



Ohio Legislative Service Commission *122nd House Bill Analysis*

H.B. 202

122nd General Assembly

(As Reported by H. Economic Development & Small Business)

Reps. Batchelder, Boyd, Buchy, Colonna, Garcia, Haines, Harris, Hodges, Hood, Krebs, Mead, Mottley, Netzley, O'Brien, Olman, Reid, Schuck, Schuler, Schuring, Taylor, Terwilleger, Van Vyven, Weston, Wise, Tiberi, Corbin, Miller, Householder, Pringle, James, Sykes, Carey

- Requires the State Forms Management Control Center to create a single business reply form to be used by state agencies to obtain certain information from private businesses and an on-line computer network system to allow private businesses to file that form electronically.
- Requires the Administrator of the State Forms Management Control Center to recommend a 5% reduction in the future appropriations of any state agency that fails to use the single business reply form without good cause.

CONTENT AND OPERATION

Current law requires the State Forms Management Control Center in the Department of Administrative Services, among its other duties, to develop, implement, and maintain a statewide forms management program that involves all state agencies and is designed to simplify, consolidate, or eliminate, when expedient, forms, surveys, and other documents used by state agencies (sec. 125.92). The Center is also required to maintain a central index of state forms, eliminate redundant forms, and provide a central source of information on forms usage and availability (sec. 125.93(F)).

The bill requires the Center, as part of its duties described above, to do both of the following: (1) create a single business reply form that is capable of containing all of the information that a private business is required to provide to all state agencies on a regular basis and (2) create an on-line computer network system to allow private businesses to file the single business reply form electronically. It also requires that all state agencies use the single business reply form to obtain information from private businesses. (Sec. 125.936(A).) "State agency" is defined as including every department, bureau, board, commission, office, or other organized body established by the state's constitution and laws for the exercise of any function of state government, but as excluding any state-supported institution of higher education, the General Assembly or any legislative agency, any court or judicial agency, or any political subdivision or agency thereof (secs. 125.91(A) and 125.936(D)).

The Director of Administrative Services is required by the bill to establish procedures by which state agencies may share the information that is collected through the single business reply form. These procedures must provide that any information that has been designated as confidential by a state agency is not made available to other state agencies having access to the single business reply form. (Sec. 125.936(B).)

The bill requires the Administrator of the Center, not later than September 30, 1998, to report on both of the following to the Director of Budget and Management and the committees that handle finance and those that handle state government affairs in the House of Representatives and the Senate:

- (1) The progress of the Center in complying with the bill's requirements that it create the single business reply form and the on-line computer network system (see **COMMENT**);
- (2) The progress of state agencies in complying with the bill's requirement that they use the single business reply form to obtain information from private businesses. The bill requires the Administrator to recommend a 5% reduction in the future appropriations of any state agency that has failed to comply with this requirement without good cause. (Sec. 125.936(C).)

COMMENT

Law enacted by Sub. H.B. 123 of the 120th General Assembly requires a 5% per year reduction, in specified years, in the "total forms burden" of a state agency, defined as all the time spent in a fiscal year filling out all of the agency's forms by

private business, political subdivisions, and the public (secs. 125.931 and 125.932, not in the bill). It is possible that compliance with the present bill's one-form requirement could prevent the Department of Administrative Services from meeting these statutory requirements because using the single form (which would include all of the information that a private business is required to provide to all state agencies on a regular basis) could actually increase the Department's forms burden. Sub. H.B. 123 did, however, enact a provision allowing the Director of Administrative Services to exempt an agency from the forms-reduction requirement in a particular fiscal year if the agency convinces the Director of its inability to comply (sec. 125.935, not in the bill).

HISTORY

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