and correction.

H. B. No. 702 - Representatives Holmes, A., Crossman.

To amend section 4141.01 and to enact sections 4123.392 and 5120.85 of the Revised Code to create the reentry Ohio program and to make an appropriation.

Said bills were considered the first time.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. H. B. No. 61 - Representatives Lanese, Liston

Cosponsors: Representatives Riedel, Patterson, Roemer, Scherer, Crawley, Ryan, Carfagna, Leland, Brown, West, Hambley, Galonski, Baldrige, Boggs, Boyd, Brent, Butler, Carruthers, Clites, Cross, Crossman, Cupp, Denson, DeVitis, Edwards, Ghanbari, Ginter, Green, Greenspan, Hicks-Hudson, Hillyer, Holmes, A., Holmes, G., Hoops, Howse, Ingram, Jones, Kent, Koehler, LaTourette, Lepore-Hagan, Lightbody, Manning, D., Manning, G., Miller, A., Miller, J., Miranda, O'Brien, Perales, Plummer, Reineke, Richardson, Rogers, Russo, Schaffer, Sheehy, Smith, K., Sobecki, Stein, Stoltzfus, Sykes, Upchurch, Vitale, Weinstein Senators Coley, Gavarone, Brenner, Hackett, Hoagland, Hottinger, Huffman, S., Johnson, McColley, Peterson, Roegner, Wilson

To amend sections 149.43 and 5913.01 and to enact sections 107.22 and 3701.25 of the Revised Code to include forensic mental health providers, mental health evaluation providers, regional psychiatric hospital employees, emergency service telecommunicators, and certain Ohio National Guard members as individuals whose residential and familial information is exempt from disclosure under the Public Records Law and to address matters related to contact tracing.

With the following additional amendments, in which the concurrence of the House is requested.

In line 1 of the title, delete "section" and insert "sections"; after "149.43" insert "and 5913.01 and to enact sections 107.22 and 3701.25"

In line 3 of the title, delete "and"

In line 4 of the title, after "employees" insert ", emergency service telecommunicators, and certain Ohio National Guard members"

In line 7 of the title, after "Law" insert "and to address matters related

to contact tracing"

In line 8, delete "section" and insert "sections"; after "149.43" insert "and 5913.01 be amended and sections 107.22 and 3701.25"

In line 9, delete "amended" and insert "enacted"

After line 9, insert:

"Sec. 107.22. If one or more infections of a contagious disease are observed in this state, the governor shall be subject to the following conditions when adopting or issuing an order regarding efforts to trace and monitor contacts of individuals infected with the contagious disease:

(A) The order shall not require an individual to comply with the tracing and monitoring efforts.

(B) The order shall require the acquisition of oral, written, electronic, or telephonic consent from each individual contacted for participation in the tracing and monitoring efforts before the next step in the process may proceed.

(C) The order shall not establish or authorize penalties for an individual's refusal to participate in the tracing and monitoring process, including withholding medical treatment from the individual based on the refusal.

(D) The order shall acknowledge all of the following:

(1) That participation in the tracing and monitoring efforts is voluntary;

(2) That any record created during the tracing and monitoring process is not a public record under section 149.43 of the Revised Code;

(3) That disclosure of protected health information by a covered entity, as defined in section 3798.01 of the Revised Code, during the tracing and monitoring process is subject to section 3798.04 of the Revised Code;

(4) That disclosure of protected health information by the director of health, the department of health, a board of health of a city or general health district, or a person or government entity under contract with any of the foregoing is subject to section 3701.17 of the Revised Code."

Delete lines 10 through 908

After line 908, insert:

"Sec. 149.43. (A) As used in this section:

(1) "Public record" means records kept by any public office, including, but not limited to, state, county, city, village, township, and school district units, and records pertaining to the delivery of educational services by an alternative school in this state kept by the nonprofit or for-profit entity operating the alternative school pursuant to section 3313.533 of the Revised

Code. "Public record" does not mean any of the following:

- (a) Medical records;
- (b) Records pertaining to probation and parole proceedings, to proceedings related to the imposition of community control sanctions and post-release control sanctions, or to proceedings related to determinations under section 2967.271 of the Revised Code regarding the release or maintained incarceration of an offender to whom that section applies;
- (c) Records pertaining to actions under section 2151.85 and division (C) of section 2919.121 of the Revised Code and to appeals of actions arising under those sections;
- (d) Records pertaining to adoption proceedings, including the contents of an adoption file maintained by the department of health under sections 3705.12 to 3705.124 of the Revised Code;
- (e) Information in a record contained in the putative father registry established by section 3107.062 of the Revised Code, regardless of whether the information is held by the department of job and family services or, pursuant to section 3111.69 of the Revised Code, the office of child support in the department or a child support enforcement agency;
- (f) Records specified in division (A) of section 3107.52 of the Revised Code;
- (g) Trial preparation records;
- (h) Confidential law enforcement investigatory records;
- (i) Records containing information that is confidential under section 2710.03 or 4112.05 of the Revised Code;
- (j) DNA records stored in the DNA database pursuant to section 109.573 of the Revised Code;
- (k) Inmate records released by the department of rehabilitation and correction to the department of youth services or a court of record pursuant to division (E) of section 5120.21 of the Revised Code;
- (l) Records maintained by the department of youth services pertaining to children in its custody released by the department of youth services to the department of rehabilitation and correction pursuant to section 5139.05 of the Revised Code;
- (m) Intellectual property records;
- (n) Donor profile records;
- (o) Records maintained by the department of job and family services pursuant to section 3121.894 of the Revised Code;
- (p) Designated public service worker residential and familial information;

(q) In the case of a county hospital operated pursuant to Chapter 339. of the Revised Code or a municipal hospital operated pursuant to Chapter 749. of the Revised Code, information that constitutes a trade secret, as defined in section 1333.61 of the Revised Code;

(r) Information pertaining to the recreational activities of a person under the age of eighteen;

(s) In the case of a child fatality review board acting under sections 307.621 to 307.629 of the Revised Code or a review conducted pursuant to guidelines established by the director of health under section 3701.70 of the Revised Code, records provided to the board or director, statements made by board members during meetings of the board or by persons participating in the director's review, and all work products of the board or director, and in the case of a child fatality review board, child fatality review data submitted by the board to the department of health or a national child death review database, other than the report prepared pursuant to division (A) of section 307.626 of the Revised Code;

(t) Records provided to and statements made by the executive director of a public children services agency or a prosecuting attorney acting pursuant to section 5153.171 of the Revised Code other than the information released under that section;

(u) Test materials, examinations, or evaluation tools used in an examination for licensure as a nursing home administrator that the board of executives of long-term services and supports administers under section 4751.15 of the Revised Code or contracts under that section with a private or government entity to administer;

(v) Records the release of which is prohibited by state or federal law;

(w) Proprietary information of or relating to any person that is submitted to or compiled by the Ohio venture capital authority created under section 150.01 of the Revised Code;

(x) Financial statements and data any person submits for any purpose to the Ohio housing finance agency or the controlling board in connection with applying for, receiving, or accounting for financial assistance from the agency, and information that identifies any individual who benefits directly or indirectly from financial assistance from the agency;

(y) Records listed in section 5101.29 of the Revised Code;

(z) Discharges recorded with a county recorder under section 317.24 of the Revised Code, as specified in division (B)(2) of that section;

(aa) Usage information including names and addresses of specific residential and commercial customers of a municipally owned or operated public utility;

(bb) Records described in division (C) of section 187.04 of the

Revised Code that are not designated to be made available to the public as provided in that division;

(cc) Information and records that are made confidential, privileged, and not subject to disclosure under divisions (B) and (C) of section 2949.221 of the Revised Code;

(dd) Personal information, as defined in section 149.45 of the Revised Code;

(ee) The confidential name, address, and other personally identifiable information of a program participant in the address confidentiality program established under sections 111.41 to 111.47 of the Revised Code, including the contents of any application for absent voter's ballots, absent voter's ballot identification envelope statement of voter, or provisional ballot affirmation completed by a program participant who has a confidential voter registration record, and records or portions of records pertaining to that program that identify the number of program participants that reside within a precinct, ward, township, municipal corporation, county, or any other geographic area smaller than the state. As used in this division, "confidential address" and "program participant" have the meaning defined in section 111.41 of the Revised Code.

(ff) Orders for active military service of an individual serving or with previous service in the armed forces of the United States, including a reserve component, or the Ohio organized militia, except that, such order becomes a public record on the day that is fifteen years after the published date or effective date of the call to order;

(gg) The name, address, contact information, or other personal information of an individual who is less than eighteen years of age that is included in any record related to a traffic accident involving a school vehicle in which the individual was an occupant at the time of the accident;

(hh) Protected health information, as defined in 45 C.F.R. 160.103, that is in a claim for payment for a health care product, service, or procedure, as well as any other health claims data in another document that reveals the identity of an individual who is the subject of the data or could be used to reveal that individual's identity;

(ii) Any depiction by photograph, film, videotape, or printed or digital image under either of the following circumstances:

(i) The depiction is that of a victim of an offense the release of which would be, to a reasonable person of ordinary sensibilities, an offensive and objectionable intrusion into the victim's expectation of bodily privacy and integrity.

(ii) The depiction captures or depicts the victim of a sexually oriented offense, as defined in section 2950.01 of the Revised Code, at the actual

occurrence of that offense.

(jj) Restricted portions of a body-worn camera or dashboard camera recording;

(kk) In the case of a fetal-infant mortality review board acting under sections 3707.70 to 3707.77 of the Revised Code, records, documents, reports, or other information presented to the board or a person abstracting such materials on the board's behalf, statements made by review board members during board meetings, all work products of the board, and data submitted by the board to the department of health or a national infant death review database, other than the report prepared pursuant to section 3707.77 of the Revised Code.

(ll) Records, documents, reports, or other information presented to the pregnancy-associated mortality review board established under section 3738.01 of the Revised Code, statements made by board members during board meetings, all work products of the board, and data submitted by the board to the department of health, other than the biennial reports prepared under section 3738.08 of the Revised Code;

(mm) Telephone numbers for a victim, as defined in section 2930.01 of the Revised Code, a witness to a crime, or a party to a motor vehicle accident subject to the requirements of section 5502.11 of the Revised Code that are listed on any law enforcement record or report.

A record that is not a public record under division (A)(1) of this section and that, under law, is permanently retained becomes a public record on the day that is seventy-five years after the day on which the record was created, except for any record protected by the attorney-client privilege, a trial preparation record as defined in this section, a statement prohibiting the release of identifying information signed under section 3107.083 of the Revised Code, a denial of release form filed pursuant to section 3107.46 of the Revised Code, or any record that is exempt from release or disclosure under section 149.433 of the Revised Code. If the record is a birth certificate and a biological parent's name redaction request form has been accepted under section 3107.391 of the Revised Code, the name of that parent shall be redacted from the birth certificate before it is released under this paragraph. If any other section of the Revised Code establishes a time period for disclosure of a record that conflicts with the time period specified in this section, the time period in the other section prevails.

(2) "Confidential law enforcement investigatory record" means any record that pertains to a law enforcement matter of a criminal, quasi-criminal, civil, or administrative nature, but only to the extent that the release of the record would create a high probability of disclosure of any of the following:

(a) The identity of a suspect who has not been charged with the offense to which the record pertains, or of an information source or witness

to whom confidentiality has been reasonably promised;

(b) Information provided by an information source or witness to whom confidentiality has been reasonably promised, which information would reasonably tend to disclose the source's or witness's identity;

(c) Specific confidential investigatory techniques or procedures or specific investigatory work product;

(d) Information that would endanger the life or physical safety of law enforcement personnel, a crime victim, a witness, or a confidential information source.

(3) "Medical record" means any document or combination of documents, except births, deaths, and the fact of admission to or discharge from a hospital, that pertains to the medical history, diagnosis, prognosis, or medical condition of a patient and that is generated and maintained in the process of medical treatment.

(4) "Trial preparation record" means any record that contains information that is specifically compiled in reasonable anticipation of, or in defense of, a civil or criminal action or proceeding, including the independent thought processes and personal trial preparation of an attorney.

(5) "Intellectual property record" means a record, other than a financial or administrative record, that is produced or collected by or for faculty or staff of a state institution of higher learning in the conduct of or as a result of study or research on an educational, commercial, scientific, artistic, technical, or scholarly issue, regardless of whether the study or research was sponsored by the institution alone or in conjunction with a governmental body or private concern, and that has not been publicly released, published, or patented.

(6) "Donor profile record" means all records about donors or potential donors to a public institution of higher education except the names and reported addresses of the actual donors and the date, amount, and conditions of the actual donation.

(7) "Designated public service worker" means a peace officer, parole officer, probation officer, bailiff, prosecuting attorney, assistant prosecuting attorney, correctional employee, county or multicounty corrections officer, community-based correctional facility employee, designated Ohio national guard member, youth services employee, firefighter, EMT, medical director or member of a cooperating physician advisory board of an emergency medical service organization, state board of pharmacy employee, investigator of the bureau of criminal identification and investigation, forensic mental health provider, mental health evaluation provider, regional psychiatric hospital employee, emergency service telecommunicator, judge, magistrate, or federal law enforcement officer.

(8) "Designated public service worker residential and familial information" means any information that discloses any of the following about a designated public service worker:

(a) The address of the actual personal residence of a designated public service worker, except for the following information:

(i) The address of the actual personal residence of a prosecuting attorney or judge; and

(ii) The state or political subdivision in which a designated public service worker resides.

(b) Information compiled from referral to or participation in an employee assistance program;

(c) The social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of, or any medical information pertaining to, a designated public service worker;

(d) The name of any beneficiary of employment benefits, including, but not limited to, life insurance benefits, provided to a designated public service worker by the designated public service worker's employer;

(e) The identity and amount of any charitable or employment benefit deduction made by the designated public service worker's employer from the designated public service worker's compensation, unless the amount of the deduction is required by state or federal law;

(f) The name, the residential address, the name of the employer, the address of the employer, the social security number, the residential telephone number, any bank account, debit card, charge card, or credit card number, or the emergency telephone number of the spouse, a former spouse, or any child of a designated public service worker;

(g) A photograph of a peace officer who holds a position or has an assignment that may include undercover or plain clothes positions or assignments as determined by the peace officer's appointing authority.

(9) As used in divisions (A)(7) and (15) to (17) of this section:

"Peace officer" has the meaning defined in section 109.71 of the Revised Code and also includes the superintendent and troopers of the state highway patrol; it does not include the sheriff of a county or a supervisory employee who, in the absence of the sheriff, is authorized to stand in for, exercise the authority of, and perform the duties of the sheriff.

"Correctional employee" means any employee of the department of rehabilitation and correction who in the course of performing the employee's job duties has or has had contact with inmates and persons under supervision.

"County or multicounty corrections officer" means any corrections

officer employed by any county or multicounty correctional facility.

"Designated Ohio national guard member" means a member of the Ohio national guard who is participating in duties related to remotely piloted aircraft, including but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, and is designated by the adjutant general as a designated public service worker for those purposes.

"Youth services employee" means any employee of the department of youth services who in the course of performing the employee's job duties has or has had contact with children committed to the custody of the department of youth services.

"Firefighter" means any regular, paid or volunteer, member of a lawfully constituted fire department of a municipal corporation, township, fire district, or village.

"EMT" means EMTs-basic, EMTs-I, and paramedics that provide emergency medical services for a public emergency medical service organization. "Emergency medical service organization," "EMT-basic," "EMT-I," and "paramedic" have the meanings defined in section 4765.01 of the Revised Code.

"Investigator of the bureau of criminal identification and investigation" has the meaning defined in section 2903.11 of the Revised Code.

"Forensic mental health provider" means any employee of a community mental health service provider or local alcohol, drug addiction, and mental health services board who, in the course of the employee's duties, has contact with persons committed to a local alcohol, drug addiction, and mental health services board by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Mental health evaluation provider" means an individual who, under Chapter 5122. of the Revised Code, examines a respondent who is alleged to be a mentally ill person subject to court order, as defined in section 5122.01 of the Revised Code, and reports to the probate court the respondent's mental condition.

"Regional psychiatric hospital employee" means any employee of the department of mental health and addiction services who, in the course of performing the employee's duties, has contact with patients committed to the department of mental health and addiction services by a court order pursuant to section 2945.38, 2945.39, 2945.40, or 2945.402 of the Revised Code.

"Emergency service telecommunicator" has the meaning defined in section 4742.01 of the Revised Code.

"Federal law enforcement officer" has the meaning defined in section

9.88 of the Revised Code.

(10) "Information pertaining to the recreational activities of a person under the age of eighteen" means information that is kept in the ordinary course of business by a public office, that pertains to the recreational activities of a person under the age of eighteen years, and that discloses any of the following:

(a) The address or telephone number of a person under the age of eighteen or the address or telephone number of that person's parent, guardian, custodian, or emergency contact person;

(b) The social security number, birth date, or photographic image of a person under the age of eighteen;

(c) Any medical record, history, or information pertaining to a person under the age of eighteen;

(d) Any additional information sought or required about a person under the age of eighteen for the purpose of allowing that person to participate in any recreational activity conducted or sponsored by a public office or to use or obtain admission privileges to any recreational facility owned or operated by a public office.

(11) "Community control sanction" has the meaning defined in section 2929.01 of the Revised Code.

(12) "Post-release control sanction" has the meaning defined in section 2967.01 of the Revised Code.

(13) "Redaction" means obscuring or deleting any information that is exempt from the duty to permit public inspection or copying from an item that otherwise meets the definition of a "record" in section 149.011 of the Revised Code.

(14) "Designee," "elected official," and "future official" have the meanings defined in section 109.43 of the Revised Code.

(15) "Body-worn camera" means a visual and audio recording device worn on the person of a peace officer while the peace officer is engaged in the performance of the peace officer's duties.

(16) "Dashboard camera" means a visual and audio recording device mounted on a peace officer's vehicle or vessel that is used while the peace officer is engaged in the performance of the peace officer's duties.

(17) "Restricted portions of a body-worn camera or dashboard camera recording" means any visual or audio portion of a body-worn camera or dashboard camera recording that shows, communicates, or discloses any of the following:

(a) The image or identity of a child or information that could lead to the identification of a child who is a primary subject of the recording when

the law enforcement agency knows or has reason to know the person is a child based on the law enforcement agency's records or the content of the recording;

(b) The death of a person or a deceased person's body, unless the death was caused by a peace officer or, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(c) The death of a peace officer, firefighter, paramedic, or other first responder, occurring while the decedent was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the decedent's executor or administrator has been obtained;

(d) Grievous bodily harm, unless the injury was effected by a peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(e) An act of severe violence against a person that results in serious physical harm to the person, unless the act and injury was effected by a peace officer or, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(f) Grievous bodily harm to a peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(g) An act of severe violence resulting in serious physical harm against a peace officer, firefighter, paramedic, or other first responder, occurring while the injured person was engaged in the performance of official duties, unless, subject to division (H)(1) of this section, the consent of the injured person or the injured person's guardian has been obtained;

(h) A person's nude body, unless, subject to division (H)(1) of this section, the person's consent has been obtained;

(i) Protected health information, the identity of a person in a health care facility who is not the subject of a law enforcement encounter, or any other information in a health care facility that could identify a person who is not the subject of a law enforcement encounter;

(j) Information that could identify the alleged victim of a sex offense, menacing by stalking, or domestic violence;

(k) Information, that does not constitute a confidential law enforcement investigatory record, that could identify a person who provides sensitive or confidential information to a law enforcement agency when the disclosure of the person's identity or the information provided could reasonably be expected to threaten or endanger the safety or property of the

person or another person;

(l) Personal information of a person who is not arrested, cited, charged, or issued a written warning by a peace officer;

(m) Proprietary police contingency plans or tactics that are intended to prevent crime and maintain public order and safety;

(n) A personal conversation unrelated to work between peace officers or between a peace officer and an employee of a law enforcement agency;

(o) A conversation between a peace officer and a member of the public that does not concern law enforcement activities;

(p) The interior of a residence, unless the interior of a residence is the location of an adversarial encounter with, or a use of force by, a peace officer;

(q) Any portion of the interior of a private business that is not open to the public, unless an adversarial encounter with, or a use of force by, a peace officer occurs in that location.

As used in division (A)(17) of this section:

"Grievous bodily harm" has the same meaning as in section 5924.120 of the Revised Code.

"Health care facility" has the same meaning as in section 1337.11 of the Revised Code.

"Protected health information" has the same meaning as in 45 C.F.R. 160.103.

"Law enforcement agency" has the same meaning as in section 2925.61 of the Revised Code.

"Personal information" means any government-issued identification number, date of birth, address, financial information, or criminal justice information from the law enforcement automated data system or similar databases.

"Sex offense" has the same meaning as in section 2907.10 of the Revised Code.

"Firefighter," "paramedic," and "first responder" have the same meanings as in section 4765.01 of the Revised Code.

(B)(1) Upon request and subject to division (B)(8) of this section, all public records responsive to the request shall be promptly prepared and made available for inspection to any person at all reasonable times during regular business hours. Subject to division (B)(8) of this section, upon request by any person, a public office or person responsible for public records shall make copies of the requested public record available to the requester at cost and within a reasonable period of time. If a public record contains information

that is exempt from the duty to permit public inspection or to copy the public record, the public office or the person responsible for the public record shall make available all of the information within the public record that is not exempt. When making that public record available for public inspection or copying that public record, the public office or the person responsible for the public record shall notify the requester of any redaction or make the redaction plainly visible. A redaction shall be deemed a denial of a request to inspect or copy the redacted information, except if federal or state law authorizes or requires a public office to make the redaction.

(2) To facilitate broader access to public records, a public office or the person responsible for public records shall organize and maintain public records in a manner that they can be made available for inspection or copying in accordance with division (B) of this section. A public office also shall have available a copy of its current records retention schedule at a location readily available to the public. If a requester makes an ambiguous or overly broad request or has difficulty in making a request for copies or inspection of public records under this section such that the public office or the person responsible for the requested public record cannot reasonably identify what public records are being requested, the public office or the person responsible for the requested public record may deny the request but shall provide the requester with an opportunity to revise the request by informing the requester of the manner in which records are maintained by the public office and accessed in the ordinary course of the public office's or person's duties.

(3) If a request is ultimately denied, in part or in whole, the public office or the person responsible for the requested public record shall provide the requester with an explanation, including legal authority, setting forth why the request was denied. If the initial request was provided in writing, the explanation also shall be provided to the requester in writing. The explanation shall not preclude the public office or the person responsible for the requested public record from relying upon additional reasons or legal authority in defending an action commenced under division (C) of this section.

(4) Unless specifically required or authorized by state or federal law or in accordance with division (B) of this section, no public office or person responsible for public records may limit or condition the availability of public records by requiring disclosure of the requester's identity or the intended use of the requested public record. Any requirement that the requester disclose the requester's identity or the intended use of the requested public record constitutes a denial of the request.

(5) A public office or person responsible for public records may ask a requester to make the request in writing, may ask for the requester's identity, and may inquire about the intended use of the information requested, but may do so only after disclosing to the requester that a written request is not

mandatory, that the requester may decline to reveal the requester's identity or the intended use, and when a written request or disclosure of the identity or intended use would benefit the requester by enhancing the ability of the public office or person responsible for public records to identify, locate, or deliver the public records sought by the requester.

(6) If any person requests a copy of a public record in accordance with division (B) of this section, the public office or person responsible for the public record may require that person to pay in advance the cost involved in providing the copy of the public record in accordance with the choice made by the person requesting the copy under this division. The public office or the person responsible for the public record shall permit that person to choose to have the public record duplicated upon paper, upon the same medium upon which the public office or person responsible for the public record keeps it, or upon any other medium upon which the public office or person responsible for the public record determines that it reasonably can be duplicated as an integral part of the normal operations of the public office or person responsible for the public record. When the person requesting the copy makes a choice under this division, the public office or person responsible for the public record shall provide a copy of it in accordance with the choice made by that person. Nothing in this section requires a public office or person responsible for the public record to allow the person requesting a copy of the public record to make the copies of the public record.

(7)(a) Upon a request made in accordance with division (B) of this section and subject to division (B)(6) of this section, a public office or person responsible for public records shall transmit a copy of a public record to any person by United States mail or by any other means of delivery or transmission within a reasonable period of time after receiving the request for the copy. The public office or person responsible for the public record may require the person making the request to pay in advance the cost of postage if the copy is transmitted by United States mail or the cost of delivery if the copy is transmitted other than by United States mail, and to pay in advance the costs incurred for other supplies used in the mailing, delivery, or transmission.

(b) Any public office may adopt a policy and procedures that it will follow in transmitting, within a reasonable period of time after receiving a request, copies of public records by United States mail or by any other means of delivery or transmission pursuant to division (B)(7) of this section. A public office that adopts a policy and procedures under division (B)(7) of this section shall comply with them in performing its duties under that division.

(c) In any policy and procedures adopted under division (B)(7) of this section:

(i) A public office may limit the number of records requested by a person that the office will physically deliver by United States mail or by another delivery service to ten per month, unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes;

(ii) A public office that chooses to provide some or all of its public records on a web site that is fully accessible to and searchable by members of the public at all times, other than during acts of God outside the public office's control or maintenance, and that charges no fee to search, access, download, or otherwise receive records provided on the web site, may limit to ten per month the number of records requested by a person that the office will deliver in a digital format, unless the requested records are not provided on the web site and unless the person certifies to the office in writing that the person does not intend to use or forward the requested records, or the information contained in them, for commercial purposes.

(iii) For purposes of division (B)(7) of this section, "commercial" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

(8) A public office or person responsible for public records is not required to permit a person who is incarcerated pursuant to a criminal conviction or a juvenile adjudication to inspect or to obtain a copy of any public record concerning a criminal investigation or prosecution or concerning what would be a criminal investigation or prosecution if the subject of the investigation or prosecution were an adult, unless the request to inspect or to obtain a copy of the record is for the purpose of acquiring information that is subject to release as a public record under this section and the judge who imposed the sentence or made the adjudication with respect to the person, or the judge's successor in office, finds that the information sought in the public record is necessary to support what appears to be a justiciable claim of the person.

(9)(a) Upon written request made and signed by a journalist, a public office, or person responsible for public records, having custody of the records of the agency employing a specified designated public service worker shall disclose to the journalist the address of the actual personal residence of the designated public service worker and, if the designated public service worker's spouse, former spouse, or child is employed by a public office, the name and address of the employer of the designated public service worker's spouse, former spouse, or child. The request shall include the journalist's name and title and the name and address of the journalist's employer and shall state that disclosure of the information sought would be in the public

interest.

(b) Division (B)(9)(a) of this section also applies to journalist requests for:

(i) Customer information maintained by a municipally owned or operated public utility, other than social security numbers and any private financial information such as credit reports, payment methods, credit card numbers, and bank account information;

(ii) Information about minors involved in a school vehicle accident as provided in division (A)(1)(gg) of this section, other than personal information as defined in section 149.45 of the Revised Code.

(c) As used in division (B)(9) of this section, "journalist" means a person engaged in, connected with, or employed by any news medium, including a newspaper, magazine, press association, news agency, or wire service, a radio or television station, or a similar medium, for the purpose of gathering, processing, transmitting, compiling, editing, or disseminating information for the general public.

(10) Upon a request made by a victim, victim's attorney, or victim's representative, as that term is used in section 2930.02 of the Revised Code, a public office or person responsible for public records shall transmit a copy of a depiction of the victim as described in division (A)(1)(gg) of this section to the victim, victim's attorney, or victim's representative.

(C)(1) If a person allegedly is aggrieved by the failure of a public office or the person responsible for public records to promptly prepare a public record and to make it available to the person for inspection in accordance with division (B) of this section or by any other failure of a public office or the person responsible for public records to comply with an obligation in accordance with division (B) of this section, the person allegedly aggrieved may do only one of the following, and not both:

(a) File a complaint with the clerk of the court of claims or the clerk of the court of common pleas under section 2743.75 of the Revised Code;

(b) Commence a mandamus action to obtain a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section, that awards court costs and reasonable attorney's fees to the person that instituted the mandamus action, and, if applicable, that includes an order fixing statutory damages under division (C) (2) of this section. The mandamus action may be commenced in the court of common pleas of the county in which division (B) of this section allegedly was not complied with, in the supreme court pursuant to its original jurisdiction under Section 2 of Article IV, Ohio Constitution, or in the court of appeals for the appellate district in which division (B) of this section allegedly was not complied with pursuant to its original jurisdiction under

Section 3 of Article IV, Ohio Constitution.

(2) If a requester transmits a written request by hand delivery, electronic submission, or certified mail to inspect or receive copies of any public record in a manner that fairly describes the public record or class of public records to the public office or person responsible for the requested public records, except as otherwise provided in this section, the requester shall be entitled to recover the amount of statutory damages set forth in this division if a court determines that the public office or the person responsible for public records failed to comply with an obligation in accordance with division (B) of this section.

The amount of statutory damages shall be fixed at one hundred dollars for each business day during which the public office or person responsible for the requested public records failed to comply with an obligation in accordance with division (B) of this section, beginning with the day on which the requester files a mandamus action to recover statutory damages, up to a maximum of one thousand dollars. The award of statutory damages shall not be construed as a penalty, but as compensation for injury arising from lost use of the requested information. The existence of this injury shall be conclusively presumed. The award of statutory damages shall be in addition to all other remedies authorized by this section.

The court may reduce an award of statutory damages or not award statutory damages if the court determines both of the following:

(a) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(b) That a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(3) In a mandamus action filed under division (C)(1) of this section, the following apply:

(a)(i) If the court orders the public office or the person responsible for the public record to comply with division (B) of this section, the court shall determine and award to the relator all court costs, which shall be construed as

remedial and not punitive.

(ii) If the court makes a determination described in division (C)(3)(b) (iii) of this section, the court shall determine and award to the relator all court costs, which shall be construed as remedial and not punitive.

(b) If the court renders a judgment that orders the public office or the person responsible for the public record to comply with division (B) of this section or if the court determines any of the following, the court may award reasonable attorney's fees to the relator, subject to division (C)(4) of this section:

(i) The public office or the person responsible for the public records failed to respond affirmatively or negatively to the public records request in accordance with the time allowed under division (B) of this section.

(ii) The public office or the person responsible for the public records promised to permit the relator to inspect or receive copies of the public records requested within a specified period of time but failed to fulfill that promise within that specified period of time.

(iii) The public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order concluding whether or not the public office or person was required to comply with division (B) of this section. No discovery may be conducted on the issue of the alleged bad faith of the public office or person responsible for the public records. This division shall not be construed as creating a presumption that the public office or the person responsible for the public records acted in bad faith when the office or person voluntarily made the public records available to the relator for the first time after the relator commenced the mandamus action, but before the court issued any order described in this division.

(c) The court shall not award attorney's fees to the relator if the court determines both of the following:

(i) That, based on the ordinary application of statutory law and case law as it existed at the time of the conduct or threatened conduct of the public office or person responsible for the requested public records that allegedly constitutes a failure to comply with an obligation in accordance with division (B) of this section and that was the basis of the mandamus action, a well-informed public office or person responsible for the requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records did not constitute a failure to comply with an obligation in accordance with division (B) of this section;

(ii) That a well-informed public office or person responsible for the

requested public records reasonably would believe that the conduct or threatened conduct of the public office or person responsible for the requested public records would serve the public policy that underlies the authority that is asserted as permitting that conduct or threatened conduct.

(4) All of the following apply to any award of reasonable attorney's fees awarded under division (C)(3)(b) of this section:

(a) The fees shall be construed as remedial and not punitive.

(b) The fees awarded shall not exceed the total of the reasonable attorney's fees incurred before the public record was made available to the relator and the fees described in division (C)(4)(c) of this section.

(c) Reasonable attorney's fees shall include reasonable fees incurred to produce proof of the reasonableness and amount of the fees and to otherwise litigate entitlement to the fees.

(d) The court may reduce the amount of fees awarded if the court determines that, given the factual circumstances involved with the specific public records request, an alternative means should have been pursued to more effectively and efficiently resolve the dispute that was subject to the mandamus action filed under division (C)(1) of this section.

(5) If the court does not issue a writ of mandamus under division (C) of this section and the court determines at that time that the bringing of the mandamus action was frivolous conduct as defined in division (A) of section 2323.51 of the Revised Code, the court may award to the public office all court costs, expenses, and reasonable attorney's fees, as determined by the court.

(D) Chapter 1347. of the Revised Code does not limit the provisions of this section.

(E)(1) To ensure that all employees of public offices are appropriately educated about a public office's obligations under division (B) of this section, all elected officials or their appropriate designees shall attend training approved by the attorney general as provided in section 109.43 of the Revised Code. A future official may satisfy the requirements of this division by attending the training before taking office, provided that the future official may not send a designee in the future official's place.

(2) All public offices shall adopt a public records policy in compliance with this section for responding to public records requests. In adopting a public records policy under this division, a public office may obtain guidance from the model public records policy developed and provided to the public office by the attorney general under section 109.43 of the Revised Code. Except as otherwise provided in this section, the policy may not limit the number of public records that the public office will make available to a single person, may not limit the number of public records that

it will make available during a fixed period of time, and may not establish a fixed period of time before it will respond to a request for inspection or copying of public records, unless that period is less than eight hours.

The public office shall distribute the public records policy adopted by the public office under this division to the employee of the public office who is the records custodian or records manager or otherwise has custody of the records of that office. The public office shall require that employee to acknowledge receipt of the copy of the public records policy. The public office shall create a poster that describes its public records policy and shall post the poster in a conspicuous place in the public office and in all locations where the public office has branch offices. The public office may post its public records policy on the internet web site of the public office if the public office maintains an internet web site. A public office that has established a manual or handbook of its general policies and procedures for all employees of the public office shall include the public records policy of the public office in the manual or handbook.

(F)(1) The bureau of motor vehicles may adopt rules pursuant to Chapter 119. of the Revised Code to reasonably limit the number of bulk commercial special extraction requests made by a person for the same records or for updated records during a calendar year. The rules may include provisions for charges to be made for bulk commercial special extraction requests for the actual cost of the bureau, plus special extraction costs, plus ten per cent. The bureau may charge for expenses for redacting information, the release of which is prohibited by law.

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

(a) "Actual cost" means the cost of depleted supplies, records storage media costs, actual mailing and alternative delivery costs, or other transmitting costs, and any direct equipment operating and maintenance costs, including actual costs paid to private contractors for copying services.

(b) "Bulk commercial special extraction request" means a request for copies of a record for information in a format other than the format already available, or information that cannot be extracted without examination of all items in a records series, class of records, or database by a person who intends to use or forward the copies for surveys, marketing, solicitation, or resale for commercial purposes. "Bulk commercial special extraction request" does not include a request by a person who gives assurance to the bureau that the person making the request does not intend to use or forward the requested copies for surveys, marketing, solicitation, or resale for commercial purposes.

(c) "Commercial" means profit-seeking production, buying, or selling of any good, service, or other product.

(d) "Special extraction costs" means the cost of the time spent by the

lowest paid employee competent to perform the task, the actual amount paid to outside private contractors employed by the bureau, or the actual cost incurred to create computer programs to make the special extraction. "Special extraction costs" include any charges paid to a public agency for computer or records services.

(3) For purposes of divisions (F)(1) and (2) of this section, "surveys, marketing, solicitation, or resale for commercial purposes" shall be narrowly construed and does not include reporting or gathering news, reporting or gathering information to assist citizen oversight or understanding of the operation or activities of government, or nonprofit educational research.

(G) A request by a defendant, counsel of a defendant, or any agent of a defendant in a criminal action that public records related to that action be made available under this section shall be considered a demand for discovery pursuant to the Criminal Rules, except to the extent that the Criminal Rules plainly indicate a contrary intent. The defendant, counsel of the defendant, or agent of the defendant making a request under this division shall serve a copy of the request on the prosecuting attorney, director of law, or other chief legal officer responsible for prosecuting the action.

(H)(1) Any portion of a body-worn camera or dashboard camera recording described in divisions (A)(17)(b) to (h) of this section may be released by consent of the subject of the recording or a representative of that person, as specified in those divisions, only if either of the following applies:

(a) The recording will not be used in connection with any probable or pending criminal proceedings;

(b) The recording has been used in connection with a criminal proceeding that was dismissed or for which a judgment has been entered pursuant to Rule 32 of the Rules of Criminal Procedure, and will not be used again in connection with any probable or pending criminal proceedings.

(2) If a public office denies a request to release a restricted portion of a body-worn camera or dashboard camera recording, as defined in division (A)(17) of this section, any person may file a mandamus action pursuant to this section or a complaint with the clerk of the court of claims pursuant to section 2743.75 of the Revised Code, requesting the court to order the release of all or portions of the recording. If the court considering the request determines that the filing articulates by clear and convincing evidence that the public interest in the recording substantially outweighs privacy interests and other interests asserted to deny release, the court shall order the public office to release the recording.

Sec. 3701.25. (A) As used in this section:

(1) "Board of health" means the board of health of a city or general health district or the authority having the duties of a board of health under

section 3709.05 of the Revised Code.

(2) "Department" or "division" have the same meanings as in section 121.01 of the Revised Code.

(B) If a department, division, board of health, or a person or government entity under contract with any of the foregoing, including a health care facility, engages in efforts to trace and monitor the contacts of individuals infected with a contagious disease, all of the following apply:

(1) No individual shall be required to comply with tracing and monitoring efforts.

(2) Each individual contacted for participation in tracing and monitoring efforts must provide oral, written, electronic, or telephonic consent before the next step in the process may proceed.

(3) No penalty shall be imposed on an individual for refusing to participate in the tracing and monitoring process, including withholding medical treatment from the individual based on the refusal.

(4) Any record created during the tracing and monitoring process is not a public record under section 149.43 of the Revised Code. The department, division, board of health, or person or government entity under contract with any of the foregoing is subject to section 3701.17 of the Revised Code with respect to the disclosure of protected health information collected during the tracing and monitoring process.

Sec. 5913.01. (A) The adjutant general is the commander and administrative head of the Ohio organized militia. The adjutant general shall:

(1) Be provided offices and shall keep them open during usual business hours;

(2) Have and maintain custody of all military records, correspondence, and other documents of the Ohio organized militia;

(3) Superintend the preparation of all returns and reports required by the United States from the state on military matters;

(4) Keep a roster of all officers of the Ohio organized militia, including retired officers;

(5) Whenever necessary, cause the military provisions of the Revised Code and the orders, regulations, pamphlets, circulars, and memorandums of the adjutant general's department to be printed and distributed to the organizations of the Ohio organized militia;

(6) Prepare and issue all necessary Ohio organized militia forms and attest to all commissions issued to officers of the Ohio organized militia;

(7) Have a seal, and all copies of orders, records, and papers in the adjutant general's office certified and authenticated with that seal shall be competent evidence in like manner as if the originals were produced. All

orders issued from the adjutant general's office shall bear a duplicate of the seal.

(8) Keep and preserve the arms, ordnance, equipment, and all other military property belonging to the state or issued to the state by the federal government and issue any regulations necessary to keep, preserve, and repair the property as conditions demand;

(9) Issue adjutant general's property to the units of the Ohio organized militia as the necessity of the service or organizational or allowance tables requires;

(10) Submit an annual report to the governor at such time as the governor requires of the transaction of the adjutant general's department, setting forth the strength and condition of the Ohio organized militia and other matters that the adjutant general chooses;

(11) Designate members of the Ohio national guard, who are participating in duties related to remotely piloted aircraft, including but not limited to, pilots, sensor operators, and mission intelligence personnel, duties related to special forces operations, or duties related to cybersecurity, as designated public service workers under section 149.43 of the Revised Code;

(12) Command the joint force headquarters of the Ohio national guard.

(B) The adjutant general shall issue and distribute all orders issued in the name of the governor as the commander in chief of the Ohio organized militia and perform the duties that the governor directs and other duties prescribed by law.

(C) The adjutant general may enter into cooperative agreements, contractual arrangements, or agreements for the acceptance of grants with the United States or any agency or department of the United States, other states, any department or political subdivision of this state, or any person or body politic, to accomplish the purposes of the adjutant general's department. The adjutant general shall cooperate with, and not infringe upon, the rights of other state departments, divisions, boards, commissions, and agencies, political subdivisions, and other public officials and public and private agencies when the interests of the adjutant general's department and those other entities overlap.

The funds made available by the United States for the exclusive use of the department shall be expended only by the department and only for the purposes for which the federal funds were appropriated. In accepting federal funds, the department agrees to abide by the terms and conditions of the grant or cooperative agreement and further agrees to expend the federal funds in accordance with the laws and regulations of the United States."

In line 909, delete "section" and insert "sections"; after "149.43"

insert "and 5913.01"

In line 910, delete "is" and insert "are"

Delete lines 911 through 921

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 11 - Representatives Manning, G., Howse
Cosponsors: Representatives Boyd, Russo, West, Carfagna, Crawley, Edwards, Hambley, Patterson, Rogers, Skindell, Sweeney, Arndt, Baldrige, Blair, Blessing, Boggs, Brent, Brown, Carruthers, Cera, Clites, Crossman, Denson, Galonski, Greenspan, Grendell, Hicks-Hudson, Holmes, A., Ingram, Kick, Koehler, Lanese, Leland, Lepore-Hagan, Lightbody, Liston, Miller, J., Miranda, O'Brien, Oelslager, Patton, Perales, Plummer, Robinson, Roemer, Ryan, Scherer, Sheehy, Smith, K., Smith, T., Sobecki, Stein, Strahorn, Sykes, Upchurch, Weinstein
Senators Kunze, Maharath, Antonio, Blessing, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hoagland, Hottinger, Johnson, Manning, Obhof, O'Brien, Sykes, Thomas, Williams, Wilson, Yuko

To amend sections 5162.20 and 5167.12; to amend, for the purpose of adopting a new section number as indicated in parentheses, section 5164.10 (5164.16); and to enact new section 5164.10 and sections 124.825, 3701.614, 3701.615, and 5164.17 of the Revised Code; and to amend Section 333.10 of H.B. 166 of the 133rd General Assembly to address tobacco cessation and prenatal initiatives and to make an appropriation.

As a substitute bill with the following additional amendments, in which the concurrence of the House is requested.

In line 6 of the title, after "Code" insert "; and to amend Section 333.10 of H.B. 166 of the 133rd General Assembly"

After line 349, insert:

"Section 6. That Section 333.10 of H.B. 166 of the 133rd General Assembly be amended to read as follows:

Sec. 333.10.

	1	2	3	4	5
A			MCD DEPARTMENT OF MEDICAID		
B			General Revenue Fund		
C	GRF	651425	Medicaid Program Support - State	\$164,132,342	\$170,223,643
D	GRF	651426	Positive Education Program Connections	\$2,500,000	\$2,500,000
E	GRF	651525	Medicaid Health Care Services		
F			State	\$ 4,153,141,174 <u>3,619,409,147</u>	\$ 4,733,728,704
G			Federal	\$ 9,959,196,340 <u>10,595,514,006</u>	\$ 11,152,542,781
H			Medicaid Health Care Services Total	\$ 14,112,337,514 <u>14,214,923,153</u>	\$ 15,886,271,485
I	GRF	651526	Medicare Part D	\$ 490,402,102	\$ 533,290,526
J	GRF	651529	Brigid's Path Pilot	\$ 500,000	\$500,000
K	GRF	651533	Food Farmacy Pilot Project	\$ 250,000	\$ 250,000
L			TOTAL GRF General Revenue Fund		
M			State	\$ 4,810,925,618 <u>4,277,193,591</u>	\$5,440,492,873
N			Federal	\$ 9,959,196,340 <u>10,595,514,006</u>	\$11,152,542,781
O			GRF Total	\$ 14,770,121,958 <u>14,872,707,597</u>	\$16,593,035,654
P			Dedicated Purpose Fund Group		

Q	4E30	651605	Resident Protection Fund	\$3,910,338	\$4,013,000
R	5AN 0	651686	Care Innovation and Community Improvement Program	\$ 53,435,797	\$53,406,291
S	5DL 0	651639	Medicaid Services - Recoveries	\$741,454,299	\$781,970,233
T	5DL 0	651685	Medicaid Recoveries – Program Support	\$ 40,351,245	\$ 44,375,000
U	5DL 0	651690	Multi-system Youth Custody Relinquishment	\$ 6,000,000	\$12,000,000
V	5FX 0	651638	Medicaid Services - Payment Withholding	\$12,000,000	\$12,000,000
W	5GF 0	651656	Medicaid Services - Hospital Upper Payment Limit	\$822,016,219	\$887,150,856
X	5R2 0	651608	Medicaid Services - Long Term	\$420,154,000	\$425,554,000
Y	5SC 0	651683	Medicaid Services – Physician UPL	\$7,520,000	\$7,645,000
Z	5TN 0	651684	Medicaid Services - HIC Fee	\$834,564,060	\$806,187,400
AA	6510	651649	Medicaid Services - Hospital Care Assurance Program	\$249,167,065	\$168,310,123
AB	TOTAL DPF Dedicated Purpose Fund Group			<u>\$3,205,573,023</u> <u>3,190,573,023</u>	<u>\$3,232,611,903</u> <u>3,202,611,903</u>
AC	Holding Account Fund Group				

AD R05	651644	Refunds and Reconciliation	\$ 1,000,000	\$ 1,000,000
AE TOTAL HLD		Holding Account	\$1,000,000	\$1,000,000
Fund Group				
AF Federal Fund Group				
AG 3ER	651603	Medicaid and Health Transformation Technology	\$48,031,056	\$48,340,000
0				
AH 3F0	651623	Medicaid Services - Federal	\$6,563,381,020 <u>6,740,419,278</u>	\$6,596,507,934
0				
AI 3F0	651624	Medicaid Program Support - Federal	\$516,667,497	\$527,369,363
0				
AJ 3FA	\$	Health Care Grants - Federal	\$11,988,670	\$12,000,000
0				
AK 3G5	651655	Medicaid Interagency Pass Through	\$225,701,597	\$225,701,597
0				
AL TOTAL FED		Federal Fund Group	\$7,365,769,840 <u>7,542,808,098</u>	\$7,409,918,894
A TOTAL ALL BUDGET FUND			\$25,342,464,824 <u>25,607,088,718</u>	\$27,236,566,451 <u>27,206,566,451</u>
M GROUPS				

Section 7. That existing Section 333.10 of H.B. 166 of the 133rd General Assembly is hereby repealed."

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 481 - Representative Fraizer

Cosponsors: Representatives Hambley, Clites, Crossman, Ginter, Lanese, Stephens Senators Antonio, Blessing, Brenner, Burke, Craig, Dolan, Eklund, Gavarone, Hackett, Hottinger, Huffman, S., Kunze, Lehner, Manning, O'Brien, Schaffer, Sykes, Thomas

To amend sections 124.393, 5156.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 and to repeal section 5165.361 of the Revised Code, to amend Section 333.10 of H.B. 166 of the 133rd General Assembly and Section 812.10 of H.B. 529 of the 132nd General Assembly, and to repeal section 333.270 of the H.B. 166 of the 133rd General Assembly to authorize the conveyance of state-owned real property, to provide for the distribution of some federal coronavirus relief funding to local subdivisions, to revise the formula used to determine Medicaid rates for nursing facility services, to exclude loan amounts forgiven under the federal CARES Act from the commercial activity tax, to allow a county, township, or municipal corporation appointing authority to establish a mandatory cost savings program in response to COVID-19, to allow certain state employees' salaries and pay supplements to be frozen during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, to make capital reappropriations for the biennium ending June 20, 2022, to make other appropriations, and to declare an emergency.

With the following additional amendments, in which the concurrence of the House is requested.

In line 1 of the title, delete "To" and insert "To amend sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 and to repeal section 5165.361 of the Revised Code, to amend Section 333.10 of H.B. 166 of the 133rd General Assembly and Section 812.10 of H.B. 529 of the 132nd General Assembly, and to repeal Section 333.270 of H.B. 166 of the 133rd General Assembly to"

In line 2 of the title, after "property" insert ", to provide for the distribution of some federal coronavirus relief funding to local subdivisions, to revise the formula used to determine Medicaid rates for nursing facility services, to exclude loan amounts forgiven under the federal CARES Act from the commercial activity tax, to allow a county, township, or municipal corporation appointing authority to establish a mandatory cost savings program in response to COVID-19, to allow certain state employees' salaries and pay supplements to be frozen during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, to make capital reappropriations for the biennium ending June 30, 2022, to make other appropriations, and to declare an emergency"

After line 3542, insert:

"Section 27. (A) As used in this section:

(1) "Subdivision" means a county, township, or municipal corporation, and does not include a park district.

(2) "Ineligible subdivision" means a county or municipal corporation receiving a direct payment under section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(b)(2).

(3) "2019 LGF allocation" means the amount that would have been deposited to a county's county undivided local government fund in 2019 disregarding any reduction under section 5747.502 of the Revised Code and excluding any amounts deposited in that fund that were paid in that year to ineligible subdivisions or pursuant to section 5747.503 of the Revised Code.

(4) "2019 CULGF allocation" means the amount of funds from a county's county undivided local government fund a subdivision would have received in 2019 under section 5747.51 or 5747.53 of the Revised Code disregarding any reduction under section 5747.502 of the Revised Code and any adjustment because the subdivision, pursuant to an ordinance or resolution, elected to forgo all or a portion of its share of such funds.

(5) "Population" has the same meaning as in section 1.59 of the Revised Code.

(B) As soon as is practicable after the effective date of this section, the Director of Budget and Management, in consultation with the Tax Commissioner, shall provide for payment from the Coronavirus Relief Fund to each county treasury, to be deposited into a new fund in the county treasury to be named the county coronavirus relief distribution fund, which the county auditor shall create for this purpose. The amount of the payment to each county coronavirus relief distribution fund shall equal the amount appropriated under Section 28 of this act multiplied by a fraction, the numerator of which is the 2019 LGF allocation for that county and the denominator of which is the sum of the 2019 LGF allocations for all counties.

(C) Within seven days of deposit in the county coronavirus relief distribution fund of the payment described in division (B) of this section, the county auditor shall distribute that money to the county, unless the county is an ineligible subdivision, and to each municipal corporation and township that is not an ineligible subdivision, in an amount equal to the amount of money in that fund multiplied by a fraction, the numerator of which equals the subdivision's 2019 CULGF allocation and the denominator of which equals the sum of the 2019 CULGF allocations from that county's county undivided local government fund for all such subdivisions.

Upon making the distribution, the county auditor shall report to the Director of Budget and Management the amount distributed to each subdivision. The report shall be made in the manner prescribed by the

Director.

(D) To be eligible to receive a payment under division (C) of this section, the legislative authority of a county, township, or municipal corporation must adopt a resolution or ordinance affirming that the funds so received may be expended only to cover costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d), and any applicable regulations. Subject to division (F) of this section, until the legislative authority adopts this resolution or ordinance, the subdivision's share of the money from the county coronavirus relief distribution fund shall remain in that fund. The legislative authority shall certify a copy of the resolution or ordinance to the county auditor and the Director of Budget and Management.

(E) Money received under division (C) of this section by a subdivision shall be deposited into a new fund in the subdivision's treasury to be named the local coronavirus relief fund, which the subdivision's fiscal officer shall create for this purpose. Money in that fund shall be used to cover only costs of the subdivision consistent with the requirements of section 5001 of the "Coronavirus Aid, Relief, and Economic Security Act," as described in 42 U.S.C. 601(d). Money in a subdivision's local coronavirus relief fund shall be audited by the Auditor of State during the subdivision's next regular audit under section 117.11 of the Revised Code to determine whether money in the fund has been expended in accordance with the requirements of this section.

(F) Not later than October 15, 2020, the fiscal officer of each subdivision shall pay the unencumbered balance of money in the subdivision's local coronavirus relief fund to the county treasurer, who shall deposit this revenue in the county coronavirus relief distribution fund. On or before October 22, 2020, the county auditor shall distribute all money to the credit of the county coronavirus relief distribution fund as follows to the county and to each municipal corporation and township in that county, unless the subdivision is an ineligible subdivision or paid an unencumbered balance to the treasurer under this division or the subdivision's legislative authority has not adopted the resolution or ordinance required under division (D) of this section:

(1) Twenty-five per cent of the money to the county if it qualifies for a distribution under this division;

(2) The remaining balance to each such qualifying municipal corporation or township, of which the distribution to each shall equal the amount of the remaining balance multiplied by a fraction, the numerator of which is the population of the municipal corporation or the unincorporated area of the township, and the denominator of which is the sum of the populations of all such municipal corporations and the unincorporated areas of all such townships in the county eligible to receive a payment under

division (F) of this section.

Money received by a subdivision under division (F) of this section shall be deposited in the subdivision's local coronavirus relief fund and used as required under division (E) of this section.

Upon making the distribution under this division, the county auditor shall report to the Director of Budget and Management the amount of the unencumbered balance paid to the county treasury by each subdivision making such a payment and the amount distributed to each subdivision receiving a distribution under this division. If no subdivision made such a payment to the county treasury, the auditor shall report that no such payments were made. The report shall be made in the manner prescribed by the Director.

(G) Not later than December 28, 2020, the fiscal officer of each subdivision shall pay the balance of money in the subdivision's local coronavirus relief fund that remains unexpended on that date to the state treasury in the manner prescribed by the Director of Budget and Management.

(H) A county, municipal corporation, or township receiving a payment from a county coronavirus relief distribution fund under this section shall, upon request, provide any information related to those payments or their expenditure to the Director of Budget and Management.

Section 28. All appropriation items in this section are appropriated out of money in the state treasury to the credit of the Coronavirus Relief Fund (Fund 5CV1). For all appropriations made in this section, the amounts in the first column are for fiscal year 2020 and the amounts in the second column are for fiscal year 2021. The appropriations made in this section are in addition to any other appropriations made for the FY 2020-FY 2021 biennium.

	1	2	3	4	5
A	OBM OFFICE OF BUDGET AND MANAGEMENT				
B	Dedicated Purpose Fund Group				
C	5CV1	042501	Coronavirus Relief - Local Govt	\$350,000,000	\$0
D	TOTAL DPF	Dedicated Purpose Fund Group		\$ 350,000,000	\$0
E	TOTAL ALL BUDGET FUND GROUPS			\$ 350,000,000	\$0

Amounts appropriated in line item 042501, Coronavirus Relief - Local Govt, are to be distributed as specified in Section 1 of this act. Any unencumbered and unexpended amounts left at the end of fiscal year 2020 are hereby reappropriated in fiscal year 2021.

Within the limits set forth in this act, the Director of Budget and Management shall establish accounts indicating the source and amount of funds for each appropriation made in this act, and shall determine the form and manner in which appropriation accounts shall be maintained. Expenditures from appropriations contained in this act shall be accounted for as though made in H.B. 166 of the 133rd General Assembly.

The appropriations made in this act are subject to all provisions of H.B. 166 of the 133rd General Assembly that are generally applicable to such appropriations.

Section 29. That sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 of the Revised Code be amended to read as follows:

Sec. 124.393. (A) As used in this section:

(1) "Exempt employee" means a permanent full-time or permanent part-time county, township, or municipal corporation employee who is not subject to a collective bargaining agreement between a public employer and an exclusive representative.

(2) "Fiscal emergency" means any of the following:

(a) A fiscal emergency declared by the governor under section 126.05 of the Revised Code.

(b) A fiscal watch or fiscal emergency has been declared or determined under section 118.023 or 118.04 of the Revised Code.

(c) Lack of funds as defined in section 124.321 of the Revised Code.

(d) Reasons of economy as described in section 124.321 of the Revised Code.

(3) "Lack of work" has the same meaning as in section 124.321 of the Revised Code.

(B)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees. Each exempt employee shall participate in the program of mandatory cost savings for not more than eighty hours, as determined by the appointing authority, in each of state fiscal years 2010 to 2013. The program may include, but is not limited to, a loss of pay or loss of holiday pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) After June 30, 2013, a county, township, or municipal corporation

appointing authority may implement mandatory cost savings days as described in division (B)(1) of this section that apply to its exempt employees in the event of a fiscal emergency.

(C) A county, township, or municipal corporation appointing authority shall issue guidelines concerning how the appointing authority will implement the cost savings program.

(D)(1) A county, township, or municipal corporation appointing authority may establish a mandatory cost savings program applicable to its exempt employees in the event of a fiscal emergency or lack of work due to COVID-19. Each exempt employee shall participate in the program of mandatory cost savings for not more than one hundred sixty hours, as determined by the appointing authority, in state fiscal year 2021. The program may include, but is not limited to, a loss of pay or loss of holiday pay. The program may be administered differently among employees based on their classifications, appointment categories, or other relevant distinctions.

(2) A county, township, or municipal corporation appointing authority that establishes a mandatory cost savings program under division (D)(1) of this section shall issue guidelines concerning how the appointing authority will implement the cost savings program.

Sec. 5165.01. As used in this chapter:

(A) "Affiliated operator" means an operator affiliated with either of the following:

(1) The exiting operator for whom the affiliated operator is to assume liability for the entire amount of the exiting operator's debt under the medicaid program or the portion of the debt that represents the franchise permit fee the exiting operator owes;

(2) The entering operator involved in the change of operator with the exiting operator specified in division (A)(1) of this section.

(B) "Allowable costs" are a nursing facility's costs that the department of medicaid determines are reasonable. Fines paid under sections 5165.60 to 5165.89 and section 5165.99 of the Revised Code are not allowable costs.

(C) "Ancillary and support costs" means all reasonable costs incurred by a nursing facility other than direct care costs, tax costs, or capital costs. "Ancillary and support costs" includes, but is not limited to, costs of activities, social services, pharmacy consultants, habilitation supervisors, qualified intellectual disability professionals, program directors, medical and habilitation records, program supplies, incontinence supplies, food, enterals, dietary supplies and personnel, laundry, housekeeping, security, administration, medical equipment, utilities, liability insurance, bookkeeping, purchasing department, human resources, communications, travel, dues, license fees, subscriptions, home office costs not otherwise allocated, legal

services, accounting services, minor equipment, maintenance and repairs, help-wanted advertising, informational advertising, start-up costs, organizational expenses, other interest, property insurance, employee training and staff development, employee benefits, payroll taxes, and workers' compensation premiums or costs for self-insurance claims and related costs as specified in rules adopted under section 5165.02 of the Revised Code, for personnel listed in this division. "Ancillary and support costs" also means the cost of equipment, including vehicles, acquired by operating lease executed before December 1, 1992, if the costs are reported as administrative and general costs on the nursing facility's cost report for the cost reporting period ending December 31, 1992.

(D) "Applicable calendar year" means the calendar year immediately preceding the calendar year that precedes the first of the state fiscal years for which a rebasing is conducted.

~~(E) "Budget reduction adjustment factor" means the factor specified pursuant to or in section 5165.361 of the Revised Code for a state fiscal year.~~

~~(F)~~(1) "Capital costs" means the actual expense incurred by a nursing facility for all of the following:

(a) Depreciation and interest on any capital assets that cost five hundred dollars or more per item, including the following:

- (i) Buildings;
- (ii) Building improvements;
- (iii) Except as provided in division (C) of this section, equipment;
- (iv) Transportation equipment.

(b) Amortization and interest on land improvements and leasehold improvements;

- (c) Amortization of financing costs;
- (d) Lease and rent of land, buildings, and equipment.

(2) The costs of capital assets of less than five hundred dollars per item may be considered capital costs in accordance with a provider's practice.

~~(G)~~(F) "Capital lease" and "operating lease" shall be construed in accordance with generally accepted accounting principles.

~~(H)~~(G) "Case-mix score" means a measure determined under section 5165.192 of the Revised Code of the relative direct-care resources needed to provide care and habilitation to a nursing facility resident.

~~(I)~~(H) "Change of operator" means an entering operator becoming the operator of a nursing facility in the place of the exiting operator.

(1) Actions that constitute a change of operator include the following:

- (a) A change in an exiting operator's form of legal organization,

including the formation of a partnership or corporation from a sole proprietorship;

(b) A transfer of all the exiting operator's ownership interest in the operation of the nursing facility to the entering operator, regardless of whether ownership of any or all of the real property or personal property associated with the nursing facility is also transferred;

(c) A lease of the nursing facility to the entering operator or the exiting operator's termination of the exiting operator's lease;

(d) If the exiting operator is a partnership, dissolution of the partnership;

(e) If the exiting operator is a partnership, a change in composition of the partnership unless both of the following apply:

(i) The change in composition does not cause the partnership's dissolution under state law.

(ii) The partners agree that the change in composition does not constitute a change in operator.

(f) If the operator is a corporation, dissolution of the corporation, a merger of the corporation into another corporation that is the survivor of the merger, or a consolidation of one or more other corporations to form a new corporation.

(2) The following, alone, do not constitute a change of operator:

(a) A contract for an entity to manage a nursing facility as the operator's agent, subject to the operator's approval of daily operating and management decisions;

(b) A change of ownership, lease, or termination of a lease of real property or personal property associated with a nursing facility if an entering operator does not become the operator in place of an exiting operator;

(c) If the operator is a corporation, a change of one or more members of the corporation's governing body or transfer of ownership of one or more shares of the corporation's stock, if the same corporation continues to be the operator.

~~(F)~~ (I) "Cost center" means the following:

(1) Ancillary and support costs;

(2) Capital costs;

(3) Direct care costs;

(4) Tax costs.

~~(K)~~ (J) "Custom wheelchair" means a wheelchair to which both of the following apply:

(1) It has been measured, fitted, or adapted in consideration of either of the following:

(a) The body size or disability of the individual who is to use the wheelchair;

(b) The individual's period of need for, or intended use of, the wheelchair.

(2) It has customized features, modifications, or components, such as adaptive seating and positioning systems, that the supplier who assembled the wheelchair, or the manufacturer from which the wheelchair was ordered, added or made in accordance with the instructions of the physician of the individual who is to use the wheelchair.

~~(L)~~~~(H)~~~~(K)~~(I) "Date of licensure" means the following:

(a) In the case of a nursing facility that was required by law to be licensed as a nursing home under Chapter 3721. of the Revised Code when it originally began to be operated as a nursing home, the date the nursing facility was originally so licensed;

(b) In the case of a nursing facility that was not required by law to be licensed as a nursing home when it originally began to be operated as a nursing home, the date it first began to be operated as a nursing home, regardless of the date the nursing facility was first licensed as a nursing home.

(2) If, after a nursing facility's original date of licensure, more nursing home beds are added to the nursing facility, the nursing facility has a different date of licensure for the additional beds. This does not apply, however, to additional beds when both of the following apply:

(a) The additional beds are located in a part of the nursing facility that was constructed at the same time as the continuing beds already located in that part of the nursing facility;

(b) The part of the nursing facility in which the additional beds are located was constructed as part of the nursing facility at a time when the nursing facility was not required by law to be licensed as a nursing home.

(3) The definition of "date of licensure" in this section applies in determinations of nursing facilities' medicaid payment rates but does not apply in determinations of nursing facilities' franchise permit fees.

~~(M)~~(L) "Desk-reviewed" means that a nursing facility's costs as reported on a cost report submitted under section 5165.10 of the Revised Code have been subjected to a desk review under section 5165.108 of the Revised Code and preliminarily determined to be allowable costs.

~~(N)~~(M) "Direct care costs" means all of the following costs incurred by a nursing facility:

(1) Costs for registered nurses, licensed practical nurses, and nurse

aides employed by the nursing facility;

(2) Costs for direct care staff, administrative nursing staff, medical directors, respiratory therapists, and except as provided in division ~~(N)(8)~~(M)(8) of this section, other persons holding degrees qualifying them to provide therapy;

(3) Costs of purchased nursing services;

(4) Costs of quality assurance;

(5) Costs of training and staff development, employee benefits, payroll taxes, and workers' compensation premiums or costs for self-insurance claims and related costs as specified in rules adopted under section 5165.02 of the Revised Code, for personnel listed in divisions ~~(N)(1)~~(M)(1), (2), (4), and (8) of this section;

(6) Costs of consulting and management fees related to direct care;

(7) Allocated direct care home office costs;

(8) Costs of habilitation staff (other than habilitation supervisors), medical supplies, emergency oxygen, over-the-counter pharmacy products, physical therapists, physical therapy assistants, occupational therapists, occupational therapy assistants, speech therapists, audiologists, habilitation supplies, and universal precautions supplies;

(9) Costs of wheelchairs other than the following:

(a) Custom wheelchairs;

(b) Repairs to and replacements of custom wheelchairs and parts that are made in accordance with the instructions of the physician of the individual who uses the custom wheelchair.

(10) Costs of other direct-care resources that are specified as direct care costs in rules adopted under section 5165.02 of the Revised Code.

~~(O)(N)~~ "Dual eligible individual" has the same meaning as in section 5160.01 of the Revised Code.

~~(P)(O)~~ "Effective date of a change of operator" means the day the entering operator becomes the operator of the nursing facility.

~~(O)(P)~~ "Effective date of a facility closure" means the last day that the last of the residents of the nursing facility resides in the nursing facility.

~~(R)(Q)~~ "Effective date of an involuntary termination" means the date the department of medicaid terminates the operator's provider agreement for the nursing facility.

~~(S)(R)~~ "Effective date of a voluntary withdrawal of participation" means the day the nursing facility ceases to accept new medicaid residents other than the individuals who reside in the nursing facility on the day before the effective date of the voluntary withdrawal of participation.

~~(F)~~~~(S)~~ "Entering operator" means the person or government entity that will become the operator of a nursing facility when a change of operator occurs or following an involuntary termination.

~~(U)~~~~(T)~~ "Exiting operator" means any of the following:

(1) An operator that will cease to be the operator of a nursing facility on the effective date of a change of operator;

(2) An operator that will cease to be the operator of a nursing facility on the effective date of a facility closure;

(3) An operator of a nursing facility that is undergoing or has undergone a voluntary withdrawal of participation;

(4) An operator of a nursing facility that is undergoing or has undergone an involuntary termination.

~~(V)~~~~(+)~~~~(U)~~(1) Subject to divisions ~~(V)~~~~(2)~~~~(U)~~(2) and (3) of this section, "facility closure" means either of the following:

(a) Discontinuance of the use of the building, or part of the building, that houses the facility as a nursing facility that results in the relocation of all of the nursing facility's residents;

(b) Conversion of the building, or part of the building, that houses a nursing facility to a different use with any necessary license or other approval needed for that use being obtained and one or more of the nursing facility's residents remaining in the building, or part of the building, to receive services under the new use.

(2) A facility closure occurs regardless of any of the following:

(a) The operator completely or partially replacing the nursing facility by constructing a new nursing facility or transferring the nursing facility's license to another nursing facility;

(b) The nursing facility's residents relocating to another of the operator's nursing facilities;

(c) Any action the department of health takes regarding the nursing facility's medicaid certification that may result in the transfer of part of the nursing facility's survey findings to another of the operator's nursing facilities;

(d) Any action the department of health takes regarding the nursing facility's license under Chapter 3721. of the Revised Code.

(3) A facility closure does not occur if all of the nursing facility's residents are relocated due to an emergency evacuation and one or more of the residents return to a medicaid-certified bed in the nursing facility not later than thirty days after the evacuation occurs.

~~(W)~~~~(V)~~ "Franchise permit fee" means the fee imposed by sections 5168.40 to 5168.56 of the Revised Code.

~~(X)~~(W) "Inpatient days" means both of the following:

(1) All days during which a resident, regardless of payment source, occupies a bed in a nursing facility that is included in the nursing facility's medicaid-certified capacity;

(2) Fifty per cent of the days for which payment is made under section 5165.34 of the Revised Code.

~~(Y)~~(X) "Involuntary termination" means the department of medicaid's termination of the operator's provider agreement for the nursing facility when the termination is not taken at the operator's request.

~~(Z)~~(Y) "Low resource utilization resident" means a medicaid recipient residing in a nursing facility who, for purposes of calculating the nursing facility's medicaid payment rate for direct care costs, is placed in either of the two lowest resource utilization groups, excluding any resource utilization group that is a default group used for residents with incomplete assessment data.

~~(AA)~~(Z) "Maintenance and repair expenses" means a nursing facility's expenditures that are necessary and proper to maintain an asset in a normally efficient working condition and that do not extend the useful life of the asset two years or more. "Maintenance and repair expenses" includes but is not limited to the costs of ordinary repairs such as painting and wallpapering.

~~(BB)~~(AA) "Medicaid-certified capacity" means the number of a nursing facility's beds that are certified for participation in medicaid as nursing facility beds.

~~(CC)~~(BB) "Medicaid days" means both of the following:

(1) All days during which a resident who is a medicaid recipient eligible for nursing facility services occupies a bed in a nursing facility that is included in the nursing facility's medicaid-certified capacity;

(2) Fifty per cent of the days for which payment is made under section 5165.34 of the Revised Code.

~~(DD)~~ "Medicare skilled nursing facility market basket index" means the index established by the United States secretary of health and human services under section 1888(e)(5) of the "Social Security Act," 42 U.S.C. 1395yy(e)(5).

~~(EE)~~(1)-(CC)(1) "New nursing facility" means a nursing facility for which the provider obtains an initial provider agreement following medicaid certification of the nursing facility by the director of health, including such a nursing facility that replaces one or more nursing facilities for which a provider previously held a provider agreement.

(2) "New nursing facility" does not mean a nursing facility for which the entering operator seeks a provider agreement pursuant to section 5165.511

or 5165.512 or (pursuant to section 5165.515) section 5165.07 of the Revised Code.

~~(FF)~~(DD) "Nursing facility" has the same meaning as in the "Social Security Act," section 1919(a), 42 U.S.C. 1396r(a).

~~(GG)~~(EE) "Nursing facility services" has the same meaning as in the "Social Security Act," section 1905(f), 42 U.S.C. 1396d(f).

~~(HH)~~(FF) "Nursing home" has the same meaning as in section 3721.01 of the Revised Code.

~~(H)~~(GG) "Operator" means the person or government entity responsible for the daily operating and management decisions for a nursing facility.

~~(JJ)~~(1)~~(HH)~~(1) "Owner" means any person or government entity that has at least five per cent ownership or interest, either directly, indirectly, or in any combination, in any of the following regarding a nursing facility:

- (a) The land on which the nursing facility is located;
- (b) The structure in which the nursing facility is located;
- (c) Any mortgage, contract for deed, or other obligation secured in whole or in part by the land or structure on or in which the nursing facility is located;
- (d) Any lease or sublease of the land or structure on or in which the nursing facility is located.

(2) "Owner" does not mean a holder of a debenture or bond related to the nursing facility and purchased at public issue or a regulated lender that has made a loan related to the nursing facility unless the holder or lender operates the nursing facility directly or through a subsidiary.

~~(KK)~~(II) "Per diem" means a nursing facility's actual, allowable costs in a given cost center in a cost reporting period, divided by the nursing facility's inpatient days for that cost reporting period.

~~(LL)~~(JJ) "Provider" means an operator with a provider agreement.

~~(MM)~~(KK) "Provider agreement" means a provider agreement, as defined in section 5164.01 of the Revised Code, that is between the department of medicaid and the operator of a nursing facility for the provision of nursing facility services under the medicaid program.

~~(NN)~~(LL) "Purchased nursing services" means services that are provided in a nursing facility by registered nurses, licensed practical nurses, or nurse aides who are not employees of the nursing facility.

~~(OO)~~(MM) "Reasonable" means that a cost is an actual cost that is appropriate and helpful to develop and maintain the operation of patient care facilities and activities, including normal standby costs, and that does not

exceed what a prudent buyer pays for a given item or services. Reasonable costs may vary from provider to provider and from time to time for the same provider.

~~(PP)~~~~(NN)~~ "Rebasing" means a redetermination of each of the following using information from cost reports for an applicable calendar year that is later than the applicable calendar year used for the previous rebasing:

(1) Each peer group's rate for ancillary and support costs as determined pursuant to division (C) of section 5165.16 of the Revised Code;

(2) Each peer group's rate for capital costs as determined pursuant to division (C) of section 5165.17 of the Revised Code;

(3) Each peer group's cost per case-mix unit as determined pursuant to division (C) of section 5165.19 of the Revised Code;

(4) Each nursing facility's rate for tax costs as determined pursuant to section 5165.21 of the Revised Code.

~~(QQ)~~~~(OO)~~ "Related party" means an individual or organization that, to a significant extent, has common ownership with, is associated or affiliated with, has control of, or is controlled by, the provider.

(1) An individual who is a relative of an owner is a related party.

(2) Common ownership exists when an individual or individuals possess significant ownership or equity in both the provider and the other organization. Significant ownership or equity exists when an individual or individuals possess five per cent ownership or equity in both the provider and a supplier. Significant ownership or equity is presumed to exist when an individual or individuals possess ten per cent ownership or equity in both the provider and another organization from which the provider purchases or leases real property.

(3) Control exists when an individual or organization has the power, directly or indirectly, to significantly influence or direct the actions or policies of an organization.

(4) An individual or organization that supplies goods or services to a provider shall not be considered a related party if all of the following conditions are met:

(a) The supplier is a separate bona fide organization.

(b) A substantial part of the supplier's business activity of the type carried on with the provider is transacted with others than the provider and there is an open, competitive market for the types of goods or services the supplier furnishes.

(c) The types of goods or services are commonly obtained by other nursing facilities from outside organizations and are not a basic element of patient care ordinarily furnished directly to patients by nursing facilities.

(d) The charge to the provider is in line with the charge for the goods or services in the open market and no more than the charge made under comparable circumstances to others by the supplier.

~~(RR)~~(PP) "Relative of owner" means an individual who is related to an owner of a nursing facility by one of the following relationships:

- (1) Spouse;
- (2) Natural parent, child, or sibling;
- (3) Adopted parent, child, or sibling;
- (4) Stepparent, stepchild, stepbrother, or stepsister;
- (5) Father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law;
- (6) Grandparent or grandchild;
- (7) Foster caregiver, foster child, foster brother, or foster sister.

~~(SS)~~(QQ) "Residents' rights advocate" has the same meaning as in section 3721.10 of the Revised Code.

~~(TT)~~(RR) "Skilled nursing facility" has the same meaning as in the "Social Security Act," section 1819(a), 42 U.S.C. 1395i-3(a).

~~(UU)~~(SS) "State fiscal year" means the fiscal year of this state, as specified in section 9.34 of the Revised Code.

~~(VV)~~(TT) "Sponsor" has the same meaning as in section 3721.10 of the Revised Code.

~~(WW)~~(UU) "Tax costs" means the costs of taxes imposed under Chapter 5751. of the Revised Code, real estate taxes, personal property taxes, and corporate franchise taxes.

~~(XX)~~(VV) "Title XIX" means Title XIX of the "Social Security Act," 42 U.S.C. 1396 et seq.

~~(YY)~~(WW) "Title XVIII" means Title XVIII of the "Social Security Act," 42 U.S.C. 1395 et seq.

~~(ZZ)~~(XX) "Voluntary withdrawal of participation" means an operator's voluntary election to terminate the participation of a nursing facility in the medicaid program but to continue to provide service of the type provided by a nursing facility.

Sec. 5165.15. Except as otherwise provided by sections 5165.151 to 5165.157 and 5165.34 of the Revised Code, the total per medicaid day payment rate that the department of medicaid shall pay a nursing facility provider for nursing facility services the provider's nursing facility provides during a state fiscal year shall be determined as follows:

- (A) Determine the sum of all of the following:

(1) The per medicaid day payment rate for ancillary and support costs determined for the nursing facility under section 5165.16 of the Revised Code;

(2) The per medicaid day payment rate for capital costs determined for the nursing facility under section 5165.17 of the Revised Code;

(3) The per medicaid day payment rate for direct care costs determined for the nursing facility under section 5165.19 of the Revised Code;

(4) The per medicaid day payment rate for tax costs determined for the nursing facility under section 5165.21 of the Revised Code;

(5) If the nursing facility qualifies as a critical access nursing facility, the nursing facility's critical access incentive payment paid under section 5165.23 of the Revised Code.

(B) To the sum determined under division (A) of this section, add sixteen dollars and forty-four cents.

(C) From the sum determined under division (B) of this section, subtract one dollar and seventy-nine cents.

(D) To the difference determined under division (C) of this section, add the per medicaid day quality payment rate determined for the nursing facility under section 5165.25 of the Revised Code.

(E) To the sum determined under division (D) of this section, add, for ~~the second half of state fiscal year 2020 and all of each state fiscal year thereafter~~2021, the per medicaid day quality incentive payment rate determined for the nursing facility under section 5165.26 of the Revised Code.

Sec. 5165.16. (A) The department of medicaid shall determine each nursing facility's per medicaid day payment rate for ancillary and support costs. A nursing facility's rate shall be the rate determined under division (C) of this section for the nursing facility's peer group.

(B) For the purpose of determining nursing facilities' rates for ancillary and support costs, the department shall establish six peer groups composed as follows:

(1) Each nursing facility located in any of the following counties shall be placed in peer group one or two: Brown, Butler, Clermont, Clinton, Hamilton, and Warren. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group one. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group two.

(2) Each nursing facility located in any of the following counties shall be placed in peer group three or four: Allen, Ashtabula, Champaign, Clark, Cuyahoga, Darke, Delaware, Fairfield, Fayette, Franklin, Fulton, Geauga,

Greene, Hancock, Knox, Lake, Licking, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Miami, Montgomery, Morrow, Ottawa, Pickaway, Portage, Preble, Ross, Sandusky, Seneca, Stark, Summit, Trumbull, Union, and Wood. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group three. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group four.

(3) Each nursing facility located in any of the following counties shall be placed in peer group five or six: Adams, Ashland, Athens, Auglaize, Belmont, Carroll, Columbiana, Coshocton, Crawford, Defiance, Erie, Gallia, Guernsey, Hardin, Harrison, Henry, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Lawrence, Logan, Meigs, Mercer, Monroe, Morgan, Muskingum, Noble, Paulding, Perry, Pike, Putnam, Richland, Scioto, Shelby, Tuscarawas, Van Wert, Vinton, Washington, Wayne, Williams, and Wyandot. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group five. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group six.

(C)(1) The department shall determine the rate for ancillary and support costs for each peer group established under division (B) of this section. The rate for ancillary and support costs determined under this division for a peer group shall be used for subsequent years until the department conducts a rebasing. To determine a peer group's rate for ancillary and support costs, the department shall do all of the following:

(a) Subject to division (C)(2) of this section, determine the rate for ancillary and support costs for each nursing facility in the peer group for the applicable calendar year by using the greater of the nursing facility's actual inpatient days for the applicable calendar year or the inpatient days the nursing facility would have had for the applicable calendar year if its occupancy rate had been ninety per cent;

(b) Subject to division (C)(3) of this section, identify which nursing facility in the peer group is at the twenty-fifth percentile of the rate for ancillary and support costs for the applicable calendar year determined under division (C)(1)(a) of this section;

(c) Multiply the rate for ancillary and support costs determined under division (C)(1)(a) of this section for the nursing facility identified under division (C)(1)(b) of this section by the rate of inflation for the eighteen-month period beginning on the first day of July of the applicable calendar year and ending the last day of December of the calendar year immediately following the applicable calendar year using the following:

(i) Except as provided in division (C)(1)(c)(ii) of this section, the consumer price index for all items for all urban consumers for the midwest

region, published by the United States bureau of labor statistics;

(ii) If the United States bureau of labor statistics ceases to publish the index specified in division (C)(1)(c)(i) of this section, the index the bureau subsequently publishes that covers urban consumers' prices for items for the region that includes this state.

~~(d) For state fiscal year 2020 and each state fiscal year thereafter (other than the first state fiscal year in a group of consecutive state fiscal years for which a rebasing is conducted), adjust the amount calculated under division (C)(1)(e) of this section using the difference between the following:~~

~~(i) The medicare skilled nursing facility market basket index determined for the federal fiscal year that begins during the state fiscal year immediately preceding the state fiscal year for which the adjustment is being made under division (C)(1)(d) of this section;~~

~~(ii) The budget reduction adjustment factor for the state fiscal year for which the adjustment is being made under division (C)(1)(d) of this section.~~

(2) For the purpose of determining a nursing facility's occupancy rate under division (C)(1)(a) of this section, the department shall include any beds that the nursing facility removes from its medicaid-certified capacity unless the nursing facility also removes the beds from its licensed bed capacity.

(3) In making the identification under division (C)(1)(b) of this section, the department shall exclude both of the following:

(a) Nursing facilities that participated in the medicaid program under the same provider for less than twelve months in the applicable calendar year;

(b) Nursing facilities whose ancillary and support costs are more than one standard deviation from the mean desk-reviewed, actual, allowable, per diem ancillary and support cost for all nursing facilities in the nursing facility's peer group for the applicable calendar year.

(4) The department shall not redetermine a peer group's rate for ancillary and support costs under this division based on additional information that it receives after the rate is determined. The department shall redetermine a peer group's rate for ancillary and support costs only if the department made an error in determining the rate based on information available to the department at the time of the original determination.

Sec. 5165.17. (A) The department of medicaid shall determine each nursing facility's per medicaid day payment rate for capital costs. A nursing facility's rate shall be the rate determined under division (C) of this section for the nursing facility's peer group.

(B) For the purpose of determining nursing facilities' rates for capital costs, the department shall establish six peer groups.

(1) Each nursing facility located in any of the following counties shall

be placed in peer group one or two: Brown, Butler, Clermont, Clinton, Hamilton, and Warren. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group one. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group two.

(2) Each nursing facility located in any of the following counties shall be placed in peer group three or four: Allen, Ashtabula, Champaign, Clark, Cuyahoga, Darke, Delaware, Fairfield, Fayette, Franklin, Fulton, Geauga, Greene, Hancock, Knox, Lake, Licking, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Miami, Montgomery, Morrow, Ottawa, Pickaway, Portage, Preble, Ross, Sandusky, Seneca, Stark, Summit, Trumbull, Union, and Wood. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group three. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group four.

(3) Each nursing facility located in any of the following counties shall be placed in peer group five or six: Adams, Ashland, Athens, Auglaize, Belmont, Carroll, Columbiana, Coshocton, Crawford, Defiance, Erie, Gallia, Guernsey, Hardin, Harrison, Henry, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Lawrence, Logan, Meigs, Mercer, Monroe, Morgan, Muskingum, Noble, Paulding, Perry, Pike, Putnam, Richland, Scioto, Shelby, Tuscarawas, Van Wert, Vinton, Washington, Wayne, Williams, and Wyandot. Each nursing facility located in any of those counties that has fewer than one hundred beds shall be placed in peer group five. Each nursing facility located in any of those counties that has one hundred or more beds shall be placed in peer group six.

(C)(1) The department shall determine the rate for capital costs for each peer group established under division (B) of this section. The rate for capital costs determined under this division for a peer group shall be used for subsequent years until the department conducts a rebasing. ~~To determine a A~~ peer group's rate for capital costs, ~~the department shall do both of the following:~~

~~(a) Determine~~ be the rate for capital costs for the nursing facility in the peer group that is at the twenty-fifth percentile of the rate for capital costs for the applicable calendar year;

~~(b) For state fiscal year 2020 and each state fiscal year thereafter (other than the first state fiscal year in a group of consecutive state fiscal years for which a rebasing is conducted), adjust the amount calculated under division (C)(1)(a) of this section using the difference between the following:~~

~~(i) The medicare skilled nursing facility market basket index determined for the federal fiscal year that begins during the state fiscal year immediately preceding the state fiscal year for which the adjustment is being~~

made under division (C)(1)(a) of this section;

(ii) ~~The budget reduction adjustment factor for the state fiscal year for which the adjustment is being made under division (C)(1)(a) of this section.~~

(2) To identify the nursing facility in a peer group that is at the twenty-fifth percentile of the rate for capital costs for the applicable calendar year, the department shall do both of the following:

(a) Subject to division (C)(3) of this section, use the greater of each nursing facility's actual inpatient days for the applicable calendar year or the inpatient days the nursing facility would have had for the applicable calendar year if its occupancy rate had been one hundred per cent;

(b) Exclude both of the following:

(i) Nursing facilities that participated in the medicaid program under the same provider for less than twelve months in the applicable calendar year;

(ii) Nursing facilities whose capital costs are more than one standard deviation from the mean desk-reviewed, actual, allowable, per diem capital cost for all nursing facilities in the nursing facility's peer group for the applicable calendar year.

(3) For the purpose of determining a nursing facility's occupancy rate under division (C)(2)(a) of this section, the department shall include any beds that the nursing facility removes from its medicaid-certified capacity after June 30, 2005, unless the nursing facility also removes the beds from its licensed bed capacity.

(4) The department shall not redetermine a peer group's rate for capital costs under this division based on additional information that it receives after the rate is determined. The department shall redetermine a peer group's rate for capital costs only if the department made an error in determining the rate based on information available to the department at the time of the original determination.

(D) Buildings shall be depreciated using the straight line method over forty years or over a different period approved by the department. Components and equipment shall be depreciated using the straight-line method over a period designated in rules adopted under section 5165.02 of the Revised Code, consistent with the guidelines of the American hospital association, or over a different period approved by the department. Any rules authorized by this division that specify useful lives of buildings, components, or equipment apply only to assets acquired on or after July 1, 1993. Depreciation for costs paid or reimbursed by any government agency shall not be included in capital costs unless that part of the payment under this chapter is used to reimburse the government agency.

(E) The capital cost basis of nursing facility assets shall be determined in the following manner:

(1) Except as provided in division (E)(3) of this section, for purposes of calculating the rates to be paid for facilities with dates of licensure on or before June 30, 1993, the capital cost basis of each asset shall be equal to the desk-reviewed, actual, allowable, capital cost basis that is listed on the facility's cost report for the calendar year preceding the state fiscal year during which the rate will be paid.

(2) For facilities with dates of licensure after June 30, 1993, the capital cost basis shall be determined in accordance with the principles of the medicare program, except as otherwise provided in this chapter.

(3) Except as provided in division (E)(4) of this section, if a provider transfers an interest in a facility to another provider after June 30, 1993, there shall be no increase in the capital cost basis of the asset if the providers are related parties or the provider to which the interest is transferred authorizes the provider that transferred the interest to continue to operate the facility under a lease, management agreement, or other arrangement. If the previous sentence does not prohibit the adjustment of the capital cost basis under this division, the basis of the asset shall be adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, during the time that the transferor held the asset.

(4) If a provider transfers an interest in a facility to another provider who is a related party, the capital cost basis of the asset shall be adjusted as specified in division (E)(3) of this section if all of the following conditions are met:

(a) The related party is a relative of owner;

(b) Except as provided in division (E)(4)(c)(ii) of this section, the provider making the transfer retains no ownership interest in the facility;

(c) The department determines that the transfer is an arm's length transaction pursuant to rules adopted under section 5165.02 of the Revised Code. The rules shall provide that a transfer is an arm's length transaction if all of the following apply:

(i) Once the transfer goes into effect, the provider that made the transfer has no direct or indirect interest in the provider that acquires the facility or the facility itself, including interest as an owner, officer, director, employee, independent contractor, or consultant, but excluding interest as a creditor.

(ii) The provider that made the transfer does not reacquire an interest in the facility except through the exercise of a creditor's rights in the event of a default. If the provider reacquires an interest in the facility in this manner, the department shall treat the facility as if the transfer never occurred when the department calculates its reimbursement rates for capital costs.

(iii) The transfer satisfies any other criteria specified in the rules.

(d) Except in the case of hardship caused by a catastrophic event, as determined by the department, or in the case of a provider making the transfer who is at least sixty-five years of age, not less than twenty years have elapsed since, for the same facility, the capital cost basis was adjusted most recently under division (E)(4) of this section or actual, allowable capital costs was determined most recently under division (F)(9) of this section.

(F) As used in this division:

"Imputed interest" means the lesser of the prime rate plus two per cent or ten per cent.

"Lease expense" means lease payments in the case of an operating lease and depreciation expense and interest expense in the case of a capital lease.

"New lease" means a lease, to a different lessee, of a nursing facility that previously was operated under a lease.

(1) Subject to division (A) of this section, for a lease of a facility that was effective on May 27, 1992, the entire lease expense is an actual, allowable capital cost during the term of the existing lease. The entire lease expense also is an actual, allowable capital cost if a lease in existence on May 27, 1992, is renewed under either of the following circumstances:

(a) The renewal is pursuant to a renewal option that was in existence on May 27, 1992;

(b) The renewal is for the same lease payment amount and between the same parties as the lease in existence on May 27, 1992.

(2) Subject to division (A) of this section, for a lease of a facility that was in existence but not operated under a lease on May 27, 1992, actual, allowable capital costs shall include the lesser of the annual lease expense or the annual depreciation expense and imputed interest expense that would be calculated at the inception of the lease using the lessor's entire historical capital asset cost basis, adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, during the time the lessor held each asset until the beginning of the lease.

(3) Subject to division (A) of this section, for a lease of a facility with a date of licensure on or after May 27, 1992, that is initially operated under a lease, actual, allowable capital costs shall include the annual lease expense if there was a substantial commitment of money for construction of the facility after December 22, 1992, and before July 1, 1993. If there was not a substantial commitment of money after December 22, 1992, and before July 1, 1993, actual, allowable capital costs shall include the lesser of the annual lease expense or the sum of the following:

(a) The annual depreciation expense that would be calculated at the inception of the lease using the lessor's entire historical capital asset cost basis;

(b) The greater of the lessor's actual annual amortization of financing costs and interest expense at the inception of the lease or the imputed interest expense calculated at the inception of the lease using seventy per cent of the lessor's historical capital asset cost basis.

(4) Subject to division (A) of this section, for a lease of a facility with a date of licensure on or after May 27, 1992, that was not initially operated under a lease and has been in existence for ten years, actual, allowable capital costs shall include the lesser of the annual lease expense or the annual depreciation expense and imputed interest expense that would be calculated at the inception of the lease using the entire historical capital asset cost basis of one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, during the time the lessor held each asset until the beginning of the lease.

(5) Subject to division (A) of this section, for a new lease of a facility that was operated under a lease on May 27, 1992, actual, allowable capital costs shall include the lesser of the annual new lease expense or the annual old lease payment. If the old lease was in effect for ten years or longer, the old lease payment from the beginning of the old lease shall be adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, from the beginning of the old lease to the beginning of the new lease.

(6) Subject to division (A) of this section, for a new lease of a facility that was not in existence or that was in existence but not operated under a lease on May 27, 1992, actual, allowable capital costs shall include the lesser of annual new lease expense or the annual amount calculated for the old lease under division (F)(2), (3), (4), or (6) of this section, as applicable. If the old lease was in effect for ten years or longer, the lessor's historical capital asset cost basis shall be, for purposes of calculating the annual amount under division (F)(2), (3), (4), or (6) of this section, adjusted by one-half of the change in the consumer price index for all items for all urban consumers, as published by the United States bureau of labor statistics, from the beginning of the old lease to the beginning of the new lease.

In the case of a lease under division (F)(3) of this section of a facility for which a substantial commitment of money was made after December 22, 1992, and before July 1, 1993, the old lease payment shall be adjusted for the purpose of determining the annual amount.

(7) For any revision of a lease described in division (F)(1), (2), (3), (4), (5), or (6) of this section, or for any subsequent lease of a facility operated under such a lease, other than execution of a new lease, the portion of actual,

allowable capital costs attributable to the lease shall be the same as before the revision or subsequent lease.

(8) Except as provided in division (F)(9) of this section, if a provider leases an interest in a facility to another provider who is a related party or previously operated the facility, the related party's or previous operator's actual, allowable capital costs shall include the lesser of the annual lease expense or the reasonable cost to the lessor.

(9) If a provider leases an interest in a facility to another provider who is a related party, regardless of the date of the lease, the related party's actual, allowable capital costs shall include the annual lease expense, subject to the limitations specified in divisions (F)(1) to (7) of this section, if all of the following conditions are met:

(a) The related party is a relative of owner;

(b) If the lessor retains an ownership interest, it is, except as provided in division (F)(9)(c)(ii) of this section, in only the real property and any improvements on the real property;

(c) The department determines that the lease is an arm's length transaction pursuant to rules adopted under section 5165.02 of the Revised Code. The rules shall provide that a lease is an arm's length transaction if all of the following apply:

(i) Once the lease goes into effect, the lessor has no direct or indirect interest in the lessee or, except as provided in division (F)(9)(b) of this section, the facility itself, including interest as an owner, officer, director, employee, independent contractor, or consultant, but excluding interest as a lessor.

(ii) The lessor does not reacquire an interest in the facility except through the exercise of a lessor's rights in the event of a default. If the lessor reacquires an interest in the facility in this manner, the department shall treat the facility as if the lease never occurred when the department calculates its reimbursement rates for capital costs.

(iii) The lease satisfies any other criteria specified in the rules.

(d) Except in the case of hardship caused by a catastrophic event, as determined by the department, or in the case of a lessor who is at least sixty-five years of age, not less than twenty years have elapsed since, for the same facility, the capital cost basis was adjusted most recently under division (E)(4) of this section or actual, allowable capital costs were determined most recently under division (F)(9) of this section.

(10) This division does not apply to leases of specific items of equipment.

Sec. 5165.19. (A) Semiannually, the department of medicaid shall determine each nursing facility's per medicaid day payment rate for direct

care costs by multiplying the facility's semiannual case-mix score determined under section 5165.192 of the Revised Code by the cost per case-mix unit determined under division (C) of this section for the facility's peer group.

(B) For the purpose of determining nursing facilities' rates for direct care costs, the department shall establish three peer groups.

(1) Each nursing facility located in any of the following counties shall be placed in peer group one: Brown, Butler, Clermont, Clinton, Hamilton, and Warren.

(2) Each nursing facility located in any of the following counties shall be placed in peer group two: Allen, Ashtabula, Champaign, Clark, Cuyahoga, Darke, Delaware, Fairfield, Fayette, Franklin, Fulton, Geauga, Greene, Hancock, Knox, Lake, Licking, Lorain, Lucas, Madison, Mahoning, Marion, Medina, Miami, Montgomery, Morrow, Ottawa, Pickaway, Portage, Preble, Ross, Sandusky, Seneca, Stark, Summit, Trumbull, Union, and Wood.

(3) Each nursing facility located in any of the following counties shall be placed in peer group three: Adams, Ashland, Athens, Auglaize, Belmont, Carroll, Columbiana, Coshocton, Crawford, Defiance, Erie, Gallia, Guernsey, Hardin, Harrison, Henry, Highland, Hocking, Holmes, Huron, Jackson, Jefferson, Lawrence, Logan, Meigs, Mercer, Monroe, Morgan, Muskingum, Noble, Paulding, Perry, Pike, Putnam, Richland, Scioto, Shelby, Tuscarawas, Van Wert, Vinton, Washington, Wayne, Williams, and Wyandot.

(C)(1) The department shall determine a cost per case-mix unit for each peer group established under division (B) of this section. The cost per case-mix unit determined under this division for a peer group shall be used for subsequent years until the department conducts a rebasing. To determine a peer group's cost per case-mix unit, the department shall do all of the following:

(a) Determine the cost per case-mix unit for each nursing facility in the peer group for the applicable calendar year by dividing each facility's desk-reviewed, actual, allowable, per diem direct care costs for the applicable calendar year by the facility's annual average case-mix score determined under section 5165.192 of the Revised Code for the applicable calendar year;

(b) Subject to division (C)(2) of this section, identify which nursing facility in the peer group is at the twenty-fifth percentile of the cost per case-mix units determined under division (C)(1)(a) of this section;

(c) Calculate the amount that is two per cent above the cost per case-mix unit determined under division (C)(1)(a) of this section for the nursing facility identified under division (C)(1)(b) of this section;

(d) Using the index specified in division (C)(3) of this section, multiply the rate of inflation for the eighteen-month period beginning on the first day of July of the applicable calendar year and ending the last day of December of

the calendar year immediately following the applicable calendar year by the amount calculated under division (C)(1)(c) of this section;

~~(e) For state fiscal year 2020 and each state fiscal year thereafter (other than the first state fiscal year in a group of consecutive state fiscal years for which a rebasing is conducted), adjust the amount calculated under division (C)(1)(d) of this section using the difference between the following:~~

~~(i) The medicare skilled nursing facility market basket index determined for the federal fiscal year that begins during the state fiscal year immediately preceding the state fiscal year for which the adjustment is being made under division (C)(1)(e) of this section;~~

~~(ii) The budget reduction adjustment factor for the state fiscal year for which the adjustment is being made under division (C)(1)(e) of this section.~~

(2) In making the identification under division (C)(1)(b) of this section, the department shall exclude both of the following:

(a) Nursing facilities that participated in the medicaid program under the same provider for less than twelve months in the applicable calendar year;

(b) Nursing facilities whose cost per case-mix unit is more than one standard deviation from the mean cost per case-mix unit for all nursing facilities in the nursing facility's peer group for the applicable calendar year.

(3) The following index shall be used for the purpose of the calculation made under division (C)(1)(d) of this section:

(a) Except as provided in division (C)(3)(b) of this section, the employment cost index for total compensation, nursing and residential care facilities occupational group, published by the United States bureau of labor statistics;

(b) If the United States bureau of labor statistics ceases to publish the index specified in division (C)(3)(a) of this section, the index the bureau subsequently publishes that covers nursing facilities' staff costs.

(4) The department shall not redetermine a peer group's cost per case-mix unit under this division based on additional information that it receives after the peer group's per case-mix unit is determined. The department shall redetermine a peer group's cost per case-mix unit only if it made an error in determining the peer group's cost per case-mix unit based on information available to the department at the time of the original determination.

Sec. 5165.26. (A) As used in this section:

(1) "Base rate" means the portion of a nursing facility's total per medicaid day payment rate determined under divisions (A) and (B) of section 5165.15 of the Revised Code.

(2) "CMS" means the United States centers for medicare and medicaid services.

(3) "Force majeure event" means an uncontrollable force or natural disaster not within the power of a nursing facility's operator.

(4) "Long-stay resident" and "measurement period" have has the same meanings-meaning as in section 5165.25 of the Revised Code.

(5) "Nursing facilities for which a quality score was determined" includes nursing facilities that are determined to have a quality score of zero.

(B) For the second half of state fiscal year 2020 and all of each state fiscal year thereafter~~2021~~, and subject to divisions (D) and ~~(E)~~, and (F) of this section, the department of medicaid shall determine each nursing facility's per medicaid day quality incentive payment rate as follows:

(1) Determine the sum of the quality scores determined under division (C) of this section for all nursing facilities.

(2) Determine the average quality score by dividing the sum determined under division (B)(1) of this section by the number of nursing facilities for which a quality score was determined.

~~(3) Determine the following:-~~

~~(a) For the second half of state fiscal year 2020, the sum of the total number of medicaid days for the second half of calendar year 2018 for all nursing facilities for which a quality score was determined;-~~

~~(b) For all of state fiscal year 2021 and each state fiscal year thereafter, determine the sum of the total number of medicaid days for the measurement period applicable to the state fiscal year all of calendar year 2019 for all nursing facilities for which a quality score was determined.~~

(4) Multiply the average quality score determined under division (B)(2) of this section by the sum determined under division (B)(3) of this section.

(5) Determine the value per quality point by determining the quotient of the following:

~~(a) The following:-~~

~~(i) For the second half of state fiscal year 2020, the sum determined under division (E)(1)(b) of this section;-~~

~~(ii) For all of state fiscal year 2021 and each state fiscal year thereafter, the sum determined under division ~~(E)(2)(b)~~ (F)(2) of this section.~~

(b) The product determined under division (B)(4) of this section.

(6) Multiply the value per quality point determined under division (B) (5) of this section by the nursing facility's quality score determined under division (C) of this section.

(C)(1) Except as provided in divisions (C)(2) and (3) of this section, a nursing facility's quality score for a state fiscal year 2021 shall be the sum of the total number of points that CMS assigned to the nursing facility under

CMS's nursing facility five-star quality rating system for the following quality metrics based on the most recent four-quarter average data available in the database maintained by the United States centers for medicare and medicaid services and known as nursing home compare in May of 2020:

(a) The percentage of the nursing facility's long-stay residents at high risk for pressure ulcers who had pressure ulcers ~~during the measurement period;~~

(b) The percentage of the nursing facility's long-stay residents who had a urinary tract infection ~~during the measurement period;~~

(c) The percentage of the nursing facility's long-stay residents whose ability to move independently worsened ~~during the measurement period;~~

(d) The percentage of the nursing facility's long-stay residents who had a catheter inserted and left in their bladder ~~during the measurement period.~~

(2) In determining a nursing facility's quality score for a state fiscal year 2021, the department shall make the following adjustment to the number of points that CMS assigned to the nursing facility for each of the quality metrics specified in division (C)(1) of this section:

(a) Unless division (C)(2)(b) of this section applies, divide the number of the nursing facility's points for the quality metric by twenty.

(b) If CMS assigned the nursing facility to the lowest percentile for the quality metric, reduce the number of the nursing facility's points for the quality metric to zero.

(3) A nursing facility's quality score shall be zero for a state fiscal year 2021 if it is not to receive a quality incentive payment for that state fiscal year because of division (D) of this section.

(D)(1) Except as provided in division (D)(2) of this section, a nursing facility shall not receive a quality incentive payment for a state fiscal year, ~~other than the second half of state fiscal year 2020,~~ 2021 if the nursing facility's licensed occupancy percentage is less than eighty per cent.

(2) Division (D)(1) of this section does not apply to a nursing facility ~~for a state fiscal year if either~~ any of the following apply:

(a) The nursing facility has a quality score under division (C) of this section for ~~the~~ state fiscal year 2021 of at least fifteen points;

(b) The nursing facility was initially certified for participation in the medicaid program on or after January 1, 2019;

(c) Subject to division (D)(4) of this section, one or more of the beds that are part of the nursing facility's licensed capacity could not be used for resident care during calendar year 2019 due to causes beyond the reasonable control of the nursing facility's operator, including a force majeure event;

(d) Subject to division (D)(5) of this section, the nursing facility

underwent a renovation during the period beginning January 1, 2018, and ending January 1, 2020, to which both of the following apply:

(i) The renovation involved capital expenditures of at least fifty thousand dollars, excluding expenditures for equipment, staffing, or operational costs.

(ii) The renovation directly impacted the area of the nursing facility in which the beds that are part of the nursing facility's licensed capacity are located.

(3) A nursing facility's licensed occupancy percentage for a state fiscal year the purpose of division (D)(1) of this section shall be determined as follows:

(a) ~~Multiply the~~ Determine the product of the following:

(i) ~~The nursing facility's licensed capacity on the last day of the measurement period applicable to the state fiscal year by the number of days in that measurement period;~~ as of December 31, 2019, as identified on the nursing facility's cost report filed with the department pursuant to section 5165.10 of the Revised Code;

(ii) Three hundred sixty-five.

(b) ~~Divide the~~ Determine the quotient of the following:

(i) ~~The total number of the nursing facility's inpatient days for the measurement period applicable to the state fiscal year by the calendar year~~ 2019, as identified on the nursing facility's cost report filed with the department pursuant to section 5165.10 of the Revised Code;

(ii) The product determined under division (D)(3)(a) of this section.

(c) Multiply the quotient determined under division (D)(3)(b) of this section by one hundred.

(4) For a nursing facility to be exempt from division (D)(1) of this section on account of division (D)(2)(c) of this section, the nursing facility's operator must provide to the department written documentation of the number of days during calendar year 2019 that one or more of the beds that are part of the nursing facility's licensed capacity could not be used and the specific reason why they could not be used.

(5) For a nursing facility to be exempt from division (D)(1) of this section on account of division (D)(2)(d) of this section, the nursing facility's operator must provide to the department written documentation that confirms the renovation and capital expenditures.

(E) A nursing facility shall not receive a quality incentive payment for state fiscal year 2021 if either of the following apply:

(1) The nursing facility's initial total per medicaid day payment rate for calendar year 2019 or state fiscal year 2021 is determined pursuant to section

5165.151 of the Revised Code.

(2) The nursing facility undergoes a change of operator during calendar year 2019 or state fiscal year 2021.

~~(F) The total amount to be spent on quality incentive payments for a state fiscal year 2021 shall be the following determined as follows:~~

~~(1) For the second half of state fiscal year 2020, the amount determined as follows:-~~

~~(a) Determine the following amount for each nursing facility, including those that do not receive a quality incentive payment because of division (D) of this section:-~~

~~(i) The amount that is two and four-tenths per cent of the nursing facility's base rate for nursing facility services provided on January 1, 2020;-~~

~~(ii) Multiply the amount determined under division (E)(1)(a)(i) of this section by the number of the nursing facility's medicaid days for the second half of calendar year 2018.-~~

~~(b) Determine the sum of the products determined under division (E)(1)(a)(ii) of this section for all nursing facilities for which the product was determined for the second half of state fiscal year 2020.-~~

~~(2) For all of state fiscal year 2021 and each state fiscal year thereafter, the amount determined as follows:-~~

~~(a)(1) Determine the following amount for each nursing facility, including those that do not receive a quality incentive payment because of division (D) of this section:~~

~~(i)(a) The amount that is two-five and four-tenths two-tenths per cent of the nursing facility's base rate for nursing facility services provided on the first day of the state fiscal year;~~

~~(ii)(b) Multiply the amount determined under division (E)(2)(a)(i)-(F)(1)(a) of this section by the number of the nursing facility's medicaid days for the measurement period applicable to the state fiscal year calendar year 2019.~~

~~(b)(2) Determine the sum of the products determined under division (E)(2)(a)-(F)(1)(b) of this section for all nursing facilities for which the product was determined for the state fiscal year.~~

Sec. 5166.01. As used in this chapter:

"209(b) option" means the option described in section 1902(f) of the "Social Security Act," 42 U.S.C. 1396a(f), under which the medicaid program's eligibility requirements for aged, blind, and disabled individuals are more restrictive than the eligibility requirements for the supplemental security income program.

"Administrative agency" means, with respect to a home and

community-based services medicaid waiver component, the department of medicaid or, if a state agency or political subdivision contracts with the department under section 5162.35 of the Revised Code to administer the component, that state agency or political subdivision.

"Care management system" has the same meaning as in section 5167.01 of the Revised Code.

"Dual eligible individual" has the same meaning as in section 5160.01 of the Revised Code.

"Enrollee" has the same meaning as in section 5167.01 of the Revised Code.

"Expansion eligibility group" has the same meaning as in section 5163.01 of the Revised Code.

"Federal poverty line" has the same meaning as in section 5162.01 of the Revised Code.

"Home and community-based services medicaid waiver component" means a medicaid waiver component under which home and community-based services are provided as an alternative to hospital services, nursing facility services, or ICF/IID services.

"Hospital" has the same meaning as in section 3727.01 of the Revised Code.

"Hospital long-term care unit" has the same meaning as in section 5168.40 of the Revised Code.

"ICDS participant" has the same meaning as in section 5164.01 of the Revised Code.

"ICF/IID" and "ICF/IID services" have the same meanings as in section 5124.01 of the Revised Code.

"Integrated care delivery system" and "ICDS" have the same meanings as in section 5164.01 of the Revised Code.

"Level of care determination" means a determination of whether an individual needs the level of care provided by a hospital, nursing facility, or ICF/IID and whether the individual, if determined to need that level of care, would receive hospital services, nursing facility services, or ICF/IID services if not for a home and community-based services medicaid waiver component.

"Medicaid buy-in for workers with disabilities program" has the same meaning as in section 5163.01 of the Revised Code.

"Medicaid MCO plan" has the same meaning as in section 5167.01 of the Revised Code.

"Medicaid provider" has the same meaning as in section 5164.01 of the Revised Code.

"Medicaid services" has the same meaning as in section 5164.01 of the Revised Code.

"Medicaid waiver component" means a component of the medicaid program authorized by a waiver granted by the United States department of health and human services under the "Social Security Act," section 1115 or 1915, 42 U.S.C. 1315 or 1396n. "Medicaid waiver component" does not include the care management system.

"Medically fragile child" means an individual who is under eighteen years of age, has intensive health care needs, and is considered blind or disabled under section 1614(a)(2) or (3) of the "Social Security Act," 42 U.S.C. 1382c(a)(2) or (3).

~~"Medicare skilled nursing facility market basket index" has the same meaning as in section 5165.01 of the Revised Code.~~

"Nursing facility" and "nursing facility services" have the same meanings as in section 5165.01 of the Revised Code.

"Ohio home care waiver program" means the home and community-based services medicaid waiver component that is known as Ohio home care and was created pursuant to section 5166.11 of the Revised Code.

"Provider agreement" has the same meaning as in section 5164.01 of the Revised Code.

"Residential treatment facility" means a residential facility licensed by the department of mental health and addiction services under section 5119.34 of the Revised Code, or an institution certified by the department of job and family services under section 5103.03 of the Revised Code, that serves children and either has more than sixteen beds or is part of a campus of multiple facilities or institutions that, combined, have a total of more than sixteen beds.

"Skilled nursing facility" has the same meaning as in section 5165.01 of the Revised Code.

"Unified long-term services and support medicaid waiver component" means the medicaid waiver component authorized by section 5166.14 of the Revised Code.

Section 30. That existing sections 124.393, 5165.01, 5165.15, 5165.16, 5165.17, 5165.19, 5165.26, and 5166.01 of the Revised Code are hereby repealed.

Section 31. That section 5165.361 of the Revised Code is hereby repealed.

Section 32. That Section 333.270 of H.B. 166 of the 133rd General Assembly is hereby repealed.

Section 33. All of the following apply to the Medicaid payment rates

for nursing facility services provided on and after the effective date of this section and not to the Medicaid payment rates for those services provided before that date:

(A) The amendments by this act to sections 5165.01, 5165.16, 5165.17, 5165.19, and 5165.26 of the Revised Code;

(B) The repeal by this act of section 5165.361 of the Revised Code;

(C) The repeal by this act of Section 333.270 of Am. Sub. H.B. 166 of the 133rd General Assembly.

Section 34. That Section 333.10 of H.B. 166 of the 133rd General Assembly be amended to read as follows:

Sec. 333.10.

	2	3	4	5
A	MCD DEPARTMENT OF MEDICAID			
B	General Revenue Fund			
C	GRF 651425	Medicaid Program Support - State	\$164,132,342	\$170,223,643
D	GRF 651426	Positive Education Program Connections	\$2,500,000	\$2,500,000
E	GRF 651525	Medicaid Health Care Services		
F		State	\$4,153,141,174	\$4,733,728,704 <u>4,734,928,704</u>
G		Federal	\$9,959,196,340	\$11,152,542,781 <u>11,154,542,781</u>
H		Medicaid Health Care Services Total	\$14,112,337,514	\$15,886,271,485 <u>15,889,471,485</u>
I	GRF 651526	Medicare Part D	\$490,402,102	\$533,290,526
J	GRF 651529	Brigid's Path Pilot	\$500,000	\$500,000
K	GRF 651533	Food Farmacy	\$250,000	\$250,000

Pilot Project

L TOTAL GRF General Revenue Fund

M		State	\$4,810,925,618	\$5,440,492,873 <u>5,441,692,873</u>
N		Federal	\$9,959,196,340	\$11,152,542,781 <u>11,154,542,781</u>
O		GRF Total	\$14,770,121,958	\$16,593,035,654 <u>16,596,235,654</u>

P Dedicated Purpose Fund Group

Q	4E30	651605	Resident Protection Fund	\$3,910,338	\$4,013,000
R	5AN 0	651686	Care Innovation and Community Improvement Program	\$53,435,797	\$53,406,291
S	5DL0	651639	Medicaid Services - Recoveries	\$741,454,299	\$781,970,233
T	5DL0	651685	Medicaid Recoveries – Program Support	\$40,351,245	\$44,375,000
U	5DL0	651690	Multi-system Youth Custody Relinquishment	\$6,000,000	\$12,000,000
V	5FX0	651638	Medicaid Services - Payment Withholding	\$12,000,000	\$12,000,000
W	5GF0	651656	Medicaid Services - Hospital Upper Payment Limit	\$822,016,219	\$887,150,856
X	5R20	651608	Medicaid	\$420,154,000	\$425,554,000

			Services - Long Term		
Y	5SC0	651683	Medicaid Services – Physician UPL	\$7,520,000	\$7,645,000
Z	5TN0	651684	Medicaid Services - HIC Fee	\$834,564,060	\$806,187,400
AA	6510	651649	Medicaid Services - Hospital Care Assurance Program	\$249,167,065	\$168,310,123
BB	TOTAL DPF Dedicated Purpose Fund Group			\$3,205,573,023 <u>3,190,573,023</u>	\$3,232,611,903 <u>3,202,611,903</u>
CC	Holding Account Fund Group				
DD	R055	651644	Refunds and Reconciliation	\$1,000,000	\$1,000,000
EE	TOTAL HLD Holding Account Fund Group			\$1,000,000	\$1,000,000
FF	Federal Fund Group				
GG	3ER0	651603	Medicaid and Health Transformation Technology	\$48,031,056	\$48,340,000
HH	3F00	651623	Medicaid Services - Federal	\$6,563,381,020	\$6,596,507,934
II	3F00	651624	Medicaid Program Support - Federal	\$516,667,497	\$527,369,363
	3FA0	\$	Health Care	\$11,988,670	\$12,000,000

JJ	Grants - Federal				
	3G50	651655	Medicaid	\$225,701,597	\$225,701,597
KK			Interagency Pass Through		
	TOTAL FED	Federal Fund Group		\$7,365,769,840	\$7,409,918,894
LL					
	TOTAL ALL BUDGET FUND			\$25,342,464,821	\$27,236,566,451
MM	GROUPS			<u>25,327</u>	<u>27,209</u>
				<u>,464,821</u>	<u>,766,451</u>

Section 35. That existing Section 333.10 of H.B. 166 of the 133rd General Assembly is hereby repealed.

Section 36. Notwithstanding any provision of Chapter 5751. of the Revised Code to the contrary, "gross receipts," as defined in section 5751.01 of the Revised Code, excludes receipts from any forgiven indebtedness that is excluded from the gross income of the taxpayer for federal income tax purposes pursuant to section 1106(i) of the "Coronavirus Aid, Relief, and Economic Security (CARES) Act," 15 U.S.C. 9005(i).

Section 37. (A) As used in this section, "state employee" means any employee paid directly by warrant of the Director of Budget and Management who is not subject to a collective bargaining agreement entered into between a public employer and an employee organization in accordance with Chapter 4117. of the Revised Code.

(B) Notwithstanding any provision of section 124.152, 124.181, or 3901.07 of the Revised Code, or any other provision of the Revised Code to the contrary, and except as provided in division (C) of this section, during the pay period that includes July 1, 2020, through the pay period that includes June 30, 2021, if the Director of Budget and Management determines it to be necessary due to anticipated revenue shortfalls, the Director of Budget and Management may request the Director of Administrative Services to order that both of the following apply beginning on the date the Director of Administrative Services issues the order until the end of the pay period specified by the Director of Administrative Services or the end of the pay period that includes July 1, 2021, whichever is earlier:

(1) A state employee shall not receive an increase in the employee's pay rate, including any step increase or pay supplement, while the employee is serving in the same position the employee was serving in on or before the effective date of this section.

(2) A state employee who is hired, who changes positions, or whose position is reclassified on or after the effective date of this section shall be

paid at the rate that applies to the position's classification during the pay period that includes June 7, 2020, and the employee shall not receive any increases in the employee's pay rate, including any step increases or pay supplements.

(C) Division (B) of this section does not do any of the following:

(1) Apply to a special hazard salary adjustment related to COVID-19 submitted to the Director of Administrative Services in accordance with division (F) of section 124.181 of the Revised Code;

(2) Limit the Governor's authority under section 126.05 of the Revised Code to issue necessary orders to the Director of Administrative Services to implement personnel actions;

(3) Subject to division (D) of this section, apply to any of the following employees:

(a) An employee of either house of the General Assembly or an employee of a legislative agency;

(b) An employee of the Supreme Court;

(c) An employee of the Secretary of State, Auditor of State, Treasurer of State, or Attorney General.

(D) The Secretary of State, Auditor of State, Treasurer of State, or Attorney General may elect to apply divisions (B)(1) and (2) to state employees employed by the Secretary of State, Auditor of State, Treasurer of State, or Attorney General. If the Secretary of State, Auditor of State, Treasurer of State, or Attorney General so elects, the Secretary of State, Auditor of State, Treasurer of State, or Attorney General shall notify the Director of Administrative Services of the election in writing.

Section 201.10. Except as otherwise provided in this act, all appropriation items in this act are appropriated out of any moneys in the state treasury to the credit of the designated fund that are not otherwise appropriated.

Section 203.10. ADJ ADJUTANT GENERAL

	1	2	3
A	Reappropriations		
B	Army National Guard Service Contract Fund (Fund 3420)		
C	C74537	Renovation Projects - Federal Share	\$4,000,000
D	TOTAL Army National Guard Service Contract Fund		\$4,000,000
E	Air National Guard Federal Construction Fund (Fund 3HJ0)		

F	C74545	Mansfield Taxiway Federal	\$1,151,550
G	TOTAL Air National Guard Federal Construction Fund		\$1,151,550
H	Ohio Military Facilities Fund (Fund 5RV0)		
I	C74547	Mansfield Taxiway OMFC	\$2,051,550
J	TOTAL Ohio Military Facilities Fun		\$2,051,550
K	Administrative Building Fund (Fund 7026)		
L	C74535	Renovations and Improvements	\$2,200,000
M	C74541	Armory Technology Infrastructure	\$90,000
N	C74555	Rickenbacker Runway Project	\$139,000
O	TOTAL Administrative Building Fund		\$2,429,000
P	TOTAL ALL FUNDS		\$9,632,100

RICKENBACKER RUNWAY PROJECT

The amount reappropriated for the foregoing appropriation item C74555, Rickenbacker Runway Project, is the unencumbered balance as of June 30, 2020, in appropriation item C74555, Rickenbacker Runway Project, plus the unencumbered balance as of June 30, 2020, in appropriation item C23065, Rickenbacker Boyhood Home.

Section 205.10. AGO ATTORNEY GENERAL

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C05502	Bowling Green Facility	\$300,000
D	C05515	Data Center Renovations	\$ 895,020
E	C05517	General Building Renovations	\$280,558
F	C05521	BCI London Renovations	\$849,638
G	C05523	Security Improvements	\$92,950

H	C05525	Richfield HVAC	\$2,354,393
I	TOTAL Administrative Building Fund		\$4,772,559
J	TOTAL ALL FUNDS		\$4,772,559

Section 207.10. DEPARTMENT OF HIGHER EDUCATION AND
STATE INSTITUTIONS OF HIGHER EDUCATION

	1	2	3
A			Reappropriations
B	BOR DEPARTMENT OF HIGHER EDUCATION		
C	Higher Education Improvement Fund (Fund 7034)		
D	C23501	Ohio Supercomputer Center	\$1,972,217
E	C23502	Research Facility Action and Investment Funds	\$5,179,992
F	C23506	Third Frontier Project	\$635,579
G	C23529	Workforce Based Training and Equipment	\$2,000,000
H	C23530	Technology Initiatives	\$1,734,732
I	C23532	OARnet	\$6,728,650
J	C23551	Ohio Innovation Exchange	\$400,000
K	C23560	HEI Critical Maintenance and Upgrades	\$4,183,900
L	C23563	Ohio Cyber Range	\$2,461,227
M	C23564	Ohio Aerospace Institute Improvements	\$150,000
N	TOTAL Higher Education Improvement Fund		\$25,446,297
O	TOTAL ALL FUNDS		\$25,446,297

RESEARCH FACILITY ACTION AND INVESTMENT FUNDS

Capital reappropriations in this act made from appropriation item C23502, Research Facility Action and Investment Funds, shall be used for a program of grants to be administered by the Department of Higher Education to provide timely availability of capital facilities for research programs and research-oriented instructional programs at or involving state-supported and

state-assisted institutions of higher education.

THIRD FRONTIER PROJECT

The foregoing appropriation item C23506, Third Frontier Project, shall be used to acquire, renovate, or construct facilities and purchase equipment for research programs, technology development, product development, and commercialization programs at, or involving, state-supported and state-assisted institutions of higher education. The funds shall be used to make grants awarded on a competitive basis, and shall be administered by the Third Frontier Commission. Expenditure of these funds shall comply with Section 2n of Article VIII, Ohio Constitution, and sections 151.01 and 151.04 of the Revised Code for the period beginning July 1, 2020, and ending June 30, 2022.

The Third Frontier Commission shall develop guidelines relative to the application for and selection of projects funded from appropriation item C23506, Third Frontier Project. The Commission may develop these guidelines in consultation with other interested parties. The Department of Higher Education and all state-assisted and state-supported institutions of higher education shall take all actions necessary to implement grants awarded by the Third Frontier Commission.

WORKFORCE BASED TRAINING AND EQUIPMENT

(A) Capital reappropriations in this act made from appropriation item C23529, Workforce Based Training and Equipment, shall be used to support the Regionally Aligned Priorities in Developing Skills (RAPIDS) program in the Department of Higher Education. The purpose of the RAPIDS program is to support collaborative projects among higher education institutions to strengthen education and training opportunities that maximize workforce development efforts in defined areas of the state.

(B) Capital funds reappropriated for this purpose by the General Assembly shall be distributed by the Chancellor of Higher Education to Ohio regions or subsets of regions. Regions or subsets of regions may be defined by the state's economic development strategy.

(C) The Chancellor shall award capital funds within the program using an application and review process, as developed by the Chancellor. In reviewing applications and making awards, priority shall be given to proposals that demonstrate:

(1) Collaboration among and between state institutions of higher education, as defined in section 3345.011 of the Revised Code, Ohio Technical Centers, and other entities as determined to be appropriate by the Chancellor;

(2) Evidence of meaningful business support and engagement;

(3) Identification of targeted occupations and industries supported by

data, which sources may include the Governor's Office of Workforce Transformation, OhioMeansJobs, labor market information from the Department of Job and Family Services, and lists of in-demand occupations;

(4) Sustainability beyond the grant period with the opportunity to provide continued value and impact to the region.

(D) In submitting proposals for consideration under the program, a state institution of higher education, as defined in section 3345.011 of the Revised Code, shall be the lead applicant and preference shall be given to proposals in which equipment and technology acquired by capital funds awarded under the program are owned by a state institution of higher education. If equipment, technology, or facilities acquired by capital funds awarded under the program will be owned by a separate governmental or nonprofit entity, the state institution of higher education shall enter into a joint use agreement with the entity, which shall be approved by the Chancellor.

Section 207.12. BTC BELMONT TECHNICAL COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36800	Basic Renovations	\$644,054
D	C36806	Workforce Based Training and Equipment	\$345,266
E	C36809	Industrial Trades Center	\$195,561
F	TOTAL Higher Education Improvement Fund		\$1,184,881
G	TOTAL ALL FUNDS		\$1,184,881

Section 207.14. BGU BOWLING GREEN STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C24000	Basic Renovations	\$66,662
D	C24001	Basic Renovations - Firelands	\$390,068

E	C24035	Library Depository Northwest	\$464,726
F	C24037	Academic Buildings Rehabilitation	\$5,366,879
G	C24042	Water Quality Lab Equipment	\$1,805
H	C24048	K-12/Higher Education Technology Enhancement Initiative	\$10,059
I	C24059	Technology Building Renovation	\$ 2,000,000
J	C24062	Cedar Fair Hospitality Program	\$800,000
K	TOTAL Higher Education Improvement Fund		\$9,100,199
L	TOTAL ALL FUNDS		\$9,100,199

ACADEMIC BUILDINGS REHABILITATION

The amount reappropriated for the foregoing appropriation item C24037, Academic Buildings Rehabilitation, is the unencumbered balance as of June 30, 2020, in appropriation item C24037, Academic Buildings Rehabilitation, plus \$10,501, plus the unencumbered balance as of June 30, 2020, in appropriation item C24046, Moseley Hall Science Labs. Prior to the expenditure of this appropriation, the Bowling Green State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,501.

K-12/HIGHER EDUCATION TECHNOLOGY ENHANCEMENT INITIATIVE

The amount reappropriated for the foregoing appropriation item C24048, K-12/Higher Education Technology Enhancement Initiative, is the unencumbered balance as of June 30, 2020, in appropriation item C24048, K-12/Higher Education Technology Enhancement Initiative, plus \$28,260. Prior to the expenditure of this appropriation, the Bowling Green State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$28,260.

Section 207.16. COT CENTRAL OHIO TECHNICAL COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36920	COTC Pataskala Campus Renovation Planning/Design	\$2,874,973

D	TOTAL Higher Education Improvement Fund	\$2,874,973
E	TOTAL ALL FUNDS	\$2,874,973

Section 207.18. CSU CENTRAL STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C25515	Information Technology Network and Infrastructure	\$6,775
D	C25516	Campus-wide Chillers and HVAC Replacements	\$30,167
E	C25517	Brown Library Modernization Phase 2	\$3,636
F	C25518	Security and Lighting	\$138,157
G	C25520	Campus Security Update	\$100,000
H	C25521	Classroom Technology Upgrades	\$1,032,500
I	C25522	ADA Upgrades	\$4,508
J	C25523	HVAC and Chiller Renewal	\$11,163
K	C25524	Historic YWCA Dayton Building Renovation	\$725,000
L	TOTAL Higher Education Improvement Fund		\$2,051,906
M	TOTAL ALL FUNDS		\$2,051,906

HVAC AND CHILLER RENEWAL

The amount reappropriated for the foregoing appropriation item C25523, HVAC and Chiller Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C25523, HVAC and Chiller Renewal, plus the unencumbered balance as of June 30, 2020, in appropriation items C25510, Central State University Center, and C25513, Direct Metal Sintering (3-D) Manufacturing Initiative.

Section 207.20. CTC CINCINNATI STATE COMMUNITY COLLEGE

	1	2	3
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A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36101	Basic Renovations	\$9,420
D	C36124	STEM Laboratory Renovations	\$16,606
E	C36127	Center for Workforce Innovation and Education	\$1,098,187
F	C36128	Mt. Healthy Facility	\$13,500
G	C36134	Workforce Based Training and Equipment	\$70,493
H	C36135	Student Completion and Career Services One-Stop Center	\$787,944
I	C36136	Energy Efficiency and Savings Projects	\$253,714
J	C36137	Greater Cincinnati Manufacturing Careers Accelerator Additive Design and Materials Testing Innovations	\$981,300
K	C36139	Hamilton County Agricultural Facility Improvements	\$50,000
L	C36140	Main Building Renovations	\$4,177,010
M	C36141	IT System Upgrades	\$2,056,751
N	C36142	Mercy Health Dental Residency Operation Rooms	\$500,000
O	TOTAL Higher Education Improvement Fund		\$10,014,925
P	TOTAL ALL FUNDS		\$10,014,925

Section 207.22. CLT CLARK STATE COMMUNITY COLLEGE

1

2

3

A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38520	Springfield Downtown Parking Facility	\$2,550,000

D	C38527	Rhodes Hall and Applied Science Center Renovation	\$685,191
E	C38531	Greene County Career Center Take Flight Initiative	\$850,000
F	TOTAL Higher Education Improvement Fund		\$4,085,191
G	TOTAL ALL FUNDS		\$4,085,191

RHODES HALL AND APPLIED SCIENCE CENTER RENOVATION

The amount reappropriated for the foregoing appropriation item C38527, Rhodes Hall and Applied Science Center Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C38527, Rhodes Hall and Applied Science Center Renovation, plus \$6,990. Prior to the expenditure of this appropriation, the Clark State Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$6,990.

Section 207.24. CLS CLEVELAND STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C26008	Geographic Information Systems	\$4,951
D	C26022	Campus Fire Alarm Upgrade	\$15,575
E	C26064	Engaged Learning Laboratories	\$908,242
F	C26065	Main Classroom Renovation	\$2,293,958
G	C26069	Cleveland Institute of Art Campus Unification Project	\$550,000
H	C26070	Workforce Based Training and Equipment	\$10,202
I	C26072	Fenn Hall Addition Project	\$190,322
J	C26073	School of Film, Television, and Interactive Media	\$280,336

K	C26079	Rhodes Tower Restroom Renovation	\$168,661
L	C26080	University Hospitals Harrington Heart and Vascular Institute	\$350,000
M	C26082	Campus Wide Elevator Modifications	\$1,313,200
N	C26086	Mandel Jewish Community Center	\$210,000
O	TOTAL Higher Education Improvement Fund		\$6,295,447
P	TOTAL ALL FUNDS		\$6,295,447

ENGAGED LEARNING LABORATORIES

The amount reappropriated for the foregoing appropriation item C26064, Engaged Learning Laboratories, is the unencumbered balance as of June 30, 2020, in appropriation item C26064, Engaged Learning Laboratories, plus the unencumbered balance as of June 30, 2020, in appropriation item C26002, 17th-18th Street Block.

MAIN CLASSROOM RENOVATION

The amount reappropriated for the foregoing appropriation item C26065, Main Classroom Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C26065, Main Classroom Renovation, plus \$39,046. Prior to the expenditure of this appropriation, the Cleveland State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$39,046.

MANDEL JEWISH COMMUNITY CENTER

The amount reappropriated for the foregoing appropriation item C26086, Mandel Jewish Community Center, is the unencumbered balance as of June 30, 2020, in appropriation item C26086, Mandel Jewish Community Center, plus the unencumbered balance as of June 30, 2020, in appropriation item C58020, Mandel Jewish Community Center.

Section 207.26. CTI COLUMBUS STATE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38429	Delaware Entrepreneur Center	\$ 50,000
D	C38435	Student Success Renovations	\$ 50,000
E	C38436	Building Repairs	\$ 400,000

F	C38437	Building Infrastructure Repairs	\$ 600,000
G	C38438	Accessibility Upgrades	\$ 200,000
H	C38439	Academic/Student Space Upgrades	\$ 100,000
I	C38440	Delaware Entrepreneurial Center at Ohio Wesleyan	\$ 100,000
J	C38441	Freedom Cafe Project	\$ 100,000
K	C38442	The Point at Otterbein University	\$ 275,000
L	C38443	Central Ohio Job Skills and Workforce Developmental Center in Whitehall	\$ 400,000
M	TOTAL Higher Education Improvement Fund		\$ 2,275,000
N	TOTAL ALL FUNDS		\$ 2,275,000

Section 207.28. CCC CUYAHOGA COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37805	Workforce Based Training and Equipment	\$ 239,439
D	C37838	Structural Concrete Repairs	\$ 473,275
E	C37839	Roof Repair and Replacements	\$ 187,234
F	C37840	Workforce Economic Development Renovations	\$ 65,788
G	C37844	Rock and Roll Hall of Fame Museum 2.0	\$ 400,000
H	C37852	East Campus Exterior Plaza	\$ 1,000
I	C37853	CWRU Dental Clinic Relocation	\$ 200,000
J	C37854	Cleveland Sight Center Health Record System Modernization	\$ 150,000

K	C37855	Harvard Community Services Center Improvements	\$ 75,000
L	C37856	MetroHealth West 25th Street Corridor Revitalization	\$ 750,000
M	C37859	Bay Village Emergency Boat Shelter	\$ 32,500
N	TOTAL Higher Education Improvement Fund		\$ 2,574,236
O	TOTAL ALL FUNDS		\$ 2,574,236

EAST CAMPUS EXTERIOR PLAZA

The amount reappropriated for the foregoing appropriation item C37852, East Campus Exterior Plaza, is the unencumbered balance as of June 30, 2020, in appropriation item C37852, East Campus Exterior Plaza, plus \$64,522. Prior to the expenditure of this appropriation, the Cuyahoga Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$64,522.

Section 207.30. JTC EASTERN GATEWAY COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38607	Workforce Based Training and Equipment	\$ 518,092
D	C38618	Student Success Center	\$ 15,318
E	C38620	Safety, Security, and Accessibility Upgrade	\$ 5,000
F	C38621	Mahoning Valley Community Healthcare Training Center	\$ 100,000
G	C38622	Eastwood Field Improvements	\$ 200,000
H	TOTAL Higher Education Improvement Fund		\$ 838,410
I	TOTAL ALL FUNDS		\$ 838,410

STUDENT SUCCESS CENTER

The amount reappropriated for the foregoing appropriation item

C38618, Student Success Center, is the unencumbered balance as of June 30, 2020, in appropriation item C38618, Student Success Center, plus \$8,828. Prior to the expenditure of this appropriation, the Eastern Gateway Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$8,828.

Section 207.32. ESC EDISON STATE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C39000	Basic Renovations	\$ 370,991
D	C39014	Access Improvements	\$ 5,165
E	C39015	Information Technology Upgrades	\$ 256,686
F	C39016	Roof Repair and Replacements	\$ 364,921
G	C39017	Electronic Lock System	\$ 10,429
H	C39018	HVAC Repair and Replacements	\$ 431,028
I	C39019	Parking Lot Resurfacing	\$ 73,758
J	C39020	Security Cameras	\$ 139,502
K	C39021	Computer Center/Edison Infrastructure Protection/Renovation	\$ 89,045
L	C39022	Classroom and Laboratory Renovation	\$ 250,000
M	C39023	Workforce Based Training and Equipment	\$ 104,666
N	C39024	Arcanum Butler Agricultural Education Initiative	\$ 150,000
O	TOTAL Higher Education Improvement Fund		\$ 2,246,191
P	TOTAL ALL FUNDS		\$ 2,246,191

Section 207.34. HTC HOCKING TECHNICAL COLLEGE

A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36313	Perry County Community Health at Hocking	\$ 200,000
D	C36320	Chiller and Plumbing Repairs	\$ 50,941
E	C36321	Workforce Development and Training Center Renovation	\$ 755,000
F	C36323	Equestrian and Veterinary Workforce Facilities Renovation	\$ 1,865,600
G	C36324	Dental Hygiene Workforce Facilities Renovation	\$ 75,171
H	C36326	Technology Media Workforce Center	\$ 600,000
I	C36327	Public Safety and Natural Resources Program Laboratory Renovation and Expansion	\$ 1,100,742
J	TOTAL Higher Education Improvement Fund		\$ 4,647,454
K	TOTAL ALL FUNDS		\$ 4,647,454

EQUESTRIAN AND VETERINARY WORKFORCE FACILITIES RENOVATION

The amount reappropriated for the foregoing appropriation item C36323, Equestrian and Veterinary Workforce Facilities Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C36323, Equestrian and Veterinary Workforce Facilities Renovation, plus \$104,159. Prior to the expenditure of this appropriation, the Hocking Technical College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$104,159.

Section 207.36. LTC JAMES RHODES STATE COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38100	Basic Renovations	\$ 500,000

D	C38109	Workforce Based Training and Equipment	\$ 25,000
E	C38116	Center for Health Science Education and Innovation	\$ 7,000,000
F	C38117	IT Infrastructure	\$ 1,100,000
G	C38119	Completion Plan Outcome - Toolbox	\$ 70,000
H	C38122	Campus and Classroom Safety Upgrades	\$ 100,000
I	TOTAL Higher Education Improvement Fund		\$ 8,795,000
J	TOTAL ALL FUNDS		\$ 8,795,000

CENTER FOR HEALTH SCIENCE EDUCATION AND INNOVATION

The amount reappropriated for the foregoing appropriation item C38116, Center for Health Science Education and Innovation, is the unencumbered balance as of June 30, 2020, in appropriation item C38116, Center For Health Science Education and Innovation, plus the unencumbered balance as of June 30, 2020, in appropriation items C38113, Cook Hall Renovations and C38118, Road and Parking Resurfacing.

Section 207.38. KSU KENT STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Taxable Fund (Fund 7024)		
C	C270H7	LCM Material Science Hood Control - Taxable	\$ 1,000
D	TOTAL Higher Education Improvement Taxable Fund		\$ 1,000
E	Higher Education Improvement Fund (Fund 7034)		
F	C27003	Classroom Building Renovations - East Liverpool	\$ 1,590
G	C27079	Blossom Music Center	\$ 3,800,000
H	C270F3	Severance Hall Improvements	\$ 3,850,000

I	C270G3	Campus Fire Alarm System Replacements	\$ 52,950
J	C270H2	Founders Hall HVAC Upgrades - Tuscarawas	\$ 3,000
K	C270H3	Founders Hall Partial Roof Replacement - Tuscarawas	\$ 15,000
L	C270H5	Workforce Based Training and Equipment	\$ 70,102
M	C270I1	Design Innovation Center	\$ 150,000
N	C270I2	Rockwell Hall Roof Replacement	\$ 100,000
O	C270I3	Research Laboratory Build-outs	\$ 179,468
P	C270I4	Henderson Hall HVAC and ADA Improvements	\$ 750,000
Q	C270I5	White Hall Rehabilitation	\$ 650,000
R	C270I7	Library Asbestos Abatement and Restroom Installation - Ashtabula	\$ 800,000
S	C270I8	Purinton Hall Roof Replacement - East Liverpool	\$ 300,000
T	C270I9	Main Classroom Building Partial Roof Replacement - Salem	\$ 30,000
U	C270J1	Main Classroom Building Window Replacement - Geauga	\$ 10,000
V	C270J2	Link Building Windows and Tech Building Partial Roof - Trumbull	\$ 10,000
W	C270J4	Notre Dame College Performing Arts Center Renovations	\$ 50,000
X	C270J6	Buckeye Career Center Energy Operations Classroom Facility Renovation	\$ 350,000
Y	C270J9	Kent Stage Theater Restoration Project	\$ 100,000
Z	TOTAL Higher Education Improvement Fund		\$ 11,272,110

AA TOTAL ALL FUNDS \$ 11,273,110

CAMPUS FIRE ALARM SYSTEM REPLACEMENTS

The amount reappropriated for the foregoing appropriation item C270G3, Campus Fire Alarm System Replacements, is the unencumbered balance as of June 30, 2020, in appropriation item C270G3, Campus Fire Alarm System Replacements, plus the unencumbered balance as of June 30, 2020, in appropriation item C270J8, Basic Renovation - Taxable.

Section 207.40. LCC LAKELAND COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37900	Basic Renovations	\$ 270,240
D	C37911	Workforce Based Training and Equipment	\$ 202,468
E	C37918	Welding Laboratory Program Expansion	\$ 417,330
F	C37919	Engineering Building Renovations	\$ 4,000,000
G	C37920	Student Success Center	\$ 189,632
H	TOTAL Higher Education Improvement Fund		\$ 5,079,670
I	TOTAL ALL FUNDS		\$ 5,079,670

BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C37900, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C37900, Basic Renovations, plus \$32,753. Prior to the expenditure of this appropriation, the Lakeland Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$32,753.

Section 207.42. LOR LORAIN COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		

B	Higher Education Improvement Fund (Fund 7034)		
C	C38315	Manufacturing Innovation Center Renovation	\$ 1,100,000
D	C38318	IT Upgrades	\$ 749,260
E	C38320	South Lorain Boys and Girls Club Education and Wellness Center	\$ 75,000
F	C38321	Mercy Regional Behavioral Health Access Center	\$ 325,000
G	TOTAL Higher Education Improvement Fund		\$ 2,249,260
H	TOTAL ALL FUNDS		\$ 2,249,260

Section 207.44. MTC MARION TECHNICAL COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C35909	Academic Program and Career Counseling Expansion	\$ 2,128
D	C35912	Bryson Hall Renovations	\$ 300,636
E	TOTAL Higher Education Improvement Fund		\$ 302,764
F	TOTAL ALL FUNDS		\$ 302,764

Section 207.46. MUN MIAMI UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C28502	Basic Renovations - Hamilton	\$ 51,971
D	C28503	Basic Renovations - Middletown	\$ 157,612

E	C28505	Cooperative Regional Library Depository Southwest	\$ 83,501
F	C28580	Workforce Based Training and Equipment	\$ 5,826
G	C28581	Pearson Hall Renovation	\$ 434,236
H	C28590	Boys and Girls Club of Hamilton	\$ 400,000
I	C28591	Butler Tech Manufacturing Center	\$ 200,000
J	C28592	Middletown Regional Airport Aviation Workforce Training Center	\$ 750,000
K	C28593	Hillel Building Improvements	\$ 400,000
L	TOTAL Higher Education Improvement Fund		\$ 2,483,146
M	TOTAL ALL FUNDS		\$ 2,483,146

BASIC RENOVATIONS - HAMILTON

The amount reappropriated for the foregoing appropriation item C28502, Basic Renovations - Hamilton, is the unencumbered balance as of June 30, 2020, in appropriation item C28502, Basic Renovations - Hamilton, plus the unencumbered balance as of June 30, 2020, in appropriation item C28523, Special Academic/Administrative Projects - Hamilton.

BASIC RENOVATIONS - MIDDLETOWN

The amount reappropriated for the foregoing appropriation item C28503, Basic Renovations - Middletown, is the unencumbered balance as of June 30, 2020, in appropriation item C28503, Basic Renovations - Middletown, plus the unencumbered balance as of June 30, 2020, in appropriation items C28525, Special Academic/Administrative Projects - Middletown and C28560, Academic/Administrative and Renovation Projects.

Section 207.48. NCC NORTH CENTRAL TECHNICAL COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38000	Basic Renovations	\$ 14,333
D	C38010	Kehoe Center Infrastructure Renovation	\$ 157,527

E	C38012	Health Sciences Center Renovations	\$ 1,441
F	C38014	IT Data Infrastructure Upgrade Project	\$ 58,086
G	C38018	Workforce Based Training and Equipment	\$ 2,837
H	C38019	Kee Hall Renovation	\$ 196,079
I	TOTAL Higher Education Improvement Fund		\$ 430,303
J	TOTAL ALL FUNDS		\$ 430,303

**Section 207.50. NEM NORTHEAST OHIO MEDICAL
UNIVERSITY**

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C30500	Basic Renovations	\$ 3,559
D	C30501	Cooperative Regional Library Depository Northeast	\$ 60,000
E	C30535	Electrical Panels Infrastructure Replacement and Upgrade	\$ 100,000
F	C30538	University Hospitals Geauga Medical Center	\$ 900,000
G	C30539	Cleveland Clinic Children's Outpatient Therapy Services Medina	\$ 750,000
H	C30540	Pro Football Hall of Fame	\$ 1,000,000
I	TOTAL Higher Education Improvement Fund		\$ 2,813,559
J	TOTAL ALL FUNDS		\$ 2,813,559

BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C30500, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C30500, Basic Renovations, plus \$171,929. Prior

to the expenditure of this appropriation, the Northeast Ohio Medical University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$171,929.

Section 207.52. NTC NORTHWEST STATE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38210	Workforce Based Training and Equipment	\$ 263,924
D	C38217	Napoleon Civic Center	\$ 100,000
E	C38219	Building B Renovations	\$ 2,329,873
F	C38220	Mercy College Learning Commons and Classroom Expansion	\$ 200,000
G	TOTAL Higher Education Improvement Fund		\$ 2,893,797
H	TOTAL ALL FUNDS		\$ 2,893,797

Section 207.54. OSU OHIO STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C315AZ	Neuromodulation Clinical Expansion	\$ 278,734
D	C315BR	Replacement Emergency Generators	\$ 1,334,861
E	C315D2	Supercomputer Center Expansion	\$ 11,120
F	C315DE	Ohio Library and Information Network	\$ 1,674
G	C315DM	Roof Repair and Replacements	\$ 5,223,634
H	C315DN	Fire System Replacements	\$ 4,134,044

I	C315DP	HVAC Repair and Replacements	\$ 13,084,042
J	C315DQ	Elevator Safety Repairs and Replacements	\$ 4,486,250
K	C315DR	Infrastructure Improvements	\$ 569,200
L	C315DS	Building Envelope Repair	\$ 371,351
M	C315DT	Plumbing Repair	\$ 945,475
N	C315DU	Road/Bridge Improvements	\$ 4,067,118
O	C315DX	Thorne Hall - Wooster	\$ 156,000
P	C315EF	HVAC Repair and Replacements - Lima	\$ 249,608
Q	C315EH	Campus Security Improvement - Lima	\$ 40,669
R	C315EK	OSU African-American Studies Extension Center	\$ 1,000,000
S	C315EZ	Dynamic Materials Instrument	\$ 18,681
T	C315FC	Postle Partial Replacement	\$ 260,000
U	C315FD	Electrical Repairs	\$ 2,488,080
V	C315FE	Standby Generators - Lima	\$ 257,000
W	C315FQ	Founder's Hall Renovation Planning - Newark	\$ 3,220,532
X	C315FV	Mathematical Biosciences	\$ 12,568
Y	C315GA	Celeste Lab Renovation	\$ 22,321,066
Z	C315GB	Hamilton Hall Renovation	\$ 14,403,070
AA	C315GC	Newton Hall Renovation/ Addition	\$ 6,909,332
AB	C315GD	Reed Hall Restroom Renovations - Lima	\$ 263,869
AC	C315GE	Parking Lot/Sidewalk Renovations -	\$ 53,057

Lima

AD	C315GF	Outdoor Lighting Renovations - Lima	\$ 645,500
AE	C315GG	Conard Hall Chemistry Labs Renovation - Mansfield	\$ 1,716,887
AF	C315GH	Alber Student Center Renovation - Marion	\$ 1,725,547
AG	C315GJ	Asphalt Paving Renovations - Marion	\$ 620,000
AH	C315GK	Building Envelope and Walk Renovations - Marion	\$ 326,218
AI	C315GO	Canine Companions Regional Training Facility	\$ 750,000
AJ	C315GP	Smart Columbus Experience Center	\$ 500,000
AK	C315GR	Heath Port Authority Primary Standards Lab	\$ 250,000
AL	C315GS	Boys and Girls Club Marion County Teen Center Improvements	\$ 50,000
AM	C315GT	Raemelton Therapeutic Equestrian Center Greenhouse Project	\$ 90,000
AN	C315GU	Union County Automotive and Mobility Center	\$ 1,500,000
AO	C315GW	Sea Grant – Stone Laboratory	\$ 2,143,446
AP	C315H3	OARnet	\$ 9,457
AQ	C315S4	Library Depository – Central	\$ 28,631
AR	C315T9	Basic Renovations - OARDC	\$ 1,000
AS	C315X2	Integrated Technical Infrastructure	\$ 23,382
AT	TOTAL Higher Education Improvement Fund		\$ 96,541,103
AU	TOTAL ALL FUNDS		\$ 96,541,103

SUPERCOMPUTER CENTER EXPANSION

The amount reappropriated for the foregoing appropriation item C315D2, Supercomputer Center Expansion, is the unencumbered balance as of June 30, 2020, in appropriation item C315D2, Supercomputer Center Expansion, plus \$261,239. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$261,239.

HVAC REPAIR AND REPLACEMENTS - LIMA

The amount reappropriated for the foregoing appropriation item C315EF, HVAC Repair and Replacements - Lima, is the unencumbered balance as of June 30, 2020, in appropriation item C315EF, HVAC Repair and Replacements - Lima, plus the unencumbered balance as of June 30, 2020, in appropriation item C315FG, Reed Hall Roof - Lima.

OSU AFRICAN-AMERICAN STUDIES EXTENSION CENTER

The amount reappropriated for the foregoing appropriation item C315EK, OSU African-American Studies Extension Center, is the unencumbered balance as of June 30, 2020, in appropriation item C315EK, OSU African-American Studies Extension Center, plus the unencumbered balance as of June 30, 2020, in appropriation item C315U8, OSU African-American and African Studies.

FOUNDER'S HALL RENOVATION PLANNING - NEWARK

The amount reappropriated for the foregoing appropriation item C315FQ, Founder's Hall Renovation Planning - Newark, is the unencumbered balance as of June 30, 2020, in appropriation item C315FQ, Founder's Hall Renovation Planning - Newark, plus the unencumbered balance as of June 30, 2020, in appropriation item C315FN, Basic Renovations - Newark.

CELESTE LAB RENOVATION

The amount reappropriated for the foregoing appropriation item C315GA, Celeste Lab Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C315GA, Celeste Lab Renovation, plus \$206,754, plus the unencumbered balance as of June 30, 2020, in appropriation item C315BF, Boiler Replacement. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$206,754.

CONARD HALL CHEMISTRY LABS RENOVATION - MANSFIELD

The amount reappropriated for the foregoing appropriation item C315GG, Conard Hall Chemistry Labs Renovation - Mansfield, is the unencumbered balance as of June 30, 2020, in appropriation item C315GG, Conard Hall Chemistry Labs Renovation - Mansfield, plus the unencumbered balance as of June 30, 2020, in appropriation item C315FH, Conard 2nd Floor

Renovations - Mansfield.

BUILDING ENVELOPE AND WALK RENOVATIONS - MARION

The amount reappropriated for the foregoing appropriation item C315GK, Building Envelope and Walk Renovations - Marion, is the unencumbered balance as of June 30, 2020, in appropriation item C315GK, Building Envelope and Walk Renovations - Marion, plus the unencumbered balance as of June 30, 2020, in appropriation items C315FK, Morrill Hall Renovations - Marion and C315CA, Morrill Hall Renovation - Marion.

OARNET

The amount reappropriated for the foregoing appropriation item C315H3, OARnet, is the unencumbered balance as of June 30, 2020, in appropriation item C315H3, OARnet, plus \$78,103. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$78,103.

BASIC RENOVATIONS - OARDC

The amount reappropriated for the foregoing appropriation item C315T9, Basic Renovations - OARDC, is the unencumbered balance as of June 30, 2020, in appropriation item C315T9, Basic Renovations - OARDC, plus \$6,578. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$6,578.

INTEGRATED TECHNICAL INFRASTRUCTURE

The amount reappropriated for the foregoing appropriation item C315X2, Integrated Technical Infrastructure, is the unencumbered balance as of June 30, 2020, in appropriation item C315X2, Integrated Technical Infrastructure, plus \$25,472. Prior to the expenditure of this appropriation, the Ohio State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$25,472.

Section 207.56. OHU OHIO UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C30025	Southeast Library Warehouse	\$ 50,890
D	C30037	Workforce Based Training and Equipment	\$ 120,944

E	C30075	Infrastructure Improvements	\$ 1,651,257
F	C30136	Building Envelope Restorations	\$ 3,098,077
G	C30151	Zanesville Building/ Infrastructure Renewal	\$ 179,926
H	C30157	Building and Safety Systems Improvements	\$ 5,441,759
I	C30158	Academic Space Improvements	\$ 14,386,927
J	C30160	Chillicothe Building/ Infrastructure Renewal	\$ 1,080,331
K	C30161	Eastern Building/ Infrastructure Renewal	\$ 2,552
L	C30162	Lancaster Building/ Infrastructure Renewal	\$ 805,834
M	C30163	Southern Building/ Infrastructure Renewal	\$ 540,097
N	C30164	Building Exterior Improvements – Regional Campuses	\$ 1,016,685
O	C30169	CWRU Health Education Campus	\$ 1,000,000
P	C30170	Building Interior Improvements – Regional Campuses	\$ 904,857
Q	C30171	Campus Infrastructure Improvements – Regional Campuses	\$ 1,904,254
R	C30173	Lawrence EMS Services and Senior Center - Southern	\$ 1,000,000
S	TOTAL Higher Education Improvement Fund		\$ 33,184,390
T	TOTAL ALL FUNDS		\$ 33,184,390

INFRASTRUCTURE IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C30075, Infrastructure Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C30075, Infrastructure Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item

C30133, Electrical Distribution Upgrades.

BUILDING ENVELOPE RESTORATIONS

The amount reappropriated for the foregoing appropriation item C30136, Building Envelope Restorations, is the unencumbered balance as of June 30, 2020, in appropriation item C30136, Building Envelope Restorations, plus \$22,698. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$22,698.

BUILDING AND SAFETY SYSTEMS IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C30157, Building and Safety Systems Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C30157, Building and Safety Systems Improvements, plus \$2,801, plus the unencumbered balance as of June 30, 2020, in appropriation items C30131, College of Fine Arts Infrastructure Upgrades, and C30148, Campus Chilled Water/AHU Improvements. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$2,801.

CHILlicothe BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30160, Chillicothe Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30160, Chillicothe Building/Infrastructure Renewal, plus \$41,195, plus the unencumbered balance as of June 30, 2020, in appropriation item C30147, Bennett Hall Electrical - Chillicothe. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$41,195.

EASTERN BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30161, Eastern Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30161, Eastern Building/Infrastructure Renewal, plus \$10,287, plus the unencumbered balance as of June 30, 2020, in appropriation item C30118, Shannon Hall Renovation - Eastern. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,287.

LANCASTER BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30162, Lancaster Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30162, Lancaster Building/Infrastructure Renewal, plus \$3,487, plus the unencumbered balance

as of June 30, 2020, in appropriation items C30074, Basic Renovations - Lancaster, and C30119, Brasee Hall Renovations - Lancaster. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$3,487.

SOUTHERN BUILDING/INFRASTRUCTURE RENEWAL

The amount reappropriated for the foregoing appropriation item C30163, Southern Building/Infrastructure Renewal, is the unencumbered balance as of June 30, 2020, in appropriation item C30163, Southern Building/Infrastructure Renewal, plus \$17,540, plus the unencumbered balance as of June 30, 2020, in appropriation items C30008, Basic Renovations - Ironton, C30073, Proctor Planning and Site Improvements, and C30141, Safety and Security Systems Improvements - Southern. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$17,540.

CAMPUS INFRASTRUCTURE IMPROVEMENTS - REGIONAL CAMPUSES

The amount reappropriated for the foregoing appropriation item C30171, Campus Infrastructure Improvements – Regional Campuses, is the unencumbered balance as of June 30, 2020, in appropriation item C30171, Campus Infrastructure Improvements – Regional Campuses, plus \$1,347. Prior to the expenditure of this appropriation, the Ohio University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,347.

Section 207.58. OTC OWENS COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Taxable Fund (Fund 7024)		
C	C38838	Advanced Manufacturing/ STEM Renovations - Taxable	\$ 50,000
D	C38839	Roof Renovations - Taxable	\$ 5,000
E	TOTAL Higher Education Improvement Taxable Fund		\$ 55,000
F	Higher Education Improvement Fund (Fund 7034)		

G	C38826	College Hall Renovation	\$ 150,000
H	C38833	IT Campus Security Upgrades	\$ 2,500
I	C38837	Center for Emergency Preparedness	\$ 10,000
J	TOTAL Higher Education Improvement Fund		\$ 162,500
K	TOTAL ALL FUNDS		\$ 217,500

COLLEGE HALL RENOVATION

The amount reappropriated for the foregoing appropriation item C38826, College Hall Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C38826, College Hall Renovation, plus \$10,987. Prior to the expenditure of this appropriation, the Owens Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,987.

Section 207.60. RGC RIO GRANDE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C35600	Basic Renovations	\$ 1,587,774
D	C35608	College Completion to Career Center	\$ 937,914
E	C35609	Jackson Center Acquisition and Renovation	\$ 177,876
F	C35610	Technology Infrastructure and Information Systems	\$ 600,000
G	C35612	Rio Grande Community College McArthur Center	\$ 75,000
H	C35613	Workforce Based Training and Equipment	\$ 121,978
I	C35615	Vinton County Rio Grande Branch Campus	\$ 200,000
J	TOTAL Higher Education Improvement Fund		\$ 3,700,542
K	TOTAL ALL FUNDS		\$ 3,700,542

TECHNOLOGY INFRASTRUCTURE AND INFORMATION SYSTEMS

The amount reappropriated for the foregoing appropriation item C35610, Technology Infrastructure and Information Systems, is the unencumbered balance as of June 30, 2020, in appropriation item C35610, Technology Infrastructure and Information Systems, plus the unencumbered balance as of June 30, 2020, in appropriation items C30168, Holzer Health and Wellness Center, and C315FT, Bidwell/OSU Cattle Processing Facility.

Section 207.62. SSC SHAWNEE STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C32400	Basic Renovations	\$ 2,708,954
D	C32430	Workforce Based Training and Equipment	\$ 81,753
E	C32431	Clark Memorial Library - Rehabilitation and Repurposing	\$ 1,800,000
F	C32432	Advanced Technology Center/Technology and Industrial Buildings Rehabilitation	\$ 345,250
G	C32433	Shawnee State University Innovation Accelerator	\$ 200,000
H	C32434	Kricker Innovation Hub	\$ 500,000
I	TOTAL Higher Education Improvement Fund		\$ 5,635,957
J	TOTAL ALL FUNDS		\$ 5,635,957

Section 207.64. SCC SINCLAIR COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37746	Dayton Regional Crisis Stabilization Unit	\$ 800,000

and Detox Center

D	TOTAL Higher Education Improvement Fund	\$ 800,000
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E	TOTAL ALL FUNDS	\$ 800,000
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DAYTON REGIONAL CRISIS STABILIZATION UNIT AND
DETOX CENTER

The amount reappropriated for the foregoing appropriation item C37746, Dayton Regional Crisis Stabilization Unit and Detox Center, is the unencumbered balance as of June 30, 2020, in appropriation item C37746, Dayton Regional Crisis Stabilization Unit and Detox Center, plus \$800,000.

Section 207.66. SOC SOUTHERN STATE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C32200	Basic Renovations	\$ 290,252
D	C32206	Adams County Satellite Campus	\$ 1,166,815
E	C32216	Wilmington Air Park Improvements	\$ 1,075,000
F	C32218	Health Science Center Renovation	\$ 3,567,300
G	C32226	STEM+M Academy	\$ 600,000
H	TOTAL Higher Education Improvement Fund		\$ 6,699,367
I	TOTAL ALL FUNDS		\$ 6,699,367

WILMINGTON AIR PARK IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C32216, Wilmington Air Park Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C32216, Wilmington Air Park Improvements, plus \$75,000, plus the unencumbered balance as of June 30, 2020, in appropriation item C32223, Clinton County Airport Equipment and Facilities Complex.

STEM+M ACADEMY

The amount reappropriated for the foregoing appropriation item C32226, STEM+M Academy, is the unencumbered balance as of June 30, 2020, in appropriation item C32226, STEM+M Academy, plus \$600,000.

Section 207.68. STC STARK TECHNICAL COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C38924	Parking Lot Resurfacing	\$ 209,141
D	C38927	Workforce Based Training and Equipment	\$ 137,363
E	C38931	Storefront Renovations	\$ 284,010
F	C38932	Campbell Community Literacy Workforce and Cultural Center	\$ 300,000
G	C38933	Greater Akron CDL Training Center	\$ 186,524
H	C38934	Barberton Headstart Expansion	\$ 200,000
I	C38935	Roof Replacements	\$ 361,718
J	TOTAL Higher Education Improvement Fund		\$ 1,678,756
K	TOTAL ALL FUNDS		\$ 1,678,756

PARKING LOT RESURFACING

The amount reappropriated for the foregoing appropriation item C38924, Parking Lot Resurfacing, is the unencumbered balance as of June 30, 2020 in appropriation item C38924, Parking Lot Resurfacing, plus \$10,300, plus the unencumbered balance as of June 30, 2020 in appropriation items C38929, Akron Center for Education and Workforce, and C38936, Parking Lots. Prior to the expenditure of this appropriation, the Stark Technical College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,300.

ROOF REPLACEMENTS

The amount reappropriated for the foregoing appropriation item C38935, Roof Replacements, is the unencumbered balance as of June 30, 2020 in appropriation item C38935, Roof Replacements, plus the unencumbered balance as of June 30, 2020 in appropriation item C38923, Atrium Skylight Glass Replacement.

Section 207.70. TTC TERRA STATE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36400	Basic Renovations	\$ 12,114
D	C36414	Northwest Ohio Community Technology Learning Center	\$ 50,000
E	C36417	Ohio Partnership for Water, Industrial, and Cyber Security	\$ 700,000
F	TOTAL Higher Education Improvement Fund		\$ 762,114
G	TOTAL ALL FUNDS		\$ 762,114

BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C36400, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C36400, Basic Renovations, plus \$1,479. Prior to the expenditure of this appropriation, the Terra State Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,479.

Section 207.72. UAK UNIVERSITY OF AKRON

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C25000	Basic Renovations - Main	\$ 2,555,247
D	C25055	Auburn Science and Engineering Center	\$ 1,200,000
E	C25077	Workforce Based Training and Equipment	\$ 143,333
F	C25079	Campus Infrastructure Improvements	\$ 504,454
G	C25081	Buckingham Building Renovations	\$ 983,150
H	C25082	Crouse/Ayer Hall Consolidation	\$ 2,466,100

I	C25083	University of Akron AMES	\$ 1,947,461
J	C25084	Bierce Library	\$ 850,000
K	C25086	Ashland County-West Holmes Career Center Workforce Development Center	\$ 300,000
L	C25088	Ohio Cyber Range	\$ 118,742
M	C25089	McClain Gallery	\$ 100,000
N	TOTAL Higher Education Improvement Fund		\$ 11,168,487
O	TOTAL ALL FUNDS		\$ 11,168,487

MCCLAIN GALLERY

The amount reappropriated for the foregoing appropriation item C25089, McClain Gallery, is the unencumbered balance as of June 30, 2020, in appropriation item C25089, McClain Gallery, plus the unencumbered balance as of June 30, 2020, in appropriation item C25087, AxessPointe Community Health Center.

Section 207.74. UCN UNIVERSITY OF CINCINNATI

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C26604	Barrett Cancer Center	\$ 2,027,594
D	C26615	Beech Acres	\$ 1,790
E	C26678	Muntz Hall - Blue Ash	\$ 3,802,946
F	C26687	Workforce Based Training and Equipment	\$ 279,075
G	C26695	Rhodes Hall Roof Replacement and Fire Suppression	\$ 550,000
H	C26697	Vontz Center Roof, Panel, and Window Replacements	\$ 8,171,822
I	C266A5	Rieveschl Hall Laboratory Renovations	\$ 6,101,157
J	C266A6	Kettering Exhaust Manifold and Roof	\$ 1,032,625

		Replacement	
K	C266A8	People Working Cooperatively Campus Safety Systems	\$ 75,000
L	C266B2	Ohio Cyber Range	\$ 1,350,000
M	TOTAL Higher Education Improvement Fund		\$ 23,392,009
N	TOTAL ALL FUNDS		\$ 23,392,009

VONTZ CENTER ROOF, PANEL, AND WINDOW REPLACEMENTS

The amount reappropriated for the foregoing appropriation item C26697, Vontz Center Roof, Panel, and Window Replacements, is the unencumbered balance as of June 30, 2020, in appropriation item C26697, Vontz Center Roof, Panel, and Window Replacements, plus the unencumbered balance as of June 30, 2020, in appropriation item C26681, Institutional Roof Replacement.

RIEVESCHL HALL LABORATORY RENOVATIONS

The amount reappropriated for the foregoing appropriation item C266A5, Rieveschl Hall Laboratory Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C266A5, Rieveschl Hall Laboratory Renovations, plus the unencumbered balance as of June 30, 2020, in appropriation items C26500, Basic Renovations and C26694, Rieveschl Roof Replacement and Rooftop Exhaust.

Section 207.76. UTO UNIVERSITY OF TOLEDO

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C34072	Building Automation System Upgrades	\$ 50,000
D	C34073	Mechanical System Improvements	\$ 19,886
E	C34080	Building Envelope/ Weatherproofing	\$ 50,000
F	C34089	Research Laboratory Renovations	\$ 21,622
G	C34097	North Engineering Lab/Classroom Renovations	\$ 50,000

H C34099	University of Toledo/Ohio State Highway Patrol Public Safety Facility	\$ 575,000
I C340A2	Virtual Laboratory Expansion	\$ 100,000
J C340A3	Application Security	\$ 123,073
K C340A5	ProMedica Transformative Low Income Medical Senior Housing	\$ 250,000
L	TOTAL Higher Education Improvement Fund	\$ 1,239,581
M	TOTAL ALL FUNDS	\$ 1,239,581

NORTH ENGINEERING LAB/CLASSROOM RENOVATIONS

The amount reappropriated for the foregoing appropriation item C34097, North Engineering Lab/Classroom Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C34097, North Engineering Lab/Classroom Renovations, plus \$309,816. Prior to the expenditure of this appropriation, the University of Toledo shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$309,816.

Section 207.78. WTC WASHINGTON STATE COMMUNITY COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C C35800	Basic Renovations		\$ 1,052,489
D C35807	WTC Health Sciences Center		\$ 31,904
E C35813	Workforce Based Training and Equipment		\$ 482,666
F C35814	Main Building Door and Window Replacement/ Drivit Repairs		\$ 519,047
G	TOTAL Higher Education Improvement Fund		\$ 2,086,106
H	TOTAL ALL FUNDS		\$ 2,086,106

BASIC RENOVATIONS

The amount reappropriated for the foregoing appropriation item

C35800, Basic Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C35800, Basic Renovations, plus \$45,730, plus the unencumbered balance as of June 30, 2020, in appropriation item C35815, Health Wellness & Education Facility Planning. Prior to the expenditure of this appropriation, the Washington State Community College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$45,730.

Section 207.80. WSU WRIGHT STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Taxable Fund (Fund 7024)		
C	C275	Advanced Manufacturing Center -	\$ 2,974
	66	CNC and Robotics Academy -	
		Taxable	
D	TOTAL Higher Education Improvement Taxable Fund		\$ 2,974
E	Higher Education Improvement Fund (Fund 7034)		
F	C27551	Veterans and Workforce Gateways	\$ 646,185
G	C27555	Advanced Manufacturing Center -	\$ 53,164
		CNC and Robotics Academ	
H	C27558	Dayton Regional Cyber Lab and	\$ 2,346
		Analyst Innovation Center	
I	C27567	Campus-wide Instructional	\$ 527,954
		Laboratory Modernization and	
		Maintenance	
J	C27569	Campus-wide Elevator Upgrades	\$ 1,072,625
K	C27570	Envelope Repairs	\$ 1,095,854
L	C27571	Wellfield Remediation	\$ 1,011,952
M	C27572	Electrical Infrastructure	\$ 1,357,450
N	C27574	Campus Infrastructure – Shoreline	\$ 27,124
		Renovation/ Stabilization - Lake	

O	C27575	Tri-Star STEM Project	\$ 500,000
P	C27576	Wright State Campus Connector Building - Lake	\$ 193,418
Q	C25577	Workforce Based Training and Equipment	\$ 216,468
R	C27578	University Safety Initiative	\$ 3,950,500
S	C27579	Pedestrian Tunnel Renewal	\$ 601,880
T	C27580	Campus Roof Renewal and Replacement	\$ 384,366
U	C27582	Campus Paving and Grounds	\$ 41,959
V	C27584	Dunbar Library Modernization	\$ 78,929
W	C27585	Campus Energy Efficiency and Controls	\$ 1,245,559
X	C27586	Fairborn Fiber Expansion Project	\$ 75,000
Y	TOTAL Higher Education Improvement Fund		\$ 13,082,733
Z	TOTAL ALL FUNDS		\$ 13,085,707

CAMPUS-WIDE INSTRUCTIONAL LABORATORY
MODERNIZATION AND MAINTENANCE

The amount reappropriated for the foregoing appropriation item C27567, Campus-wide Instructional Laboratory Modernization and Maintenance, is the unencumbered balance as of June 30, 2020, in appropriation item C27567, Campus-wide Instructional Laboratory Modernization and Maintenance, plus \$5,000. Prior to the expenditure of this appropriation, the Wright State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$5,000.

ENVELOPE REPAIRS

The amount reappropriated for the foregoing appropriation item C27570, Envelope Repairs, is the unencumbered balance as of June 30, 2020, in appropriation item C27570, Envelope Repairs, plus \$127,199. Prior to the expenditure of this appropriation, the Wright State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$127,199.

WELLFIELD REMEDIATION

The amount reappropriated for the foregoing appropriation item C27571, Wellfield Remediation, is the unencumbered balance as of June 30, 2020, in appropriation item C27571, Wellfield Remediation, plus \$10,999. Prior to the expenditure of this appropriation, the Wright State University shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,999.

Section 207.82. YSU YOUNGSTOWN STATE UNIVERSITY

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C34500	Basic Renovations	\$ 276,832
D	C34529	Workforce Based Training and Equipment	\$ 131,879
E	C34531	Campus Elevator Upgrades	\$ 57,374
F	C34534	Roof Renovations	\$ 5,694
G	C34536	Storm Water Upgrades	\$ 250,000
H	C34539	Edmund J. Salata Complex Renovation	\$ 300,000
I	C34540	Cushwa Hall Renovations	\$ 9,004
J	C34542	Campus-wide Building System Upgrades	\$ 54,196
K	C34544	Restroom Renovations	\$ 323,321
L	C34549	Ward Beecher Science Hall Renovations	\$ 290,052
M	C34550	Jones Hall Student Success Facility Upgrades	\$ 35,209
N	C34551	Academic Area Renovations and Upgrades	\$ 282,162
O	C34552	Meshel Hall Renovations	\$ 71,007
P	C34554	Mahoning Valley Innovation and	\$ 5,965,760

Commercialization Center

Q	C34556	Cushwa Hall Physical Therapy Renovations/ Expansion	\$ 1,031,395
R	C34557	Ward Beecher Science Hall Structural Improvements	\$ 1,612,836
S	C34558	Fedor Hall Renovations	\$ 887,175
T	C34559	Pedestrian Bridge Renovations	\$ 1,363,505
U	C34560	Campus Roof Replacements	\$ 383,050
V	C34561	Building Envelope Renovations	\$ 684,003
W	C34567	Western Reserve Port Authority	\$ 250,000
X	TOTAL Higher Education Improvement Fund		\$14,264,454.00
Y	TOTAL ALL FUNDS		\$ 14,264,454

WESTERN RESERVE PORT AUTHORITY

The amount reappropriated for the foregoing appropriation item C34567, Western Reserve Port Authority, is the unencumbered balance as of June 30, 2020, in appropriation item C34567, Western Reserve Port Authority, plus the unencumbered balance as of June 30, 2020, in appropriation item C74544, Western Reserve Port Authority.

Section 207.84. MAT ZANE STATE COLLEGE

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C36215	Workforce Based Training and Equipment	\$ 25,000
D	C36218	Zanesville Campus Renovations	\$ 800,000
E	C36224	IT Infrastructure	\$ 60,000
F	TOTAL Higher Education Improvement Fund		\$ 885,000
G	TOTAL ALL FUNDS		\$ 885,000

ZANESVILLE CAMPUS RENOVATIONS

The amount reappropriated for the foregoing appropriation item C36218, Zanesville Campus Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C36218, Zanesville Campus Renovations, plus \$1,659. Prior to the expenditure of this appropriation, the Zane State College shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,659.

Section 208.10. For all reappropriations in this act from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) that require local funds to be contributed by any state-supported or state-assisted institution of higher education, the Department of Higher Education shall not recommend that any funds be released until the recipient institution demonstrates to the Department of Higher Education and the Office of Budget and Management that the local funds contribution requirement has been secured or satisfied. The local funds shall be in addition to the reappropriations in this act.

Section 208.20. None of the capital reappropriations in this act for state-supported or state-assisted institutions of higher education shall be expended until the particular appropriation has been recommended for release by the Department of Higher Education and released by the Director of Budget and Management or the Controlling Board. Either the institution concerned, or the Department of Higher Education with the concurrence of the institution concerned, may initiate the request to the Director of Budget and Management or the Controlling Board for the release of the particular appropriation.

Section 208.30. (A) No capital reappropriations in this act made from the Higher Education Improvement Fund (Fund 7034) or the Higher Education Improvement Taxable Fund (Fund 7024) shall be released for planning or for improvement, renovation, construction, or acquisition of capital facilities if the institution of higher education or the state does not own the real property on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The institution has a long-term (at least twenty years) lease of, or other interest (such as an easement) in, the real property.

(2) The Department of Higher Education certifies to the Controlling Board that undue delay will occur if planning does not proceed while the property or property interest acquisition process continues. In this case, funds may be released upon approval of the Controlling Board to pay for planning through the development of schematic drawings only.

(3) In the case of a reappropriation for capital facilities that, because of their unique nature or location, will be owned or will be part of facilities owned by a separate nonprofit organization or public body and will be made

available to the institution of higher education for its use or benefit, the nonprofit organization or public body either owns or has a long-term (at least twenty years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement with the institution of higher education that meets the requirements of division (C) of this section.

(B) Any reappropriations that require cooperation between a technical college and a branch campus of a university may be released by the Controlling Board upon recommendation by the Department of Higher Education that the facilities proposed by the institutions are:

(1) The result of a joint planning effort by the university and the technical college, satisfactory to the Department of Higher Education;

(2) Facilities that will meet the needs of the region in terms of technical and general education, taking into consideration the totality of facilities that will be available after the completion of the projects;

(3) Planned to permit maximum joint use by the university and technical college of the totality of facilities that will be available upon their completion; and

(4) To be located on or adjacent to the branch campus of the university.

(C) The Department of Higher Education shall adopt and maintain rules regarding the release of moneys from all the appropriations for capital facilities for all state-supported or state-assisted institutions of higher education. In the case of capital facilities referred to in division (A)(3) of this section, the joint or cooperative use agreements shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than twenty years, with the value of such use or benefit or right to use to be, as is determined by the parties and approved by the Department of Higher Education, reasonably related to the amount of the appropriations;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use be terminated prior to the expiration of its full term;

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act; and

(4) Provide for payment or reimbursement to the institution of its administrative costs incurred as a result of the facilities project, not to exceed 1.5 per cent of the appropriated amount.

(D) Upon the recommendation of the Department of Higher Education, the Controlling Board may approve the transfer of appropriations for projects

requiring cooperation between institutions from one institution to another institution with the approval of both institutions.

(E) Notwithstanding section 127.14 of the Revised Code, the Controlling Board, upon the recommendation of the Department of Higher Education, may transfer amounts appropriated to the Department of Higher Education to accounts of state-supported or state-assisted institutions created for that same purpose.

Section 208.40. The requirements of Chapters 123. and 153. of the Revised Code, with respect to the powers and duties of the Executive Director of the Ohio Facilities Construction Commission as they relate to the procedure and awarding of contracts for capital improvement projects, and the requirements of section 127.16 of the Revised Code, with respect to the Controlling Board, do not apply to projects of community college districts and technical college districts.

Section 208.50. Those institutions locally administering capital improvement projects pursuant to sections 3345.50 and 3345.51 of the Revised Code may:

(A) Establish charges for recovering costs directly related to project administration as defined by the Executive Director of the Ohio Facilities Construction Commission. The Ohio Facilities Construction Commission, in consultation with the Office of Budget and Management, shall review and approve these administrative charges when the charges are in excess of 1.5 per cent of the total construction budget, provided that total administrative charges paid by the state do not exceed four per cent of the state's contribution to the total construction budget.

(B) Seek reimbursement from state capital appropriations to the institution for the in-house design services performed by the institution for the capital projects. Acceptable charges are limited to design document preparation work that is done by the institution. These reimbursable design costs shall be shown as "A/E fees" within the project's budget that is submitted to the Controlling Board or the Director of Budget and Management as part of a request for release of funds. The reimbursement for in-house design shall not exceed seven per cent of the estimated construction cost.

Section 208.60. The Director of Budget and Management may as necessary to maintain the exclusion from the calculation of gross income for federal income taxation purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1 et seq., with respect to obligations issued to fund projects appropriated from the Higher Education Improvement Fund:

(A) Transfer appropriations between the Higher Education Improvement Fund and the Higher Education Improvement Taxable Fund;

(B) Create new appropriation items within the Higher Education Improvement Taxable Fund and make transfers of appropriations to them for projects originally funded from appropriations made from the Higher Education Improvement Fund.

The projects that are funded under new appropriation items created in this manner shall automatically be designated as specific for purposes of section 126.14 of the Revised Code.

Section 209.10. ETC BROADCAST EDUCATIONAL MEDIA COMMISSION

	1	2	3
A	Reappropriations		
B	Higher Education Improvement Fund (Fund 7034)		
C	C37406	Network Operations Center Upgrades	\$ 3,330
D	C37412	OGT Facilities and Equipment	\$ 44,220
E	TOTAL Higher Education Improvement Fund		\$ 47,550
F	TOTAL ALL FUNDS		\$ 47,550

Section 211.10. CSR CAPITOL SQUARE REVIEW AND ADVISORY BOARD

	1	2	3
A	Reappropriations		
B	Underground Parking Garage Operating Fund (Fund 2080)		
C	C87402	Capitol Square Repair/Improvements	\$ 246,550
D	TOTAL Underground Parking Garage Operating Fund		\$ 246,550
E	Administrative Building Fund (Fund 7026)		
F	C87407	Statehouse	\$ 172,600

Repair/Improvements			
G	C87412	Capitol Square Security	\$ 49,265
H	C87414	CSRAB Warehouse	\$ 8,800
I	C87417	Statehouse Garage	\$ 4,290,257
Repair/Improvements			
J	TOTAL Administrative Building Fund		\$ 4,520,922
K	TOTAL ALL FUNDS		\$ 4,767,472

Section 213.10. DAS DEPARTMENT OF ADMINISTRATIVE SERVICES

	1	2	3
A	Reappropriations		
B	Building Improvement Fund (Fund 5KZ0)		
C	C10035	Building Improvement	\$ 25,000,000
D	TOTAL Building Improvement Fund		\$ 25,000,000
E	Administrative Building Taxable Bond Fund (Fund 7016)		
F	C10041	MARCS - Taxable	\$ 850,000
G	TOTAL Administrative Building Taxable Bond Fund		\$ 850,000
H	Administrative Building Fund (Fund 7026)		
I	C10000	Governor's Residence	\$ 1,100,996
J	C10010	Office Services Building Renovation	\$ 295,418
K	C10015	SOCC Renovations	\$ 6,073,549
L	C10019	25 S. Front Street Renovations	\$ 10,582
M	C10020	North High Building Complex Renovations	\$ 19,326,378
N	C10021	Office Space Planning	\$ 1,909,204

O	C10023	eSecure Ohio	\$ 137,016
P	C10031	Operations Facilities Improvement	\$ 1,457,206
Q	C10038	Riffe Renovations	\$ 1,130,110
R	C10043	Williams County MARCS Tower Project	\$ 250,000
S		TOTAL Administrative Building Fund	\$ 31,690,459
T		TOTAL ALL FUNDS	\$ 57,540,459

MARCS STEERING COMMITTEE AND STATEWIDE COMMUNICATIONS SYSTEM

There is hereby continued a Multi-Agency Radio Communications System (MARCS) Steering Committee consisting of the designees of the Directors of Administrative Services, Public Safety, Natural Resources, Transportation, Rehabilitation and Correction, and Budget and Management, and the State Fire Marshal or the State Fire Marshal's designee. The Director of Administrative Services or the Director's designee shall chair the Committee. The Committee shall provide assistance to the Director of Administrative Services for effective and efficient operation of MARCS as well as develop policies for the ongoing management of the system.

The Committee shall establish a subcommittee to represent MARCS users on the local government level. The chairperson of the subcommittee shall serve as a member of the MARCS Steering Committee.

The foregoing appropriation item C10041, MARCS - Taxable, shall be used to purchase or construct the components of MARCS that are not specific to any one agency. The equipment may include, but is not limited to, computer and telecommunications equipment used for the functioning and integration of the system, communications towers, tower sites, tower equipment, and linkages among towers. The Director of Administrative Services shall, with the concurrence of the MARCS Steering Committee, determine the specific use of funds. Expenditures from this appropriation shall not be subject to Chapters 123. and 153. of the Revised Code.

BUILDING IMPROVEMENT

The amount reappropriated for the foregoing appropriation item C10035, Building Improvement, is the unencumbered balance as of June 30, 2020, in appropriation item C10035, Building Improvement, plus \$14,532. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$14,532.

MARCS - TAXABLE

The amount reappropriated for the foregoing appropriation item C10041, MARCS - Taxable, is the unencumbered balance as of June 30, 2020, in appropriation item C10041, MARCS - Taxable, plus the unencumbered balance as of June 30, 2020, in appropriation item C10011, Statewide Communications System.

SOCC RENOVATIONS

The amount reappropriated for the foregoing appropriation item C10015, SOCC Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C10015, SOCC Renovations, plus \$79,082. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$79,082.

25 S. FRONT STREET RENOVATIONS

The amount reappropriated for the foregoing appropriation item C10019, 25 S. Front Street Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C10019, 25 S. Front Street Renovations, plus \$1,218. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,218.

NORTH HIGH BUILDING COMPLEX RENOVATIONS

The amount reappropriated for the foregoing appropriation item C10020, North High Building Complex Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C10020, North High Building Complex Renovations, plus \$50,108. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$50,108.

OFFICE SPACE PLANNING

The amount reappropriated for the foregoing appropriation item C10021, Office Space Planning, is the unencumbered balance as of June 30, 2020, in appropriation item C10021, Office Space Planning, plus \$17,305. Prior to the expenditure of this appropriation, the Department of Administrative Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$17,305.

WILLIAMS COUNTY MARCS TOWER PROJECT

The amount reappropriated for the foregoing appropriation item C10043, Williams County MARCS Tower Project, is the unencumbered balance as of June 30, 2020, in appropriation item C10043, Williams County MARCS Tower Project, plus \$250,000.

Section 215.10. AGR DEPARTMENT OF AGRICULTURE

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C70007	Building and Grounds	\$ 800,000
D	C70024	Building #22 Renovation	\$ 1,000,000
E	C70028	Delaware County Fairgrounds Grandstand Improvements Project	\$ 50,000
F	C70029	Crawford County Fairgrounds Improvements	\$ 30,000
G	TOTAL Administrative Building Fund		\$ 1,880,000
H	Clean Ohio Agricultural Easement Fund (Fund 7057)		
I	C70009	Clean Ohio Agricultural Easement	\$ 25,000,000
J	TOTAL Clean Ohio Agricultural Easement		\$ 25,000,000
K	TOTAL ALL FUNDS		\$ 26,880,000

BUILDING #22 RENOVATION

The amount reappropriated for the foregoing appropriation item C70024, Building #22 Renovation, is the unencumbered balance as of June 30, 2020, in appropriation item C70024, Building #22 Renovation, plus the unencumbered balance as of June 30, 2020, in appropriation item C70026, EPA Warehouse Facility.

DELAWARE COUNTY FAIRGROUNDS GRANDSTAND IMPROVEMENTS PROJECT

The amount reappropriated for the foregoing appropriation item C70028, Delaware County Fairgrounds Grandstand Improvements Project, is the unencumbered balance as of June 30, 2020, in appropriation item C70028, Delaware County Fairgrounds Grandstand Improvements Project, plus the unencumbered balance as of June 30, 2020, in appropriation item C23052, Little Brown Jug Facility Improvements.

CRAWFORD COUNTY FAIRGROUNDS IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item

C70029, Crawford County Fairgrounds Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C70029, Crawford County Fairgrounds Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C23054, Bucyrus Historic Depot Renovations.

Section 217.10. COM DEPARTMENT OF COMMERCE

	1	2	3
A	Reappropriations		
B	State Fire Marshal Fund (Fund 5460)		
C	C80023	SFM Renovations and Improvements	\$ 2,003,805
D	C80034	Fire Training Apparatus	\$ 191,631
E	TOTAL State Fire Marshal Fund		\$ 2,195,436
F	TOTAL ALL FUNDS		\$ 2,195,436

Section 219.10. DDD DEPARTMENT OF DEVELOPMENTAL DISABILITIES

	1	2	3
A	Reappropriations		
B	Mental Health Facilities Improvement Fund (Fund 7033)		
C	C59004	Community Assistance Projects	\$ 10,000
D	C59034	Statewide Developmental Centers	\$ 1,000,000
E	C59064	Heinzerling Community Facilities	\$ 350,000
F	C59066	Children's Home Autism Building	\$ 1,000,000
G	TOTAL Mental Health Facilities Improvement Fund		\$ 2,360,000
H	TOTAL ALL FUNDS		\$ 2,360,000

COMMUNITY ASSISTANCE PROJECTS

Capital reappropriations in this act made from appropriation item C59004, Community Assistance Projects, may be used to provide community assistance funds for the development, purchase, construction, or renovation of facilities for day programs or residential programs that provide services to persons eligible for services from the Department of Developmental Disabilities or county boards of developmental disabilities and shall be distributed by the Department of Developmental Disabilities subject to Controlling Board approval.

The amount reappropriated for the foregoing appropriation item C59004, Community Assistance Projects, is the unencumbered balance as of June 30, 2020, in appropriation item C59004, Community Assistance Projects, plus \$1,198,710. Prior to the expenditure of this appropriation, the Department of Developmental Disabilities shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$1,198,710.

STATEWIDE DEVELOPMENTAL CENTERS

The amount reappropriated for the foregoing appropriation item C59034, Statewide Developmental Centers, is the unencumbered balance as of June 30, 2020, in appropriation item C59034, Statewide Developmental Centers, plus \$89,939. Prior to the expenditure of this appropriation, the Department of Developmental Disabilities shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$89,939.

Section 221.10. MHA DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES

	1	2	3
A	Reappropriations		
B	Mental Health Facilities Improvement Fund (Fund 7033)		
C	C58001	Community Assistance Projects	\$ 18,000,000
D	C58007	Infrastructure Renovations	\$ 2,000,000
E	C58033	Salvation Army of Greater Cleveland Harbor Light Complex	\$ 350,000
F	C58044	Alvis Women Community Reentry Project	\$ 50,000

G	C58046	Summer Entrepreneurial Experience and Knowledge	\$ 100,000
H	C58047	TVBH Campus Redevelopment	\$ 80,000
I	C58048	Community Resiliency Projects	\$ 6,500,000
J	TOTAL Mental Health Facilities Improvement Fund		\$ 27,080,000
K	TOTAL ALL FUNDS		\$ 27,080,000

Section 221.13. COMMUNITY ASSISTANCE PROJECTS

Capital reappropriations in this act made from appropriation item C58001, Community Assistance Projects, may be used for facilities constructed or to be constructed pursuant to Chapter 340., 5119., 5123., or 5126. of the Revised Code or the authority granted by section 154.20 and other applicable sections of the Revised Code and the rules issued pursuant to those chapters and that section and shall be distributed by the Department of Mental Health and Addiction Services subject to Controlling Board approval.

The amount reappropriated for the foregoing appropriation item C58001, Community Assistance Projects, is the unencumbered balance as of June 30, 2020, minus \$600,000. The foregoing appropriation item C58001, Community Assistance Projects, shall be used to support the projects listed in this section unless the amounts are distributed prior to June 30, 2020.

	1	2	3
A	Project List		
B	Cuyahoga County Mental Health Jail Diversion Facility		\$ 700,000
C	Cornerstone of Hope - Cuyahoga County		\$ 500,000
D	Lorain County Recovery One Center Renovation		\$ 500,000
E	Tri-County One Wellness Place Troy Facility		\$ 450,000
F	Portage County Detoxification and Residential Treatment Center		\$ 400,000
G	Phillis Wheatley Home for Youth Aging Out of Foster Care		\$ 350,000
H	Opiate Treatment Center at Western Reserve Area on		\$ 300,000

Aging

I Alvis House Opiate Addiction Treatment Center	\$ 300,000
J Adams County Wilson Children's Home	\$ 250,000
K Lake County Painesville Addiction Recovery Center	\$ 160,000
L Maryhaven's Addiction Stabilization Center	\$ 125,000
M Talbert House Glenway Outpatient Treatment Center Renovations	\$ 75,000
N Child Focus Opiate Addiction Supervised Visitation Facility at Batavia	\$ 50,000

Section 221.15. INFRASTRUCTURE RENOVATIONS

The amount reappropriated for the foregoing appropriation item C58007, Infrastructure Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C58007, Infrastructure Renovations, plus \$585,587, plus the unencumbered balance as of June 30, 2020, in appropriation items C58000, Hazardous Materials Abatement, C58004, Demolition, C58008, Emergency Improvements, and C58010, Campus Consolidation. Prior to the expenditure of this appropriation, the Department of Mental Health and Addiction Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$585,587.

Section 221.20. COMMUNITY RESILIENCY PROJECTS

The foregoing appropriation item, C58048, Community Resiliency Projects, shall be used in support of the establishment, expansion, and renovation of programming spaces for individuals affected by behavioral health related issues, specifically targeting, to the extent possible, programming spaces for middle and high school age youth affected by behavioral health related issues.

Funds shall be awarded to projects through a process to be developed by the Department of Mental Health and Addiction Services that may take into account, but is not limited to, the following factors: the poverty rate of the community in which the facility is to be located, the breadth and nature of the plan to engage a broad spectrum of at-risk youth, support of community partners, readiness of the funding applicant to move forward with the project, and the array of supportive programming to be offered by the applicant. All projects shall comply with the community project standards and guidelines of the Department of Mental Health and Addiction Services.

Section 223.10. DNR DEPARTMENT OF NATURAL RESOURCES

	1	2	3
A	Reappropriations		
B	Wildlife Fund (Fund 7015)		
C	C725K9	Wildlife Area Building Development/Renovation	\$10,000,000. 00
D	TOTAL Wildlife Fund		\$ 10,000,000
E	Administrative Building Fund (Fund 7026)		
F	C725D5	Fountain Square Building and Telephone Improvement	\$ 1,000,000
G	C725D7	Multi-Agency Radio Communications Equipment	\$ 50,000
H	C725E0	DNR Fairgrounds Areas Upgrading	\$ 1,000
I	C725N7	District Office Renovations	\$ 1,000,000
J	TOTAL Administrative Building Fund		\$ 2,051,000
K	Ohio Parks and Natural Resources Fund (Fund 7031)		
L	C725E1	Local Parks Projects Statewide	\$ 1,200,000
M	C725E5	Project Planning	\$ 50,000
N	C725J0	Natural Areas and Preserves Maintenance Facility Development - Springville Carbon Rod Removal	\$ 400,000
O	C725K0	State Park Renovations/Upgrading	\$ 700,000
P	C725M0	Dam Rehabilitation	\$ 100,000
Q	C725N5	Wastewater/Water Systems Upgrades	\$ 500,000
R	C725T3	Healthy Lake Erie Initiative	\$ 2,000,000
S	TOTAL Ohio Parks and Natural Resources Fund		\$ 4,950,000

T	Parks and Recreation Improvement Fund (Fund 7035)		
U	C725A0	State Parks, Campgrounds, Lodges, Cabins	\$ 7,000,000
V	C725B5	Buckeye Lake Dam Rehabilitation	\$ 1,000
W	C725C4	Muskingum River Lock and Dam	\$ 2,000,000
X	C725E2	Local Parks, Recreation, and Conservation Projects	\$ 20,110,000
Y	C725E6	Project Planning	\$ 2,000,000
Z	C725L8	Statewide Trails Program	\$ 100,000
AA	C725N6	Wastewater/Water Systems Upgrades	\$ 3,500,000
AB	C725R3	State Parks Renovations/Upgrades	\$ 2,000,000
AC	C725R4	Dam Rehabilitation - Parks	\$ 4,000,000
AD	C725R5	Lake White State Park - Dam Rehabilitation	\$ 100,000
AE	C725U7	Eagle Creek Watershed Flood Mitigation	\$ 1,000
AF	TOTAL Parks and Recreation Improvement Fund		\$ 40,812,000
AG	Clean Ohio Trail Fund (Fund 7061)		
AH	C72514	Clean Ohio Trail Fund	\$ 1,100,000
AI	TOTAL Clean Ohio Trail Fund		\$ 1,100,000
AJ	Waterways Safety Fund (Fund 7086)		
AK	C725A7	Cooperative Funding for Boating Facilities	\$ 5,000,000
AL	C725N9	Operations Facilities	\$ 2,000,000

AM	TOTAL Waterways Safety Fund	\$ 7,000,000
AN	TOTAL ALL FUNDS	\$ 65,913,000

FEDERAL REIMBURSEMENT

All reimbursements received from the federal government for any expenditures made pursuant to this section shall be deposited in the state treasury to the credit of the fund from which the expenditure originated.

Section 223.15. LOCAL PARKS, RECREATION, AND CONSERVATION PROJECTS

The amount reappropriated from the foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, shall be equal to the amount of all unreleased local parks projects and allowable administrative costs specified in this section, unless amounts are released prior to June 30, 2020. Prior to the expenditure of this appropriation, the Department of Natural Resources shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$52,144.

Of the foregoing appropriation item C725E2, Local Parks, Recreation, and Conservation Projects, an amount equal to two per cent of the projects listed may be used by the Department of Natural Resources for the administration of local projects.

	1	2	3
A	Project List		
B	Lakefront Pedestrian Bridge	\$	3,500,000
C	Flats East Development	\$	2,000,000
D	City of Cleveland - Lakefront Access Project	\$	1,500,000
E	Bridge to Wendy Park	\$	1,000,000
F	Worthington Pools Renovation	\$	1,000,000
G	Dublin Bridge Park and Greenways Project	\$	650,000
H	The REC at Crawford Commons Facility	\$	500,000
I	Buckeye Lake Feeder Channel Restoration	\$	400,000
J	Buckeye Lake Public Pier	\$	400,000
K	Danny Thomas Park Renovation	\$	400,000

L	Lincoln Park Stadium and Field Restoration	\$	400,000
M	Miami Canal Trail Extension at Gilmore MetroPark	\$	350,000
N	Dover Riverfront Trailhead Connector	\$	350,000
O	Glenford Earthworks Phase III	\$	300,000
P	Solon-Chagrin Falls Multi-purpose Trail	\$	300,000
Q	Wadsworth City Park	\$	300,000
R	Tiffin Recreation, Arts and Learning Park	\$	300,000
S	Wooster Venture Boulevard Park Project	\$	300,000
T	Muskingum River Lock and Dam	\$	250,000
U	New Bremen Bike Path	\$	250,000
V	Grand Lake Shoreline Water Quality Improvements	\$	250,000
W	Jeffrey Mansion Expansion Project	\$	250,000
X	Montgomery Gateway Keystone Park	\$	250,000
Y	Village of Woodmere Chagrin Valley Gateway Pedestrian Trail	\$	215,000
Z	Dayton Webster Station Landing	\$	200,000
AA	Little Miami State Park/Little Miami Trail	\$	200,000
AB	South Point Community Recreation Center	\$	200,000
AC	Union and Rome Townships Trails Project	\$	200,000
AD	Marion Tallgrass Trail	\$	150,000
AE	Harrisburg Baseball Complex	\$	150,000
AF	Mill Creek Valley Conservancy District Corridor Revitalization	\$	150,000
AG	Moberly Branch Connector Trail - Pedestrian	\$	150,000

Bridge

AH	Montville Township Park Improvements	\$	150,000
AI	Medina County Rocky River Trail West Branch	\$	150,000
AJ	Clearcreek Hazel Woods Bike Connector	\$	150,000
AK	Redskin Memorial Park Playground	\$	145,000
AL	Cahoon Memorial Park Improvements	\$	130,000
AM	Fairlawn Gully Water Quality Basins	\$	125,000
AN	Bremenfest Shelterhouse	\$	100,000
AO	Deer Park Community Center Renovation & Trailhead	\$	100,000
AP	Fairfax Ziegler Park Improvements	\$	100,000
AQ	Steubenville Ohio River Marina Improvement Project	\$	100,000
AR	City of Sylvania SOMO Project	\$	100,000
AS	Brunswick Hills Township Park	\$	100,000
AT	Scippo Creek Conservation	\$	75,000
AU	Jackson Street Pier and Shoreline Drive Revitalization Project	\$	75,000
AV	Western Reserve Greenway Bike Trail	\$	75,000
AW	Mary Fate Park Improvements	\$	60,000
AX	Gallipolis Pool Project	\$	52,144
AY	Miami Erie Canal Cleanup	\$	50,000
AZ	James Day Park Warrior Run	\$	50,000
BA	Jefferson Park Recreation Upgrades	\$	50,000
BB	Rocky Fork State Park Water and Electrical Upgrade	\$	50,000
BC	Avon Lake Veterans Park Gazebo	\$	50,000

BD	Camp Sherman Park	\$	50,000
BE	Willard Splash Pad and Park Improvements	\$	50,000
BF	Bruce L. Chapin Bridge - Northcoast Inland Trail	\$	45,000
BG	Beaver Park Sports Field	\$	40,000
BH	Village of Highland Hills Gazebo	\$	35,000
BI	Monroeville Clark Park - North Coast Inland Trail Connection	\$	33,000
BJ	Camp McKinley Improvements	\$	30,000
BK	Crestline Park Lighting	\$	25,000
BL	Ohio City Warrior Trail Extension Phase 2	\$	22,000
BM	Waverly Canal Park	\$	20,000
BN	Clifton to Yellow Springs Bike Trail	\$	20,000
BO	Waverly Canal Park	\$	20,000
BP	Seville Memorial Park Public Restroom Facilities	\$	15,000
BQ	Hinkley Township Park	\$	13,000
BR	Shiloh Firestone Park Restoration	\$	12,000
BS	Village of Albany Bike Paths	\$	10,000

Section 223.20. For the projects for which reappropriations are made in this act from the Parks and Recreation Improvement Fund (Fund 7035), the Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on the estimates, the Director of Budget and Management may release appropriations from appropriation item C725E6, Project Planning, within Fund 7035, to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these

expenses from the Parks Capital Expenses Fund (Fund 2270), and be reimbursed by Fund 7035 using an intrastate voucher.

Section 223.30. For the projects for which reappropriations are made in this act from the Ohio Parks and Natural Resources Fund (Fund 7031), the Ohio Department of Natural Resources shall periodically prepare and submit to the Director of Budget and Management the estimated design, planning, and engineering costs of capital-related work to be done by the Department of Natural Resources for each project. Based on those estimates, the Director of Budget and Management may release appropriations from appropriation item C725E5, Project Planning, within Fund 7031 to pay for design, planning, and engineering costs incurred by the Department of Natural Resources for the projects. Upon release of the appropriations by the Director of Budget and Management, the Department of Natural Resources shall pay for these expenses from the Capital Expenses Fund (Fund 4S90) and be reimbursed by Fund 7031 using an intrastate voucher.

Section 225.10. DOT DEPARTMENT OF TRANSPORTATION

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C77706	Allen County Building Demolition, Maintenance, or Construction	\$ 200,000
D	TOTAL Administrative Building Fund		\$ 200,000
E	Transportation Building Fund (Fund 7029)		
F	C77705	Statewide Land and Buildings	\$ 25,000,000
G	TOTAL Transportation Building Fund		\$ 25,000,000
H	TOTAL ALL FUNDS		\$ 25,200,000

STATEWIDE LAND AND BUILDINGS

The amount reappropriated for the foregoing appropriation item C77705, Statewide Land and Buildings, is the unencumbered balance as of June 30, 2020, in appropriation item C77705, Statewide Land and Buildings, plus \$5,000,000. Prior to the expenditure of this appropriation, the Department of Transportation shall certify to the Director of Budget and Management lapsed prior year appropriation of at least \$5,000,000.

Section 227.10. DPS DEPARTMENT OF PUBLIC SAFETY

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C76035	Alum Creek Facility Renovations and Upgrades	\$ 500,000
D	C76036	Shiplely Building Renovations and Improvements	\$ 292,409
E	C76044	OSHP Headquarters/Post Renovations and Improvements	\$ 700,000
F	C76045	OSHP Academy Renovations and Improvements	\$ 85,591
G	C76049	EMA Building Renovations and Improvements	\$ 12,702
H	C76050	OSHP Dispatch Center Renovations and Improvements	\$ 500,000
I	C76060	Medina County Safety Services Complex	\$ 400,000
J	C76061	Warren County Drug Taskforce Headquarters	\$ 500,000
K	C76067	Radiological Calibration Laboratory Relocation	\$ 850,000
L	TOTAL Administrative Building Fund		\$ 3,840,702
M	TOTAL ALL FUNDS		\$ 3,840,702

OSHP HEADQUARTERS/POST RENOVATIONS AND IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C76044, OSHP Headquarters/Post Renovations and Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C76044, OSHP Headquarters/Post Renovations and Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C76043, Minor Capital Projects.

Section 229.10. DRC DEPARTMENT OF REHABILITATION AND

CORRECTION

	1	2	3
A	Reappropriations		
B	Adult Correctional Building Fund (Fund 7027)		
C C50100	Local Jails		\$ 4,525,000
D C50101	Community-Based Correctional Facilities		\$ 13,602,598
E C50105	Water System/Plant Improvements		\$ 2,000,000
F C50114	Community Residential Program		\$ 1,219,535
G C50136	General Building Renovations		\$ 10,000,000
H	TOTAL Adult Correctional Building Fund		\$ 31,347,133
I	TOTAL ALL FUNDS		\$ 31,347,133

COMMUNITY-BASED CORRECTIONAL FACILITIES

The amount reappropriated for the foregoing appropriation item C50101, Community-Based Correctional Facilities, is the unencumbered balance as of June 30, 2020, in appropriation item C50101, Community-Based Correctional Facilities, plus \$222,864. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$222,864.

WATER SYSTEM/PLANT IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C50105, Water System/Plant Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C50105, Water System/Plant Improvements, plus \$12,983. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$12,983.

COMMUNITY RESIDENTIAL PROGRAM

The amount reappropriated for the foregoing appropriation item C50114, Community Residential Program, is the unencumbered balance as of June 30, 2020, in appropriation item C50114, Community Residential

Program, plus \$9,549. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$9,549.

GENERAL BUILDING RENOVATIONS

The amount reappropriated for the foregoing appropriation item C50136, General Building Renovations, is the unencumbered balance as of June 30, 2020, in appropriation item C50136, General Building Renovations, plus \$3,289,709. Prior to the expenditure of this appropriation, the Department of Rehabilitation and Correction shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$3,289,709.

Section 229.20. LOCAL JAILS

The amount reappropriated for the foregoing appropriation item C50100, Local Jails, shall be equal to the amount of all projects specified in this section, unless the amounts are released prior to June 30, 2020.

	1	2	3
A	Project List		
B	Hamilton County Justice Center Capacity and Recovery Expansion		\$ 2,500,000
C	Warren County Jail Interceptor Center		\$ 750,000
D	Barberton Municipal Jail		\$ 500,000
E	Columbiana County Jail		\$ 250,000
F	Fayette County Adult Detention Facility		\$ 225,000
G	Tuscarawas County Jail		\$ 200,000
H	Allen County Jail Facility		\$ 100,000

Section 229.25. COMMUNITY-BASED CORRECTIONAL FACILITIES

For capital reappropriations in this act made from appropriation item C50101, Community-Based Correctional Facilities, the Department of Rehabilitation and Correction shall designate the projects involving the construction and renovation of single-county and district community-based correctional facilities.

The Department of Rehabilitation and Correction may review and

approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department of Rehabilitation and Correction.

The Department of Rehabilitation and Correction shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the facility and to comply with timelines for the submission of documentation pertaining to the site, program, and construction.

Section 229.30. COMMUNITY RESIDENTIAL PROGRAM RENOVATIONS

Capital reappropriations in this act made from appropriation item C50114, Community Residential Program, may be used by the Department of Rehabilitation and Correction, pursuant to sections 5120.103 to 5120.105 of the Revised Code, to provide for the construction or renovation of halfway house facilities for offenders eligible for community supervision by the Department of Rehabilitation and Correction.

Section 231.10. DVS DEPARTMENT OF VETERANS SERVICES

	1	2	3
A	Reappropriations		
B	Nursing Home – Federal Fund (Fund 3190)		
C	C90067	S-Veterans Hall HVAC Mechanical Upgrade	\$ 81,784
D	C90074	Sandusky Renovation Federal	\$ 3,172,190
E	C90077	Georgetown Renovation Federal	\$ 1,330,575
F	C90082	Information Technology Federal	\$ 778,260
G	TOTAL Nursing Home - Federal Fund		\$ 5,362,809
H	Veterans' Home Improvement Fund (Fund 6040)		
I	C90066	S-Veterans Hall HVAC Mechanical Upgrade	\$ 44,037
J	C90075	Sandusky Renovation State	\$ 2,333,498
K	C90078	Georgetown Renovation State	\$ 716,463

L	TOTAL Veterans' Home Improvement Fund	\$ 3,093,998
M	TOTAL ALL FUNDS	\$ 8,456,807

Section 233.10. DYS DEPARTMENT OF YOUTH SERVICES

	1	2	3
A	Reappropriations		
B	Juvenile Correctional Building Fund (Fund 7028)		
C	C47001	Fire Suppression, Safety, and Security	\$ 500,000
D	C47002	General Institutional Renovations	\$ 1,000,000
E	C47003	Community Rehabilitation Centers	\$ 280,275
F	C47007	Local Juvenile Detention Centers	\$ 93,000
G	C47025	Cuyahoga Housing Replacement	\$ 6,981,385
H	C47027	Ashtabula Juvenile Court Resources and Reporting Center Improvements	\$ 500,000
I	TOTAL Juvenile Correctional Building Fund		\$ 9,354,660
J	TOTAL ALL FUNDS		\$ 9,354,660

FIRE SUPPRESSION/SAFETY/SECURITY

The amount reappropriated for the foregoing appropriation item C47001, Fire Suppression/Safety/Security, is the unencumbered balance as of June 30, 2020, in appropriation item C47001, Fire Suppression/Safety/Security, plus \$206,479. Prior to the expenditure of this appropriation, the Department of Youth Services shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$206,479.

Section 233.20. COMMUNITY REHABILITATION CENTERS

For capital reappropriations in this act made from appropriation item C47003, Community Rehabilitation Centers, the Department of Youth Services shall designate the projects involving the construction and renovation of single-county and multicounty community corrections facilities.

The Department of Youth Services may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated and approved by the Department

of Youth Services.

The Department of Youth Services shall adopt guidelines to accept and review applications and designate projects. The guidelines shall require the county or counties to justify the need for the facility and to comply with timelines for the submission of documentation pertaining to the site, program, and construction.

For purposes of this section, "community corrections facilities" has the same meaning as in section 5139.36 of the Revised Code.

Section 233.30. LOCAL JUVENILE DETENTION CENTERS

For capital appropriations or reappropriations in this act made from appropriation item C47007, Local Juvenile Detention Centers, the Department of Youth Services shall designate the projects involving the construction and renovation of county and multicounty juvenile detention centers.

The Department of Youth Services may review and approve the renovation and construction of projects for which funds are provided. The proceeds of any obligations authorized under this section shall not be applied to any such facilities that are not designated by the Department of Youth Services.

The Department of Youth Services shall comply with the guidelines set forth in this section, accept and review applications, designate projects, and determine the amount of state match funding to be applied to each project. The department shall, with the advice of the county or counties participating in a project, determine the funded design capacity of the detention centers that are designated to receive funding. Notwithstanding any provisions to the contrary contained in Chapter 153. of the Revised Code, the Department of Youth Services may coordinate, review, and monitor the drawdown and use of funds for the renovation and construction of projects for which designated funds are provided.

(A) The Department of Youth Services shall develop a formula to determine the amount, if any, of state match that may be provided to a single county or multicounty detention center project.

(B) The formula developed by the Department of Youth Services shall yield a percentage of state match ranging from zero to sixty per cent. The funding authorized under this section that may be applied to a construction or renovation project shall not exceed the actual cost of the project.

The funding authorized under this section shall not be applied to any project unless the detention center will be built in compliance with health, safety, and security standards for detention centers as established by the Department of Youth Services. In addition, the funding authorized under this section shall not be applied to the renovation of a detention center unless the renovation is for the purpose of increasing the number of beds in the center, or

to meet health, safety, or security standards for detention centers as established by the Department of Youth Services.

Section 234.10. DEV DEVELOPMENT SERVICES AGENCY

	1	2	3
A	Reappropriations		
B	Coal Research and Development Fund (Fund 7046)		
C	C19505	Coal Research and Development	\$ 5,500,000
D	TOTAL	Coal Research and Development Fund	\$ 5,500,000
E	Service Station Cleanup Fund (Fund 7100)		
F	C19507	Service Station Cleanup	\$ 3,500,000
G	TOTAL	Service Station Cleanup Fund	\$ 3,500,000
H	TOTAL ALL FUNDS		\$ 9,000,000

Section 234.20. SERVICE STATION CLEANUP FUND

(A) For purposes of this section:

(1) "Political subdivision" means a county, municipal corporation, township, port authority, or a county land reutilization corporation organized under Chapter 1724. of the Revised Code.

(2) "Class C release" has the same meaning as in section 3737.87 of the Revised Code.

(3) "Property assessment" means a property assessment conducted in accordance with section 3746.04 of the Revised Code or a corrective action process or source investigation process under section 1301:7-9-13 of the Ohio Administrative Code.

(4) "Property owner" means a political subdivision, an organization that owns publicly owned lands, or, with respect to land forfeited to the state under Chapter 5723. of the Revised Code, a county land reutilization corporation.

(5) "Cleanup or remediation" means any action at a Class C release site to contain, remove, or dispose of petroleum or other hazardous substances or remove underground storage tanks used to store petroleum or other hazardous substances.

(6) "Publicly owned lands" includes lands that are owned by an

organization that has entered into a relevant agreement with a political subdivision and lands forfeited to the state under Chapter 5723. of the Revised Code.

(B) The Abandoned Gas Station Cleanup Grant Program is established in the Development Services Agency for the purpose of cleanup and remediation of Class C release sites to provide for and enable the environmentally safe and productive reuse of publicly owned lands by the remediation or cleanup, or planning and assessment for that remediation or cleanup, of contamination or by addressing property conditions or circumstances that may be deleterious to public health and safety or the environment or that preclude or inhibit environmentally sound or economic reuse of the property as authorized by Section 2o of Article VIII, Ohio Constitution. Under this program, the Director of Development Services may do either or both of the following:

(1) Award a grant of up to \$100,000 to a property owner for purposes of a property assessment on a Class C release site;

(2) Award a grant of up to \$500,000 to a property owner for purposes of cleanup or remediation of a Class C release site.

Grants under divisions (B)(1) and (2) of this section shall be used by a property owner to create a site that provides opportunities for economic impact through redevelopment. The Director of Development Services may consult with the Environmental Protection Agency, the State Fire Marshal, the Ohio Water Development Authority, and the Ohio Public Works Commission in connection with this program and the awarding of these grants. Sections 122.651 to 122.658 of the Revised Code do not apply to this program.

(C) A property owner applying for a grant under division (B)(1) or (2) of this section shall submit an application for the grant on a form prescribed by the Director of Development Services.

An authorized representative of the property owner shall sign and submit an affidavit with the application certifying that the property owner did not cause or contribute to any prior release of petroleum or other hazardous substances on the site.

Upon receipt of an application, the Director shall examine the application and all accompanying information to determine if the application is complete. If the Director determines that the application is not complete, the Director shall promptly notify the property owner that the application is not complete, provide a description of the information that is missing from the application, and return the application and all accompanying information to the property owner. The property owner may resubmit the application.

If the Director approves an application under this section, the Director may enter into an agreement with the property owner to award a grant to the

property owner. The agreement shall be executed prior to paying or disbursing any grant funds approved by the Director under this section. With respect to a grant awarded to a county land reutilization corporation for land that has been forfeited to the state under Chapter 5723. of the Revised Code, the agreement shall require that the land be transferred to the corporation prior to the payment or disbursement of the grant funds.

Section 235.10. EXP EXPOSITIONS COMMISSION

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C72305	Facility Improvements and Modernization	\$ 243,084
D	C72312	Renovations and Equipment Replacement	\$ 300,000
E	TOTAL Administrative Building Fund		\$ 543,084
F	TOTAL ALL FUNDS		\$ 543,084

Section 237.10. FCC FACILITIES CONSTRUCTION COMMISSION

	1	2	3
A	Reappropriations		
B	Capital Donations Fund (Fund 5A10)		
C	C230E2	Capital Donations	\$ 1,798,801
D	TOTAL Capital Donations Fund		\$ 1,798,801
E	Public School Building Fund (Fund 7021)		
F	C23001	Public School Buildings	\$ 37,000,000
G	C230W4	Community School Classroom Facilities Assistance	\$ 11,964,763
H	TOTAL Public School Building Fund		\$ 48,964,763
I	Administrative Building Fund (Fund 7026)		

AB	C230AZ	Madcap Productions - New Madcap Puppet Theater	\$ 200,000
AC	C230BB	Golf Manor Volunteer Park Outdoor Amphitheater	\$ 45,000
AD	C230BF	Malinta Ohio Historical Site Rehabilitation	\$ 19,000
AE	C230BL	Fairport Harbor Lighthouse Project	\$ 200,000
AF	C230BR	Amherst Historical Water Tower Project	\$ 40,000
AG	C230BV	Downtown Toledo Music Hall	\$ 400,000
AH	C230CH	Mt. Perry Scenic Railroad Structure Renovations	\$ 125,000
AI	C230CL	Everts Community & Arts Center	\$ 200,000
AJ	C230CM	Waverly Old Children's Home Renovation	\$ 20,000
AK	C230CN	Garrettsville Buckeye Block Community Theatre	\$ 700,000
AL	C230DL	Marysville Avalon Theatre Renovations	\$ 300,000
AM	C230DU	Kister Water Mill and Education Center	\$ 200,000
AN	C230DV	Wayne Center for the Arts	\$ 150,000
AO	C230EC	Triumph of Flight	\$ 250,000
AP	C230EF	Dayton Aviation Park	\$ 1,000,000
AQ	C230EN	OHS - Collections Storage Facilities Expansion	\$ 14,828,000
AR	C230FM	Cultural and Sports Facilities	\$ 48,086,000

Projects

AS	C230J6	West Side Market Renovation	\$	500,000
AT	C230J7	Cardinal Center	\$	75,000
AU	C230K3	African-American Legacy Project	\$	75,000
AV	C230L3	Harmony Project	\$	300,000
AW	C230N5	Logan Theater	\$	25,000
AX	C230P3	Sterling Theater Revitalization Project	\$	72,000
AY	C230Q4	Toledo Repertoire Theatre	\$	150,000
AZ	C230Q8	Stambaugh Auditorium	\$	1,000,000
BA	C230R5	Wright Company Factory Project	\$	250,000
BB	C230R8	National Ceramic Museum and Heritage Center Renovation	\$	100,000
BC	C230X8	Riverside Veterans Memorial	\$	15,000
BD	C230Y6	Ashtabula Maritime and Surface Transportation Museum	\$	100,000
BE	C230Y7	Ashtabula Covered Bridge Festival Entertainment Pavilion	\$	100,000
BF	C230Z8	Brooklyn John Frey Park	\$	90,000
BG		TOTAL Cultural and Sports Facilities Building Fund	\$	72,572,979
BH		School Building Program Assistance Fund (Fund 7032		
BI	C23002	School Building Program Assistance	\$	56,300,000
BJ	C23011	Corrective Action Program Grants	\$	2,331,865

BK	C23018	STEM Facility Assistance	\$ 20,000
BL	TOTAL School Building Program Assistance Fund		\$ 58,651,865
BM	TOTAL ALL FUNDS		\$ 185,560,812

OHS - ONLINE PORTAL TO OHIO'S HERITAGE

The amount reappropriated for the foregoing appropriation item C23057, OHS - Online Portal to Ohio's Heritage, is the unencumbered balance as of June 30, 2020, in appropriation item C23057, OHS - Online Portal to Ohio's Heritage, plus \$10,123. Prior to the expenditure of this appropriation, the Facilities Construction Commission shall certify to the Director of Budget and Management canceled encumbrances in the amount of at least \$10,123.

PUBLIC SCHOOL BUILDINGS

The amount reappropriated for the foregoing appropriation item C23001, Public School Buildings, is the unencumbered balance as of June 30, 2020, in appropriation item C23001, Public School Buildings, plus the unencumbered balance as of June 30, 2020, in appropriation item C230X9, Lead Plumbing Fixture Replacement.

Section 237.13. STATE AGENCY PLANNING/ASSESSMENT

Capital reappropriations in this act made from appropriation item C230E5, State Agency Planning/Assessment, shall be used by the Facilities Construction Commission to provide assistance to any state agency for assessment, capital planning, and maintenance management.

Section 237.15. CULTURAL AND SPORTS FACILITIES PROJECTS

The amount reappropriated from the foregoing appropriation item C230FM, Cultural and Sports Facilities Projects, shall be equal to the amount of all projects specified in this section, unless the amounts are released prior to June 30, 2020.

	1	2	3
A	Project List		
B	Columbus Crew SC Stadium		\$ 20,000,000
C	FC Cincinnati Stadium		\$ 4,000,000
D	Cleveland Museum of Natural History		\$ 2,500,000

Phase II

E	Cleveland Museum of Art Holden Terrace	\$ 1,250,000
F	Cincinnati Playhouse in the Park Theater Project	\$ 1,200,000
G	Playhouse Square Parking District Improvement	\$ 1,000,000
H	BalletMet Renovation and Building Connector	\$ 1,000,000
I	North Market Grand Atrium	\$ 1,000,000
J	Cincinnati Art Museum Building Envelope Improvements	\$ 1,000,000
K	Imagination Station Theater Experience	\$ 1,000,000
L	Dayton Arcade Innovation Hub	\$ 1,000,000
M	Playhouse Square Theater Improvements	\$ 850,000
N	Renaissance of Duncan Plaza	\$ 750,000
O	Akron Civic Theater Restoration and Expansion	\$ 675,000
P	Holmes County Center for the Arts Facility	\$ 600,000
Q	Ohio Aviation Hall of Fame	\$ 550,000
R	Flats East Bank Performance Stage	\$ 500,000
S	King Arts Complex Renovations	\$ 500,000
T	SeaGate Convention Centre Renovation	\$ 500,000
U	Majestic Theater	\$ 500,000
V	Kettering Rosewood Arts Center Renovation	\$ 450,000
W	Restoration of John Brown House	\$ 400,000

X	Lake View Cemetery Garfield Memorial Preservation	\$	350,000
Y	Mazza Museum S.T.E.(A.)M. Exhibit Gallery	\$	350,000
Z	Lynchburg Covered Bridge	\$	350,000
AA	Kister Water Mill and Education Center Improvements	\$	350,000
AB	Dublin North Market Bridge Park	\$	350,000
AC	LaSalle Arts & Media Center Redevelopment	\$	300,000
AD	National Museum of the Great Lakes Expansion	\$	300,000
AE	Ashtabula Lighthouse Restoration & Preservation	\$	280,000
AF	Gordon Square Arts District Theatre Renovations	\$	250,000
AG	Yoctangee Park Historic Armory	\$	250,000
AH	Hale Farm & Village Capital Improvement Project	\$	250,000
AI	Springboro Performing Arts Center	\$	250,000
AJ	World Heritage and Visitor Center	\$	230,000
AK	Delaware Arts Castle Improvements	\$	225,000
AL	Wellston Pride Park Depot	\$	225,000
AM	Lilly Weston House Improvements	\$	200,000
AN	Upper Arlington Veterans Memorial	\$	200,000
AO	Wolcott House Heritage Center	\$	200,000
AP	Peninsula Grand Army of the Republic Hall Improvements	\$	200,000

AQ	Van Wert County Niswonger Performing Arts Center	\$	200,000
AR	Unionville Tavern Restoration Structural Rehabilitation	\$	185,000
AS	Cozad-Bates House Interpretive Center and Cultural Park Renovations	\$	180,000
AT	Wright Factory Unit - Dayton	\$	175,000
AU	Village of Genoa Civic Theater Renovations	\$	150,000
AV	Williams County Fountain City Amphitheatre Park	\$	150,000
AW	Evendale Cultural Arts Center ADA Compliance	\$	125,000
AX	Lorain County Historical Society	\$	112,000
AY	Cleveland Museum of Contemporary Art	\$	100,000
AZ	Levi Scofield Mansion Transformation	\$	100,000
BA	El Mercado at La Villa Hispana Cultural Revitalization	\$	100,000
BB	Mayfield Civic Center Theater Renovation	\$	100,000
BC	Leesburg Historic B & O Rail Depot	\$	100,000
BD	The Funk Music Hall of Fame & Exhibition Center	\$	100,000
BE	Jacob Miller's Tavern Renovation	\$	100,000
BF	Morris-Sharp Estate Restoration Project	\$	75,000
BG	Mantua Township Historic Building Upgrades	\$	75,000
BH	Medina County and Brunswick Historical Societies Project	\$	64,000

BI	Motts Military Museum - Improvements	\$	50,000
BJ	Clark Gable Facility Improvements	\$	50,000
BK	Tiffin History Museum Improvements	\$	50,000
BL	Avalon Uptown Theatre Restoration	\$	50,000
BM	Platt R. Spencer House Preservation	\$	25,000
BN	Bucyrus Bicentennial Arch Project	\$	25,000
BO	Fairborn Military Veterans Memorial	\$	25,000
BP	1872 German Furniture Factory Project	\$	25,000
BQ	French Art Colony Renovations	\$	15,000

Section 237.20. SCHOOL BUILDING PROGRAM ASSISTANCE

Capital reappropriations in this act made from appropriation item C23002, School Building Program Assistance, shall be used by the Facilities Construction Commission to provide funding to school districts that receive conditional approval from the Commission pursuant to Chapter 3318. of the Revised Code.

Section 237.30. CORRECTIVE ACTION PROGRAM GRANTS

The foregoing appropriation item C23011, Corrective Action Program Grants, may be used to provide funding to bring facilities up to Ohio School Design Manual standards for a project funded pursuant to sections 3318.01 to 3318.20 or 3318.40 to 3318.45 of the Revised Code for the correction of work that is found after occupancy of the facility to be defective, or to have been omitted. Funding shall only be provided for work if the impacted school district notifies the Executive Director of the Ohio Facilities Construction Commission within five years after occupancy of the facility for which the district seeks the funding. The Commission may provide funding assistance necessary to take corrective measures after evaluating defective or omitted work. If the work to be corrected or remediated is part of a project not yet completed, the Commission may amend the project agreement to increase the project budget and use corrective action funding to provide the state portion of the amendment. If the work to be corrected or remediated was part of a completed project and funds were retained or transferred pursuant to division (C) of section 3318.12 of the Revised Code, the Commission may enter into a new agreement to address the necessary corrective action. The Commission shall assess responsibility for the defective or omitted work and seek cost recovery from responsible parties, if applicable. Any funds recovered shall be

applied first to the district portion of the cost of the corrective action. Any remaining funds shall be applied to the state portion and deposited into the School Building Program Assistance Fund (Fund 7032).

HAZARDOUS SUBSTANCE ABATEMENT IN STATE FACILITIES

The foregoing appropriation item C230E3, Hazardous Substance Abatement, shall be used to fund the removal of asbestos, PCB, radon gas, and other contamination hazards from state facilities.

Prior to the release of funds for asbestos abatement, the Ohio Facilities Construction Commission shall review proposals from state agencies to use these funds for asbestos abatement projects based on criteria developed by the Ohio Facilities Construction Commission. Upon a determination by the Ohio Facilities Construction Commission that the requesting agency cannot fund the asbestos abatement project or other toxic materials removal through existing capital and operating appropriations, the Commission may request the release of funds for such projects by the Controlling Board. State agencies intending to fund asbestos abatement or other toxic materials removal through existing capital and operating appropriations shall notify the Executive Director of the Ohio Facilities Construction Commission of the nature and scope prior to commencing the project.

Only agencies that have received appropriations for capital projects from the Administrative Building Fund (Fund 7026) are eligible to receive funding from this item. Public school districts are not eligible.

ENERGY CONSERVATION PROJECT

The foregoing appropriation item C23016, Energy Conservation Project, shall be used to perform energy conservation renovations, including the United States Environmental Protection Agency's Energy Star Program, in state-owned facilities. Prior to the release of funds for renovation, state agencies shall have performed a comprehensive energy audit for each project. The Ohio Facilities Construction Commission shall review and approve proposals from state agencies to use these funds for energy conservation. Public school districts and state-supported and state-assisted institutions of higher education are not eligible for funding from this item.

Section 237.40. COMMUNITY SCHOOL CLASSROOM FACILITIES GRANTS

The foregoing appropriation item C230W4, Community School Classroom Facilities Grants, may be used by the Facilities Construction Commission to provide grant funding to an eligible high-performing community school established under Chapter 3314. of the Revised Code.

For purposes of this section, an "eligible high-performing community school" means a community school that has available and has certified it will supply, at least fifty per cent of the cost of the project funded under this

section and that meets the following other conditions:

(A) Except as provided in division (B) or (C) of this section, the school both:

(1) Has received a grade of "A," "B," or "C" for the performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code or has increased its performance index score under division (C)(1)(b) of section 3302.03 of the Revised Code in each of the previous three years of operation; and

(2) Has received a grade of "A" or "B" for the value-added progress dimension under division (C)(1)(e) of section 3302.03 of the Revised Code on its most recent report card rating issued under that section.

(B) If the school serves only grades kindergarten through three, the school received a grade of "A" or "B" for making progress in improving literacy in grades kindergarten through three under division (C)(1)(g) of section 3302.03 of the Revised Code on its most recent report card issued under that section.

(C) If the school primarily serves students enrolled in a dropout prevention and recovery program as described in division (A)(4)(a) of section 3314.35 of the Revised Code, the school received a rating of "exceeds standards" on its most recent report card issued under section 3314.017 of the Revised Code.

Notwithstanding the definition of an eligible high-performing community school under divisions (A) to (C) of this section, a newly established community school may be eligible for assistance under this section, if it is implementing a community school model that has a track record of high quality academic performance, as determined by the Department of Education.

The foregoing appropriation may be used for the purchase, construction, reconstruction, renovation, remodeling, or addition to classroom facilities. A grant may be awarded to an eligible high-performing community school that demonstrates that the funds will be used to purchase or support classroom facilities construction or modifications that increase the supply of seats in effective schools, service specific unmet student needs through community school education, and show innovation in design and potential as a successful, replicable school model. The Facilities Construction Commission may award a grant to an eligible high-performing community school upon the approval of a grant application by the Executive Director of the Commission and the Superintendent of Public Instruction. A facility that is purchased, constructed, or modified by the grant funds shall be used for educational purposes for a minimum of ten years after receiving the grant funds. The Facilities Construction Commission, in consultation with the Superintendent of Public Instruction, shall develop guidelines and may adopt

rules under Chapter 111. of the Revised Code for the administration of the grants, including provisions for the ownership and disposal of the facilities funded under this section in the event the community school closes at any time. Notwithstanding any provision of law to the contrary, all Revised Code exemptions applicable to grants awarded and projects administered by the Facilities Construction Commission shall apply to the grants pursuant to this section.

Section 239.10. JFS DEPARTMENT OF JOB AND FAMILY SERVICES

	1	2	3
A	Reappropriations		
B	Special Administrative Fund (Fund 4A90)		
C	C60005	Youngstown Office Improvements	\$ 723,820
D	C60007	Lima Office Improvements	\$ 512,126
E	C60009	Central Office Improvements	\$ 391,300
F	TOTAL Special Administrative Fund		\$ 1,627,246
G	TOTAL ALL FUNDS		\$ 1,627,246

Section 241.0. JSC JUDICIARY SUPREME COURT

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C00502	General Building Renovations	\$ 200,000
D	TOTAL Administrative Building Fund		\$ 200,000
E	TOTAL ALL FUNDS		\$ 200,000

Section 243.10. PWC PUBLIC WORKS COMMISSION

	1	2	3
A	Reappropriations		
B	State Capital Improvements Fund (Fund 7038)		
C	C15000	Local Public Infrastructure	\$ 1,004,000
D	C15001	Infrastructure - District 1	\$ 31,214,552
E	C15002	Infrastructure - District 2	\$ 13,860,322
F	C15003	Infrastructure - District 3	\$ 26,791,311
G	C15004	Infrastructure - District 4	\$ 9,944,295
H	C15005	Infrastructure - District 5	\$ 8,317,110
I	C15006	Infrastructure - District 6	\$ 10,035,543
J	C15007	Infrastructure - District 7	\$ 10,737,598
K	C15008	Infrastructure - District 8	\$ 17,683,859
L	C15009	Infrastructure - District 9	\$ 7,842,900
M	C15010	Infrastructure - District 10	\$ 13,440,169
N	C15011	Infrastructure - District 11	\$ 10,236,035
O	C15012	Infrastructure - District 12	\$ 8,773,043
P	C15013	Infrastructure - District 13	\$ 6,637,312
Q	C15014	Infrastructure - District 14	\$ 6,432,288
R	C15015	Infrastructure - District 15	\$ 7,376,287
S	C15016	Infrastructure - District 16	\$ 8,173,105
T	C15017	Infrastructure - District 17	\$ 9,210,404
U	C15018	Infrastructure - District 18	\$ 6,805,211
V	C15019	Infrastructure - District 19	\$ 7,068,148
W	C15020	Emergency Set Aside	\$ 5,969,609
X	C15022	Ohio Small Government	\$ 24,603,746

Capital Improvement

Y		TOTAL State Capital Improvement	\$ 252,156,847
	Fund		
Z		State Capital Improvements Revolving Loan Fund (Fund 7040)	
AA	C15030	Revolving Loan	\$ 6,132,884
AB	C150RA	Revolving Loan Fund-District 1	\$ 12,779,521
AC	C150RB	Revolving Loan Fund-District 2	\$ 10,052,786
AD	C150RC	Revolving Loan Fund-District 3	\$ 11,342,421
AE	C150RD	Revolving Loan Fund-District 4	\$ 6,616,453
AF	C150RE	Revolving Loan Fund-District 5	\$ 2,687,929
AG	C150RF	Revolving Loan Fund-District 6	\$ 6,521,841
AH	C150RG	Revolving Loan Fund-District 7	\$ 5,587,427
AI	C150RH	Revolving Loan Fund-District 8	\$ 3,814,226
AJ	C150RI	Revolving Loan Fund-District 9	\$ 4,082,928
AK	C150RJ	Revolving Loan Fund-District 10	\$ 6,492,965
AL	C150RK	Revolving Loan Fund-District 11	\$ 5,701,197
AM	C150RL	Revolving Loan Fund-District 12	\$ 5,353,855
AN	C150RM	Revolving Loan Fund-	\$ 2,811,272

		District 13	
AO	C150RN	Revolving Loan Fund- District 14	\$ 2,554,690
AP	C150RO	Revolving Loan Fund- District 15	\$ 3,535,277
AQ	C150RP	Revolving Loan Fund- District 16	\$ 5,452,577
AR	C150RQ	Revolving Loan Fund- District 17	\$ 4,164,859
AS	C150RS	Revolving Loan Fund- District 18	\$ 4,658,332
AT	C150RT	Revolving Loan Fund- District 19	\$ 3,540,069
AU	C150RU	Small Government Program	\$ 6,956,258
AV	C150RV	Emergency Program	\$ 990,514
AW	TOTAL State Capital Improvements Revolving Loan Fund		\$ 121,830,281
AX	Clean Ohio Conservation Fund (Fund 7056)		
AY	C150AA	Clean Ohio-District 1	\$ 6,364,244
AZ	C150BB	Clean Ohio-District 2	\$ 4,721,542
BA	C150CC	Clean Ohio-District 3	\$ 7,504,509
BB	C150DD	Clean Ohio-District 4	\$ 5,818,128
BC	C150EE	Clean Ohio-District 5	\$ 3,199,090
BD	C150FF	Clean Ohio-District 6	\$ 4,743,634
BE	C150GG	Clean Ohio-District 7	\$ 4,716,808
BF	C150HH	Clean Ohio-District 8	\$ 5,324,658
BG	C150II	Clean Ohio-District 9	\$ 4,031,869
BH	C150JJ	Clean Ohio-District 10	\$ 4,739,969

BI	C150KK	Clean Ohio-District 11	\$ 5,072,954
BJ	C150LL	Clean Ohio-District 12	\$ 3,696,315
BK	C150MM	Clean Ohio-District 13	\$ 7,330,745
BL	C150NN	Clean Ohio-District 14	\$ 7,108,486
BM	C150OO	Clean Ohio-District 15	\$ 6,289,397
BN	C150PP	Clean Ohio-District 16	\$ 7,136,473
BO	C150QQ	Clean Ohio-District 17	\$ 4,041,371
BP	C150RR	Clean Ohio-District 18	\$ 4,676,875
BQ	C150SS	Clean Ohio-District 19	\$ 5,191,826
BR	TOTAL Clean Ohio Conservation Fund		\$ 101,708,893
BS	TOTAL ALL FUNDS		\$ 475,696,021

LOCAL PUBLIC INFRASTRUCTURE

Capital reappropriations in this act made from the State Capital Improvements Fund (Fund 7038) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code. The Director of the Public Works Commission may certify to the Director of Budget and Management that a need exists to appropriate investment earnings to be used in accordance with sections 164.01 to 164.12 of the Revised Code. If the Director of Budget and Management determines pursuant to division (D) of section 164.08 and section 164.12 of the Revised Code that investment earnings are available to support additional appropriations, such amounts are hereby appropriated.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15000, Local Public Infrastructure/State CIP.

REVOLVING LOAN

Capital reappropriations in this act made from the State Capital Improvements Revolving Loan Fund (Fund 7040) shall be used in accordance with sections 164.01 to 164.12 of the Revised Code.

If the Public Works Commission receives refunds due to project overpayments that are discovered during a post-project audit, the Director of the Public Works Commission may certify to the Director of Budget and Management that refunds have been received. In certifying the refunds, the Director of the Public Works Commission shall provide the Director of Budget and Management information on the project refunds. The certification shall detail by project the source and amount of project overpayments received and include any supporting documentation required or requested by the Director of Budget and Management. Upon receipt of the certification, the Director of Budget and Management shall determine if the project refunds are necessary to support existing appropriations. If the project refunds are available to support additional appropriations, these amounts are hereby appropriated to appropriation item C15030, Revolving Loan.

CLEAN OHIO CONSERVATION GRANT REPAYMENTS

Capital reappropriations in this act made from the Clean Ohio Conservation Fund (Fund 7056) shall be used in accordance with sections 164.20 to 164.27 of the Revised Code.

Any amount in grant repayments received by the Public Works Commission and deposited into the Clean Ohio Conservation Fund pursuant to section 164.261 of the Revised Code is hereby appropriated through the foregoing appropriation item C15060, Clean Ohio Conservation.

Section 245.10. OSB SCHOOL FOR THE BLIND

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C22616	Renovations and Improvements	\$ 95,961
D	C22628	Old Campus Building Demolition	\$ 110,653
E	C22629	Roadway Improvements	\$ 275,000
F	C22700	Infrastructure Improvements	\$ 17,146
G	TOTAL Administrative Building Fund		\$ 498,760

H TOTAL ALL FUNDS \$ 498,760

Section 247.10. OSD SCHOOL FOR THE DEAF

	1	2	3
A	Reappropriations		
B	Administrative Building Fund (Fund 7026)		
C	C22107	Renovations and Improvements	\$ 626,171
D	C22114	Dormitory Construction	\$ 2,503,000
E	C22116	Old Campus Building Demolition	\$ 193,134
F	C22800	Infrastructure Improvements	\$ 2,668
G	TOTAL Administrative Building Fund		\$ 3,324,973
H	TOTAL ALL FUNDS		\$ 3,324,973

RENOVATIONS AND IMPROVEMENTS

The amount reappropriated for the foregoing appropriation item C22107, Renovations and Improvements, is the unencumbered balance as of June 30, 2020, in appropriation item C22107, Renovations and Improvements, plus the unencumbered balance as of June 30, 2020, in appropriation item C22111, Staff Building Windows and Repair.

Section 509.10. CERTIFICATION OF AVAILABILITY OF MONEYS

Moneys that require release shall not be expended from any appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification made by the Office of Budget and Management shall be based on estimates of revenue, receipts, and expenses. Nothing in this section limits the authority of the Director of Budget and Management granted in section 126.07 of the Revised Code.

Section 509.20. LIMITATION ON USE OF CAPITAL APPROPRIATIONS

The appropriations made in this act, excluding those made from the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) for buildings or structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real property;

(B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water and sewer systems, when such systems are authorized or necessary;

(C) Architectural, engineering, and professional services expenses directly related to the projects;

(D) Machinery that is necessary to the operation or function of the building or structure at the time of initial acquisition or construction;

(E) Acquisition, development, and deployment of new computer systems, including the integration of existing and new computer systems, but excluding regular or ongoing maintenance or support agreements;

(F) Furniture, fixtures, or equipment that meets all the following criteria:

(1) Is essential in bringing the facility up to its intended use or is necessary for the functioning of the particular facility or project;

(2) Has a unit cost of about \$100 or more; and

(3) Has a useful life of five years or more.

Furniture, fixtures, or equipment that is not an integral part of or directly related to the basic purpose or function of a project for which moneys are appropriated shall not be paid for from these appropriations. This paragraph does not apply to appropriation line items specifically for furniture, fixtures, or equipment.

Section 509.30. CONTINGENCY RESERVE REQUIREMENT

Any request for release of capital appropriations by the Director of Budget and Management or the Controlling Board for projects, the contracts for which are awarded by the Ohio Facilities Construction Commission, shall contain a contingency reserve, the amount of which shall be determined by the Ohio Facilities Construction Commission, for payment of unanticipated project expenses. Any amount deducted from the encumbrance for a contractor's contract as an assessment for liquidated damages shall be added to the encumbrance for the contingency reserve. Contingency reserve funds shall be used to pay costs resulting from unanticipated job conditions, to comply with rulings regarding building and other codes, to pay costs related to errors or omissions in contract documents, to pay costs associated with changes in the scope of work, and to pay the cost of settlements and judgments related to the project.

Any funds remaining upon completion of a project, may, upon approval of the Controlling Board, be released for the use of the institution to which the appropriation was made for another capital facilities project or projects.

Section 509.40. SATISFACTION OF JUDGMENTS AND SETTLEMENTS AGAINST THE STATE

Except as otherwise provided in this section, an appropriation contained in this act or in any other act may be used for the purpose of satisfying judgments, settlements, or 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. This authorization does not apply to appropriations that are to be applied to or used for payment of guarantees by or on behalf of the state or for payments under lease agreements relating to or debt service on bonds, notes, or other obligations of the state. Notwithstanding any other section of law to the contrary, this authorization includes appropriations from funds into which proceeds or direct obligations of the state are deposited only to the extent that the judgment, settlement, or administrative award is for or represents capital costs for which the appropriation may otherwise be used and is consistent with the purpose for which any related obligations were issued or entered into. Nothing contained in this section is intended to subject the state to suit in any forum in which it is not otherwise subject to suit, nor is it intended to waive or compromise any defense or right available to the state in any suit against it.

Section 509.50. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND MANAGEMENT

Notwithstanding section 126.14 of the Revised Code, appropriations for appropriation items C50100, Local Jails, and C50101, Community-Based Correctional Facilities, appropriated from the Adult Correctional Building Fund (Fund 7027) to the Department of Rehabilitation and Correction, and any projects specifically identified for C58001, Community Assistance Projects, shall be released upon the written approval of the Director of Budget and Management. The appropriations from the Public School Building Fund (Fund 7021), the Education Facilities Trust Fund (Fund N087), and the School Building Program Assistance Fund (Fund 7032) to the Facilities Construction Commission, from the Transportation Building Fund (Fund 7029) to the Department of Transportation, from the Clean Ohio Conservation Fund (Fund 7056), the State Capital Improvement Fund (Fund 7038), and the State Capital Improvements Revolving Loan Fund (Fund 7040) to the Public Works Commission, and from the Underground Parking Garage Operating Fund (Fund 2080) to the Capitol Square Review and Advisory Board shall be released upon presentation of a request to release the funds, by the agency to which the appropriation has been made, to the Director of Budget and Management.

Section 509.60. PREVAILING WAGE REQUIREMENT

Except as provided in section 4115.04 of the Revised Code, moneys

appropriated or reappropriated by the 133rd General Assembly shall not be used for the construction of public improvements, as defined in section 4115.03 of the Revised Code, unless the mechanics, laborers, or workers engaged therein are paid the prevailing rate of wages prescribed in section 4115.04 of the Revised Code. Nothing in this section affects the wages and salaries established for state employees under Chapter 124. of the Revised Code, or collective bargaining agreements entered into by the state under Chapter 4117. of the Revised Code, while engaged on force account work, nor does this section interfere with the use of inmate and patient labor by the state.

Section 509.70. AUTHORIZATION OF THE DIRECTOR OF BUDGET AND MANAGEMENT

The Director of Budget and Management shall authorize both of the following:

(A) The initial release of moneys for projects from the funds into which proceeds of direct obligations of the state are deposited; and

(B) The expenditure or encumbrance of moneys from funds into which proceeds of direct obligations are deposited, only after determining to the Director's satisfaction that either of the following applies:

(1) The application of such moneys to the particular project will not negatively affect any exclusion of the interest or interest equivalent on obligations issued to provide moneys to the particular fund from the calculation of gross income for federal income tax purposes under the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 1, as amended.

(2) Moneys for the project will come from the proceeds of federally taxable obligations, the interest on which is not so excluded from the calculation of gross income for federal income tax purposes and which have been authorized and issued on that basis by their issuing authority.

In the event the Director determines that the condition set forth in division (B)(1) of this section does not apply, and that there is no existing fund in the state treasury to enable compliance with the condition set forth in division (B)(2) of this section, the Director may create a fund in the state treasury for the purpose of receiving proceeds of federally taxable obligations. The Director may establish capital appropriation items in that taxable bond fund that correspond to the preexisting capital appropriation items in the associated tax-exempt bond fund. The Director also may transfer capital appropriations in whole or in part between the taxable and tax-exempt bond funds within a particular purpose for which the bonds have been authorized.

Section 509.80. REAPPROPRIATION OF UNEXPENDED ENCUMBERED BALANCES OF CAPITAL APPROPRIATIONS

(A)(1) Notwithstanding the original year of appropriation or

encumbrance, the unexpended balance of a capital appropriation or reappropriation that a state agency has lawfully encumbered prior to the close of the fiscal year 2019-2020 capital biennium is hereby reappropriated for the fiscal year 2021-2022 capital biennium from the fund from which it was originally appropriated or was reappropriated and shall be used only for the purpose of discharging the encumbrance. For those encumbered appropriations or reappropriations, any Controlling Board approval previously granted and referenced by the encumbering document remains in effect until the encumbrance is discharged or until the encumbrance expires at the end of the fiscal year 2021-2022 capital biennium.

(2) During the fiscal year 2021-2022 capital biennium, the Director of Budget and Management may cancel an encumbrance that was reappropriated pursuant to division (A)(1) of this section if the Director determines that the encumbrance is no longer needed to complete the project for which it was reappropriated or appropriated.

(B) If during the fiscal year 2021-2022 capital biennium, pursuant to section 126.22 of the Revised Code in order to correct an accounting error, the Director of Budget and Management reestablishes an encumbrance that was reappropriated pursuant to division (A) of this section, the amount representing the encumbrance canceled in error is reappropriated in accordance with division (A) of this section.

Section 509.90. PREVIOUSLY RELEASED REAPPROPRIATIONS

Capital reappropriations in this act that have been released by the Controlling Board or the Director of Budget and Management between July 1, 2018, and June 30, 2020, do not require further approval or release prior to being encumbered. Funds reappropriated in excess of such prior releases shall be released in accordance with applicable provisions of this act.

Section 510.10. REAPPROPRIATION OF UNENCUMBERED BALANCES OF CAPITAL APPROPRIATIONS

The reappropriations made in this act represent the unencumbered balances of prior years' capital improvements appropriations estimated to be available on June 30, 2020. Notwithstanding the foregoing, unless otherwise specified, the actual unencumbered balances on June 30, 2020, for the appropriation items in this act identified as reappropriations are hereby reappropriated. Additionally, there is hereby reappropriated the actual unencumbered balances on June 30, 2020, of any appropriation items either appropriated or reappropriated in H.B. 529 of the 132nd General Assembly or appropriated in H.B. 24 of the 132nd General Assembly, H.B. 92 of the 132nd General Assembly, S.B. 299 of the 132nd General Assembly, S.B. 51 of the 132nd General Assembly, H.B. 62 of the 133rd General Assembly, or H.B. 166 of the 133rd General Assembly and not otherwise listed in this act, or created by the Controlling Board pursuant to section 127.15 of the Revised

Code, if the Director of Budget and Management determines that such balances are needed to complete the projects for which they were reappropriated or appropriated. The appropriation items and amounts that are reappropriated by this act shall be reported to the Controlling Board within 30 days after the effective date of this section.

Section 510.20. REQUIREMENTS RELATING TO NON-STATE OWNERSHIP OF CERTAIN FINANCED PROJECTS

(A) No capital improvement reappropriations made in this act from the Mental Health Facilities Improvement Fund (Fund 7033) or from the Parks and Recreation Improvement Fund (Fund 7035) shall be released for planning or for improvement, renovation, or construction or acquisition of capital facilities if a governmental agency, as defined in section 154.01 of the Revised Code, does not own the real property that constitutes the capital facilities or on which the capital facilities are or will be located. This restriction does not apply in any of the following circumstances:

(1) The governmental agency has a long-term (at least fifteen years) lease of, or other interest (such as an easement) in, the real property.

(2) In the case of a reappropriation for capital facilities that, because of their unique nature or location, will be owned or be part of facilities owned by a separate nonprofit organization and made available to the governmental agency for its use or benefit, the nonprofit organization either owns or has a long-term (at least fifteen years) lease of the real property or other capital facility to be improved, renovated, constructed, or acquired and has entered into a joint or cooperative use agreement, with and approved by the governmental agency that meets the requirements of division (B) of this section.

(B) In the case of capital facilities referred to in division (A)(2) of this section, the joint or cooperative use agreement shall include, as a minimum, provisions that:

(1) Specify the extent and nature of that joint or cooperative use, extending for not fewer than fifteen years, with the value of such use or right to use to be, as determined by the parties and approved by the approving department, reasonably related to the amount of the appropriation;

(2) Provide for pro rata reimbursement to the state should the arrangement for joint or cooperative use by a governmental agency be terminated; and

(3) Provide that procedures to be followed during the capital improvement process will comply with appropriate applicable state statutes and rules, including the provisions of this act.

Section 518.10. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE REVISED CODE

The capital improvements for which reappropriations are made in this act from the Higher Education Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural Resources Fund (Fund 7031), the School Building Program Assistance Fund (Fund 7032), the Higher Education Improvement Fund (Fund 7034), the State Capital Improvements Fund (Fund 7038), the State Capital Improvements Revolving Loan Fund (Fund 7040), the Coal Research and Development Fund (Fund 7046), the Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail Fund (Fund 7061) are determined to be capital improvements and capital facilities for natural resources, a statewide system of common schools, state-supported and state-assisted institutions of higher education, local subdivision capital improvement projects, coal research and development projects, and conservation purposes (under the Clean Ohio Program) and are designated as capital facilities to which proceeds of obligations issued under Chapter 151. of the Revised Code are to be applied.

Section 518.20. OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE REVISED CODE

The capital improvements for which reappropriations are made in this act from the Administrative Building Taxable Bond Fund (Fund 7016), the Administrative Building Fund (Fund 7026), the Adult Correctional Building Fund (Fund 7027), the Juvenile Correctional Building Fund (Fund 7028), the Transportation Building Fund (Fund 7029), the Cultural and Sports Facilities Building Fund (Fund 7030), the Mental Health Facilities Improvement Fund (Fund 7033), and the Parks and Recreation Improvement Fund (Fund 7035) are determined to be capital improvements and capital facilities for housing state agencies and branches of government, mental health and developmental disabilities, and parks and recreation and are designated as capital facilities to which proceeds of obligations issued under Chapter 154. of the Revised Code are to be applied.

Section 523.10. TRANSFER OF OPEN ENCUMBRANCES

Upon the request of the agency to which a capital project appropriation item is appropriated, the Director of Budget and Management may transfer open encumbrance amounts between separate encumbrances for the project appropriation item to the extent that any reductions in encumbrances are agreed to by the contracting vendor and the agency.

Section 525.10. LITIGATION PROCEEDS TO THE ADMINISTRATIVE BUILDING FUND

Any proceeds received by the state as the result of litigation or a settlement agreement related to any liability for the planning, design, engineering, construction, or constructed management of facilities operated by the Department of Administrative Services shall be deposited into the General Revenue Fund or the Building Improvement Fund (Fund 5KZ0).

Section 601.10. That Section 812.10 of H.B. 529 of the 132nd General Assembly be amended to read as follows:

Sec. 812.10. Sections of ~~this act~~ H.B. 529 of the 132nd General Assembly prefixed with section numbers in the 200s take effect on July 1, 2018, or on ~~the effective date of this section~~ June 29, 2018, under Ohio Constitution, Article II, Section 1c, whichever occurs later. The provisions with the purpose of drawing money from the state treasury in payment of liabilities lawfully incurred under those sections, cease to have effect at midnight (24:00) on June 30, 2020.

Section 601.11. That existing Section 812.10 of H.B. 529 of the 132nd General Assembly is hereby repealed.

Section 806.10. The items of law contained in this act, and their applications, are severable. If an item of law contained in this act, or if an application of an item of law contained in this act, is held invalid, the invalidity does not affect other items of law contained in this act and their applications that can be given effect without the invalid item or application.

Section 807.10. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to address the financial impact to governments of the COVID-19 pandemic and to provide for the continuation, without interruption, of ongoing capital projects. Therefore, this act shall go into immediate effect."

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Am. Sub. H. B. No. 65 - Representative Carfagna

Cosponsors: Representatives Boggs, Boyd, Crawley, Ginter, Hambley, LaTourette, Lipps, Miller, A., Miranda, Rogers, Russo, Smith, R., Stein, Weinstein, West, Abrams, Baldrige, Blair, Brent, Brown, Carruthers, Clites, Cross, Crossman, Denson, Edwards, Galonski, Ghanbari, Greenspan, Hicks-Hudson, Holmes, A., Hoops, Howse, Ingram, Jones, Jordan, Keller, Kelly, LaRe, Leland, Lepore-Hagan, Lightbody, Liston, Manning, D., Manning, G., Merrin, Miller, J., O'Brien, Oelslager, Patterson, Patton, Perales, Plummer, Richardson, Robinson, Ryan, Scherer, Sheehy, Skindell, Smith, T., Sobecki,

Stephens, Upchurch Senator Maharath, Antonio, Blessing, Brenner, Burke, Coley, Craig, Dolan, Eklund, Gavarone, Hackett, Johnson, Kunze, Manning, O'Brien, Peterson, Schaffer, Thomas, Wilson, Yuko

To amend section 3749.01 and to enact section 5104.043 of the Revised Code regarding parental notice of serious risks to the health or safety of children receiving child care and to allow certified swimming classes to take place at a private residential swimming pool without requiring the pool's operator to obtain and public swimming pool license and to declare an emergency.

With the following additional amendments, in which the concurrence of the House is requested.

In line 1 of the title, after "To" insert "amend section 3749.01 and to"

In line 4 of the title, delete "." and insert "and to allow certified swimming classes to take place at a private residential swimming pool without requiring the pool's operator to obtain a public swimming pool license and to declare an emergency."

In line 5, after "That" insert "section 3749.01 be amended and"

After line 6, insert:

"Sec. 3749.01. As used in sections 3749.01 to 3749.10 of the Revised Code:

(A) "Board of health" means a city board of health or a general health district, or an authority having the duties of a city board of health as authorized by section 3709.05 of the Revised Code.

(B) "Health district" means any city or general health district created pursuant to section 3709.01 of the Revised Code.

(C) "Person" means the state, any political subdivision, special district, public or private corporation, individual, firm, partnership, association, or any other entity.

(D) "Licensor" means a city board of health or a general health district, an authority having the duties of a city board of health as authorized pursuant to section 3709.05 of the Revised Code, or the director of ~~the department~~ of health when acting under section 3749.07 of the Revised Code.

(E) "Director" means the director of ~~the department~~ of health or ~~his~~ an authorized representative of the director of health.

(F) "Private residential swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively by ~~the any of the following:~~

(1) The dwelling's residents and their;

(2) The resident's nonpaying guests;

(3) A paying guest of a resident if the guest is participating in a certified swimming class conducted by the resident, provided that both of the following apply:

(a) The resident is a certified swimming instructor and is conducting the certified swimming class on a one-on-one basis.

(b) Not more than four individuals are in the pool at the same time during the class.

(G) "Public swimming pool" means any indoor or outdoor structure, chamber, or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving, or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not a fee is charged for use, but does not mean any public bathing area or private residential swimming pool.

(H) "Public spa" means any public swimming pool that is typically operated as a smaller, higher temperature pool for recreational or nonmedical uses.

(I) "Special use pool" means a public swimming pool containing flume slides, wave generating equipment, or other special features that necessitate different design and safety requirements. "Special use pool" does not include any water slide or wave generating pool at a public amusement area which is licensed and inspected by the department of agriculture pursuant to sections 1711.50 to 1711.57 of the Revised Code.

(J) "Public bathing area" means an impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water.

(K) "Certified swimming class" means an infant swimming resource (ISR) class; an American red cross swimming class, swimming lesson, or learn-to-swim class; and any other swimming class certified by a nationally accredited organization that operates in all fifty states.

(L) "Certified swimming instructor" means a certified ISR instructor; a certified American red cross swimming instructor or swim coach; and any other swim instructor certified by a nationally accredited organization that operates in all fifty states."

After line 35, insert:

"Section 2. That existing section 3749.01 of the Revised Code is hereby repealed.

Section 3. It is not the intent of the General Assembly that any provision of section 3749.01 of the Revised Code, as amended by this act, be interpreted as either limiting or restricting an insurer's ability to do any of the following:

(A) Exclude insurance coverage from any insurance policy;

(B) Underwrite any insurance policy; or

(C) Create, imply, or otherwise grant insurance coverage not found in a policy of insurance.

Section 4. No notice shall be required under divisions (A) and (B) of section 5104.043 of the Revised Code, as enacted by this act, until such time as the Director of Job and Family Services adopts rules under division (C) of that section.

Section 5. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety. The reason for such necessity is to continue the essential operation of certified swimming classes and to ensure the safety of children at child care facilities. Therefore, this act shall go into immediate effect."

Attest:

Vincent L. Keeran,
Clerk

The Senate amendments were laid over under the Rule.

Message from the Senate

Mr. Speaker:

I am directed to inform the House of Representatives that the Senate has concurred in the passage of the following bill:

Sub. H. B. No. 164 - Representative Ginter

Cosponsors: Representatives Dean, Becker, Koehler, Schaffer, Riedel, Stoltzfus, Romanchuk, Smith, R., Carfagna, Lang, Merrin, Hood, Lipps, LaTourette, Ryan, Greenspan, Keller, Seitz, Jones, Smith, T., Baldrige, Butler, Cross, DeVitis, Fraizer, Ghanbari, Green, Holmes, A., Hoops, Jordan, Kick, McClain, Patton, Perales, Richardson, Scherer, Stein, Stephens, Swearingen
Senators Brenner, Huffman, S., Antonio, Blessing, Burke, Coley, Craig, Dolan, Eklund, Fedor, Gavarone, Hackett, Hoagland, Hottinger, Huffman, M., Johnson, Kunze, Lehner, Manning, McColley, Obhof, O'Brien, Peterson, Roegner, Schaffer, Schuring, Sykes, Thomas, Wilson, Yuko

To amend sections 3313.601, 3314.02, 3314.03, 3326.11, 3328.24, and 3781.1010 and to enact sections 3320.01, 3320.02, 3320.03, and 3323.10 of the Revised Code and to amend Sections 265.210 and 265.335 of H.B. 166 of the 133rd General Assembly, as subsequently amended, Sections 16 and 17 of H.B. 197 of the 133rd General Assembly, and Section 7 of S.B. 216 of the 132nd General Assembly regarding student religious expression, regarding retention under the Third Grade Reading Guarantee for the 2020-2021 school year, to make changes to education law for the 2020-2021 school year in response to implications of COVID-19, to require the Department of

Education to make an additional payment in fiscal year 2020 or 2021 to certain city, local, exempted village, and joint vocational school districts that experience a decrease in the taxable value of the district's utility tangible personal property and have at least one power plant in their territories, to permit a person to serve on more than five community school governing authorities under certain conditions, to extend until November 30, 2022, the moratorium on the building code requirement for storm shelters for school construction projects, to make changes regarding the Quality Community School Support Program, to provide an additional payment for fiscal year 2020 to school districts that experience a specified reduction in funding, to entitle the act the "Ohio Student Religious Liberties Act of 2019," to make an appropriation, and to declare an emergency.

As a substitute bill, in which the concurrence of the House is requested.

Attest:

Vincent L. Keeran,
Clerk.

The Senate amendment was laid over under the Rule.

MESSAGE FROM THE SPEAKER

Pursuant to House Rules 13, 28, and 30, the Speaker hereby makes the following changes to the House Rules and Reference committee:
Remove Representative DeVitis; Appoint Representative Stephens.

On motion of Representative Swearingen, the House adjourned until Thursday, June 11, 2020 at 9:00 o'clock a.m.

Attest:

BRADLEY J. YOUNG,
Clerk.