

**As Reported by the Senate Insurance, Commerce and Labor
Committee**

**124th General Assembly
Regular Session
2001-2002**

Sub. H. B. No. 74

**REPRESENTATIVES Williams, Carey, Core, Jones, Hoops, D. Miller, Calvert,
Buehrer, Evans, Womer Benjamin, Barrett, Grendell, Allen, Wilson, R. Miller,
Oakar, Schmidt, Cirelli, Perry, Coates, Flannery, Schaffer, Beatty
SENATOR Nein**

A B I L L

To amend section 101.82 of the Revised Code to exempt
the Industrial Commission from the list of agencies
reviewed by the Sunset Review Committee and to make
appropriations for the Industrial Commission for
the biennium beginning July 1, 2001, and ending
June 30, 2003.

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

Section 1. That section 101.82 of the Revised Code be amended
to read as follows:

Sec. 101.82. As used in sections 101.82 to 101.87 of the
Revised Code:

(A) "Agency" means any board, commission, committee, or
council, or any other similar state public body required to be
established pursuant to state statutes for the exercise of any
function of state government and to which members are appointed or
elected. "Agency" does not include:

(1) The general assembly, or any commission, committee, or

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other body composed entirely of members thereof;	17
(2) Any court;	18
(3) Any public body created by or directly pursuant to the constitution of this state;	19 20
(4) The board of trustees of any institution of higher education financially supported in whole or in part by the state;	21 22
(5) Any public body that has the authority to issue bonds or notes or that has issued bonds or notes that have not been fully repaid;	23 24 25
(6) The public utilities commission of Ohio;	26
(7) The consumers' council governing board;	27
(8) The Ohio board of regents;	28
(9) Any state board or commission that has the authority to issue any final adjudicatory order that may be appealed to the court of common pleas under Chapter 119. of the Revised Code;	29 30 31
(10) Any board of elections;	32
(11) The board of directors of the Ohio insurance guaranty association and the board of governors of the Ohio fair plan underwriting association;	33 34 35
(12) The Ohio public employees deferred compensation board;	36
(13) The Ohio retirement study council;	37
(14) The board of trustees of the Ohio police and fire pension fund, public employees retirement board, school employees retirement board, state highway patrol retirement board, and state teachers retirement board;	38 39 40 41
<u>(15) The industrial commission.</u>	42
(B) "Abolish" means to repeal the statutes creating and empowering an agency, remove its personnel, and transfer its	43 44

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records to the department of administrative services pursuant to 45
 division (H) of section 149.331 of the Revised Code. 46

(C) "Terminate" means to amend or repeal the statutes 47
 creating and empowering an agency, remove its personnel, and 48
 reassign its functions and records to another agency or officer 49
 designated by the general assembly. 50

(D) "Transfer" means to amend the statutes creating and 51
 empowering an agency so that its functions, records, and personnel 52
 are conveyed to another agency or officer. 53

(E) "Renew" means to continue an agency, and may include 54
 amendment of the statutes creating and empowering the agency, or 55
 recommendations for changes in agency operation or personnel. 56

Section 2. That existing section 101.82 of the Revised Code 57
 is hereby repealed. 58

Section 3. All items in this section are appropriated out of 59
 any moneys in the state treasury to the credit of the designated 60
 fund. For all appropriations made in this section, those in the 61
 first column are for fiscal year 2002, and those in the second 62
 column are for fiscal year 2003. 63

OIC INDUSTRIAL COMMISSION 64

FND ALI	ALI TITLE		FY 2002		FY 2003	
	Workers' Compensation Fund Group					65
023 845-321	Operating Expenses	\$	48,397,439	\$	51,055,568	66
023 845-402	Rent - William Green	\$	5,165,116	\$	5,331,698	67
	Building					68
023 845-410	Attorney General	\$	3,264,855	\$	3,454,984	69
	Payments					
821 845-605	Service Account	\$	153,300	\$	157,133	70
	TOTAL WCF Workers' Compensation					71
	Fund Group	\$	56,980,710	\$	59,999,383	72

TOTAL ALL BUDGET FUND GROUPS	\$	56,980,710	\$	59,999,383	73
RENT - WILLIAM GREEN BUILDING					74
The foregoing appropriation item 845-402, Rent - William					75
Green Building, shall be used for rent and operating expenses for					76
the space occupied by the Industrial Commission in the William					77
Green Building.					78
SERVICE ACCOUNT					79
The foregoing appropriation item 845-605, Service Account,					80
shall be used for any expense related to revenues collected and					81
deposited in Fund 821, such as coin copier expense, coin changer					82
purchases, expenses related to conferences that produce revenue,					83
publications that produce revenue, and replacement of furniture					84
and equipment.					85
Section 4. LAW GENERALLY APPLICABLE TO APPROPRIATIONS					86
Law contained in the main operating appropriations act of the					87
124th General Assembly that applies generally to the					88
appropriations made in that act also applies generally to the					89
appropriations made in this act.					90
Section 5. Section 101.82 of the Revised Code as amended by					91
this act is subject to the referendum. Therefore, under Ohio					92
Constitution, Article II, Section 1c and section 1.471 of the					93
Revised Code, the section as amended takes effect on the					94
ninety-first day after this act is filed with the Secretary of					95
State. If, however, a referendum petition is filed against the					96
section as amended, the section as amended, unless rejected at the					97
referendum, takes effect at the earliest time permitted by law.					98
Section 6. The uncodified sections of law contained in this					99
act, and the items of law of which the uncodified sections of law					100
contained in this act are composed, are not subject to the					101

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referendum. Therefore, under Ohio Constitution, Article II, 102
Section 1d and section 1.471 of the Revised Code, the uncodified 103
sections of law contained in this act, and the items of law of 104
which the uncodified sections of law contained in this act are 105
composed, go into immediate effect when this act becomes law. 106

Section 7. An item that composes the whole or part of an 107
uncodified section contained in this act has no effect after June 108
30, 2003, unless its context clearly indicates otherwise. 109

Section 8. If any item of law that constitutes the whole or 110
part of a codified or uncodified section of law contained in this 111
act, or if any application of any item of law that constitutes the 112
whole or part of a codified or uncodified section of law contained 113
in this act, is held invalid, the invalidity does not affect other 114
items of law or applications of items of law that can be given 115
effect without the invalid item of law or application. To this 116
end, the items of law of which the codified and uncodified 117
sections of law contained in this act are composed, and their 118
applications, are independent and severable. 119