

_____ moved to amend as follows:

Engross the bill as directed by the commands in the amendments attached hereto, ignoring matter extraneous to those commands

INDEX

The following amendments are attached hereto:

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SC-4841	Sales and use tax: local tax for permanent improvements
SC-4849	Medicaid drug dispensing fees; Department of Medicaid
SC-4856	AED training for school employees
SC-4864-1	Department of Natural Resources
SC-4865	Remove financing of capital improvements by another state
SC-4881-1	Substance abuse education in driver's education courses
SC-4884	Corrective and technical changes – Department of Natural Resources
SC-4885	Attorney General
SC-4886	Inflatable amusement rides – inspection fee

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SC-4889-1	Department of Medicaid; Care Innovation and Community Improvement Program
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Amendment No.	Subject
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SC-5858	Department of Job and Family Services

1 The motion was _____ agreed to.

Sub. H.B. 49
LSC 132 0001-5
LOCCD15

_____ moved to amend as follows:

In line 13854, strike through "Any permanent improvement to
be undertaken by the state"; delete "or"

In line 13855, delete "a political subdivision"; strike
through "shall be located in the county."; delete "A"

Delete lines 13856 and 13857

In line 13876, delete "community-improvements" and insert
"community improvements"

Between lines 13891 and 13892, insert:

"Except as otherwise provided in this division, grants
awarded by the community improvements board shall be used only for
permanent improvement projects located within the county. If the
grant revenue is derived from a tax that was levied on the
effective date of the amendment of this section by H.B. 49 of the
132nd general assembly and the government agency to which the
grant is to be paid is a school district, the grant may be used
for permanent improvement projects located anywhere within that
school district even if a portion of the school district is
located outside the county."

In line 141957, delete "sections" and insert "section"

In line 141958, after "and" insert "division (A)(4) of section"; delete "all grant" 20
 21

Delete lines 141959 through 141974 and insert "grants awarded by a community improvements board on or after the effective date of this section as long as the act's amendments concerning the use of the grant revenue, as defined in section 307.283 of the Revised Code, are not inconsistent with the board of county commissioner's resolution levying the tax or the ballot language approved by the electors of the county." 22
 23
 24
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The motion was _____ agreed to.

SYNOPSIS

Sales and use tax: local tax for permanent improvements 29

R.C. 307.283 and Section 803.280 30

Modifies a provision of the pending bill that allows community improvements board grants to a school district, which are funded by a county sales tax, to be spent for permanent improvements outside the county where the tax is levied so long as the improvements are within the school district and a part of the school district is within the county. 31
 32
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The amendment limits the application of the provision to existing sales tax levies. All community improvement board grants for permanent improvements funded by sales taxes first levied after the provision's 90-day effective date must be for permanent improvements located within the county in which the tax is imposed under all circumstances, as is required by current law. 37
 38
 39
 40
 41
 42

_____ moved to amend as follows:

1 In line 82743, reinsert "as the"

2 In line 82744, reinsert "basis for establishing"; delete
3 "when adjusting"

4 In line 82745, strike through "fee" and insert "fees"

5 In line 82762, reinsert "In December of every even-numbered
6 year"

7 In line 82763, delete "Beginning July 1, 2017"; reinsert
8 "medicaid director shall establish"

9 In line 82764, strike through "fee" and insert "fees";
10 reinsert ", effective the following July, for"; delete "paid by
11 the"

12 In line 82765, delete "medicaid program to"

13 In line 82766, reinsert "medicaid"; delete "is ten dollars"

14 Delete line 82767

15 In line 82768, delete "refilled"; reinsert "In
16 establishing" and delete the balance of the line

17 In line 82769, delete "odd-numbered year, the director
18 shall adjust"; strike through "the"; strike through "fee" and
19 insert "fees"; reinsert the comma

20 In line 82770, reinsert "the director shall take into
21 consideration the results of"; delete "to"

22 In line 82771, delete "reflect the average cost of
23 dispensing as determined by"

24 In line 82772, after the period insert "The director may
25 establish dispensing fees that vary by terminal distributor,
26 taking into consideration the volume of drugs a terminal
27 distributor dispenses under the medicaid program or any other
28 criteria the director considers relevant."

29 In line 133878, delete "\$3,741,867,966 \$3,905,093,214"
30 and insert "\$3,741,967,966 \$3,905,193,214"

31 In line 133880, delete "\$12,608,041,128 \$13,156,671,931"
32 and insert "\$12,608,141,128 \$13,156,771,931"

33 In line 133883, add \$100,000 to each fiscal year

34 In line 133885, add \$100,000 to each fiscal year

35 In line 133910, add \$100,000 to each fiscal year

36 Delete lines 142095 and 142096

37 The motion was _____ agreed to.

38 SYNOPSIS

39 **Medicaid drug dispensing fees**

40 **R.C. 5164.752 and 5164.753**

41 Restores the Executive provisions that authorize the
42 Medicaid Director to establish dispensing fees paid to terminal
43 distributors of dangerous drugs that are providers of drugs

44 under the Medicaid program that vary by distributor, taking into
45 consideration the volume of drugs the distributor dispenses and
46 any other criteria the Director considers relevant, in place of
47 the House provisions that would have established a \$10.49
48 dispensing fee for each prescription that is filled or refilled.

49 Removes the House provisions that would have required the
50 Director to adjust the \$10.49 dispensing fee on a biennial
51 basis.

52 **Department of Medicaid**

53 **Section 333.10**

54 Increases GRF appropriation item 651525, Medicaid Health
55 Care Services, by \$100,000, all state share, in FY 2018 and FY
56 2019.

_____ moved to amend as follows:

- 1 In line 139871, strike through "Heritage Rail Trail"
- 2 In line 139872, strike through "Extension" and insert
- 3 "Grener Property Recreational Facility in Hilliard"

4 The motion was _____ agreed to.

5 SYNOPSIS

6 **Department of Natural Resources**

7 **Section 610.34**

8 Amends Section 223.10 of S.B. 310 of the 131st General
9 Assembly, as subsequently amended, to redirect \$250,000
10 earmarked under Parks and Recreation Improvement Fund (Fund
11 7035) capital appropriation item C725E2, Local Parks Projects,
12 from the Heritage Rail Trail Extension to the Grener Property
13 Recreational Facility in Hilliard.

_____ moved to amend as follows:

- 1 In line 250 of the title, delete "9.58, 9.581,"
- 2 In line 251 of the title, delete "9.582, 9.583, 9.584,"
- 3 In line 658, delete "9.58, 9.581, 9.582, 9.583, 9.584,"
- 4 Delete lines 684 through 767

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Remove financing of capital improvements by another state**

8 **R.C. 9.58, 9.581, 9.582, 9.583, and 9.584**

9 Removes from the bill provisions that would have prohibited
10 another state or a governmental entity of another state from
11 providing financing for certain capital improvement projects
12 located in Ohio unless certain requirements were met.

_____ moved to amend as follows:

1 In line 61655, after "(2)" delete the balance of the line

2 Delete line 61656

3 In line 61657 delete everything before the period and
4 insert "The dangers of driving a motor vehicle while under the
5 influence of a controlled substance, prescription medication, or
6 alcohol"

7 The motion was _____ agreed to.

8 SYNOPSIS

9 **Substance abuse education in driver's education courses**

10 **R.C. 4508.02**

11 Requires driver's education courses to include instruction
12 on the dangers of driving a motor vehicle while under the
13 influence of a controlled substance, prescription medication, or
14 alcohol, rather than instruction on substance and prescription
15 drug abuse, the science related to addiction, and the effect of
16 psychoactive substances on the brain and on a person operating a
17 motor vehicle, as currently required by the bill.

Sub. H.B. 49
LSC 132 0001-5

_____ moved to amend as follows:

In line 31 of the title, after "1503.141," insert "1504.02," 1

In line 35 of the title, after "1514.071," insert "1514.10," 2

In line 36 of the title, after "1533.12," insert "1547.73," 3

In line 526, after "1503.141," insert "1504.02," 4

In line 529, after "1514.071," insert "1514.10," 5

In line 530, after "1533.12," insert "1547.73," 6

Between lines 21761 and 21762, insert: 7

"**Sec. 1504.02.** (A) The office of real estate and land 8
management shall do all of the following: 9

(1) Except as otherwise provided in the Revised Code, 10
coordinate and conduct all real estate functions for the 11
department of natural resources, including acquiring land by 12
purchase, lease, gift, devise, bequest, appropriation, or 13
otherwise; administering grants through sales, leases, exchanges, 14
easements, and licenses; performing inventories of land; and 15
performing other related general management duties; 16

(2) Cooperate with federal agencies and political 17
subdivisions in administering federal recreation moneys under the 18
"Land and Water Conservation Fund Act of 1965," 78 Stat. 897, 16 19

U.S.C. 4601-8, and prepare and distribute the statewide	20
comprehensive outdoor recreation plan;	21
(3) Prepare special studies and execute any other duties,	22
functions, and responsibilities requested by the director of	23
natural resources;	24
(4) Administer the real estate services associated with canal	25
lands on behalf of the director under Chapter 1520. of the Revised	26
Code.	27
(B) The office may do any of the following:	28
(1) Coordinate environmental matters concerning the	29
department and the state as are necessary to comply with the	30
"National Environmental Policy Act of 1969," 83 Stat. 852, 42	31
U.S.C. 4321, the "Intergovernmental Cooperation Act of 1968," 82	32
Stat. 1098, 31 U.S.C. 6506, and the "Federal Water Pollution	33
Control Act," 91 Stat. 1566 (1977), 33 U.S.C. 1251, and	34
regulations adopted under those acts;	35
(2) Survey land;	36
(3) As considered necessary by the director, administer any	37
state or federally funded grant program that is related to natural	38
resources or recreation;	39
(4) Coordinate department projects, programs, policies,	40
procedures, and activities with the United States army corps of	41
engineers and other federal agencies;	42
(5) Coordinate department activities associated with the	43
completion of drainage ditch improvements in accordance with	44
Chapters 6131. and 6133. of the Revised Code;	45
(6) Prepare and distribute the statewide comprehensive	46
outdoor recreation plan.	47

Between lines 23881 and 23882, insert:	48
"Sec. 1514.10. No person shall:	49
(A)(1) Engage in surface mining without a permit;	50
(2) Engage in in-stream mining or conduct an in-stream mining operation without an in-stream mining permit issued by the chief of the division of mineral resources management. A person who, on March 15, 2002, holds a valid permit to conduct in-stream mining that is issued under section 10 of the "Rivers and Harbors Appropriation Act of 1899," 30 Stat. 1151, 33 U.S.C. 403, as amended, shall not be required to obtain an in-stream mining permit from the chief under this chapter until the existing permit expires.	51 52 53 54 55 56 57 58 59
(B) Exceed the limits of a surface or in-stream mining permit or amendment to a permit by mining land contiguous to an area of land affected under a permit or amendment, which contiguous land is not under a permit or amendment;	60 61 62 63
(C) Purposely misrepresent or omit any material fact in an application for a surface or in-stream mining permit or amendment, an annual or final report, or any hearing or investigation conducted by the chief or the reclamation commission;	64 65 66 67
(D) Fail to perform any measure set forth in the approved plan of mining and reclamation that is necessary to prevent damage to adjoining property or to achieve a performance standard required in division (A)(10) of section 1514.02 of the Revised Code, or violate any other requirement of this chapter, a rule adopted thereunder, or an order of the chief;	68 69 70 71 72 73
(E) Conduct surface excavations of minerals within any of the following:	74 75

(1) One hundred twenty feet horizontal distance outward from 76
the highwater mark on each bank of an area designated as a wild, 77
scenic, or recreational river area under sections 1547.81 to 78
1547.86 of the Revised Code or of a portion of a river designated 79
as a component of the national wild and scenic river system under 80
the "Wild and Scenic Rivers Act," 82 Stat. 906 (1968), 16 U.S.C. 81
1274, as amended; 82

(2) Seventy-five feet horizontal distance outward from the 83
highwater mark on each bank of a watercourse that drains a surface 84
area of more than one hundred square miles; 85

(3) Fifty feet horizontal distance outward from the highwater 86
mark on each bank of a watercourse that drains a surface area of 87
more than twenty-five square miles, but fewer than one hundred 88
square miles unless a variance is obtained under rules adopted by 89
the chief. 90

(F) Conduct any surface mining activity within any of the 91
following: 92

(1) Seventy-five feet horizontal distance outward from the 93
highwater mark on each bank of an area designated as a wild, 94
scenic, or recreational river area under sections 1547.81 to 95
~~1547.87~~ 1547.86 of the Revised Code or of a portion of a river 96
designated as a component of the national wild and scenic river 97
system under the "Wild and Scenic Rivers Act," 82 Stat. 906 98
(1968), 16 U.S.C. 1274, as amended; 99

(2) Seventy-five feet horizontal distance outward from the 100
highwater mark on each bank of a watercourse that drains a surface 101
area of more than one hundred square miles; 102

(3) Fifty feet horizontal distance outward from the highwater 103
mark on each bank of a watercourse that drains a surface area of 104

more than twenty-five square miles, but fewer than one hundred
square miles unless a variance is obtained under rules adopted by
the chief.

A person who has been issued a surface mining permit prior to
March 15, 2002 may continue to operate under that permit and shall
not be subject to the prohibitions established in divisions (E)
and (F) of this section until the permit is renewed.

The number of square miles of surface area that a watercourse
drains shall be determined by consulting the "gazetteer of Ohio
streams," which is a portion of the Ohio water plan inventory
published in 1960 by the division of water in the department of
natural resources, or its successor, if any.

(G) Engage in any part of a process that is followed in the
production of minerals from the bottom of the channel of a
watercourse in any of the following circumstances or areas:

(1) In an area designated as a wild, scenic, or recreational
river area under sections 1547.81 to 1547.86 of the Revised Code,
in a portion of a river designated as a component of the national
wild and scenic river system under the "Wild and Scenic Rivers
Act," 82 Stat. 906 (1968), 16 U.S.C. 1274, as amended, or within
one-half mile upstream of any portion of such an area or
component;

(2) During periods other than periods of low flow, as
determined by rules adopted under section 1514.08 of the Revised
Code;

(3) During critical fish or mussel spawning seasons as
determined by the chief of the division of wildlife under Chapter
1531. of the Revised Code and rules adopted under it;

(4) In an area known to possess critical spawning habitat for

a species of fish or mussel that is on the federal endangered 134
species list established in accordance with the "Endangered 135
Species Act of 1973," 87 Stat. 884, 16 U.S.C. 1531-1543, as 136
amended, or the state endangered species list established in rules 137
adopted under section 1531.25 of the Revised Code. 138

Division (G) of this section does not apply to the activities 139
described in divisions (M)(1) and (2) of section 1514.01 of the 140
Revised Code." 141

Between lines 24795 and 24796, insert: 142

"**Sec. 1547.73.** There is hereby created in the division of 143
parks and watercraft a waterways safety council composed of five 144
members appointed by the governor with the advice and consent of 145
the senate. Not more than three of such appointees shall belong to 146
the same political party. Terms of office shall be for five years, 147
commencing on the first day of February and ending on the 148
thirty-first day of January. Each member shall hold office from 149
the date of appointment until the end of the term for which the 150
member was appointed. The chief of the division of parks and 151
watercraft shall act as secretary of the council. In the event of 152
the death, removal, resignation, or incapacity of a member of the 153
council, the governor, with the advice and consent of the senate, 154
shall appoint a successor to fill the unexpired term who shall 155
hold office for the remainder of the term for which the member's 156
predecessor was appointed. Any member shall continue in office 157
subsequent to the expiration date of the member's term until the 158
member's successor takes office, or until a period of sixty days 159
has elapsed, whichever occurs first. The governor may remove any 160
appointed member of the council for misfeasance, nonfeasance, or 161
malfeasance in office. 162

The council may:	163
(A) Advise with and recommend to the chief as to plans and programs for the construction, maintenance, repair, and operation of refuge harbors and other projects for the harboring, mooring, docking, and storing of light draft vessels as provided in sections 1547.71, <u>and</u> 1547.72, and 1547.78 of the Revised Code;	164 165 166 167 168
(B) Advise with and recommend to the chief as to the methods of coordinating the shore erosion projects of the department of natural resources with the refuge of light draft vessel harbor projects;	169 170 171 172
(C) Advise with and recommend to the chief as to plans and programs for the acquisition, protection, construction, maintenance, and administration of wild river areas, scenic river areas, and recreational river areas;	173 174 175 176
(D) Consider and make recommendations upon any matter which is brought to its attention by any person or that the chief may submit to it;	177 178 179
(E) Submit to the governor biennially recommendations for amendments to the laws of the state relative to refuge and light draft vessel harbor projects.	180 181 182
Before entering upon the discharge of official duties, each member of the council shall take and subscribe to an oath of office, which oath, in writing, shall be filed in the office of the secretary of state.	183 184 185 186
The members of the council shall serve without compensation, but shall be entitled to receive their actual and necessary expenses incurred in the performance of their official duties from the waterways safety fund as provided in section 1547.75 of the Revised Code.	187 188 189 190 191

The council shall, by a majority vote of all its members, 192
 adopt and amend bylaws. 193

To be eligible for appointment as a member of the council, a 194
 person shall be a citizen of the United States and an elector of 195
 the state and possess a knowledge of and have an interest in small 196
 boat operations. 197

The council shall hold at least four regular quarterly 198
 meetings each year. Special meetings shall be held at such times 199
 as the bylaws of the council provide, or at the behest of a 200
 majority of its members. Notices of all meetings shall be given in 201
 such manner as the bylaws provide. The council shall choose 202
 annually from among its members a chairperson to preside over its 203
 meetings. A majority of the members of the council shall 204
 constitute a quorum. No advice shall be given or recommendation 205
 made without a majority of the members of the council concurring 206
 therein." 207

In line 102680, after "1503.141," insert "1504.02," 208

In line 102683, after "1514.071," insert "1514.10," 209

In line 102684, after "1533.12," insert "1547.73," 210

The motion was _____ agreed to.

SYNOPSIS

Corrective and technical changes 211

R.C. 1504.02, 1514.10, and 1547.73 212

Makes corrections to cross-references to the laws governing 213
 wild, scenic, and recreational river areas and the Waterways 214

Safety Council.	215
Eliminates a duplicative reference to the Office of Real	216
Estate and Land Management's duty to prepare and distribute the	217
statewide comprehensive outdoor recreation plan.	218

Sub. H.B. 49
LSC 132 0001-5

_____ moved to amend as follows:

In line 39 of the title, after "1561.48," insert "1711.53," 1

In line 532, after "1561.48," insert "1711.53," 2

Between lines 25099 and 25100, insert: 3

"**Sec. 1711.53.** (A)(1) No person shall operate an amusement 4
ride within the state without a permit issued by the director of 5
agriculture under division (A)(2) of this section. The owner of an 6
amusement ride, whether the ride is a temporary amusement ride or 7
a permanent amusement ride, who desires to operate the amusement 8
ride within the state shall, prior to the operation of the 9
amusement ride and annually thereafter, submit to the department 10
of agriculture an application for a permit, together with the 11
appropriate permit and inspection fee, on a form to be furnished 12
by the department. Prior to issuing any permit the department 13
shall, within thirty days after the date on which it receives the 14
application, inspect each amusement ride described in the 15
application. The owner of an amusement ride shall have the 16
amusement ride ready for inspection not later than two hours after 17
the time that is requested by the person for the inspection. 18

(2) For each amusement ride found to comply with the rules 19
adopted by the director under division (B) of this section and 20

division (B) of section 1711.551 of the Revised Code, the director shall issue an annual permit, provided that evidence of liability insurance coverage for the amusement ride as required by section 1711.54 of the Revised Code is on file with the department.

(3) The director shall issue with each permit a decal indicating that the amusement ride has been issued the permit. The owner of the amusement ride shall affix the decal on the ride at a location where the decal is easily visible to the patrons of the ride. A copy of the permit shall be kept on file at the same address as the location of the amusement ride identified on the permit, and shall be made available for inspection, upon reasonable demand, by any person. An owner may operate an amusement ride prior to obtaining a permit, provided that the operation is for the purpose of testing the amusement ride or training amusement ride operators and other employees of the owner and the amusement ride is not open to the public.

(B) The director, in accordance with Chapter 119. of the Revised Code, shall adopt rules providing for a schedule of fines, with no fine exceeding five thousand dollars, for violations of sections 1711.50 to 1711.57 of the Revised Code or any rules adopted under this division and for the classification of amusement rides and rules for the safe operation and inspection of all amusement rides as are necessary for amusement ride safety and for the protection of the general public. Rules adopted by the director for the safe operation and inspection of amusement rides shall be reasonable and based upon generally accepted engineering standards and practices. In adopting rules under this section, the director may adopt by reference, in whole or in part, the national fire code or the national electrical code (NEC) prepared by the national fire protection association, the standards of the American society for testing and materials (ASTM) or the American

national standards institute (ANSI), or any other principles, 52
tests, or standards of nationally recognized technical or 53
scientific authorities. Insofar as is practicable and consistent 54
with sections 1711.50 to 1711.57 of the Revised Code, rules 55
adopted under this division shall be consistent with the rules of 56
other states. The department shall cause sections 1711.50 to 57
1711.57 of the Revised Code and the rules adopted in accordance 58
with this division and division (B) of section 1711.551 of the 59
Revised Code to be published in pamphlet form and a copy to be 60
furnished without charge to each owner of an amusement ride who 61
holds a current permit or is an applicant therefor. 62

(C) With respect to an application for a permit for an 63
amusement ride, an owner may apply to the director for a waiver or 64
modification of any rule adopted under division (B) of this 65
section if there are practical difficulties or unnecessary 66
hardships for the amusement ride to comply with the rules. Any 67
application shall set forth the reasons for the request. The 68
director, with the approval of the advisory council on amusement 69
ride safety, may waive or modify the application of a rule to any 70
amusement ride if the public safety is secure. Any authorization 71
by the director under this division shall be in writing and shall 72
set forth the conditions under which the waiver or modification is 73
authorized, and the department shall retain separate records of 74
all proceedings under this division. 75

(D)(1) The director shall employ and provide for training of 76
a chief inspector and additional inspectors and employees as may 77
be necessary to administer and enforce sections 1711.50 to 1711.57 78
of the Revised Code. The director may appoint or contract with 79
other persons to perform inspections of amusement rides, provided 80
that the persons meet the qualifications for inspectors 81
established by rules adopted under division (B) of this section 82

and are not owners, or employees of owners, of any amusement ride 83
 subject to inspection under sections 1711.50 to 1711.57 of the 84
 Revised Code. No person shall inspect an amusement ride who, 85
 within six months prior to the date of inspection, was an employee 86
 of the owner of the ride. 87

(2) Before the director contracts with other persons to 88
 inspect amusement rides, the director shall seek the advice of the 89
 advisory council on amusement ride safety on whether to contract 90
 with those persons. The advice shall not be binding upon the 91
 director. After having received the advice of the council, the 92
 director may proceed to contract with inspectors in accordance 93
 with the procedures specified in division (E)(2) of section 94
 1711.11 of the Revised Code. 95

(3) With the advice and consent of the advisory council on 96
 amusement ride safety, the director may employ a special 97
 consultant to conduct an independent investigation of an amusement 98
 ride accident. This consultant need not be in the civil service of 99
 the state, but shall have qualifications to conduct the 100
 investigation acceptable to the council. 101

(E)(1) Except as otherwise provided in division (E)(1) of 102
 this section, the department shall charge the following amusement 103
 ride fees: 104

Permit	\$ 150	105
Annual inspection and reinspection per ride:		106
Kiddie rides	\$ 100	107
Roller coaster	\$ 1,200	108
Aerial lifts or bungee jumping facilities	\$ 450	109
Go karts, per kart	\$ 5	110
Inflatable rides, kiddie and adult	\$ 105	111
Other rides	\$ 160	112

Midseason operational inspection per ride \$ 25 113
 Expedited inspection per ride \$ 100 114
 Failure to cancel scheduled inspection per ride \$ 100 115
 Failure to have amusement ride ready for inspection 116
 per ride \$ 100 117

The go kart inspection fee is in addition to the inspection 118
 fee for the go kart track. 119

The director shall adopt rules in accordance with Chapter 120
119. of the Revised Code establishing the annual fee for an 121
inspection and reinspection of an inflatable ride. 122

The fees for an expedited inspection, failure to cancel a 123
 scheduled inspection, and failure to have an amusement ride ready 124
 for inspection do not apply to go karts. 125

As used in division (E)(1) of this section, "expedited 126
 inspection" means an inspection of an amusement ride by the 127
 department not later than ten days after the owner of the 128
 amusement ride files an application for a permit under this 129
 section. 130

(2) All fees and fines collected by the department under 131
 sections 1711.50 to 1711.57 of the Revised Code shall be deposited 132
 in the state treasury to the credit of the amusement ride 133
 inspection fund, which is hereby created, and shall be used only 134
 for the purpose of administering and enforcing sections 1711.11 135
 and 1711.50 to 1711.57 of the Revised Code. 136

(3) The owner of an amusement ride shall be required to pay a 137
 reinspection fee only if the reinspection was conducted at the 138
 owner's request under division (F) of this section, if the 139
 reinspection is required by division (F) of this section because 140
 of an accident, or if the reinspection is required by division (F) 141
 of section 1711.55 of the Revised Code. If a reinspection is 142

conducted at the request of the chief officer of a fair, festival, 143
or event where the ride is operating, the reinspection fee shall 144
be charged to the fair, festival, or event. 145

(4) The rules adopted under division (B) of this section 146
shall define "roller coaster," "aerial lifts," "go karts," and 147
"other rides" for purposes of determining the fees under division 148
(E) of this section. The rules shall define "other rides" to 149
include go kart tracks. 150

(F) A reinspection of an amusement ride shall take place if 151
an accident occurs, if the owner of the ride or the chief officer 152
of the fair, festival, or event where the ride is operating 153
requests a reinspection, or if the reinspection is required by 154
division (F) of section 1711.55 of the Revised Code. 155

(G) As a supplement to its annual inspection of a temporary 156
amusement ride, the department may inspect the ride during each 157
scheduled event, as listed in the schedule of events provided to 158
the department by the owner pursuant to division (C) of section 159
1711.55 of the Revised Code, at which the ride is operated in this 160
state. These supplemental inspections are in addition to any other 161
inspection or reinspection of the ride as may be required under 162
sections 1711.50 to 1711.57 of the Revised Code, and the owner of 163
the temporary amusement ride is not required to pay an inspection 164
or reinspection fee for this supplemental inspection. Nothing in 165
this division shall be construed to prohibit the owner of a 166
temporary amusement ride having a valid permit to operate in this 167
state from operating the ride at a scheduled event before the 168
department conducts a supplemental inspection. 169

(H) The department may annually conduct a midseason 170
operational inspection of every amusement ride upon which it 171
conducts an annual inspection pursuant to division (A) of this 172

section. The midseason operational inspection is in addition to 173
 any other inspection or reinspection of the amusement ride as may 174
 be required pursuant to sections 1711.50 to 1711.57 of the Revised 175
 Code. The owner of an amusement ride shall submit to the 176
 department, at the time determined by the department, the 177
 midseason operational inspection fee specified in division (E) of 178
 this section. The director, in accordance with Chapter 119. of the 179
 Revised Code, shall adopt rules specifying the time period during 180
 which the department will conduct midseason operational 181
 inspections." 182

In line 102686, after "1561.48," insert "1711.53," 183

The motion was _____ agreed to.

SYNOPSIS

Inflatable amusement rides - inspection fee 184

R.C. 1711.53 185

Restores the House-passed provision of the bill that 186
 eliminates the existing \$105 annual inspection and reinspection 187
 fee for inflatable amusement rides, and instead requires the 188
 Director of Agriculture to establish the fee by rule. 189

_____ moved to amend as follows:

1 In line 129738, delete "\$6,803,882,816 \$6,942,228,845"

2 and insert "\$6,799,382,816 \$6,936,728,845"

3 In line 129745, subtract \$4,500,000 from fiscal year 2018

4 and \$5,500,000 from fiscal year 2019

5 In line 129764, delete "\$1,081,530,000 \$1,081,530,000"

6 and insert "\$1,086,030,000 \$1,087,030,000"

7 In line 129767, add \$4,500,000 to fiscal year 2018 and

8 \$5,500,000 to fiscal year 2019

9 In line 133863, delete "\$1,092,060,000" and insert

10 "\$1,082,630,000"; delete "\$1,117,660,000" and insert

11 "\$1,093,630,000"

12 The motion was _____ agreed to.

13 SYNOPSIS

14 **Department of Education**

15 **Section 265.10**

16 Decreases GRF appropriation item 200550, Foundation
17 Funding, by \$4,500,000 in FY 2018 and \$5,500,000 in FY 2019.

SC4887X1

18 Increases SLF Fund 7017 appropriation item 200612,
19 Foundation Funding, by \$4,500,000 in FY 2018 and \$5,500,000 in
20 FY 2019.

21 **State Lottery Commission**

22 **Section 329.10**

23 Decreases the estimated transfers from the State Lottery
24 Fund (Fund 7044) to the Lottery Profits Education Fund (Fund
25 7017) in the version of H.B. 49 now pending in Senate Finance by
26 \$9,430,000 in FY 2018 and \$24,030,000 in FY 2019 to incorporate
27 changes made in the Senate substitute bill and the amendment.

_____ moved to amend as follows:

1 Between lines 133898b and 133899, insert:

2 "5ANO 651686 Care Innovation \$60,000,000 \$60,000,000"

3 and Community

4 Improvement Program

5 In line 133899, add \$60,000,000 to each fiscal year

6 In line 133905, delete "\$2,390,806,106 \$2,577,826,559"

7 and insert "\$2,530,806,106 \$2,717,826,559"

8 In line 133909, add \$140,000,000 to each fiscal year

9 In line 133910, add \$200,000,000 to each fiscal year

10 Between lines 134572 and 134573, insert:

11 "**Section 333.____.** CARE INNOVATION AND COMMUNITY IMPROVEMENT
12 PROGRAM

13 (A) As used in this section:

14 (1) "Nonprofit hospital agency" means a nonprofit hospital
15 agency, as defined in section 140.01 of the Revised Code, that
16 is affiliated with a state university as defined in section
17 3345.011 of the Revised Code.

18 (2) "Participating agency" means a nonprofit hospital
19 agency or public hospital agency participating in the Care
20 Innovation and Community Improvement Program.

21 (3) "Public hospital agency" has the same meaning as in
22 section 140.01 of the Revised Code.

23 (B) The Medicaid Director shall establish the Care
24 Innovation and Community Improvement Program for the 2018-2019
25 fiscal biennium. Any nonprofit hospital agency or public
26 hospital agency may volunteer to participate in the program if
27 the agency operates a hospital that has a Medicaid provider
28 agreement.

29 (C) Participating agencies are responsible for the state
30 share of the program's costs and shall make or request the
31 appropriate government entity to make intergovernmental
32 transfers to pay for such costs. The Medicaid Director shall
33 establish a schedule for making the intergovernmental transfers.

34 (D)(1) Each participating agency shall do at least one of
35 the following tasks in accordance with strategies, and for the
36 purpose of meeting goals, the Medicaid Director shall establish
37 for the Care Innovation and Community Improvement Program:

38 (a) Sustain and expand community-based patient centered
39 medical home models;

40 (b) Expand access to community-based dental services;

41 (c) Improve the quality of community care by creating and
42 sharing best practice models for emergency department
43 diversions, care coordination at discharge and during
44 transitions of care, and other matters related to community
45 care;

46 (d) Align community health improvement strategies and goals
47 with the State Health Improvement Plan and local health
48 improvement plans;

49 (e) Subject to division (D)(2) of this section, expand
50 access to ambulatory drug detoxification and withdrawal
51 management services;

52 (f) Train medical professionals on evidence-based protocols
53 for opioid prescribing and drug addiction risk assessments;

54 (g) Subject to division (D)(2) of this section and in
55 collaboration with all other participating agencies that are
56 also doing this task, create and implement a plan to assist
57 rural areas of the state do both of the following:

58 (i) Expand access to cost-effective detoxification,
59 withdrawal management, and prevention services for opioid
60 addiction;

61 (ii) Disseminate evidence-based protocols for opioid
62 prescribing and drug addiction risk assessment.

63 (2) In expanding access to ambulatory drug detoxification
64 and withdrawal management services under division (D)(1)(e) of

65 this section and creating and implementing the plan specified in
66 division (D)(1)(g) of this section, each participating agency
67 shall give priority to the areas of the community served by the
68 agency with the greatest concentration of opioid overdoses and
69 deaths.

70 (3) Each participating agency shall submit annual reports
71 to the Joint Medicaid Oversight Committee summarizing the
72 agency's work under division (D)(1) of this section and progress
73 in meeting the goals of the Care Innovation and Community
74 Improvement Program.

75 (4) The goals the Medicaid Director establishes for the
76 Care Innovation and Community Improvement Program shall be
77 designed to benefit Medicaid recipients.

78 (E) Each participating agency shall receive supplemental
79 payments under the Medicaid program for physician and other
80 professional services that are covered by the Medicaid program
81 and provided to Medicaid recipients. The amount of the
82 supplemental payments shall equal the difference between the
83 Medicaid payment rates for the services and the average
84 commercial payment rates for the services. The Director may
85 terminate, or adjust the amount of, the supplemental payments if
86 the amount of the funds available for the Care Innovation and
87 Community Improvement Program is inadequate.

88 (F) Not later than January 1, 2018, the Medicaid Director
89 shall establish a process to evaluate the work done by
90 participating agencies under division (D)(1) of this section and
91 the agencies' progress in meeting the goals of the Care
92 Innovation and Community Improvement Program. The Director may
93 terminate an agency's participation in the program if the
94 Director determines that the agency is not doing at least one of
95 the tasks specified in division (D)(1) of this section or making
96 progress in meeting the program's goals.

97 (G) There is hereby created in the state treasury the Care
98 Innovation and Community Improvement Program Fund. All
99 intergovernmental transfers made under division (C) of this
100 section shall be deposited into the fund. Money in the fund and
101 the corresponding federal financial participation in the Health
102 Care - Federal Fund created under section 5162.50 of the Revised
103 Code shall be used to make supplemental payments under division
104 (E) of this section.

105 If the amount of the foregoing appropriation item 651686,
106 Care Innovation and Community Improvement Program, and the
107 corresponding federal financial participation in appropriation
108 item 651623, Medicaid Services - Federal, are inadequate to make
109 the supplemental payments required by division (E) of this
110 section, the Medicaid Director may request that the Director of
111 Budget and Management authorize additional expenditures from the

112 Care Innovation and Community Improvement Program Fund and the
113 Health Care - Federal Fund as needed to make the supplemental
114 payments. If the Director of Budget and Management authorizes
115 the additional expenditures, the additional amounts are hereby
116 appropriated."

117 The motion was _____ agreed to.

118 SYNOPSIS

119 **Department of Medicaid**

120 **Section 333.10**

121 Appropriates \$60,000,000 to new dedicated purpose Fund 5ANO
122 appropriation item 651686 Care Innovation and Community
123 Improvement Program in FY 2018 and FY 2019.

124 Increases federal fund 3F00 appropriation item 651623,
125 Medicaid Services - Federal, by \$140,000,000 in FY 2018 and FY
126 2019.

127 **Care Innovation and Community Improvement Program**

128 **Section 333.____**

129 Requires the Medicaid Director to establish the Care
130 Innovation and Community Improvement Program for the 2018-2019
131 fiscal biennium.

132 Permits a nonprofit hospital agency affiliated with a state
133 university and a public hospital agency to participate in the
134 program if the agency operates a hospital that has a Medicaid
135 provider agreement.

136 Provides that nonprofit and public hospital agencies
137 participating in the program are responsible for the state share
138 of the program's costs.

SC4889X1

139 Specifies the duties of nonprofit and public hospital
140 agencies participating in the program.

141 Provides for each nonprofit and public hospital agency
142 participating in the program to receive supplemental payments
143 under the Medicaid program for physician and other professional
144 services.

145 Provides that the amount of the supplemental payments is to
146 equal the difference between the Medicaid rates for the services
147 and the average commercial rates for the services.

148 Permits the Medicaid Director to terminate or adjust the
149 amount of the supplemental payments if the funding for the
150 program is inadequate.

151 Creates the Care Innovation and Community Improvement
152 Program Fund to be used to make supplemental payments under the
153 program.

154 Permits the Medicaid Director, if the amount appropriated
155 from the fund and the corresponding federal financial
156 participation appropriated from the existing Health Care-Federal
157 Fund are inadequate to make the supplemental payments, to
158 request that the Director of Budget and Management authorize
159 additional expenditures from the funds as needed to make the
160 payments.

161 Appropriates the additional amounts on the Director of
162 Budget and Management's authorization of the additional
163 expenditures.

_____ moved to amend as follows:

1 In line 96194, delete "Division (A)(12) of this section
2 applies only to" and insert "(a) As used in this division:

3 (i) "Eligible county" means"

4 Between lines 96198 and 96199, insert:

5 "(ii) "Professional sports facility" means a sports
6 facility that is intended to house major or minor league
7 professional athletic teams, including a stadium, together with
8 all parking facilities, walkways, and other auxiliary
9 facilities, real and personal property, property rights,
10 easements, and interests that may be appropriate for, or used in
11 connection with, the operation of the facility."

12 In line 96200, delete "a" and insert "an eligible"; delete
13 "to which this division"

14 In line 96201, delete "applies"

15 In line 96205, after "constructing" insert ", improving,"

16 In line 96206, after "maintaining" insert "a professional";
17 delete "and recreation"; delete "facilities" and insert
18 "facility"

19 In line 96209, delete "those" and insert "that
20 professional"; delete "and recreation facilities" and insert
21 "facility"

SC4890

22 In line 96210, delete "county" and insert "convention and
23 visitors' bureau"

24 In line 96211, delete "completion" and insert
25 "construction, improvement, or maintenance"; delete the second
26 "the" and insert "a professional"; delete "and recreational"

27 In line 96212, delete "facilities that are to be
28 constructed and maintained" and insert "facility that is or will
29 be located on property acquired, in whole or in part,"

30 In line 96227, delete "board" and insert "convention and
31 visitors' bureau"

32 In line 96228, delete "completion" and insert
33 "construction, improvement, or maintenance"; delete the second
34 "the" and insert "a professional"; delete "and recreational"

35 In line 96229, delete "facilities that are to be
36 constructed and maintained" and insert "facility that is or will
37 be located on property acquired, in whole or in part,"

38 The motion was _____ agreed to.

39 SYNOPSIS

40 **Lodging tax rate increase in Clermont County**

41 **R.C. 5739.09(A) (12)**

42 Modifies a provision added by the House that allows a
43 county that has a 2010 population of between 190,000 and 200,000
44 and that currently levies a 3% lodging tax (i.e., Clermont
45 County) to increase the rate of its tax up to an additional 1%
46 for the purpose of constructing, improving, and maintaining a
47 sports facility, to require that:

SC4890

48 --The facility must be intended to house a professional
49 sports team.

50 --The county may begin levying the tax only after the
51 county's convention and visitors' bureau enters into a contract
52 for the construction, improvement, or maintenance of the sports
53 facility.

54 --If the convention and visitors' bureau has not entered
55 into such a contract before January 1, 2019, the authority to
56 levy the tax expires.

_____ moved to amend as follows:

1 In line 43835, delete "establish" and insert "prepare a
2 transferability strategy plan that defines"; delete "and"

3 In line 43836, after "procedures" insert ", and timelines";
4 after "that" insert "would"

5 In line 43840, after "procedures" insert "in the strategy
6 plan"

7 Between lines 43842 and 43843, insert:

8 "(C) The chancellor shall convene the necessary
9 stakeholders to assist in the preparation of the strategy plan.
10 The chancellor shall complete and deliver to the governor,
11 president and minority leader of the senate, and speaker and
12 minority leader of the house of representatives an interim
13 strategy plan on or before July 1, 2018, and the final strategy
14 plan on or before January 1, 2019."

15 The motion was _____ agreed to.

16 SYNOPSIS

17 **Transfer of credits for proprietary schools**

18 **R.C. 3333.166**

19 Revises the bill's provisions requiring the Chancellor of
20 Higher Education to develop criteria, policies, and procedures

SC4891

21 for transfer of credits from for-profit career colleges and
22 schools (proprietary schools) to state institutions of higher
23 education by:

24 (1) Specifying that the Chancellor, in consultation with
25 "necessary stakeholders," prepare a "transferability strategy
26 plan" that defines criteria, policies, procedures, and timelines
27 that enable students to transfer credits earned from a career
28 college or school to a state institution of higher education
29 without unnecessary duplication or institutional barriers; and

30 (2) Requiring the Chancellor to submit an interim report by
31 July 1, 2018, and a final report by January 1, 2019, to the
32 Governor, President and Minority Leader of the Senate, and the
33 Speaker and Minority Leader of the House of Representatives.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 4 of the title, after "113.061," insert "117.46," 1
- In line 251 of the title, after "9.584," insert "101.88,
101.881, 101.882, 101.89," 2
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- In line 507, after "113.061," insert "117.46," 4
- In line 658, after "9.584," insert "101.88, 101.881, 101.882,
101.89," 5
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- Between lines 899 and 900, insert: 7
- "Sec. 101.88. (A) The departments enumerated in divisions (B) 8
and (C) of this section shall periodically be reviewed by the 9
general assembly. 10
- (B) The following departments shall be reviewed during each 11
even-numbered general assembly: 12
- (1) The office of budget and management; 13
- (2) The department of administrative services; 14
- (3) The department of agriculture; 15
- (4) The department of health; 16
- (5) The department of public safety; 17
- (6) The department of developmental disabilities; 18

<u>(7) The development services agency;</u>	19
<u>(8) The department of rehabilitation and correction;</u>	20
<u>(9) The department of aging;</u>	21
<u>(10) The department of medicaid;</u>	22
<u>(11) The office of the adjutant general;</u>	23
<u>(12) The department of higher education.</u>	24
<u>(C) The following departments shall be reviewed during each odd-numbered general assembly:</u>	25
<u>(1) The department of commerce;</u>	26
<u>(2) The department of transportation;</u>	27
<u>(3) The department of natural resources;</u>	28
<u>(4) The department of job and family services;</u>	29
<u>(5) The department of mental health and addiction services;</u>	30
<u>(6) The department of insurance;</u>	31
<u>(7) The department of youth services;</u>	32
<u>(8) The environmental protection agency;</u>	33
<u>(9) The department of veterans services;</u>	34
<u>(10) The office of health transformation;</u>	35
<u>(11) The public utilities commission;</u>	36
<u>(12) The department of taxation.</u>	37
<u>(D) The general assembly may abolish, terminate, or transfer a department by no other means except by the enactment of a law, and may provide by law for the orderly, efficient, and expeditious conclusion of a department's business and operation. The rules, orders, licenses, contracts, and other actions made, taken,</u>	38
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granted, or performed by the department shall continue in effect
according to their terms notwithstanding the department's
abolition, unless the general assembly provides otherwise by law.
The general assembly may provide by law for the temporary or
permanent transfer of some or all of a terminated or transferred
department's functions and personnel to a successor department,
board, or officer.

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The abolition, termination, or transfer of a department shall
not cause the termination or dismissal of any claim pending
against the department by any person, or any claim pending against
any person by the department. Unless the general assembly provides
otherwise by law for the substitution of parties, the attorney
general shall succeed the department with reference to any pending
claim.

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Sec. 101.881. (A) Not later than three months after the
commencement of a general assembly during which a department is
scheduled to be reviewed under division (B) or (C) of section
101.88 of the Revised Code, the president of the senate and the
speaker of the house of representatives each shall direct a
standing committee of the senate and of the house of
representatives, respectively, to hold hearings to receive the
testimony of the public and of the chief executive officer of the
department and otherwise shall review, consider, and evaluate the
usefulness, performance, and effectiveness of the department. The
president of the senate and the speaker of the house of
representatives may defer the review of a department until the
next general assembly during which the department is subject to
review. A department whose review has been deferred shall be
reviewed, without the option for deferment, during the next
general assembly during which the department is subject to review

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under division (B) or (C) of section 101.88 of the Revised Code. 74

(B) The president of the senate and the speaker of the house 75
of representatives may direct a standing committee of the senate 76
and of the house of representatives, respectively, to hold 77
hearings to receive the testimony of the public and of the chief 78
executive officer of a department that is not scheduled to be 79
reviewed under division (B) or (C) of section 101.88 of the 80
Revised Code, and otherwise may review, consider, and evaluate the 81
usefulness, performance, and effectiveness of the department. 82

(C) Each department that is scheduled for review and each 83
department that is identified to be reviewed by a standing 84
committee shall submit to the standing committee a report that 85
contains all of the following information: 86

(1) The department's primary purpose and its various goals 87
and objectives; 88

(2) The department's past and anticipated workload, the 89
number of staff required to complete that workload, and the 90
department's total number of staff; 91

(3) The department's past and anticipated budgets and its 92
sources of funding. 93

(D) Each department shall have the burden of demonstrating to 94
the standing committee a public need for its continued existence. 95
In determining whether a department has demonstrated that need, 96
the standing committee shall consider, as relevant, all of the 97
following: 98

(1) Whether or not the public could be protected or served in 99
an alternate or less restrictive manner; 100

(2) Whether or not the department serves the public interest 101
rather than a specific interest; 102

<u>(3) Whether or not rules adopted by the department are</u>	103
<u>consistent with the legislative mandate of the department as</u>	104
<u>expressed in the statutes that created and empowered the</u>	105
<u>department;</u>	106
<u>(4) The extent to which the department's jurisdiction and</u>	107
<u>programs overlap or duplicate those of other departments, the</u>	108
<u>extent to which the department coordinates with those other</u>	109
<u>departments, and the extent to which the department's programs</u>	110
<u>could be consolidated with the programs of other state</u>	111
<u>departments;</u>	112
<u>(5) Whether or not continuation of the department is</u>	113
<u>necessary to protect the health, safety, or welfare of the public,</u>	114
<u>and if so, whether or not the department's authority is narrowly</u>	115
<u>tailored to protect against present, recognizable, and significant</u>	116
<u>harms to the health, safety, or welfare of the public;</u>	117
<u>(6) The amount of regulation exercised by the department</u>	118
<u>compared to such regulation, if any, in other states;</u>	119
<u>(7) Whether or not alternative means or methods can be used</u>	120
<u>to improve efficiency and customer service to assist the</u>	121
<u>department in the performance of its duties;</u>	122
<u>(8) Whether or not the operation of the department has</u>	123
<u>inhibited economic growth, reduced efficiency, or increased the</u>	124
<u>cost of government;</u>	125
<u>(9) An assessment of the authority of the department</u>	126
<u>regarding fees, inspections, enforcement, and penalties;</u>	127
<u>(10) The extent to which the department has permitted</u>	128
<u>qualified applicants to serve the public;</u>	129
<u>(11) The cost-effectiveness of the department in terms of</u>	130
<u>number of employees, services rendered, and administrative costs</u>	131

<u>incurred, both past and present;</u>	132
<u>(12) Whether or not the department's operation has been</u>	133
<u>impeded or enhanced by existing statutes and procedures and by</u>	134
<u>budgetary, resource, and personnel practices;</u>	135
<u>(13) Whether the department has recommended statutory changes</u>	136
<u>to the general assembly that would benefit the public as opposed</u>	137
<u>to the persons regulated by the department, if any, and whether</u>	138
<u>its recommendations and other policies have been adopted and</u>	139
<u>implemented;</u>	140
<u>(14) Whether the department has required any persons it</u>	141
<u>regulates to report to it the impact of department rules and</u>	142
<u>decisions on the public as they affect service costs and service</u>	143
<u>delivery;</u>	144
<u>(15) Whether persons regulated by the department, if any,</u>	145
<u>have been required to assess problems in their business operations</u>	146
<u>that affect the public;</u>	147
<u>(16) Whether the department has encouraged public</u>	148
<u>participation in its rule-making and decision-making;</u>	149
<u>(17) The efficiency with which formal public complaints filed</u>	150
<u>with the department have been processed to completion;</u>	151
<u>(18) Whether the programs or services of the department</u>	152
<u>duplicate or overlap those of other departments;</u>	153
<u>(19) Whether the purpose for which the department was created</u>	154
<u>has been fulfilled, has changed, or no longer exists;</u>	155
<u>(20) Whether federal law requires that the department be</u>	156
<u>renewed in some form;</u>	157
<u>(21) An assessment of the administrative hearing process of a</u>	158
<u>department if the department has an administrative hearing</u>	159

<u>process;</u>	160
<u>(22) Any applicable criteria under division (E) of this section;</u>	161
<u>(23) Changes needed in the enabling laws of the department in order for it to comply with the criteria suggested by the considerations listed in divisions (D)(1) to (22) of this section.</u>	163
<u>(E) In the review of a department that issues a license to practice a trade or profession, the standing committee shall consider all of the following:</u>	166
<u>(1) Whether the requirement for the license serves a meaningful, defined public interest and provides the least restrictive form of regulation that adequately protects the public interest;</u>	167
<u>(2) The extent to which the objective of licensing may be achieved through market forces, private or industry certification and accreditation programs, or enforcement of other existing laws;</u>	168
<u>(3) The extent to which licensing ensures that practitioners have occupational skill sets or competencies that correlate with a public interest, and the impact that those criteria have on applicants for a license, particularly those with moderate or low incomes, seeking to enter the occupation or profession;</u>	169
<u>(4) The extent to which the requirement for the license stimulates or restricts competition, affects consumer choice, and affects the cost of services.</u>	170
<u>As used in division (E) of this section:</u>	171
<u>"Least restrictive form of regulation" means the public policy of relying on one of the following, listed from the least to the most restrictive, as a means of consumer protection: market</u>	172
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competition; third-party or consumer-created ratings and reviews; 188
private certification; specific private civil cause of action to 189
remedy consumer harm; actions under Chapter 1345. of the Revised 190
Code; regulation of the process of providing the specific goods or 191
services to consumers; inspection; bonding or insurance; 192
registration; government certification; specialty occupational 193
license for medical reimbursement; and occupational license. 194
"Specialty occupational license for medical reimbursement" means a 195
nontransferable authorization in law for an individual to provide 196
identified medical services and qualify for payment or 197
reimbursement from a government agency based on meeting personal 198
qualifications established in law. 199

"License" means a license, certificate, permit, or other 200
authorization issued or conferred by a department or board under 201
which a person may engage in a profession, occupation, or 202
occupational activity. 203

For purposes of division (E) of this section, a government 204
regulatory requirement is in the public interest if it provides 205
protection from present, recognizable, and significant harms to 206
the health, safety, or welfare of the public. 207

Sec. 101.882. The president of the senate and the speaker of 208
the house of representatives shall notify the chief of the common 209
sense initiative office, established under section 107.61 of the 210
Revised Code, when a department is identified under division (A) 211
or (B) of section 101.881 of the Revised Code to be reviewed by a 212
standing committee. The chief or the chief's designee shall appear 213
and testify before the standing committee, with respect to the 214
department, and shall testify on at least all of the following: 215

(A) Whether or not the common sense initiative office has, 216

within the previous five years, received commentary related to the 217
department through the comment system established under section 218
107.62 of the Revised Code; 219

(B) Whether or not the common sense initiative office has, 220
within the previous five years, received advice from the small 221
business advisory council with respect to rules of the department; 222

(C) Any other information the chief believes will elucidate 223
the effectiveness and efficiency of the department and in 224
particular the quality of customer service provided by the 225
department. 226

Sec. 101.89. After the completion of the evaluation review of 227
a department under section 101.881 of the Revised Code, the 228
standing committee that conducted the review may prepare and 229
publish a report of its findings and recommendations. A standing 230
committee may include in a single report its findings and 231
recommendations regarding more than one department. If the 232
standing committee prepares and publishes a report, the committee 233
shall furnish a copy of the report to the clerk of the house of 234
representatives or the clerk of the senate, as the case may be. 235
The clerk shall furnish a copy of the report to the president of 236
the senate, the speaker of the house of representatives, the 237
governor, and each affected department. The clerk shall make any 238
published report available to the public on the internet web site 239
of the general assembly." 240

Between lines 3748 and 3749, insert: 241

"Sec. 117.46. Each ~~biennium~~ odd-numbered general assembly the 242
auditor of state shall conduct a minimum of four performance 243
audits under this section. Except as otherwise provided in this 244

section, at least two of the audits shall be of state agencies 245
 selected from ~~a list comprised of the administrative~~ departments 246
 listed in division (B) of section ~~121.02~~ 101.88 of the Revised 247
 Code and the department of education and at least two of the 248
 audits shall be of other state agencies. ~~At~~ These performance 249
audits shall be completed before the end of the general assembly 250
and shall be made available to the standing committee directed to 251
conduct the review under section 101.88 of the Revised Code during 252
the subsequent general assembly. 253

Each even-numbered general assembly the auditor of state 254
shall conduct a minimum of four performance audits under this 255
section. Except as otherwise provided in this section, at least 256
two of the audits shall be of state agencies selected from the 257
departments listed in division (C) of section 101.88 of the 258
Revised Code and the department of education and at least two of 259
the audits shall be of other state agencies. These performance 260
audits shall be completed before the end of the general assembly 261
and shall be made available to the standing committee directed to 262
conduct the review under section 101.88 of the Revised Code during 263
the subsequent general assembly. 264

At the auditor of state's discretion, the auditor of state 265
 may conduct a performance audit of a state institution of higher 266
 education as one of the four ~~required~~ performance audits required 267
during a general assembly. The offices of the attorney general, 268
 auditor of state, governor, secretary of state, and treasurer of 269
 state and agencies of the legislative and judicial branches are 270
 not subject to an audit under this section. 271

The auditor shall select each agency or institution to be 272
 audited and shall determine whether to audit the entire agency or 273
 institution or a portion of the agency or institution by auditing 274
 one or more programs, offices, boards, councils, or other entities 275

within that agency or institution. The auditor shall make the selection and determination in consultation with the governor and the speaker and minority leader of the house of representatives and president and minority leader of the senate.

An audit of a portion of an agency or institution shall be considered an audit of one agency or institution. The authority to audit a portion of an agency or institution in no way limits the auditor's ability to audit an entire agency or institution if it is in the best interest of the state.

The performance audits under this section shall be conducted pursuant to sections 117.01 and 117.13 of the Revised Code. In conducting a performance audit, the auditor of state shall determine the scope of the audit, but shall consider, if appropriate, supervisory and subordinate level operations in the agency or institution. A performance audit under this section shall not include review or evaluation of an institution's academic performance.

As used in this section and in sections 117.461, 117.462, 117.463, 117.47, 117.471, and 147.472 of the Revised Code, "state institution of higher education" has the meaning defined in section 3345.011 of the Revised Code.

In line 102661, after "113.061," insert "117.46,"

The motion was _____ agreed to.

SYNOPSIS

General Assembly review of cabinet departments 298
R.C. 101.88, 101.881, 101.882, 101.89, and 117.46 299

Establishes a procedure for the General Assembly to periodically review cabinet departments. 300
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Allows the General Assembly to abolish, terminate, or transfer a department by no other means except by the enactment of a law. 302
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304

Authorizes the General Assembly to review, consider, evaluate, and report on the usefulness, performance, and effectiveness of other departments and, if reviewed, requires the Chief of the Common Sense Initiative Office to testify regarding the department. 305
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Modifies the schedule of performance audits conducted by the Auditor of State to coincide with the periodic review of cabinet departments. 310
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_____ moved to amend as follows:

1 Between lines 140879 and 140880, insert:

2 **"Section 733.____.** Notwithstanding anything in the Revised
3 Code to the contrary, this section shall apply only to students
4 who are enrolled in a school district, community school, STEM
5 school, or chartered nonpublic school and who entered ninth
6 grade for the first time on or after July 1, 2014, but prior to
7 July 1, 2015. This section does not apply to any student who
8 entered ninth grade for the first time prior to July 1, 2014, or
9 to any student who entered ninth grade for the first time on or
10 after July 1, 2015.

11 (A) In lieu of qualifying for high school graduation under
12 section 3313.61 of the Revised Code, a student shall be eligible
13 to receive a high school diploma if:

14 (1) The student takes all of the end-of-course examinations
15 prescribed under division (B)(2) of section 3301.0712 of the
16 Revised Code required for the student or takes the assessment
17 prescribed under section 3313.619 of the Revised Code, as
18 applicable;

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19 (2) Retakes, at least once, any end-of-course examination
20 in the area of English language arts or mathematics for which a
21 student received an equivalent score of lower than "3";

22 (3) Completes the required units of instruction prescribed
23 by the school district or school;

24 (4) Meets at least two of the following conditions:

25 (a) The student has an attendance rate of at least ninety-
26 three per cent during the twelfth grade year.

27 (b) The student takes at least four full-year or equivalent
28 courses during the twelfth grade year and has at least a grade
29 point average of 2.5 on a 4.0 scale for the courses completed
30 during the twelfth grade year.

31 (c) During the twelfth grade, the student completed a
32 capstone project as defined by the district or school.

33 (d) During the twelfth grade, the student completed one
34 hundred twenty hours of work in a community service role or in a
35 position of employment, including internships, work study, co-
36 ops, and apprenticeships as defined by the district or school.

37 (e) The student earned three or more transcribed credit
38 hours under the College Credit Plus program, established under
39 Chapter 3365. of the Revised Code, at any time during high
40 school.

41 (f) The student passed an Advanced Placement or
42 International Baccalaureate course, and received a score of

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43 three or higher on the corresponding Advanced Placement
44 examination or a score of four or higher on the corresponding
45 International Baccalaureate examination, at any time during high
46 school.

47 (g) The student earned at least a level three score on each
48 of the "reading for information," "applied mathematics," and
49 "locating information" components of the job skills assessment
50 selected by the State Board of Education under division (G) of
51 section 3301.0712 of the Revised Code, or a comparable score on
52 similar components of an successor version of that assessment.

53 (h) The student obtained an industry-recognized credential,
54 as described under division (B) (2) (d) of section 3302.03 of the
55 Revised Code, or a group of credentials equal to at least three
56 total points.

57 (i) The student satisfies the conditions required to
58 receive an OhioMeansJobs-readiness seal under section 3313.6112
59 of the Revised Code.

60 (B) In lieu of qualifying for high school graduation under
61 section 3313.61 of the Revised Code, a student shall be eligible
62 to receive a high school diploma if:

63 (1) The student takes all of the end-of-course examinations
64 prescribed under division (B) (2) of section 3301.0712 of the
65 Revised Code required for the student or takes the assessment

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66 prescribed under section 3313.619 of the Revised Code, as
67 applicable;

68 (2) Completes the required units of instruction prescribed
69 by the school district or school;

70 (3) Completes a career-technical training program approved
71 by the Department of Education that includes at least four
72 career-technical courses;

73 (4) Meets one of the following conditions:

74 (a) Attains a cumulative score of at least proficient on
75 career-technical education assessments, or test modules, that
76 are required for a career-technical education program;

77 (b) Obtains an industry-recognized credential, as described
78 under division (B)(2)(d) of section 3302.03 of the Revised Code,
79 or a group of credentials equal to at least twelve points;

80 (c) Demonstrates successful workplace participation, as
81 evidenced by documented completion of two hundred fifty hours of
82 workplace experience and evidence of regular, written, positive
83 evaluations from the workplace employer or supervisor and a
84 representative of the school district or school. The workplace
85 participation shall be based on a written agreement signed by
86 the student, a representative of the district or school, and an
87 employer or supervisor.

88 (C) As used in this section, "community school" means any
89 community school established under Chapter 3314. and "STEM

90 school" means any science, technology, engineering, and
91 mathematics school established under Chapter 3326. of the
92 Revised Code."

93 The motion was _____ agreed to.

94 SYNOPSIS

95 **Graduation pathways for the Class of 2018**

96 **Section 733. _____**

97 Creates two alternative graduation pathways exclusively for
98 students who are enrolled in a school district, other public
99 school, or chartered nonpublic school and who entered ninth
100 grade for the first time on or after July 1, 2014, but before
101 July 1, 2015 (Class of 2018), as follows:

102 (1) Specifies that such a student may qualify for a high
103 school diploma if:

104 (a) The student takes all of the end-of-course exams
105 required for the student or takes an alternate assessment for
106 chartered nonpublic school students, as applicable;

107 (b) Retakes, at least once, any end-of-course exam in the
108 area of English language arts or mathematics for which a student
109 received an equivalent score of lower than "3";

110 (c) Completes the district's or school's required units of
111 instruction; and

112 (d) Completes at least two of the following conditions:

113 (i) Has an attendance rate of at least 93% during the 12th
114 grade;

115 (ii) Takes at least four full-year or equivalent courses
116 during the twelfth grade and has a grade point average of at
117 least 2.5 for courses completed during the twelfth grade year;

118 (iii) Completed, during the 12th grade, a capstone project
119 as defined by the district or school;

120 (iv) Completed, during the 12th grade, 120 hours of work in
121 a community service role or in a position of employment,
122 including internships, work study, co-ops, and apprenticeships
123 as defined by the district or school;

124 (v) Earned three or more transcribed credit hours under
125 the College Credit Plus program, at any time during high school;

126 (vi) Passed an Advanced Placement (AP) or International
127 Baccalaureate (IB) course, and received a score of three or
128 higher on the corresponding AP course or a score of four or
129 higher on the corresponding IB course at any time during high
130 school;

131 (vii) Earned at least a "level three" score on each of the
132 "reading for information," "applied mathematics," and "locating
133 information" components of the WorkKeys assessment, or a
134 comparable score on similar components of any successor version
135 of that assessment;

136 (viii) Obtain an industry-recognized credential or a group
137 of credentials equal to at least three points; or

138 (ix) The student satisfies the conditions required to
139 receive an OhioMeansJobs-readiness seal (created under the
140 bill).

141 (2) Also, specifies that such a student may qualify for a
142 high school diploma if:

143 (a) The student takes all of the end-of-course exams
144 required for the student or takes an alternate assessment for
145 chartered nonpublic school students, as applicable;

146 (b) Completes the district's or school's required units of
147 instruction;

148 (c) Completes a career-technical training program approved
149 by the Department of Education that includes at least four
150 career-technical courses; and

151 (d) Completes one of the following conditions:

152 (i) Attains a cumulative score of at least proficient on
153 career-technical education exams, or test modules, that are
154 required for a career-technical education program;

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155 (ii) Obtains an industry-recognized credential, or a group
156 of credentials equal to at least 12 points; or

157 (iii) Demonstrates successful workplace participation, as
158 evidenced by documented completion of 250 hours of workplace
159 experience and by evidence of regular, written, positive
160 evaluations from the workplace employer or supervisor and
161 representative of the district or school. (Specifies that the
162 third condition must be based on a written agreement signed by
163 the student, a representative of the district or school, and an
164 employer or supervisor.)

165 (The amendment does not prohibit an affected student from
166 completing the standard graduation requirements under current
167 law in order to receive a high school diploma (complete the
168 school's curriculum and complete one of three prescribed
169 graduation pathways or, in the case of certain chartered
170 nonpublic school students, take an alternate assessment and
171 attain a passing score on such assessment).)

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 74 of the title, after "3318.71," insert "3319.088," 1

In line 75 of the title, after "3319.291," insert "3319.36," 2

In line 558, after "3318.71," insert "3319.088," 3

In line 559, after "3319.291," insert "3319.36," 4

Between lines 41945 and 41946, insert: 5

"**Sec. 3319.088.** As used in this section, "educational 6
assistant" means any nonteaching employee in a school district who 7
directly assists a teacher as defined in section 3319.09 of the 8
Revised Code, by performing duties for which a license issued 9
pursuant to sections 3319.22 to 3319.30 of the Revised Code is not 10
required. 11

(A) The state board of education shall issue educational aide 12
permits and educational paraprofessional licenses for educational 13
assistants and shall adopt rules for the issuance and renewal of 14
such permits and licenses which shall be consistent with the 15
provisions of this section. Educational aide permits and 16
educational paraprofessional licenses may be of several types and 17
the rules shall prescribe the minimum qualifications of education, 18
health, and character for the service to be authorized under each 19
type. The prescribed minimum qualifications may require special 20

training or educational courses designed to qualify a person to 21
perform effectively the duties authorized under an educational 22
aide permit or educational paraprofessional license. 23

(B)(1) Any application for a permit or license, or a renewal 24
or duplicate of a permit or license, under this section shall be 25
accompanied by the payment of a fee in the amount established 26
under division (A) of section 3319.51 of the Revised Code. Any 27
fees received under this division shall be paid into the state 28
treasury to the credit of the state board of education licensure 29
fund established under division (B) of section 3319.51 of the 30
Revised Code. 31

(2) Any person applying for or holding a permit or license 32
pursuant to this section is subject to sections 3123.41 to 3123.50 33
of the Revised Code and any applicable rules adopted under section 34
3123.63 of the Revised Code and sections 3319.31 and 3319.311 of 35
the Revised Code. 36

(C) Educational assistants shall at all times while in the 37
performance of their duties be under the supervision and direction 38
of a teacher as defined in section 3319.09 of the Revised Code. 39
Educational assistants may assist a teacher to whom assigned in 40
the supervision of pupils, in assisting with instructional tasks, 41
and in the performance of duties which, in the judgment of the 42
teacher to whom the assistant is assigned, may be performed by a 43
person not licensed pursuant to sections 3319.22 to 3319.30 of the 44
Revised Code and for which a teaching license, issued pursuant to 45
sections 3319.22 to 3319.30 of the Revised Code is not required. 46
The duties of an educational assistant shall not include the 47
assignment of grades to pupils. The duties of an educational 48
assistant need not be performed in the physical presence of the 49
teacher to whom assigned, but the activity of an educational 50

assistant shall at all times be under the direction of the teacher
to whom assigned. The assignment of an educational assistant need
not be limited to assisting a single teacher. In the event an
educational assistant is assigned to assist more than one teacher
the assignments shall be clearly delineated and so arranged that
the educational assistant shall never be subject to simultaneous
supervision or direction by more than one teacher.

Educational assistants assigned to supervise children shall,
when the teacher to whom assigned is not physically present,
maintain the degree of control and discipline that would be
maintained by the teacher.

Educational assistants may not be used in place of classroom
teachers or other employees and any payment of compensation by
boards of education to educational assistants for such services is
prohibited. The ratio between the number of licensed teachers and
the pupils in a school district may not be decreased by
utilization of educational assistants and no grouping, or other
organization of pupils, for utilization of educational assistants
shall be established which is inconsistent with sound educational
practices and procedures. A school district may employ up to one
full time equivalent educational assistant for each six full time
equivalent licensed employees of the district. Educational
assistants shall not be counted as licensed employees for purposes
of state support in the school foundation program and no grouping
or regrouping of pupils with educational assistants may be counted
as a class or unit for school foundation program purposes. Neither
special courses required by the regulations of the state board of
education, prescribing minimum qualifications of education for an
educational assistant, nor years of service as an educational
assistant shall be counted in any way toward qualifying for a
teacher license, for a teacher contract of any type, or for

determining placement on a salary schedule in a school district as
a teacher.

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(D) Educational assistants employed by a board of education
shall have all rights, benefits, and legal protection available to
other nonteaching employees in the school district, except that
provisions of Chapter 124. of the Revised Code shall not apply to
any person employed as an educational assistant, and shall be
members of the school employees retirement system. Educational
assistants shall be compensated according to a salary plan adopted
annually by the board.

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Except as provided in this section nonteaching employees
shall not serve as educational assistants without first obtaining
an appropriate educational aide permit or educational
paraprofessional license from the state board of education. A
nonteaching employee who is the holder of a valid educational aide
permit or educational paraprofessional license shall neither
render nor be required to render services inconsistent with the
type of services authorized by the permit or license held. No
person shall receive compensation from a board of education for
services rendered as an educational assistant in violation of this
provision.

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Nonteaching employees whose functions are solely
secretarial-clerical and who do not perform any other duties as
educational assistants, even though they assist a teacher and work
under the direction of a teacher shall not be required to hold a
permit or license issued pursuant to this section. Students
preparing to become licensed teachers or educational assistants
shall not be required to hold an educational aide permit or
paraprofessional license for such periods of time as such students
are assigned, as part of their training program, to work with a

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teacher in a school district. Such students shall not be 112
 compensated for such services. 113

Following the determination of the assignment and general job 114
 description of an educational assistant and subject to supervision 115
 by the teacher's immediate administrative officer, a teacher to 116
 whom an educational assistant is assigned shall make all final 117
 determinations of the duties to be assigned to such assistant. 118
 Teachers shall not be required to hold a license designated for 119
 being a supervisor or administrator in order to perform the 120
 necessary supervision of educational assistants. 121

(E) No person who is, or who has been employed as an 122
 educational assistant shall divulge, except to the teacher to whom 123
 assigned, or the administrator of the school in the absence of the 124
 teacher to whom assigned, or when required to testify in a court 125
 or proceedings, any personal information concerning any pupil in 126
 the school district which was obtained or obtainable by the 127
 educational assistant while so employed. Violation of this 128
 provision is grounds for disciplinary action or dismissal, or 129
 both. 130

(F) Notwithstanding anything to the contrary in this section, 131
the superintendent of a school district may allow an employee who 132
does not hold a permit or license issued under this section to 133
work as a substitute for an educational assistant who is absent on 134
account of illness or on a leave of absence, or to fill a 135
temporary position created by an emergency, provided that the 136
superintendent believes the employee's application materials 137
indicate that the employee is qualified to obtain a permit or 138
license under this section. 139

An employee shall begin work as a substitute under this 140
division not earlier than on the date on which the employee files 141

an application with the state board for a permit or license under 142
this section. An employee shall cease working as a substitute 143
under this division on the earliest of the following: 144

(1) The date on which the employee files a valid permit or 145
license issued under this section with the superintendent; 146

(2) The date on which the employee is denied a permit or 147
license under this section; 148

(3) Sixty days following the date on which the employee began 149
work as a substitute under this division. 150

The superintendent shall ensure that an employee assigned to 151
work as a substitute under division (F) of this section has 152
undergone a criminal records check in accordance with section 153
3319.391 of the Revised Code." 154

Between lines 42711 and 42712, insert: 155

"**Sec. 3319.36.** (A) No treasurer of a board of education or 156
 educational service center shall draw a check for the payment of a 157
 teacher for services until the teacher files with the treasurer 158
 both of the following: 159

(1) Such reports as are required by the state board of 160
 education, the school district board of education, or the 161
 superintendent of schools; 162

(2) Except for a teacher who is engaged pursuant to section 163
 3319.301 of the Revised Code, a written statement from the city, 164
 exempted village, or local school district superintendent or the 165
 educational service center superintendent that the teacher has 166
 filed with the treasurer a legal educator license, or true copy of 167
 it, to teach the subjects or grades taught, with the dates of its 168
 validity. The state board of education shall prescribe the record 169

and administration for such filing of educator licenses in 170
 educational service centers. 171

(B) Notwithstanding division (A) of this section, the 172
 treasurer may pay ~~either~~ any of the following: 173

(1) Any teacher for services rendered during the first two 174
 months of the teacher's initial employment with the school 175
 district or educational service center, provided such teacher is 176
 the holder of a bachelor's degree or higher and has filed with the 177
 state board of education an application for the issuance of an 178
 educator license described in division (A)(1) of section 3319.22 179
 of the Revised Code. 180

(2) Any substitute teacher for services rendered while 181
 conditionally employed under section 3319.101 of the Revised Code. 182

(3) Any employee for services rendered under division (F) of 183
section 3319.088 of the Revised Code. 184

(C) Upon notice to the treasurer given by the state board of 185
 education or any superintendent having jurisdiction that reports 186
 required of a teacher have not been made, the treasurer shall 187
 withhold the salary of the teacher until the required reports are 188
 completed and furnished." 189

In line 102712, after "3318.71," insert "3319.088," 190

In line 102713, after "3319.291," insert "3319.36," 191

The motion was _____ agreed to.

SYNOPSIS

Substitutes for educational aides 192

R.C. 3319.088 and 3319.36	193
Permits a school district superintendent to allow an employee	194
who does not hold an educational aide permit or an educational	195
paraprofessional license to work as a substitute for an	196
educational assistant who is absent on account of illness or on a	197
leave of absence, or to fill a temporary position created by an	198
emergency, provided that the superintendent believes the	199
employee's application materials indicate that the employee is	200
qualified to obtain a permit or license.	201
Specifies that the employee must complete a criminal records	202
check in accordance with continuing law for nonlicensed school	203
employees.	204
Specifies that an employee working as a substitute under this	205
provision must begin work no earlier than the date on which the	206
employee files an application with the State Board of Education	207
for an educational aide permit or an educational paraprofessional	208
license.	209
Specifies that an employee working as a substitute under this	210
provision must cease working as a substitute on the earliest of	211
(1) the date on which the employee files a valid educational aide	212
permit or educational paraprofessional license with the	213
superintendent, (2) the date on which the employee is denied an	214
educational aide permit or educational paraprofessional license,	215
or (3) 60 days following the date on which the employee began work	216
as a substitute under this provision.	217
Permits a school district treasurer to pay an employee who	218
works as a substitute under this provision without that employee	219
filing certain reports and written statements that most teachers	220
must file under current law prior to receiving payment.	221

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 194 of the title, after "4906.13," insert "4906.20,
4906.201," 1
2

In line 618, after "4906.13," insert "4906.20, 4906.201," 3

After line 76227, insert: 4

"**Sec. 4906.20.** (A) No person shall commence to construct an 5
economically significant wind farm in this state without first 6
having obtained a certificate from the power siting board. An 7
economically significant wind farm with respect to which such a 8
certificate is required shall be constructed, operated, and 9
maintained in conformity with that certificate and any terms, 10
conditions, and modifications it contains. A certificate shall be 11
issued only pursuant to this section. The certificate may be 12
transferred, subject to the approval of the board, to a person 13
that agrees to comply with those terms, conditions, and 14
modifications. 15

(B) The board shall adopt rules governing the certificating 16
of economically significant wind farms under this section. Initial 17
rules shall be adopted within one hundred twenty days after June 18
24, 2008. 19

(1) The rules shall provide for an application process for 20

certificating economically significant wind farms that is 21
identical to the extent practicable to the process applicable to 22
certificating major utility facilities under sections 4906.06, 23
4906.07, 4906.08, 4906.09, 4906.10, 4906.11, and 4906.12 of the 24
Revised Code and shall prescribe a reasonable schedule of 25
application filing fees structured in the manner of the schedule 26
of filing fees required for major utility facilities. The rules 27
shall require an applicant to do all of the following: 28

(a) Hold a public information meeting not later than ninety 29
days prior to the filing of the application; 30

(b) Provide notice that includes information on both the 31
meeting and the wind turbine setback requirements under division 32
(B)(2) of this section through both of the following methods: 33

(i) Publication in a newspaper of general circulation in the 34
area in which the economically significant wind farm is proposed 35
to be constructed; 36

(ii) A letter to each property owner of, and each tenant 37
residing on, property that abuts the property on which the 38
economically significant wind farm is proposed to be constructed. 39

(2) Additionally, the rules shall prescribe reasonable 40
regulations regarding any wind turbines and associated facilities 41
of an economically significant wind farm, including, but not 42
limited to, their location, erection, construction, 43
reconstruction, change, alteration, maintenance, removal, use, or 44
enlargement and including erosion control, aesthetics, 45
recreational land use, wildlife protection, interconnection with 46
power lines and with regional transmission organizations, 47
independent transmission system operators, or similar 48
organizations, ice throw, sound and noise levels, blade shear, 49
shadow flicker, decommissioning, and necessary cooperation for 50

site visits and enforcement investigations. 51

(a) The rules also shall prescribe a minimum setback for a 52
 wind turbine of an economically significant wind farm. That 53
 minimum shall be equal to a horizontal distance, from the 54
 turbine's base to the property line of the wind farm property, 55
 equal to one and ~~one-tenth~~ two-tenths times the total height of 56
 the turbine structure as measured from its base to the tip of its 57
 highest blade and be at least one thousand ~~one~~ two hundred 58
 twenty-five feet in horizontal distance from the tip of the 59
 turbine's nearest blade at ninety degrees to ~~property line the~~ 60
exterior of the nearest, habitable, residential structure, if any, 61
located on adjacent property at the time of the certification 62
 application. 63

(b)~~(i)~~ For any existing certificates and amendments thereto, 64
 and existing certification applications that have been found by 65
 the chairperson to be in compliance with division (A) of section 66
 4906.06 of the Revised Code before the effective date of the 67
 amendment of this section by H.B. 59 of the 130th general 68
 assembly, September 29, 2013, the distance to the exterior of the 69
nearest, habitable, residential structure shall be seven hundred 70
 fifty feet ~~instead of one thousand one hundred twenty five feet.~~ 71

~~(ii) Any amendment made to an existing certificate after the~~ 72
~~effective date of the amendment of this section by H.B. 483 of the~~ 73
~~130th general assembly shall be subject to the setback provision~~ 74
~~of this section as amended by that act. The amendments to this~~ 75
~~section by that act shall not be construed to limit or abridge any~~ 76
~~rights or remedies in equity or under the common law.~~ 77

(c) The setback shall apply in all cases except ~~those in~~ 78
~~which all owners when an owner~~ of property adjacent to the a 79
parcel that abuts a parcel where a wind farm property waive 80

turbine is located waives application of the setback to that 81
~~property parcel~~ pursuant to a procedure the board shall establish 82
 by rule and except in which, in a particular case, the board 83
 determines that a setback greater than the minimum is necessary. 84

(C) As used in this section, "parcel" has the same meaning as 85
in section 2329.66 of the Revised Code. 86

Sec. 4906.201. (A) An electric generating plant that consists 87
 of wind turbines and associated facilities with a single 88
 interconnection to the electrical grid that is designed for, or 89
 capable of, operation at an aggregate capacity of fifty megawatts 90
 or more is subject to the minimum setback requirements established 91
 in rules adopted by the power siting board under division (B)(2) 92
 of section 4906.20 of the Revised Code. 93

(B)~~(1)~~ For any existing certificates and amendments thereto, 94
 and existing certification applications that have been found by 95
 the chairperson to be in compliance with division (A) of section 96
 4906.06 of the Revised Code before the effective date of the 97
 amendment of this section by H.B. 59 of the 130th general 98
 assembly, September 29, 2013, the distance to the exterior of the 99
nearest, habitable, residential structure shall be seven hundred 100
 fifty feet ~~instead of one thousand one hundred twenty five feet.~~ 101

~~(2) Any amendment made to an existing certificate after the~~ 102
~~effective date of the amendment of this section by H.B. 483 of the~~ 103
~~130th general assembly, shall be subject to the setback provision~~ 104
~~of this section as amended by that act. The amendments to this~~ 105
~~section by that act shall not be construed to limit or abridge any~~ 106
~~rights or remedies in equity or under the common law."~~ 107

In line 102772, after "4906.13," insert "4906.20, 4906.201," 108

The motion was _____ agreed to.

SYNOPSIS

Revises wind farm setbacks 109

R.C. 4906.20 and 4906.201 110

Alters the minimum setback for wind turbines of wind farms 111
with generating capacity of five megawatts or more by changing the 112
two applicable horizontal distances used to calculate the setback 113
requirement as follows: 114

- Makes the distance requirement from the turbine's base to 115
the wind farm property line equal to 1.2 times the total turbine 116
height to its highest blade (current law is 1.1 times); and 117
- Measures the 1,225 foot distance requirement from the tip 118
of the turbine's nearest blade at 90° to the exterior of the 119
nearest, habitable residential structure, if any, located on 120
adjacent property (current law measures the distance to the 121
property line of the nearest adjacent property). 122

Changes the setback waiver provision to permit "an owner of a 123
parcel that abuts a parcel where a wind turbine is located" to 124
waive the setback requirement (current law permits "all owners of 125
property adjacent to the wind farm property" to make the waiver). 126

Removes the provision, both for wind farms that are 127
economically significant and that are major utility facilities, 128
that amendments to certificates made after the effective date of 129
H.B. 483 of the 130th General Assembly are subject to that act's 130
provisions. 131

_____ moved to amend as follows:

1 In line 138643, delete "Budget Stabilization" and insert
2 "General Revenue"

3 In line 138644, delete "(Fund 7013)"

4 Delete line 138650

5 In line 138651, delete "program, the" and insert "The"

6 In line 138652, delete "\$2,500,000" and insert
7 "\$18,000,000"; delete "payments from the amnesty program" and
8 insert "qualifying amnesty program receipts"

9 Delete line 138653

10 In line 138654, delete the first "the"; delete "the
11 remaining excess fund balance" and insert "any remaining
12 qualifying amnesty program receipts"

13 In line 138655, after the period insert "As used in this
14 section, "qualifying amnesty program receipts" means receipts
15 from the tax amnesty program that relate to a tax the revenue
16 from which is credited to the General Revenue Fund. If a
17 percentage, less than one hundred per cent, of revenue from the
18 tax is credited to the General Revenue Fund, that percentage of

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19 such receipts shall be considered qualifying amnesty program
20 receipts."

21 Delete lines 141675 and 141676 and insert "Chapters 4301.,
22 4305., 5726., 5739., 5741., 5743., 5747., and 5751. of the
23 Revised Code, not including a tax levied under Chapter 5748. or
24 under section 4301.421, 4301.424, 5739.08, 5739.09, 5739.101,
25 5743.021, 5743.026, 5743.321, or 5743.324 of the Revised Code,
26 which"

27 Delete lines 141679 through 141682

28 In line 141683, delete "personal property" and insert "(2)
29 "Qualifying delinquent"; delete "do" and insert "does"

30 In line 141689, delete "and"

31 In line 141690, delete "qualifying delinquent personal
32 property taxes"

33 In line 141696, delete "(1)"

34 Delete lines 141702 through 141732

35 In line 141736, delete "or qualifying delinquent personal"

36 In line 141737, delete "property taxes"

37 In line 141739, delete "or qualifying delinquent"

38 In line 141740, delete "personal property tax"

39 In line 141747, delete "in accordance with" and insert
40 "accordingly, except as otherwise provided in"

41 The motion was _____ agreed to.

42

SYNOPSIS

43

Tax Amnesty Program

44

Sections 512.140 and 757.110

45 Modifies a temporary tax amnesty program added by the
46 Senate as follows:

47 --Limits the taxes eligible for the program to the
48 financial institutions tax, commercial activity tax, state
49 income tax, alcohol, tobacco, and cigarette excise taxes, and
50 state and local sales and use taxes. Does not apply to school
51 district income taxes, county alcohol and cigarette taxes, or
52 resort area excise taxes. The pending bill extends the program,
53 with certain exceptions, to nearly any tax levied or
54 administered by the state as well as to delinquent business
55 personal property taxes imposed by local subdivisions.

56 --Distributes delinquent tax payments received under that
57 program in the same way the underlying tax is required to be
58 distributed under current law, except that any revenue that
59 currently is credited to the GRF from the underlying taxes would
60 instead be credited as follows: the first \$18.0 million to the
61 GRF, and any remainder to the BSF. The pending bill credits
62 \$12.5 million to the GRF and credits the first \$2.5 million to
63 the Budget Stabilization Fund. The pending bill credits all the
64 revenue from the amnesty in this way among the GRF and BSF,
65 whereas the amendment credits only the GRF portion of the
66 underlying taxes in this way, since some of the underlying taxes
67 are currently credited to non-GRF funds (e.g., the CAT) the
68 amendment therefore preserves the existing non-GRF allocation of
69 the underlying tax.

_____ moved to amend as follows:

1 In line 289 of the title, after "5907.17," insert
2 "5907.18,"

3 In line 681, after "5907.17," insert "5907.18,"

4 Between lines 100168 and 100169, insert:

5 "Sec. 5907.18. (A) As used in this section, "bingo," "bingo
6 game operator," and "participant" have the same meanings as in
7 section 2915.01 of the Revised Code.

8 (B) Notwithstanding sections 2915.07 to 2915.13 of the
9 Revised Code, an Ohio veterans' home may conduct bingo games as
10 described in division (O)(1) of section 2915.01 of the Revised
11 Code, but only if the Ohio veterans' home complies with all of
12 the following requirements:

13 (1) All bingo games are conducted only on the premises of
14 the Ohio veterans' home.

15 (2) All participants are residents of the Ohio veterans'
16 home and are eighteen years of age or older.

17 (3) All bingo game operators receive no compensation for
18 servicing as an operator.

19 (4) Participants do not pay any money or any other thing of
20 value, including an admission fee, or any fee for bingo cards or

21 sheets, objects to cover the spaces, or other devices used in
22 playing bingo, for the privilege of participating in the bingo
23 game, or to defray any costs of the game, or pay tips or make
24 donations during or immediately before or after the bingo game.

25 (5) Prizes awarded during a game may be monetary or
26 nonmonetary prizes in the form of merchandise, goods, or
27 entitlements to goods or services, provided that individual
28 prizes do not exceed one hundred dollars in value, and the total
29 value of all prizes awarded during a game do not exceed five
30 hundred dollars.

31 (6) The bingo game is not conducted during or within ten
32 hours of any of the following activities conducted at the Ohio
33 veterans' home:

34 (a) A bingo session during which a charitable bingo game is
35 conducted pursuant to sections 2915.07 to 2915.11 of the Revised
36 Code;

37 (b) A scheme of chance or game of chance; or

38 (c) Bingo as described in division (O)(2) of section
39 2915.01 of the Revised Code.

40 (7) The bingo games are conducted on different days of the
41 week and not more than twice in a calendar week."

42 The motion was _____ agreed to.

43

SYNOPSIS

44 **Allow Ohio Veterans' Home to conduct bingo under certain**
45 **conditions**

46 **R.C. 5907.18**

47 Allows the Ohio Veterans' Home to conduct bingo games at
48 the facility for residents of the home provided that the players
49 are over 18, the bingo operators are not compensated for
50 operating bingo, players do not pay an entry fee, prizes awarded
51 do not exceed \$100 per prize, or \$500 total for all prizes
52 during a game, the game is not conducted within ten hours of a
53 charitable bingo game, scheme of chance or game of chance, or
54 instant bingo, and the games are conducted on different days and
55 not more than twice a week.

Sub. H.B. 49
LSC 132 0001-5

_____ moved to amend as follows:

In line 112 of the title, after "4510.022," insert "4511.01," 1

In line 267 of the title, after "4504.201," insert 2
"4511.513," 3

In line 585, after "4510.022," insert "4511.01," 4

In line 670, after "4504.201," insert "4511.513," 5

Between lines 61832 and 61833, insert: 6

"**Sec. 4511.01.** As used in this chapter and in Chapter 4513. 7
of the Revised Code: 8

(A) "Vehicle" means every device, including a motorized 9
bicycle, in, upon, or by which any person or property may be 10
transported or drawn upon a highway, except that "vehicle" does 11
not include any motorized wheelchair, any electric personal 12
assistive mobility device, any personal delivery device as defined 13
in section 4511.513 of the Revised Code, any device that is moved 14
by power collected from overhead electric trolley wires or that is 15
used exclusively upon stationary rails or tracks, or any device, 16
other than a bicycle, that is moved by human power. 17

(B) "Motor vehicle" means every vehicle propelled or drawn by 18
power other than muscular power or power collected from overhead 19
electric trolley wires, except motorized bicycles, road rollers, 20
traction engines, power shovels, power cranes, and other equipment 21

used in construction work and not designed for or employed in
general highway transportation, hole-digging machinery,
well-drilling machinery, ditch-digging machinery, farm machinery,
and trailers designed and used exclusively to transport a boat
between a place of storage and a marina, or in and around a
marina, when drawn or towed on a street or highway for a distance
of no more than ten miles and at a speed of twenty-five miles per
hour or less.

(C) "Motorcycle" means every motor vehicle, other than a
tractor, having a seat or saddle for the use of the operator and
designed to travel on not more than three wheels in contact with
the ground, including, but not limited to, motor vehicles known as
"motor-driven cycle," "motor scooter," "autocycle," "cab-enclosed
motorcycle," or "motorcycle" without regard to weight or brake
horsepower.

(D) "Emergency vehicle" means emergency vehicles of
municipal, township, or county departments or public utility
corporations when identified as such as required by law, the
director of public safety, or local authorities, and motor
vehicles when commandeered by a police officer.

(E) "Public safety vehicle" means any of the following:

(1) Ambulances, including private ambulance companies under
contract to a municipal corporation, township, or county, and
private ambulances and nontransport vehicles bearing license
plates issued under section 4503.49 of the Revised Code;

(2) Motor vehicles used by public law enforcement officers or
other persons sworn to enforce the criminal and traffic laws of
the state;

(3) Any motor vehicle when properly identified as required by

the director of public safety, when used in response to fire
emergency calls or to provide emergency medical service to ill or
injured persons, and when operated by a duly qualified person who
is a member of a volunteer rescue service or a volunteer fire
department, and who is on duty pursuant to the rules or directives
of that service. The state fire marshal shall be designated by the
director of public safety as the certifying agency for all public
safety vehicles described in division (E)(3) of this section.

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(4) Vehicles used by fire departments, including motor
vehicles when used by volunteer fire fighters responding to
emergency calls in the fire department service when identified as
required by the director of public safety.

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Any vehicle used to transport or provide emergency medical
service to an ill or injured person, when certified as a public
safety vehicle, shall be considered a public safety vehicle when
transporting an ill or injured person to a hospital regardless of
whether such vehicle has already passed a hospital.

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(5) Vehicles used by the motor carrier enforcement unit for
the enforcement of orders and rules of the public utilities
commission as specified in section 5503.34 of the Revised Code.

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(F) "School bus" means every bus designed for carrying more
than nine passengers that is owned by a public, private, or
governmental agency or institution of learning and operated for
the transportation of children to or from a school session or a
school function, or owned by a private person and operated for
compensation for the transportation of children to or from a
school session or a school function, provided "school bus" does
not include a bus operated by a municipally owned transportation
system, a mass transit company operating exclusively within the
territorial limits of a municipal corporation, or within such

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limits and the territorial limits of municipal corporations 81
immediately contiguous to such municipal corporation, nor a common 82
passenger carrier certified by the public utilities commission 83
unless such bus is devoted exclusively to the transportation of 84
children to and from a school session or a school function, and 85
"school bus" does not include a van or bus used by a licensed 86
child day-care center or type A family day-care home to transport 87
children from the child day-care center or type A family day-care 88
home to a school if the van or bus does not have more than fifteen 89
children in the van or bus at any time. 90

(G) "Bicycle" means every device, other than a device that is 91
designed solely for use as a play vehicle by a child, that is 92
propelled solely by human power upon which a person may ride, and 93
that has two or more wheels, any of which is more than fourteen 94
inches in diameter. 95

(H)(1) Until January 1, 2017, "motorized bicycle" means any 96
vehicle having either two tandem wheels or one wheel in the front 97
and two wheels in the rear, that is capable of being pedaled and 98
is equipped with a helper motor of not more than fifty cubic 99
centimeters piston displacement that produces no more than one 100
brake horsepower and is capable of propelling the vehicle at a 101
speed of no greater than twenty miles per hour on a level surface. 102

(2) Effective January 1, 2017, "motorized bicycle" or "moped" 103
means any vehicle having either two tandem wheels or one wheel in 104
the front and two wheels in the rear, that may be pedaled, and 105
that is equipped with a helper motor of not more than fifty cubic 106
centimeters piston displacement that produces not more than one 107
brake horsepower and is capable of propelling the vehicle at a 108
speed of not greater than twenty miles per hour on a level 109
surface. 110

(I) "Commercial tractor" means every motor vehicle having 111
motive power designed or used for drawing other vehicles and not 112
so constructed as to carry any load thereon, or designed or used 113
for drawing other vehicles while carrying a portion of such other 114
vehicles, or load thereon, or both. 115

(J) "Agricultural tractor" means every self-propelling 116
vehicle designed or used for drawing other vehicles or wheeled 117
machinery but having no provision for carrying loads independently 118
of such other vehicles, and used principally for agricultural 119
purposes. 120

(K) "Truck" means every motor vehicle, except trailers and 121
semitrailers, designed and used to carry property. 122

(L) "Bus" means every motor vehicle designed for carrying 123
more than nine passengers and used for the transportation of 124
persons other than in a ridesharing arrangement, and every motor 125
vehicle, automobile for hire, or funeral car, other than a taxicab 126
or motor vehicle used in a ridesharing arrangement, designed and 127
used for the transportation of persons for compensation. 128

(M) "Trailer" means every vehicle designed or used for 129
carrying persons or property wholly on its own structure and for 130
being drawn by a motor vehicle, including any such vehicle when 131
formed by or operated as a combination of a "semitrailer" and a 132
vehicle of the dolly type, such as that commonly known as a 133
"trailer dolly," a vehicle used to transport agricultural produce 134
or agricultural production materials between a local place of 135
storage or supply and the farm when drawn or towed on a street or 136
highway at a speed greater than twenty-five miles per hour, and a 137
vehicle designed and used exclusively to transport a boat between 138
a place of storage and a marina, or in and around a marina, when 139
drawn or towed on a street or highway for a distance of more than 140

ten miles or at a speed of more than twenty-five miles per hour. 141

(N) "Semitrailer" means every vehicle designed or used for 142
carrying persons or property with another and separate motor 143
vehicle so that in operation a part of its own weight or that of 144
its load, or both, rests upon and is carried by another vehicle. 145

(O) "Pole trailer" means every trailer or semitrailer 146
attached to the towing vehicle by means of a reach, pole, or by 147
being boomed or otherwise secured to the towing vehicle, and 148
ordinarily used for transporting long or irregular shaped loads 149
such as poles, pipes, or structural members capable, generally, of 150
sustaining themselves as beams between the supporting connections. 151

(P) "Railroad" means a carrier of persons or property 152
operating upon rails placed principally on a private right-of-way. 153

(Q) "Railroad train" means a steam engine or an electric or 154
other motor, with or without cars coupled thereto, operated by a 155
railroad. 156

(R) "Streetcar" means a car, other than a railroad train, for 157
transporting persons or property, operated upon rails principally 158
within a street or highway. 159

(S) "Trackless trolley" means every car that collects its 160
power from overhead electric trolley wires and that is not 161
operated upon rails or tracks. 162

(T) "Explosives" means any chemical compound or mechanical 163
mixture that is intended for the purpose of producing an explosion 164
that contains any oxidizing and combustible units or other 165
ingredients in such proportions, quantities, or packing that an 166
ignition by fire, by friction, by concussion, by percussion, or by 167
a detonator of any part of the compound or mixture may cause such 168
a sudden generation of highly heated gases that the resultant 169

gaseous pressures are capable of producing destructive effects on
contiguous objects, or of destroying life or limb. Manufactured
articles shall not be held to be explosives when the individual
units contain explosives in such limited quantities, of such
nature, or in such packing, that it is impossible to procure a
simultaneous or a destructive explosion of such units, to the
injury of life, limb, or property by fire, by friction, by
concussion, by percussion, or by a detonator, such as fixed
ammunition for small arms, firecrackers, or safety fuse matches.

(U) "Flammable liquid" means any liquid that has a flash
point of seventy degrees fahrenheit, or less, as determined by a
tagliabue or equivalent closed cup test device.

(V) "Gross weight" means the weight of a vehicle plus the
weight of any load thereon.

(W) "Person" means every natural person, firm,
co-partnership, association, or corporation.

(X) "Pedestrian" means any natural person afoot. "Pedestrian"
includes a personal delivery device as defined in section 4511.513
of the Revised Code unless the context clearly suggests otherwise.

(Y) "Driver or operator" means every person who drives or is
in actual physical control of a vehicle, trackless trolley, or
streetcar.

(Z) "Police officer" means every officer authorized to direct
or regulate traffic, or to make arrests for violations of traffic
regulations.

(AA) "Local authorities" means every county, municipal, and
other local board or body having authority to adopt police
regulations under the constitution and laws of this state.

(BB) "Street" or "highway" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel.

(CC) "Controlled-access highway" means every street or highway in respect to which owners or occupants of abutting lands and other persons have no legal right of access to or from the same except at such points only and in such manner as may be determined by the public authority having jurisdiction over such street or highway.

(DD) "Private road or driveway" means every way or place in private ownership used for vehicular travel by the owner and those having express or implied permission from the owner but not by other persons.

(EE) "Roadway" means that portion of a highway improved, designed, or ordinarily used for vehicular travel, except the berm or shoulder. If a highway includes two or more separate roadways the term "roadway" means any such roadway separately but not all such roadways collectively.

(FF) "Sidewalk" means that portion of a street between the curb lines, or the lateral lines of a roadway, and the adjacent property lines, intended for the use of pedestrians.

(GG) "Laned highway" means a highway the roadway of which is divided into two or more clearly marked lanes for vehicular traffic.

(HH) "Through highway" means every street or highway as provided in section 4511.65 of the Revised Code.

(II) "State highway" means a highway under the jurisdiction of the department of transportation, outside the limits of municipal corporations, provided that the authority conferred upon

the director of transportation in section 5511.01 of the Revised Code to erect state highway route markers and signs directing traffic shall not be modified by sections 4511.01 to 4511.79 and 4511.99 of the Revised Code.

(JJ) "State route" means every highway that is designated with an official state route number and so marked.

(KK) "Intersection" means:

(1) The area embraced within the prolongation or connection of the lateral curb lines, or, if none, the lateral boundary lines of the roadways of two highways that join one another at, or approximately at, right angles, or the area within which vehicles traveling upon different highways that join at any other angle might come into conflict. The junction of an alley or driveway with a roadway or highway does not constitute an intersection unless the roadway or highway at the junction is controlled by a traffic control device.

(2) If a highway includes two roadways that are thirty feet or more apart, then every crossing of each roadway of such divided highway by an intersecting highway constitutes a separate intersection. If both intersecting highways include two roadways thirty feet or more apart, then every crossing of any two roadways of such highways constitutes a separate intersection.

(3) At a location controlled by a traffic control signal, regardless of the distance between the separate intersections as described in division (KK)(2) of this section:

(a) If a stop line, yield line, or crosswalk has not been designated on the roadway within the median between the separate intersections, the two intersections and the roadway and median constitute one intersection.

(b) Where a stop line, yield line, or crosswalk line is 257
designated on the roadway on the intersection approach, the area 258
within the crosswalk and any area beyond the designated stop line 259
or yield line constitute part of the intersection. 260

(c) Where a crosswalk is designated on a roadway on the 261
departure from the intersection, the intersection includes the 262
area that extends to the far side of the crosswalk. 263

(LL) "Crosswalk" means: 264

(1) That part of a roadway at intersections ordinarily 265
included within the real or projected prolongation of property 266
lines and curb lines or, in the absence of curbs, the edges of the 267
traversable roadway; 268

(2) Any portion of a roadway at an intersection or elsewhere, 269
distinctly indicated for pedestrian crossing by lines or other 270
markings on the surface; 271

(3) Notwithstanding divisions (LL)(1) and (2) of this 272
section, there shall not be a crosswalk where local authorities 273
have placed signs indicating no crossing. 274

(MM) "Safety zone" means the area or space officially set 275
apart within a roadway for the exclusive use of pedestrians and 276
protected or marked or indicated by adequate signs as to be 277
plainly visible at all times. 278

(NN) "Business district" means the territory fronting upon a 279
street or highway, including the street or highway, between 280
successive intersections within municipal corporations where fifty 281
per cent or more of the frontage between such successive 282
intersections is occupied by buildings in use for business, or 283
within or outside municipal corporations where fifty per cent or 284
more of the frontage for a distance of three hundred feet or more 285

is occupied by buildings in use for business, and the character of 286
such territory is indicated by official traffic control devices. 287

(OO) "Residence district" means the territory, not comprising 288
a business district, fronting on a street or highway, including 289
the street or highway, where, for a distance of three hundred feet 290
or more, the frontage is improved with residences or residences 291
and buildings in use for business. 292

(PP) "Urban district" means the territory contiguous to and 293
including any street or highway which is built up with structures 294
devoted to business, industry, or dwelling houses situated at 295
intervals of less than one hundred feet for a distance of a 296
quarter of a mile or more, and the character of such territory is 297
indicated by official traffic control devices. 298

(QQ) "Traffic control device" means a flagger, sign, signal, 299
marking, or other device used to regulate, warn, or guide traffic, 300
placed on, over, or adjacent to a street, highway, private road 301
open to public travel, pedestrian facility, or shared-use path by 302
authority of a public agency or official having jurisdiction, or, 303
in the case of a private road open to public travel, by authority 304
of the private owner or private official having jurisdiction. 305

(RR) "Traffic control signal" means any highway traffic 306
signal by which traffic is alternately directed to stop and 307
permitted to proceed. 308

(SS) "Railroad sign or signal" means any sign, signal, or 309
device erected by authority of a public body or official or by a 310
railroad and intended to give notice of the presence of railroad 311
tracks or the approach of a railroad train. 312

(TT) "Traffic" means pedestrians, ridden or herded animals, 313
vehicles, streetcars, trackless trolleys, and other devices, 314

either singly or together, while using for purposes of travel any highway or private road open to public travel.

(UU) "Right-of-way" means either of the following, as the context requires:

(1) The right of a vehicle, streetcar, trackless trolley, or pedestrian to proceed uninterruptedly in a lawful manner in the direction in which it or the individual is moving in preference to another vehicle, streetcar, trackless trolley, or pedestrian approaching from a different direction into its or the individual's path;

(2) A general term denoting land, property, or the interest therein, usually in the configuration of a strip, acquired for or devoted to transportation purposes. When used in this context, right-of-way includes the roadway, shoulders or berm, ditch, and slopes extending to the right-of-way limits under the control of the state or local authority.

(VV) "Rural mail delivery vehicle" means every vehicle used to deliver United States mail on a rural mail delivery route.

(WW) "Funeral escort vehicle" means any motor vehicle, including a funeral hearse, while used to facilitate the movement of a funeral procession.

(XX) "Alley" means a street or highway intended to provide access to the rear or side of lots or buildings in urban districts and not intended for the purpose of through vehicular traffic, and includes any street or highway that has been declared an "alley" by the legislative authority of the municipal corporation in which such street or highway is located.

(YY) "Freeway" means a divided multi-lane highway for through traffic with all crossroads separated in grade and with full

control of access.	344
(ZZ) "Expressway" means a divided arterial highway for	345
through traffic with full or partial control of access with an	346
excess of fifty per cent of all crossroads separated in grade.	347
(AAA) "Thruway" means a through highway whose entire roadway	348
is reserved for through traffic and on which roadway parking is	349
prohibited.	350
(BBB) "Stop intersection" means any intersection at one or	351
more entrances of which stop signs are erected.	352
(CCC) "Arterial street" means any United States or state	353
numbered route, controlled access highway, or other major radial	354
or circumferential street or highway designated by local	355
authorities within their respective jurisdictions as part of a	356
major arterial system of streets or highways.	357
(DDD) "Ridesharing arrangement" means the transportation of	358
persons in a motor vehicle where such transportation is incidental	359
to another purpose of a volunteer driver and includes ridesharing	360
arrangements known as carpools, vanpools, and buspools.	361
(EEE) "Motorized wheelchair" means any self-propelled vehicle	362
designed for, and used by, a handicapped person and that is	363
incapable of a speed in excess of eight miles per hour.	364
(FFF) "Child day-care center" and "type A family day-care	365
home" have the same meanings as in section 5104.01 of the Revised	366
Code.	367
(GGG) "Multi-wheel agricultural tractor" means a type of	368
agricultural tractor that has two or more wheels or tires on each	369
side of one axle at the rear of the tractor, is designed or used	370
for drawing other vehicles or wheeled machinery, has no provision	371
for carrying loads independently of the drawn vehicles or	372

machinery, and is used principally for agricultural purposes.	373
(HHH) "Operate" means to cause or have caused movement of a vehicle, streetcar, or trackless trolley.	374 375
(III) "Predicate motor vehicle or traffic offense" means any of the following:	376 377
(1) A violation of section 4511.03, 4511.051, 4511.12, 4511.132, 4511.16, 4511.20, 4511.201, 4511.21, 4511.211, 4511.213, 4511.22, 4511.23, 4511.25, 4511.26, 4511.27, 4511.28, 4511.29, 4511.30, 4511.31, 4511.32, 4511.33, 4511.34, 4511.35, 4511.36, 4511.37, 4511.38, 4511.39, 4511.40, 4511.41, 4511.42, 4511.43, 4511.431, 4511.432, 4511.44, 4511.441, 4511.451, 4511.452, 4511.46, 4511.47, 4511.48, 4511.481, 4511.49, 4511.50, 4511.511, 4511.53, 4511.54, 4511.55, 4511.56, 4511.57, 4511.58, 4511.59, 4511.60, 4511.61, 4511.64, 4511.66, 4511.661, 4511.68, 4511.70, 4511.701, 4511.71, 4511.711, 4511.712, 4511.713, 4511.72, 4511.73, 4511.763, 4511.771, 4511.78, or 4511.84 of the Revised Code;	378 379 380 381 382 383 384 385 386 387 388
(2) A violation of division (A)(2) of section 4511.17, divisions (A) to (D) of section 4511.51, or division (A) of section 4511.74 of the Revised Code;	389 390 391
(3) A violation of any provision of sections 4511.01 to 4511.76 of the Revised Code for which no penalty otherwise is provided in the section that contains the provision violated;	392 393 394
(4) Until January 1, 2017, a violation of a municipal ordinance that is substantially similar to any section or provision set forth or described in division (III)(1), (2), or (3) of this section;	395 396 397 398
(5) Effective January 1, 2017, a violation of section 4511.214 of the Revised Code;	399 400
(6) Effective January 1, 2017, a violation of a municipal	401

ordinance that is substantially similar to any section or 402
 provision set forth or described in division (III)(1), (2), (3), 403
 or (5) of this section. 404

(JJJ) "Road service vehicle" means wreckers, utility repair 405
 vehicles, and state, county, and municipal service vehicles 406
 equipped with visual signals by means of flashing, rotating, or 407
 oscillating lights. 408

(KKK) "Beacon" means a highway traffic signal with one or 409
 more signal sections that operate in a flashing mode. 410

(LLL) "Hybrid beacon" means a type of beacon that is 411
 intentionally placed in a dark mode between periods of operation 412
 where no indications are displayed and, when in operation, 413
 displays both steady and flashing traffic control signal 414
 indications. 415

(MMM) "Highway traffic signal" means a power-operated traffic 416
 control device by which traffic is warned or directed to take some 417
 specific action. "Highway traffic signal" does not include a 418
 power-operated sign, steadily illuminated pavement marker, warning 419
 light, or steady burning electric lamp. 420

(NNN) "Median" means the area between two roadways of a 421
 divided highway, measured from edge of traveled way to edge of 422
 traveled way, but excluding turn lanes. The width of a median may 423
 be different between intersections, between interchanges, and at 424
 opposite approaches of the same intersection. 425

(OOO) "Private road open to public travel" means a private 426
 toll road or road, including any adjacent sidewalks that generally 427
 run parallel to the road, within a shopping center, airport, 428
 sports arena, or other similar business or recreation facility 429
 that is privately owned but where the public is allowed to travel 430

without access restrictions. "Private road open to public travel" 431
 includes a gated toll road but does not include a road within a 432
 private gated property where access is restricted at all times, a 433
 parking area, a driving aisle within a parking area, or a private 434
 grade crossing. 435

(PPP) "Shared-use path" means a bikeway outside the traveled 436
 way and physically separated from motorized vehicular traffic by 437
 an open space or barrier and either within the highway 438
 right-of-way or within an independent alignment. A shared-use path 439
 also may be used by pedestrians, including skaters, joggers, users 440
 of manual and motorized wheelchairs, and other authorized 441
 motorized and non-motorized users. 442

(QQQ) "Highway maintenance vehicle" means a vehicle used in 443
 snow and ice removal or road surface maintenance, including a snow 444
 plow, traffic line striper, road sweeper, mowing machine, asphalt 445
 distributing vehicle, or other such vehicle designed for use in 446
 specific highway maintenance activities." 447

Between lines 62896 and 62897, insert: 448

"Sec. 4511.513. (A) As used in this section: 449

(1) "Eligible entity" means a corporation, partnership, 450
association, firm, sole proprietorship, or other entity engaged in 451
business. 452

(2) "Personal delivery device" means an electrically powered 453
device to which all of the following apply: 454

(a) The device is intended primarily to transport property on 455
sidewalks and crosswalks. 456

(b) The device weighs less than ninety pounds excluding any 457
property being carried in the device. 458

(c) The device has a maximum speed of ten miles per hour. 459

(d) The device is equipped with technology that enables the 460
operation of the device with active control or monitoring by a 461
person, without active control or monitoring by a person, or both 462
with or without active control or monitoring by a person. 463

(3) "Personal delivery device operator" means an agent of an 464
eligible entity who exercises direct physical control over, or 465
monitoring of, the navigation and operation of a personal delivery 466
device. "Personal delivery device operator" does not include, with 467
respect to a delivery or other service rendered by a personal 468
delivery device, the person who requests the delivery or service. 469
"Personal delivery device operator" also does not include a person 470
who only arranges for and dispatches a personal delivery device 471
for a delivery or other service. 472

(B) An eligible entity may operate a personal delivery device 473
on sidewalks and crosswalks so long as all of the following 474
requirements are met: 475

(1) The personal delivery device is operated in accordance 476
with all regulations, if any, established by each local authority 477
within which the personal delivery device is operated. 478

(2) A personal delivery device operator is actively 479
controlling or monitoring the navigation and operation of the 480
personal delivery device. 481

(3) The eligible entity maintains an insurance policy that 482
includes general liability coverage of not less than one hundred 483
thousand dollars for damages arising from the operation of the 484
personal delivery device by the eligible entity and any agent of 485
the eligible entity. 486

(4) The device is equipped with all of the following: 487

- (a) A marker that clearly identifies the name and contact information of the eligible entity operating the personal delivery device and a unique identification number; 488
489
490
- (b) A braking system that enables the personal delivery device to come to a controlled stop; 491
492
- (c) If the personal delivery device is being operated between sunset and sunrise, a light on both the front and rear of the personal delivery device that is visible in clear weather from a distance of at least five hundred feet to the front and rear of the personal delivery device when directly in front of low beams of headlights on a motor vehicle. 493
494
495
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498
- (C) No personal delivery device operator shall allow a personal delivery device to do any of the following: 499
500
- (1) Fail to comply with traffic or pedestrian control devices and signals; 501
502
- (2) Unreasonably interfere with pedestrians or traffic; 503
- (3) Transport any hazardous material that would require a permit issued by the public utilities commission; 504
505
- (4) Operate on a street or highway, except when crossing the street or highway within a crosswalk. 506
507
- (D) A personal delivery device has all of the rights and obligations applicable to a pedestrian under the same circumstances, except that a personal delivery device shall yield the right-of-way to human pedestrians on sidewalks and crosswalks. 508
509
510
511
- (E)(1) No person shall operate a personal delivery device unless the person is authorized to do so under this section and complies with the requirements of this section. 512
513
514
- (2) An eligible entity is responsible for both of the 515

following: 516

(a) Any violation of this section that is committed by a 517
personal delivery device operator; and 518

(b) Any other circumstance, including a technological 519
malfunction, in which a personal delivery device operates in a 520
manner prohibited by divisions (C)(1) to (4) of this section." 521

In line 102740, after "4510.022," insert "4511.01," 522

The motion was _____ agreed to.

SYNOPSIS

Personal delivery devices 523

R.C. 4511.201 and 4511.01 524

Authorizes the use of an electrically powered personal 525
 delivery device (PDD) on sidewalks and crosswalks by certain 526
 eligible entities so long as all of the following requirements are 527
 met: 528

(1) The PDD is operated in accordance with local regulations, 529
 if any; 530

(2) An operator is actively controlling or monitoring the 531
 navigation and operation of the PDD; 532

(3) The eligible entity maintains a minimum \$100,000 533
 insurance policy for the operation of the PDD; and 534

(4) The PDD is equipped with all of the following: 535

-- A marker that clearly identifies the name and contact 536
 information of the eligible entity operating the PDD and a unique 537

identification number; 538

-- A braking system that enables the PDD to come to a 539
controlled stop; and 540

-- If the PDD is being operated between sunset and sunrise, a 541
light on both the front and rear of the PDD that is visible in 542
clear weather from a distance of at least 500 feet to the front 543
and rear of the PDD when directly in front of low beams of 544
headlights on a motor vehicle. 545

Requires PDD operators to comply with certain safety 546
provisions established under the bill, including prohibiting the 547
operation of a PDD on a street or highway, except when crossing 548
the street or highway within a crosswalk. 549

Requires a PDD to yield the right-of-way to human pedestrians 550
on sidewalks and crosswalks, but grants a PDD all other rights and 551
obligations applicable to a pedestrian. 552

Specifies that an eligible entity is responsible for both of 553
the following: 554

-- Any violation under the bill that is committed by a PDD 555
operator; and 556

-- Any other circumstance, including a technological 557
malfunction, in which a PDD operates in a manner prohibited by the 558
amendment's safety provisions. 559

Excludes a PDD from the definition of "vehicle" under the 560
Motor Vehicle Law, thus exempting a PDD from general requirements 561
and prohibitions that apply to vehicles. 562

Sub. H.B. 49
LSC 132 0001-5

_____ moved to amend as follows:

In line 55 of the title, after "3313.6012," insert 1
"3313.6013," 2

In line 82 of the title, after "3365.01," insert "3365.02," 3

In line 83 of the title, after "3365.07," insert "3365.10," 4

In line 544, after "3313.6012," insert "3313.6013," 5

In line 563, after "3365.01," insert "3365.02," 6

In line 564, after "3365.07," insert "3365.10," 7

Between lines 34640 and 34641, insert: 8

"**Sec. 3313.6013.** (A) As used in this section, "advanced 9
standing program" means a program that enables a student to earn 10
credit toward a degree from an institution of higher education 11
while enrolled in high school or that enables a student to 12
complete coursework while enrolled in high school that may earn 13
credit toward a degree from an institution of higher education 14
upon the student's attainment of a specified score on an 15
examination covering the coursework. Advanced standing programs 16
may include any of the following: 17

(1) The college credit plus program established under Chapter 18
3365. of the Revised Code; 19

- (2) Advanced placement courses; 20
- (3) International baccalaureate diploma courses; 21
- (4) Early college high school programs. 22

(B) Each city, local, exempted village, and joint vocational school district and each chartered nonpublic high school shall provide students enrolled in grades nine through twelve with the opportunity to participate in an advanced standing program. For this purpose, each school district and chartered nonpublic high school shall offer at least one advanced standing program in accordance with division (B)(1) or (2) of this section, as applicable.

(1) A city, local, or exempted village school district meets the requirements of this division through its mandatory participation in the college credit plus program established under Chapter 3365. of the Revised Code. However, a city, local, or exempted village school district may offer any other advanced standing program, in addition to the college credit plus program, and each joint vocational school district shall offer at least one other advanced standing program, to students in good standing, as defined by the partnership for continued learning under section 3301.42 of the Revised Code as it existed prior to October 16, 2009, or as subsequently defined by the department of education.

(2) A chartered nonpublic high school that elects to participate in the college credit plus program established under Chapter 3365. of the Revised Code meets the requirements of this division. Each chartered nonpublic high school that elects not to participate in the college credit plus program instead shall offer at least one other advanced standing program to students in good standing, as defined by the partnership for continued learning under section 3301.42 of the Revised Code as it existed prior to

October 16, 2009, or as subsequently defined by the department of
education.

(C) Each school district and each chartered nonpublic high
school shall provide information about the advanced standing
programs offered by the district or school to all students
enrolled in grades six through eleven. The district or school
shall include information about all of the following:

(1) The process colleges and universities use in awarding
credit for advanced placement and international baccalaureate
courses and examinations, including minimum scores required by
state institutions of higher education, as defined in section
3345.011 of the Revised Code, for a student to receive college
credit;

(2) The availability of tuition and fee waivers for advanced
placement and international baccalaureate courses and
examinations;

(3) The availability of online advanced placement or
international baccalaureate courses, including those that may be
available at no cost;

(4) The benefits of earning postsecondary credit through
advanced placement or international baccalaureate courses;

(5) The availability of advanced placement or international
baccalaureate courses offered throughout the district.

The district or school may include additional information as
determined appropriate by the district or school.

(D) Except as provided for in Chapter 3365. of the Revised
Code, no city, local, exempted village, and joint vocational
school district shall charge an enrolled student an additional fee
or tuition for participation in any advanced standing program

offered by the district. Students may be required to pay the costs
 associated with taking an advanced placement or international
 baccalaureate examination.

(E) Any agreement between a school district or school and an
 associated college governing the operation of an early college
 high school program shall be ~~subject to~~ exempt from the
 requirements of the college credit plus program, ~~with the~~
 following exceptions:

~~(1) Any aspect of the agreement that does not relate to the
 conferral of transcribed credit, as defined in section 3365.01 of
 the Revised Code, shall not be subject to the requirements of the
 college credit plus program.~~

~~(2) If the early college high school program began operating
 prior to July 1, 2014, the agreement shall not be subject to the
 requirements of the college credit plus program until the later of
 the date on which the existing agreement expires or July 1, 2015.~~

~~(3) If the district, school, or associated college operating
 the early college high school program was granted an award under
 Section 263.325 of Am. Sub. H.B. 59 of the 130th general assembly
 for the 2014-2015 school year, as the lead applicant on the grant
 or as part of a consortium, for a project involving the
 establishment or expansion of an early college high school, the
 agreement shall not be subject to the requirements of the college
 credit plus program during the period of time for which the
 project is funded by the grant award under that section.~~

~~(4) If the district, school, or associated college obtains a
 waiver for the agreement under section 3365.10 of the Revised
 Code, the agreement shall not be subject to the requirements of
 the college credit plus program as expressed in and excused by the
 waiver provided the program meets the definition set forth in~~

division (F)(2) of this section and is approved by the 109
superintendent of public instruction and the chancellor of higher 110
education. 111

The college credit plus program also shall not govern any 112
 advanced placement course or international baccalaureate diploma 113
 course as described under this section. 114

(F) As used in this section: 115

(1) "Associated college" means a public or private college, 116
 as defined in section 3365.01 of the Revised Code, which has 117
 entered into an agreement with a school district or school to 118
 establish an early college high school program, as described in 119
 division (F)(2) of this section, and awards transcribed credit, 120
 as defined in section 3365.01 of the Revised Code, to students 121
 through that program. 122

(2) "Early college high school program" means a ~~program~~ 123
~~operated by a school district or school and an associated college~~ 124
~~that provides a personalized learning plan, which is based on~~ 125
~~accelerated curriculum and includes both high school and~~ 126
~~college level coursework, and enables the following students to~~ 127
~~earn a high school diploma and an associate degree, or the~~ 128
~~equivalent number of transcribed credits, upon successful~~ 129
~~completion of the program~~ partnership between at least one school 130
district or school and at least one institution of higher 131
education that allows participants to simultaneously complete 132
requirements toward earning a regular high school diploma and have 133
the opportunity to earn not less than twenty-four credits that are 134
transferable to the institutions of higher education in the 135
partnership as part of an organized course of study toward a 136
post-secondary degree or credential at no cost to the participant 137
or participant's family. The program also shall prioritize the 138

following students: 139

(a) Students who are underrepresented in regard to completing 140
post-secondary education; 141

(b) Students who are economically disadvantaged, as defined 142
by the department of education; 143

(c) Students whose parents did not earn a college degree." 144

Between lines 45098 and 45099, insert: 145

"**Sec. 3365.02.** (A) There is hereby established the college 146
credit plus program under which, beginning with the 2015-2016 147
school year, a secondary grade student who is a resident of this 148
state may enroll at a college, on a full- or part-time basis, and 149
complete nonsectarian, nonremedial courses for high school and 150
college credit. The program shall govern arrangements in which a 151
secondary grade student enrolls in a college and, upon successful 152
completion of coursework taken under the program, receives 153
transcripted credit from the college. The following are not 154
governed by the college credit plus program: 155

(1) An agreement governing an early college high school 156
program ~~that, provided the program meets any of the exemption~~ 157
~~criteria under the definition set forth in division (E)(F)(2) of~~ 158
section 3313.6013 of the Revised Code and is approved by the 159
superintendent of public instruction and the chancellor of higher 160
education; 161

(2) An advanced placement course or international 162
baccalaureate diploma course, as described in divisions (A)(2) and 163
(3) of section 3313.6013 of the Revised Code; 164

(3) A career-technical education program that is approved by 165
the department of education under section 3317.161 of the Revised 166

Code and grants articulated credit to students participating in 167
 that program. However, any portion of an approved program that 168
 results in the conferral of transcribed credit upon the 169
 completion of the course shall be governed by the college credit 170
 plus program. 171

(B) Any student enrolled in a public or nonpublic secondary 172
 school in the student's ninth, tenth, eleventh, or twelfth grade; 173
 any student enrolled in a nonchartered nonpublic secondary school 174
 in the student's ninth, tenth, eleventh, or twelfth grade; and any 175
 student who has been excused from the compulsory attendance law 176
 for the purpose of home instruction under section 3321.04 of the 177
 Revised Code and is the equivalent of a ninth, tenth, eleventh, or 178
 twelfth grade student, may participate in the program, if the 179
 student meets the applicable eligibility criteria in section 180
 3365.03 of the Revised Code. If a nonchartered nonpublic secondary 181
 school student chooses to participate in the program, that student 182
 shall be subject to the same requirements as a home-instructed 183
 student who chooses to participate in the program under this 184
 chapter. 185

(C) All public secondary schools and all public colleges 186
 shall participate in the program and are subject to the 187
 requirements of this chapter. Any nonpublic secondary school or 188
 private college that chooses to participate in the program shall 189
 also be subject to the requirements of this chapter. 190

(D) The chancellor, in accordance with Chapter 119. of the 191
 Revised Code and in consultation with the state superintendent of 192
~~public instruction~~, shall adopt rules governing the program." 193

Between lines 45664 and 45665, insert: 194

"**Sec. 3365.10.** (A) Any public or participating nonpublic 195

secondary school or any public or participating private college, 196
~~including a secondary school and an associated college operating~~ 197
~~an early college high school program,~~ may apply to the chancellor 198
of ~~the Ohio board of regents~~ higher education and the 199
superintendent of public instruction for a waiver from the 200
requirements of the college credit plus program. The chancellor 201
and the superintendent may grant a waiver under this section for 202
an agreement ~~governing an early college high school program~~ or for 203
a proposed agreement between a public or participating nonpublic 204
secondary school and a public or participating private or 205
out-of-state college, only if the agreement does both of the 206
following: 207

(1) Includes innovative programming proposed to exclusively 208
address the needs of underrepresented student subgroups; 209

(2) Meets all criteria set forth in rules adopted by the 210
chancellor and the superintendent pursuant to division (C) of this 211
section. 212

(B) Any waiver granted under this section shall apply only to 213
the agreement for which the waiver is granted and shall not apply 214
to any other agreement that the school or college enters into 215
under this chapter. 216

(C) The chancellor and the superintendent of public 217
instruction shall jointly adopt rules, in accordance with Chapter 218
119. of the Revised Code, regarding the granting of waivers under 219
this section. 220

~~(D) As used in this section, "associated college" and "early~~ 221
~~college high school program" have the same meanings as in section~~ 222
~~3313.6013 of the Revised Code."~~ 223

In line 102698, after "3313.6012," insert "3313.6013," 224

In line 102717, after "3365.01," insert "3365.02," 225
 In line 102718, after "3365.07," insert "3365.10," 226

The motion was _____ agreed to.

SYNOPSIS

Early College High Schools and the CCP program 227

R.C. 3313.6013, 3365.02, and 3365.10 228

Exempts all Early College High School (ECHS) programs from 229
 the requirements of the CCP program, so long as the ECHS program 230
 meets the statutory definition of ECHS programs (see below) and is 231
 approved by the Superintendent of Public Instruction and the 232
 Chancellor of Higher Education. (Current law only exempts ECHS 233
 programs that (1) apply for and obtain a waiver from the 234
 requirements of the CCP program; (2) began operation before July 235
 1, 2014, and whose agreement has not yet expired; (3) received a 236
 Straight A program grant during the 2014-2015 school year to 237
 establish or expand an ECHS program, for the period of time that 238
 project is funded; or (4) do not confer transcribed credit for a 239
 portion of the program (but only for that portion).) 240

Changes the definition of "early college high school program" 241
 so that it means "a partnership between at least one school 242
 district or school and at least one institution of higher 243
 education that allows participants to simultaneously complete 244
 requirements toward earning a regular high school diploma and have 245
 the opportunity to earn not less than 24 credits that are 246
 transferable to the institutions of higher education in the 247
 partnership as part of an organized course of study toward a 248

post-secondary degree or credential at no cost to the participant 249
or participant's family." 250

Specifies that ECHS programs "prioritize," rather than only 251
include as under current law, students who are (1) 252
underrepresented in higher education, (2) economically 253
disadvantaged, or (3) first-generation (parents did not earn 254
degree). 255

Maintains current law permitting high schools and colleges to 256
apply for and obtain a waiver from the requirements of the CCP 257
program for agreements or proposed agreements that offer 258
innovative programming for underrepresented students and meet the 259
criteria set forth in rule by the Chancellor and State 260
Superintendent. (Under current law, this waiver is also 261
specifically available to ECHS programs.) 262

_____ moved to amend as follows:

1 Delete lines 127782 through 127877

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Assisted Living Program Workgroup**

5 **Section 209.50**

6 Eliminates the working group created to review the Assisted
7 Living Program.

_____ moved to amend as follows:

1 In line 76687, strike through "throughout the carrier's"

2 In line 76688, strike through everything before the period

3 and insert "consistent with the requirements of federal law"

4 The motion was _____ agreed to.

5 SYNOPSIS

6 **Lifeline telephone service**

7 **R.C. 4927.13**

8 Specifies that an incumbent local exchange carrier that is
9 an eligible telecommunications carrier under federal rules must
10 implement lifeline telephone service consistent with federal law
11 requirements instead of implementing the service "throughout the
12 carrier's traditional service area for its eligible residential
13 customers."

Sub. H.B. 49
As Pending in S. Finance
TAXCD76

_____ moved to amend as follows:

Delete lines 91548 through 91551 and insert: 1

"(2) The end user uses electricity at a manufacturing 2
location in this state for use in a chlor-alkali manufacturing 3
process but, if the end user uses electricity distributed by a 4
municipal electric utility, the end user can only be a "qualified 5
end user" upon obtaining the consent of the legislative authority 6
of the municipal corporation that owns or operates the utility." 7

In line 91823, delete "distributed by an" 8

Delete line 91824 9

In line 91825, delete "utility or a rural electric company" 10

In line 91826, delete the underlined comma 11

The motion was _____ agreed to.

SYNOPSIS

Kilowatt-hour tax: exempt electricity used in chlor-alkali 12
manufacturing processes 13

R.C. 5727.80 and 5727.81 14

Modifies a provision added by the House that exempts from 15
kilowatt-hour taxation any use of electricity by a qualified end 16
user in a chlor-alkali manufacturing process. 17

The bill currently bars end users that receive electricity 18
from a municipal or rural cooperative electric company from 19
qualifying for the exemption. The amendment extends the exemption 20
to such end users except that, if the electricity is received from 21
a municipal electric company, the end user must first obtain the 22
consent of the legislative authority of the municipal corporation 23
that owns or operates the utility. 24

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

Between lines 141196 and 141197, insert: 1

"**Section 753.____.** (A) The Governor may execute one or more 2
deeds in the name of the state conveying to a purchaser or 3
purchasers, their heirs, successors, and assigns, to be determined 4
in the manner provided in division (C) of this section, all of the 5
state's right, title, and interest in the following described real 6
estate: 7

Lorain County, Grafton 8

Begin at the intersection of Capel Road and Island Road, 9
thence, westerly, along the center of Capel Road, 5055 feet +/-, 10
to the east line of the railroad, thence northeasterly, along the 11
railroad, 4625 feet +/- to the southeast corner of Lorain County 12
Parcel # 1100037000004, thence, easterly, along the south line 13
said Lorain County Parcel # 1100037000004, 1295 feet +/-, to the 14
center of Island Road, thence southerly along the center of Island 15
Road, 2430 feet +/- to the beginning containing approximately 188 16
acres. Being Lorain County Parcels: All of 1100043000004, All of 17
1100043000003, All of 1100043000005, All of 1100044000003, All of 18
1100037000002, All of 1100037000003, Part of 1100038000004 and 19
Part of 1100038000000. 20

Begin at the intersection of Avon-Belden Road (SR 83) and 21

Capel Road, thence, northeasterly, along the center of Capel Road, 22
 385 feet +/- to an angle point in said road, thence, westerly, 23
 along said center of Capel Road, 3210 feet +/- to a point 20 feet 24
 west of a gravel drive, thence, southerly, and remaining 20 feet 25
 west of the gravel drive, 2635 feet +/- to a point, thence, 26
 westerly, and parallel to the centerline of Capel Road, 3545 feet 27
 +/- to the center of Avon-Belden Road (SR83), thence, northerly, 28
 along the center of Avon-Belden Road (SR83), 2325 feet +/- to the 29
 beginning containing approximately 198 acres. Being Lorain County 30
 Parcels: Part of 1100038000001, Part of 1100039000001, Part of 31
 1100039000002, Part of 1100042000001, All of 1100043000007 and All 32
 of 1100043000006. 33

Begin at the intersection of Capel Road and Island Road, 34
 thence, southerly, along the center of Island Road, 4340 feet +/- 35
 to the northeast corner of Lorain County Parcel # 1100039000005, 36
 thence, westerly, along the north line of said Lorain County 37
 Parcel # 1100039000005, 264 feet +/- to the north west corner of 38
 said parcel, thence, southerly along the west line of said parcel, 39
 82.5 feet +/- to the southwest corner of said parcel and on the 40
 north line of Lorain County Parcel # 1100040000003, thence along 41
 the north line of said Lorain County Parcel # 1100040000003 and 42
 extending into State of Ohio lands, 1540 feet +/- to a point, 43
 thence, northerly and running 20 feet west of a gravel drive, 4425 44
 feet +/- to the center of Capel Road, thence, easterly, along the 45
 center of Capel Road, 350 feet +/- to the northwest corner of 46
 Lorain County Parcel # 1100038000003, thence southerly along the 47
 west line of said Parcel # 1100038000003, 522 feet +/-, to its 48
 southwest corner, thence westerly along the south line of said 49
 Parcel # 1100038000003, 245 feet +/- to its southeast corner, 50
 thence northerly, along the east line of said Parcel # 51
 1100038000003, 522 feet to the center of Capel Road, thence, 52

easterly, along the center of Capel Road, 1210 feet +/- to the 53
beginning containing approximately 180 acres. Being Lorain County 54
Parcels: Part of 1100038000004, Part of 1100039000001, Part of 55
1100039000002, Part of 1100039000003 and Part of 1100039000004. 56

Begin at the northwest corner of Lorain County Parcel # 57
1100041000003, said corner being in the centerline of Avon-Belden 58
Road (SR 83), thence, northerly, along the center of said 59
Avon-Belden Road (SR 83), 235 feet +/- to a point, said point also 60
being on the extension of a fence line projected from the east, 61
thence, easterly, on the extension of said fence line projected 62
from the east, 4110 feet +/- to a point on the east line of Lorain 63
County Parcel # 1100040000001, thence, southerly, along the said 64
east line of Lorain County Parcel # 1100040000001 and the east 65
line of Lorain County Parcel # 1100040000002 to the southeast 66
corner of said Lorain County Parcel # 1100040000002, thence, 67
westerly, along the south line of said Lorain County Parcel # 68
1100040000002, Lorain County Parcel # 1100041000003 and Lorain 69
County Parcel # 1100060000003, 4245 feet +/- to the center of 70
Avon-Belden Road (SR 83), thence, northerly, along the center of 71
said Avon-Belden Road (SR 83), 280 feet +/- to an angle point, 72
thence continuing along the centerline said Avon-Belden Road (SR 73
83), 1005 feet +/- to the beginning containing approximately 142 74
acres. Being Lorain County Parcels: All of 1100060000003, All of 75
1100041000003, All of 1100040000002, Part of 1100040000001 and 76
Part of 1100041000002. 77

The foregoing legal descriptions may be corrected or modified 78
by the Department of Administrative Services as necessary in order 79
to facilitate the recording of the deed or deeds to define the 80
description of the real estate identified as no longer obligatory 81
by the state. 82

(B)(1) The conveyance or conveyances include improvements and chattels situated on the real estate, and is or are subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in "as-is, where-is, with all faults" condition.

(2) The deed or deeds for the conveyance of the real estate may contain restrictions, covenants, exceptions, reservations, reversionary interests, and other terms and conditions the Director of Administrative Services determines to be in the best interest of the state.

(3) Subsequent to the conveyance or conveyances, any restrictions, exceptions, reservations, reversionary interests, or other terms and conditions contained in the deed or deeds may be released by the state or the Department of Rehabilitation and Correction without the necessity of further legislation.

(4) The deed or deeds shall contain restrictions prohibiting the purchaser or purchasers from occupying, using, developing, or selling the real estate if the occupation, use, development, or sale will interfere with the quiet enjoyment of neighboring state-owned land.

(5) The real estate described in division (A) of this section shall be conveyed only if the Director of Administrative Services and the Director of Rehabilitation and Correction first have determined that the real estate is surplus real property no longer needed by the state and that the conveyance or conveyances are in the best interest of the state.

(C)(1) The Director of Administrative Services and the

Director of Rehabilitation and Correction shall offer the sale of 113
the real estate in the manner described in divisions (C)(2) or 114
(C)(3) of this section. 115

(2) The Director of Administrative Services may offer the 116
sale of the real estate to a purchaser or purchasers to be 117
determined, through a negotiated real estate purchase agreement or 118
agreements. 119

Consideration for the conveyance of the real estate shall be 120
at a price and at terms and conditions acceptable to the Director 121
of Administrative Services and the Director of Rehabilitation and 122
Correction. The consideration shall be paid at closing. 123

(3) The Director of Administrative Services shall conduct a 124
sale of the real estate by sealed bid auction or public auction, 125
and the real estate shall be sold to the highest bidder at a price 126
acceptable to the Director of Administrative Services and the 127
Director of Rehabilitation and Correction. The Director of 128
Administrative Services shall advertise the sealed bid auction or 129
public auction by publication in a newspaper of general 130
circulation in Lorain County, once a week for three consecutive 131
weeks before the date on which the sealed bids are to be opened or 132
the public auction is to be held. The Director of Administrative 133
Services shall notify the successful bidder in writing. The 134
Director of Administrative Services may reject any or all bids. 135

The purchaser or purchasers shall pay ten percent of the 136
purchase price to the Director of Administrative Services not 137
later than five business days after receiving the notice the bid 138
has been accepted, and shall enter into a real estate purchase 139
agreement, in the form prescribed by the Department of 140
Administrative Services. Payment may be made by bank draft or 141
certified check made payable to the Treasurer of State. The 142

purchaser or purchasers shall submit the balance of the purchase price to the Director of Administrative Services not later than sixty days after receiving notice the bid has been accepted. A purchaser who does not complete the conditions of the sale as prescribed in this division shall forfeit as liquidated damages the ten percent of the purchase price paid to the state. If a purchaser fails to complete the purchase of the real estate, the Director of Administrative Services may accept the next highest bid, subject to the foregoing conditions. If the Director of Administrative Services rejects all bids, the Director may repeat the sealed bid auction or public auction, or may use an alternative sale process that is acceptable to the Director of Administrative Services and the Director of Rehabilitation and Correction.

The Department of Rehabilitation and Correction shall pay advertising costs incident to the sale of the real estate.

(D) The real estate described in division (A) of this section may be conveyed as an entire tract or as multiple parcels as determined by the Director of Administrative Services and the Director of Rehabilitation and Correction. The real estate described in division (A) of this section may be conveyed to a single purchaser or multiple purchasers as determined by the Director of Administrative Services and the Director of Rehabilitation and Correction.

(E) Except as otherwise specified in this section, the purchaser or purchasers shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, appraisals, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments, and costs that may be imposed.

(F) The proceeds of the conveyance of facilities and interest 173
in real estate sale or sales shall be deposited into the state 174
treasury to the credit of the Adult and Juvenile Correctional 175
Facilities Bond Retirement Fund in accordance with section 176
5120.092 of the Revised Code. 177

(G) Upon payment of the purchase price, the Auditor of State, 178
with the assistance of the Attorney General, shall prepare a deed 179
or deeds to the real estate described in division (A) of this 180
section. The deed or deeds shall state the consideration and shall 181
be executed by the Governor in the name of the state, 182
countersigned by the Secretary of State, sealed with the Great 183
Seal of the State, presented in the Office of the Auditor of State 184
for recording, and delivered to the purchaser or purchasers. The 185
purchaser or purchasers shall present the deed or deeds for 186
recording in the office of the Lorain County Recorder. 187

(H) This section expires three years after its effective 188
date." 189

The motion was _____ agreed to.

SYNOPSIS

DRC land conveyance in Lorain County 190

Section 753.____ 191

Reinstates in part a provision from the Pending in House 192
Finance version to authorize the conveyance of state-owned land in 193
Lorain County through a real estate purchase agreement or by 194
sealed bid auction or public auction. Before selling the real 195
estate, the Director of Administrative Services and the Director 196

of Rehabilitation and Correction must determine the real estate is 197
surplus real property no longer needed by the state and that the 198
conveyance is in the best interest of the state. Proceeds from the 199
conveyance must be deposited into the state treasury to the credit 200
of the Adult and Juvenile Correctional Facilities Bond Retirement 201
Fund. 202

_____ moved to amend as follows:

1 In line 128724, delete "\$1,250,000 \$1,250,000" and insert
2 "100,000 \$100,000"

3 In line 128736, subtract \$1,150,000 from each fiscal year

4 In line 128775, subtract \$1,150,000 from each fiscal year

5 Between lines 128941 and 128942, insert:

6 "DEFENSE DEVELOPMENT ASSISTANCE

7 On July 1, 2017, or as soon as possible thereafter, the
8 Director of Budget and Management shall transfer \$200,000 cash
9 from the OhioMeansJobs Workforce Development Revolving Loan Fund
10 (Fund 5NH0) to the Ohio Incumbent Workforce Job Training Fund
11 (Fund 5HR0).

12 The foregoing appropriation item 195622, Defense
13 Development Assistance, shall be allocated to the Aerospace
14 Professional Development Center in Dayton for statewide
15 workforce development services in the aerospace industry."

16 In line 138004, delete "\$16,250,000" and insert
17 "\$16,050,000"

18 In line 138007, subtract \$200,000 from FY 2018

19 In line 138011, subtract \$200,000 from FY 2018

20 The motion was _____ agreed to.

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SYNOPSIS

22

Development Services Agency, Treasurer of State

23

Sections 259.10, 259.30, and 413.10

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25 Requires the Director of Budget and Management to transfer
26 \$200,000 cash from the OhioMeansJobs Incumbent Workforce
27 Development Revolving Loan Fund (Fund 5NH0) to the Ohio
28 Incumbent Workforce Job Training Fund (Fund 5HR0) on July 1,
2017, or as soon as possible thereafter.

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30 Changes appropriations to \$100,000 in each of FY 2018 and
31 FY 2019 for Fund 5HR0 appropriation item 195622, Defense
32 Development Assistance and earmarks these amounts for the
33 Aerospace Professional Development Center in Dayton to be used
34 toward statewide workforce development services in the aerospace
industry.

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36 Decreases DPF appropriation item 090610, OhioMeansJobs
Workforce Development by \$200,000 in FY 2018.

_____ moved to amend as follows:

1 Between lines 133092 and 133093, insert:

2 **"Section 307.____. CHILDREN'S HUNGER ALLIANCE**

3 Of the foregoing appropriation item 600689, TANF Block
4 Grant, \$250,000 in each fiscal year shall be provided, in
5 accordance with sections 5101.80 and 5101.801 of the Revised
6 Code, to the Children's Hunger Alliance to assist with meal
7 sponsorship, consultations and nutrition education, school
8 district nutrition programs, afterschool nutrition programs, and
9 summer nutrition programs. No portion of the provided funds may
10 be used for marketing purposes."

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Department of Job and Family Services**

14 **Section 307.____**

15 Earmarks \$250,000 in FY 2018 and FY 2019 from federal Fund
16 3V60 appropriation item 600689, TANF Block Grant, for the
17 Children's Hunger Alliance to assist with meal sponsorship,
18 consultations and nutrition education, school district nutrition
19 programs, afterschool nutrition programs, and summer nutrition
20 programs. Prohibits the funds from being used for marketing.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 57 of the title, after "3313.902," insert "3313.978," 1

In line 545, after "3313.902," insert "3313.978," 2

Between lines 35329 and 35330, insert: 3

"**Sec. 3313.978.** (A) Annually by the first day of November, 4
the superintendent of public instruction shall notify the pilot 5
project school district of the number of initial scholarships that 6
the state superintendent will be awarding in each of grades 7
kindergarten through twelve. 8

The state superintendent shall provide information about the 9
scholarship program to all students residing in the district, 10
shall accept applications from any such students until such date 11
as shall be established by the state superintendent as a deadline 12
for applications, and shall establish criteria for the selection 13
of students to receive scholarships from among all those applying 14
prior to the deadline, which criteria shall give preference to 15
students from low-income families. The state superintendent shall 16
notify students of their selection prior to the fifteenth day of 17
January. 18

(1) A student receiving a pilot project scholarship may 19
utilize it at an alternative public school by notifying the 20

district superintendent, at any time before the beginning of the
school year, of the name of the public school in an adjacent
school district to which the student has been accepted pursuant to
section 3327.06 of the Revised Code.

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(2) A student may decide to utilize a pilot project
scholarship at a registered private school in the district if all
of the following conditions are met:

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(a) By the fifteenth day of February of the preceding school
year, or at any time prior to the start of the school year, the
parent makes an application on behalf of the student to a
registered private school.

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(b) The registered private school notifies the parent and the
state superintendent as follows that the student has been
admitted:

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(i) By the fifteenth day of March of the preceding school
year if the student filed an application by the fifteenth day of
February and was admitted by the school pursuant to division (A)
of section 3313.977 of the Revised Code;

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(ii) Within one week of the decision to admit the student if
the student is admitted pursuant to division (C) of section
3313.977 of the Revised Code.

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(c) The student actually enrolls in the registered private
school to which the student was first admitted or in another
registered private school in the district or in a public school in
an adjacent school district.

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(B) The state superintendent shall also award in any school
year tutorial assistance grants to a number of students equal to
the number of students who receive scholarships under division (A)
of this section. Tutorial assistance grants shall be awarded

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solely to students who are enrolled in the public schools of the
district in a grade level covered by the pilot project. Tutorial
assistance grants may be used solely to obtain tutorial assistance
from a provider approved pursuant to division (D) of section
3313.976 of the Revised Code.

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All students wishing to obtain tutorial assistance grants
shall make application to the state superintendent by the first
day of the school year in which the assistance will be used. The
state superintendent shall award assistance grants in accordance
with criteria the superintendent shall establish.

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(C)(1) In the case of basic scholarships for students in
grades kindergarten through eight, the scholarship amount shall
not exceed the lesser of the net tuition charges of the
alternative school the scholarship recipient attends or four
thousand ~~two~~ six hundred fifty dollars ~~in fiscal year 2012 and~~
~~thereafter.~~

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In the case of basic scholarships for students in grades nine
through twelve, the scholarship amount shall not exceed the lesser
of the net tuition charges of the alternative school the
scholarship recipient attends or ~~five~~ six thousand dollars ~~in~~
~~fiscal year 2012 and fiscal year 2013, and five thousand seven~~
~~hundred dollars in fiscal year 2014 and thereafter.~~

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The net tuition and fees charged to a student shall be the
tuition amount specified by the alternative school minus all other
financial aid, discounts, and adjustments received for the
student. In cases where discounts are offered for multiple
students from the same family, and not all students in the same
family are scholarship recipients, the net tuition amount
attributable to the scholarship recipient shall be the lowest net
tuition to which the family is entitled.

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(2) The state superintendent shall provide for an increase in the basic scholarship amount in the case of any student who is a mainstreamed student with a disability and shall further increase such amount in the case of any separately educated student with a disability. Such increases shall take into account the instruction, related services, and transportation costs of educating such students.

(3) In the case of tutorial assistance grants, the grant amount shall not exceed the lesser of the provider's actual charges for such assistance or:

(a) Before fiscal year 2007, a percentage established by the state superintendent, not to exceed twenty per cent, of the amount of the pilot project school district's average basic scholarship amount;

(b) In fiscal year 2007 and thereafter, four hundred dollars.

(D)(1) Annually by the first day of November, the state superintendent shall estimate the maximum per-pupil scholarship amounts for the ensuing school year. The state superintendent shall make this estimate available to the general public at the offices of the district board of education together with the forms required by division (D)(2) of this section.

(2) Annually by the fifteenth day of January, the chief administrator of each registered private school located in the pilot project district and the principal of each public school in such district shall complete a parental information form and forward it to the president of the board of education. The parental information form shall be prescribed by the department of education and shall provide information about the grade levels offered, the numbers of students, tuition amounts, achievement test results, and any sectarian or other organizational

affiliations.	110
(E)(1) Only for the purpose of administering the pilot	111
project scholarship program, the department may request from any	112
of the following entities the data verification code assigned	113
under division (D)(2) of section 3301.0714 of the Revised Code to	114
any student who is seeking a scholarship under the program:	115
(a) The school district in which the student is entitled to	116
attend school under section 3313.64 or 3313.65 of the Revised	117
Code;	118
(b) If applicable, the community school in which the student	119
is enrolled;	120
(c) The independent contractor engaged to create and maintain	121
data verification codes.	122
(2) Upon a request by the department under division (E)(1) of	123
this section for the data verification code of a student seeking a	124
scholarship or a request by the student's parent for that code,	125
the school district or community school shall submit that code to	126
the department or parent in the manner specified by the	127
department. If the student has not been assigned a code, because	128
the student will be entering kindergarten during the school year	129
for which the scholarship is sought, the district shall assign a	130
code to that student and submit the code to the department or	131
parent by a date specified by the department. If the district does	132
not assign a code to the student by the specified date, the	133
department shall assign a code to the student.	134
The department annually shall submit to each school district	135
the name and data verification code of each student residing in	136
the district who is entering kindergarten, who has been awarded a	137
scholarship under the program, and for whom the department has	138

assigned a code under this division.	139
(3) The department shall not release any data verification code that it receives under division (E) of this section to any person except as provided by law.	140 141 142
(F) Any document relative to the pilot project scholarship program that the department holds in its files that contains both a student's name or other personally identifiable information and the student's data verification code shall not be a public record under section 149.43 of the Revised Code.	143 144 145 146 147
(G)(1) The department annually shall compile the scores attained by scholarship students enrolled in registered private schools on the assessments administered to the students pursuant to division (A)(11) of section 3313.976 of the Revised Code. The scores shall be aggregated as follows:	148 149 150 151 152
(a) By school district, which shall include all scholarship students residing in the pilot project school district who are enrolled in a registered private school and were required to take an assessment pursuant to division (A)(11) of section 3313.976 of the Revised Code;	153 154 155 156 157
(b) By registered private school, which shall include all scholarship students enrolled in that school who were required to take an assessment pursuant to division (A)(11) of section 3313.976 of the Revised Code.	158 159 160 161
(2) The department shall disaggregate the student performance data described in division (G)(1) of this section according to the following categories:	162 163 164
(a) Grade level;	165
(b) Race and ethnicity;	166

(c) Gender;	167
(d) Students who have participated in the scholarship program for three or more years;	168 169
(e) Students who have participated in the scholarship program for more than one year and less than three years;	170 171
(f) Students who have participated in the scholarship program for one year or less;	172 173
(g) Economically disadvantaged students.	174
(3) The department shall post the student performance data required under divisions (G)(1) and (2) of this section on its web site and shall include that data in the information about the scholarship program provided to students under division (A) of this section. In reporting student performance data under this division, the department shall not include any data that is statistically unreliable or that could result in the identification of individual students. For this purpose, the department shall not report performance data for any group that contains less than ten students.	175 176 177 178 179 180 181 182 183 184
(4) The department shall provide the parent of each scholarship student enrolled in a registered private school with information comparing the student's performance on the assessments administered pursuant to division (A)(11) of section 3313.976 of the Revised Code with the average performance of similar students enrolled in the building operated by the pilot project school district that the scholarship student would otherwise attend. In calculating the performance of similar students, the department shall consider age, grade, race and ethnicity, gender, and socioeconomic status."	185 186 187 188 189 190 191 192 193 194
In line 102699, after "3313.902," insert "3313.978,"	195

The motion was _____ agreed to.

SYNOPSIS

Cleveland Scholarship Program	196
R.C. 3313.978	197
Increases the maximum amount that may be awarded under the	198
Cleveland Scholarship Program to students in grades K-8 to \$4,650	199
(from \$4,250 under current law), and to students in grades 9-12 to	200
\$6,000 (from \$5,700 under current law).	201

_____ moved to amend as follows:

1 In line 265 of the title, after "3347.091," insert
2 "3358.051,"

3 In line 669, after "3347.091," insert "3358.051,"

4 Between lines 44926 and 44927, insert:

5 "Sec. 3358.051. (A) Notwithstanding section 3358.05 or any
6 other provision of the Revised Code to the contrary, on the
7 effective date of this section, the chancellor of higher
8 education may designate the technical college organized under
9 Chapter 3357. of the Revised Code that is known as Rhodes state
10 college as a state community college. If the chancellor makes
11 such a designation, the initial board of trustees of the state
12 community college shall be appointed in accordance with section
13 3358.03 of the Revised Code, with the members of the board of
14 trustees of Rhodes state college, as it exists on the effective
15 date of the chancellor's designation under division (A) of this
16 section, serving the balance of their existing terms in
17 accordance with section 3358.03 of the Revised Code.

18 (B) Within ninety days after the appointment of the initial
19 board of trustees of Rhodes state college under division (A) of

20 this section, that board shall enter into an agreement with the
21 chancellor that designates the county or counties to be included
22 in the state community college's district. The agreement shall
23 be entered into by the chancellor on behalf of the state
24 community college district and is binding upon the college
25 district and its board of trustees.

26 (C) The county auditor and treasurer of each county that
27 collects tax levies for the technical college known as Rhodes
28 state college, on the effective date of the chancellor's
29 designation under division (A) of this section, shall take any
30 action necessary to cease collection of those tax levies.

31 (D) Nothing in this section shall be construed to affect
32 the rights of holders or owners of bonds or notes issued
33 pursuant to section 3357.11 of the Revised Code until the bonds
34 or notes are returned or provisions therefor made."

35 The motion was _____ agreed to.

36 SYNOPSIS

37 **Rhodes State College - designation as a state community**
38 **college**

39 **R.C. 3358.051**

40 Specifies that the Chancellor of Higher Education may
41 designate Rhodes State College as a state community college
42 rather than a technical college as under current law.

SC5122

43 Requires the initial board of trustees of the College to be
44 appointed in the manner prescribed for appointments of initial
45 boards of trustees of other state community colleges under
46 current law, with the members of the board of trustees as it
47 existed on the date of the Chancellor's designation serving the
48 balance of their current terms as part of the initial board as
49 prescribed in current law.

50 Requires the initial board of trustees of the College to
51 enter into an agreement with the Chancellor within 90 days after
52 the board's appointment that designates the county or counties
53 to be included in the state community college's district.

54 Requires the county auditor and treasurer of each county
55 that currently collects tax levies for the College to, on the
56 effective date of the Chancellor's designation of the College as
57 a state community college, take any action necessary to cease
58 collection of those tax levies.

59 Specifies that this provision does not affect the rights of
60 holders or owners of bonds or notes issued pursuant to current
61 law until the bonds or notes are returned or provisions made.

_____ moved to amend as follows:

1 In line 129756, delete the first "\$500,000" and insert
2 "\$575,000"

3 In line 129757, add \$75,000 to fiscal year 2018

4 In line 129794, add \$75,000 to fiscal year 2018

5 Between lines 131568 and 131569, insert:

6 **"Section 265.____.** EDUCATIONAL IMPROVEMENT GRANTS

7 Of the foregoing appropriation item 200615, Educational
8 Improvement Grants, \$75,000 in fiscal year 2018 shall be used to
9 support the creation of an additional welding laboratory at the
10 Trumbull Career and Technical Center.

11 TRANSFER FROM THE OHIOMEANSJOBS WORKFORCE DEVELOPMENT
12 REVOLVING LOAN FUND (FUND 5NH0) TO THE EDUCATIONAL GRANTS FUND
13 (FUND 6200)

14 Notwithstanding any provision of law to the contrary, on
15 July 1, 2017, or as soon as possible thereafter, the Director of
16 Budget and Management shall transfer \$75,000 cash from the
17 OhioMeansJobs Workforce Development Revolving Loan Fund (Fund
18 5NH0) to the Educational Grants Fund (Fund 6200)."

SC5143X1

19 In line 138004, delete "\$16,250,000" and insert
20 "\$16,175,000"

21 In line 138007, subtract \$75,000 from fiscal year 2018

22 In line 138011, subtract \$75,000 from fiscal year 2018

23 The motion was _____ agreed to.

24 SYNOPSIS

25 **Department of Education**

26 **Sections 265.10 and 265.____**

27 Increases DPF Fund 6200 appropriation item 200615,
28 Educational Improvement Grants, by \$75,000 in fiscal year 2018
29 and earmarks that amount to support the creation of an
30 additional welding laboratory at the Trumbull Career and
31 Technical Center.

32 Requires the Director of OBM to transfer \$75,000 cash from
33 the OhioMeansJobs Workforce Development Revolving Loan Fund
34 (Fund 5NH0) to the Educational Grants Fund (Fund 6200).

35 **Treasurer of State**

36 **Section 413.10**

37 Decreases DPF Fund 5NH0 appropriation item 090610,
38 OhioMeansJobs Workforce Development, by \$75,000 in FY 2018.

_____ moved to amend as follows:

1 In line 129756, delete the first "\$500,000" and insert
2 "\$625,000"

3 In line 129757, add \$125,000 to fiscal year 2018

4 In line 129794, add \$125,000 to fiscal year 2018

5 Between lines 131568 and 131569, insert:

6 **"Section 265.____.** EDUCATIONAL IMPROVEMENT GRANTS

7 Of the foregoing appropriation item 200615, Educational
8 Improvement Grants, \$125,000 in fiscal year 2018 shall be
9 distributed to the Trumbull County Educational Service Center to
10 support the creation of a STEAM program.

11 TRANSFER FROM THE OHIOMEANSJOBS WORKFORCE DEVELOPMENT
12 REVOLVING LOAN FUND (FUND 5NH0) TO THE EDUCATIONAL GRANTS FUND
13 (FUND 6200)

14 Notwithstanding any provision of law to the contrary, on
15 July 1, 2017, or as soon as possible thereafter, the Director of
16 Budget and Management shall transfer \$125,000 cash from the
17 OhioMeansJobs Workforce Development Revolving Loan Fund (Fund
18 5NH0) to the Educational Grants Fund (Fund 6200)."

SC5163X1

19 In line 138004, delete "\$16,250,000" and insert
20 "\$16,125,000"

21 In line 138007, subtract \$125,000 from fiscal year 2018

22 In line 138011, subtract \$125,000 from fiscal year 2018

23 The motion was _____ agreed to.

24 SYNOPSIS

25 **Department of Education**

26 **Sections 265.10 and 265.____**

27 Increases DPF Fund 6200 appropriation item 200615,
28 Educational Improvement Grants, by \$125,000 in fiscal year 2018
29 and earmarks that amount to support the Trumbull County ESC for
30 a STEAM program.

31 Requires the Director of OBM to transfer \$125,000 cash from
32 the OhioMeansJobs Workforce Development Revolving Loan Fund
33 (Fund 5NH0) to the Educational Grants Fund (Fund 6200).

34 **Treasurer of State**

35 **Section 413.10**

36 Decreases DPF Fund 5NH0 appropriation item 090610,
37 OhioMeansJobs Workforce Development, by \$125,000 in FY 2018.

_____ moved to amend as follows:

1 Delete lines 133040 through 133067

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Department of Job and Family Services**

5 **Section 307.35**

6 Removes language describing the use of GRF appropriation
7 item 600546, Healthy Food Financing Initiative.

_____ moved to amend as follows:

1 In line 21520, after "Electronically" insert "Any other
2 electronically"; Reinsert "transferred funds"

3 In line 21521, delete "Any direct"

4 Delete line 21522

5 In line 21523, delete everything before the period

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Good Funds Law - electronic transfer**

9 **R.C. 1349.21**

10 Restores a change made in the As Passed by the House
11 version of the bill which modifies the type of disbursements
12 permitted under Ohio Good Funds Law (which regulates
13 disbursements made in residential real estate escrow
14 transactions) to any other electronically transferred funds,
15 replacing:

- 16 • The bill's "direct and irrevocable electronic
17 transfers that originates from a federally insured
18 financial institution into an escrow account";
- 19 • Current law's "electronically transferred funds via
20 the Federal Reserve's Real Time Gross Settlement
21 System."

_____ moved to amend as follows:

1 Between lines 134946 and 134947, insert:

2 **"Section 337.____.** COMMUNITY INNOVATIONS REAPPROPRIATION

3 Of the unexpended, unencumbered balance of the foregoing
4 appropriation item 336504, Community Innovations, at the end of
5 fiscal year 2017, \$2,000,000 is hereby reappropriated to the
6 same appropriation item for fiscal year 2018. These funds shall
7 be used for the purposes of workforce recruitment and retention,
8 including support of community behavioral health centers in the
9 provision of clinical oversight and supervision of practitioners
10 working toward their independent licensure, tuition
11 reimbursement and loan repayment, and other activities that
12 support recruitment and retention."

13 The motion was _____ agreed to.

14 SYNOPSIS

15 **Department of Mental Health and Addiction Services**

16 **Section 337.____**

17 Reappropriates \$2 million of the unexpended, unencumbered
18 FY 2017 balance in GRF line item 336504, Community Innovations,
19 to FY 2018.

20 Requires these funds to be used for the purposes of
21 workforce recruitment and retention.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 4 of the title, delete "119.06," 1
- In line 174 of the title, delete "4755.02, 4755.03,
4755.031," 2
3
- Delete lines 175 through 181 of the title 4
- In line 182 of the title, delete "4755.71, 4755.99," 5
- In line 191 of the title, after "4779.20," insert "4779.21,
4779.22," 6
7
- In line 271 of the title, delete "4744.06," 8
- In line 276 of the title, after "4761.032," insert "4779.35," 9
- In line 313 of the title, delete "4755.01," 10
- In line 315 of the title, delete "4779.21, 4779.22," 11
- In line 460 of the title, delete "121.22," 12
- In line 2127, delete "state physical health services" and 13
insert "Ohio occupational therapy, physical therapy, and athletic 14
trainers" 15
- In line 8174, after "~~(8)~~" insert "(6)" and reinsert the 16
balance of the line 17
- In line 8175, reinsert "trainers"; delete "(6) State physical 18
health services" 19

In line 103342, delete "119.06, 121.22,"	20
Delete lines 103358 through 103362	21
In line 103363, delete "4755.65, 4755.66, 4755.70, 4755.71, 4755.99,"	22 23
In line 103369, after "4779.20," insert "4779.21, 4779.22,"	24
In line 103372, delete "4744.06,"	25
In line 103376, delete "and"; after "4761.032" insert ", and 4779.35"	26 27
Delete lines 103892 through 104255	28
Delete lines 107070 through 107292 and insert:	29
<u>"Sec. 4744.07. When the term of a member of the state speech</u>	30
<u>and hearing professionals board expires or a vacancy occurs on the</u>	31
<u>board, a professional association representing the interests of</u>	32
<u>the occupation of the board position to be filled may recommend to</u>	33
<u>the governor individuals to fill the position. The governor shall</u>	34
<u>consider the recommendation in making appointments to the board.</u>	35
<u>Sec. 4744.10. Whenever the term "hearing aid dealers and</u>	36
<u>fitters licensing board" or "board of speech-language pathology</u>	37
<u>and audiology" is used in any statute, rule, contract, or other</u>	38
<u>document, the use shall be construed to mean the "state speech and</u>	39
<u>hearing professionals board."</u>	40
<u>Whenever "secretary of the hearing aid dealers and fitters</u>	41
<u>licensing board" or "executive director of the board of</u>	42
<u>speech-language pathology and audiology" is used in a statute,</u>	43
<u>rule, contract, or other document, the use shall be construed to</u>	44
<u>mean the executive director of the state speech and hearing</u>	45
<u>professionals board.</u>	46

Sec. 4744.12. (A) The state speech and hearing professionals board shall annually elect from among its members a president and secretary. The board shall hold at least four regular meetings each year and may hold additional meetings as it considers necessary. At least one of the board's regular meetings shall be held in Franklin county. The board shall publish the time and place of any meetings at least thirty days before the date on which the meeting is to be held, except that in the case of an emergency or special meeting, the board shall give twenty-four-hours' notice or as much notice as possible.

A majority of board members constitutes a quorum.

(B) The board shall do all of the following:

(1) Adopt a seal and certificate of suitable design;

(2) Maintain a record of its proceedings;

(3) Maintain a register of every individual holding a certificate, license, or permit issued under Chapters 4747. and 4753. of the Revised Code and every individual whose certificate, license, or permit has been revoked under those chapters.

(C) Except as otherwise provided in the Revised Code, the books and records of the board, including its registers, shall be open to public inspection at all reasonable times. A copy of an entry in those books and records, certified by the executive director under the board's seal, is prima facie evidence of the facts therein stated.

Sec. 4744.14. The state speech and hearing professionals board shall hire an executive director. Before discharging the executive director's duties, each executive director shall give a bond, to be approved by the board, in the amount of two thousand

dollars to ensure the faithful performance of the executive 75
director's duties. The board shall pay the premium of the bond in 76
the same manner as it pays other expenditures of the board. The 77
bond shall be deposited with the secretary of state and kept in 78
the secretary of state's office. 79

The executive director of the board, in consultation with the 80
director of administrative services, may employ inspectors, 81
investigators, assistants, and other employees as necessary to 82
administer and enforce Chapters 4747. and 4753. of the Revised 83
Code. 84

Sec. 4744.16. Each member of the state speech and hearing 85
professionals board shall receive an amount fixed under division 86
(J) of section 124.15 of the Revised Code for each day the member 87
is performing their official duties and be reimbursed for actual 88
and necessary expenses incurred in performing such duties. 89

The board, in consultation with the director of 90
administrative services, shall set the compensation of its 91
executive director and of any employees of the board. The 92
executive director of the board shall be reimbursed for necessary 93
expenses in accordance with section 126.31 of the Revised Code. 94

All vouchers of the board shall be approved by the board's 95
president or executive director, or both, as authorized by the 96
board. 97

Sec. 4744.18. The state speech and hearing professionals 98
board shall have an office in Franklin county, where all of the 99
board's permanent records shall be kept. On request of the board, 100
the director of administrative services shall supply the board 101
with office space and supplies. The board's president and 102

executive director shall submit an order to the director of 103
administrative services for all printing and binding necessary for 104
the board's work. 105

Sec. 4744.20. All expenses of the state speech and hearing 106
professionals board shall be paid from, and all receipts of the 107
board shall be deposited in, the state treasury to the credit of 108
the occupational licensing and regulatory fund created in section 109
4743.05 of the Revised Code. 110

Sec. 4744.24. The state speech and hearing professionals 111
board shall annually, on or before the first day of February, 112
submit a report to the governor of all its official acts during 113
the preceding year, its receipts and disbursements, and a complete 114
report of the conditions of the professions regulated by the 115
board. The board shall submit its first report to the governor not 116
later than February 1, 2019. The board shall submit the reports to 117
the governor electronically. 118

Sec. 4744.28. The state speech and hearing professionals 119
board may adopt rules as necessary for the transaction of its 120
business. 121

Sec. 4744.30. In the absence of fraud or bad faith, the state 122
speech and hearing professionals board, current or former board 123
members, agents of the board, persons formally requested by the 124
board to be the board's representative, or employees of the board 125
shall not be held liable in damages to any person as the result of 126
any act, omission, proceeding, conduct, or decision related to 127
official duties undertaken or performed pursuant to Chapters 4747. 128
and 4753. of the Revised Code. 129

If such a person asks to be defended by the state against any claim or action arising out of any act, omission, proceeding, conduct, or decision related to the person's official duties, and if the request is made in writing at a reasonable time before trial and the person requesting defense cooperates in good faith in the defense of the claim or action, the state shall provide and pay for the person's defense and shall pay any resulting judgment, compromise, or settlement. At no time shall the state pay any part of a claim or judgment that is for punitive or exemplary damages.

Sec. 4744.36. The state speech and hearing professionals board may appoint committees or other groups to assist in fulfilling its duties. A committee or group may consist of board members, other individuals with appropriate backgrounds, or both board members and other individuals with appropriate backgrounds. Any appointed committee or group shall act under the board's direction and shall perform its functions within the limits established by the board.

Except as otherwise provided in the Revised Code, a committee or group organized under this section is advisory in nature and may not act independently of the board or act on the board's behalf.

Members of a committee or group may be reimbursed by the board for any expenses incurred in the performance of their duties, in accordance with section 126.31 of the Revised Code and with approval from the director of administrative services.

Sec. 4744.40. The state speech and hearing professionals board may enter into contracts with any person or government entity to implement this chapter and Chapters 4747. and 4753. of the Revised Code, the rules adopted under those chapters, any

other applicable statutes or rules, and any applicable federal 159
statutes or regulations. 160

Sec. 4744.48. The state speech and hearing professionals 161
board may become a member of a national licensing organization for 162
the professions regulated by the board. The board may participate 163
in any of the organization's activities, including reporting 164
actions the board takes against an applicant or license holder to 165
any data bank established by the organization. 166

Sec. 4744.50. The state speech and hearing professionals 167
board shall establish a code of ethical practice for individuals 168
licensed, certified, or registered by the board in accordance with 169
rules adopted under Chapter 119. of the Revised Code. In 170
establishing the codes of ethical practice, the board shall define 171
unprofessional conduct in the rules, which shall include engaging 172
in a dual relationship with a client or former client, committing 173
an act of sexual abuse, misconduct, or exploitation of a client or 174
former client, and, except as permitted by law, violating client 175
confidentiality. 176

The codes of ethical practice may be based on any codes of 177
ethical practice developed by national organizations representing 178
the interests of those professions regulated by the board. The 179
board may establish standards in its codes of ethical practice 180
that are more stringent than those established by national 181
organizations. 182

The board may take disciplinary action against an applicant 183
or license holder for violating any code of ethical practice 184
established under this section. 185

Sec. 4744.54. The state speech and hearing professionals 186
board or any committees established by the board shall not 187
discriminate against an applicant or license holder because of the 188
person's race, color, religion, sex, national origin, disability 189
as defined in section 4112.01 of the Revised Code, or age. A 190
person who files with the board or committee a statement alleging 191
discrimination based on any of those reasons may request a hearing 192
with the board or committee, as appropriate." 193

In line 107348, reinsert "Ohio occupational therapy, physical 194
therapy, and" 195

In line 107349, reinsert "athletic trainers"; delete "state 196
physical health services" 197

In line 107350, reinsert "4755."; delete "4744." 198

Delete lines 108722 through 110308 199

In line 111520, strike through "state"; delete "physical 200
health services" and insert "Ohio occupational therapy, physical 201
therapy, and athletic trainers" 202

In line 111527, strike through "state"; delete "physical 203
health services" and insert "Ohio occupational therapy, physical 204
therapy, and athletic trainers" 205

In line 111544, after "(7)" reinsert the balance of the line 206

Reinsert line 111545 207

In line 111546, reinsert "(8)" 208

In line 111548, reinsert "(9)"; delete "(8)" 209

In line 111549, reinsert "(10)"; delete "(9)" 210

In line 111552, reinsert "(11)"; delete "(10)" 211

Reinsert lines 111554 and 111555 212

In line 111556, reinsert " <u>(13)</u> "; delete " <u>(11)</u> "	213
In line 111567, strike through "state"; delete " <u>physical</u> <u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u> <u>therapy, and athletic trainers</u> "	214 215 216
In line 111599, strike through "state"; delete " <u>physical</u> <u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u> <u>therapy, and athletic trainers</u> "	217 218 219
In line 111619, delete " <u>state physical health services</u> " and insert " <u>Ohio occupational therapy, physical therapy, and athletic</u> <u>trainers</u> "	220 221 222
In line 111683, delete " <u>state physical health services</u> " and insert " <u>Ohio occupational therapy, physical therapy, and athletic</u> <u>trainers</u> "	223 224 225
In line 111747, delete " <u>state physical</u> "	226
In line 111748, delete " <u>health services</u> " and insert " <u>Ohio</u> <u>occupational therapy, physical therapy, and athletic trainers</u> "	227 228
In line 111815, delete " <u>state physical health services</u> " and insert " <u>Ohio occupational therapy, physical therapy, and athletic</u> <u>trainers</u> "	229 230 231
In line 111819, strike through "state"; delete " <u>physical</u> <u>health</u> "	232 233
In line 111820, delete " <u>services</u> " and insert " <u>Ohio</u> <u>occupational therapy, physical therapy, and athletic trainers</u> "	234 235
In line 111842, strike through "state"; delete " <u>physical</u> <u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u> <u>therapy, and athletic trainers</u> "	236 237 238
In line 111872, strike through "state"; delete " <u>physical</u> <u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u> <u>therapy, and athletic trainers</u> "	239 240

<u>therapy, and athletic trainers"</u>	241
In line 111911, strike through "state"; delete " <u>physical</u>	242
<u>health"</u>	243
In line 111912, delete " <u>services</u> " and insert " <u>Ohio</u>	244
<u>occupational therapy, physical therapy, and athletic trainers"</u>	245
Between lines 111937 and 111938, insert:	246
" Sec. 4779.21. The state <u>Ohio occupational therapy, physical</u>	247
<u>therapy, and athletic trainers</u> board of orthotics, prosthetics,	248
and pedorthics shall maintain board records <u>regarding the practice</u>	249
<u>of orthotics, prosthetics, and pedorthics under this chapter,</u>	250
including records of the board's proceedings, a registry of all	251
applicants for licensure that indicates whether the applicant was	252
granted a license, and any other records necessary to carry out	253
the provisions of this chapter.	254
Sec. 4779.22. (A) The state <u>Ohio occupational therapy,</u>	255
<u>physical therapy, and athletic trainers</u> board of orthotics,	256
prosthetics, and pedorthics shall publish and make available to	257
the public written information regarding both of the following:	258
(1) The board's regulatory functions <u>over the practice of</u>	259
<u>orthotics, prosthetics, and pedorthics</u> and the provisions of this	260
chapter;	261
(2) The procedures by which complaints are filed with the	262
board, which shall include a description of the complaint	263
procedures and the name, mailing address, and telephone number of	264
the board.	265
(B) The board shall make the information described in	266
division (A) of this section available to all of the following:	267

(1) Consumers of orthotic, prosthetic, and pedorthic goods and services;	268 269
(2) Individuals licensed by the board <u>under this chapter</u> ;	270
(3) Nationally recognized orthotic, prosthetic, and pedorthic certifying and accrediting organizations;	271 272
(4) Nationally recognized orthotic, prosthetic, and pedorthic educational organizations;	273 274
(5) Any other entity that may reasonably require the information.	275 276
(C) The board may make available any of the information described in division (A) of this section by adopting a rule under section 4779.08 of the Revised Code requiring the information to be displayed in any of the following ways:	277 278 279 280
(1) On each registration form or application prepared by the board;	281 282
(2) On a sign prominently displayed in the place of business of each individual licensed under this chapter;	283 284
(3) In each bill or written contract for services provided by an individual licensed under this chapter."	285 286
In line 111938, strike through "state"	287
In line 111939, delete " <u>physical health services</u> " and insert " <u>Ohio occupational therapy, physical therapy, and athletic trainers</u> "	288 289 290
In line 111968, strike through "state"; delete " <u>physical health services</u> " and insert " <u>Ohio occupational therapy, physical therapy, and athletic trainers</u> "	291 292 293
In line 111990, strike through "state"; delete " <u>physical</u> "	294

<u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u>	295
<u>therapy, and athletic trainers</u> "	296
In line 112046, strike through "state"; delete " <u>physical</u>	297
<u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u>	298
<u>therapy, and athletic trainers</u> "	299
In line 112082, strike through "state"; delete " <u>physical</u>	300
<u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u>	301
<u>therapy, and athletic trainers</u> "	302
In line 112109, delete " <u>state physical health services</u> " and	303
insert " <u>Ohio occupational therapy, physical therapy, and athletic</u>	304
<u>trainers</u> "	305
In line 112150, delete " <u>state physical health services</u> " and	306
insert " <u>Ohio occupational therapy, physical therapy, and athletic</u>	307
<u>trainers</u> "	308
In line 112177, strike through "state"; delete " <u>physical</u>	309
<u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u>	310
<u>therapy, and athletic trainers</u> "	311
In line 112198, after the period reinsert the balance of the	312
line	313
Reinsert lines 112199 through 112201	314
In line 112203, delete " <u>state</u> "	315
In line 112204, delete " <u>physical health services</u> " and insert	316
" <u>Ohio occupational therapy, physical therapy, and athletic</u>	317
<u>trainers</u> "	318
In line 112211, strike through "state"; delete " <u>physical</u>	319
<u>health services</u> " and insert " <u>Ohio occupational therapy, physical</u>	320
<u>therapy, and athletic trainers</u> "	321
In line 112219, strike through "state"; delete " <u>physical</u>	322

<u>health"</u>	323
In line 112220, delete " <u>services</u> " and insert " <u>Ohio</u>	324
<u>occupational therapy, physical therapy, and athletic trainers"</u>	325
In line 112226, strike through "state"; delete " <u>physical</u>	326
<u>health services"</u> and insert " <u>Ohio occupational therapy, physical</u>	327
<u>therapy, and athletic trainers"</u>	328
Between lines 112228 and 112229, insert:	329
" <u>Sec. 4779.35. (A) The Ohio occupational therapy, physical</u>	330
<u>therapy, and athletic trainers board shall appoint an orthotics,</u>	331
<u>prosthetics, and pedorthics advisory council for the purpose of</u>	332
<u>advising the board on issues relating to the practice of</u>	333
<u>orthotics, prosthetics, and pedorthics and the investigation of</u>	334
<u>complaints regarding the practice of orthotics, prosthetics, and</u>	335
<u>pedorthics.</u>	336
<u>The advisory council shall consist of not more than five</u>	337
<u>individuals knowledgeable in the area of orthotics, prosthetics,</u>	338
<u>and pedorthics. A majority of the council members shall be</u>	339
<u>individuals actively engaged in the practice of orthotics,</u>	340
<u>prosthetics, and pedorthics who meet the requirements for</u>	341
<u>licensure under Chapter 4779. of the Revised Code.</u>	342
<u>The Ohio orthotics and prosthetics association, or its</u>	343
<u>successor organization, may nominate the names of up to three</u>	344
<u>qualified individuals for consideration by the board in making</u>	345
<u>appointments for each vacancy on the council.</u>	346
<u>(B) Not later than ninety days after the effective date of</u>	347
<u>this section, the board shall make initial appointments to the</u>	348
<u>council. Members shall serve three-year staggered terms of office</u>	349
<u>in accordance with rules adopted by the board. Thereafter, terms</u>	350
<u>of office shall be for three years, with each term ending on the</u>	351

same day of the same month as did the term that it succeeds. A 352
council member shall continue in office subsequent to the 353
expiration date of the member's term until a successor is 354
appointed and takes office, or until a period of sixty days has 355
elapsed, whichever occurs first. Each council member shall hold 356
office from the date of appointment until the end of the term for 357
which the member was appointed. 358

(C) With approval from the director of administrative 359
services, members may receive an amount fixed under division (J) 360
of section 124.15 of the Revised Code for each day the member is 361
performing the member's official duties and be reimbursed for 362
actual and necessary expenses incurred in performing those duties. 363

(D) The council shall meet at least four times per year and 364
at such other times as may be necessary to carry out its 365
responsibilities. 366

(E) The council shall submit to the board recommendations 367
concerning all of the following: 368

(1) Requirements for issuing a license to practice orthotics, 369
prosthetics, and pedorthics, including the educational and 370
experience requirements that must be met to receive a license; 371

(2) Existing and proposed rules pertaining to the practice of 372
orthotics, prosthetics, and pedorthics and the administration and 373
enforcement of this chapter; 374

(3) Standards for the approval of educational programs 375
required to qualify for licensure and continuing education 376
programs for licensure renewal; 377

(4) Procedures for the issuance and renewal of licenses; 378

(5) Fees for the issuance and renewal of a license to 379
practice orthotics, prosthetics, and pedorthics; 380

<u>(6) Standards of practice and ethical conduct in the practice</u>	381
<u>of orthotics, prosthetics, and pedorthics;</u>	382
<u>(7) Complaints concerning alleged violation of Chapter 4779.</u>	383
<u>of the Revised Code or grounds for the suspension, revocation,</u>	384
<u>refusal to issue, or issuance of probationary licenses;</u>	385
<u>(8) The safe and effective practice of orthotics,</u>	386
<u>prosthetics, and pedorthics."</u>	387
In line 112353, delete "119.06,"	388
In line 112354, delete "121.22,"	389
In line 112369, delete "4755.02, 4755.03, 4755.031, 4755.06,	390
4755.061, 4755.07,"	391
Delete lines 112370 through 112373	392
In line 112374, delete "4755.64, 4755.65, 4755.66, 4755.70,	393
4755.71, 4755.99,"	394
In line 112380, after "4779.20," insert "4779.21, 4779.22,"	395
In line 112384, delete "4755.01,"	396
In line 112386, after "4779.07," insert "and"; delete ",	397
4779.21, and 4779.22"	398
In line 112388, delete "119.06, 121.22,"	399
Delete lines 112404 through 112408	400
In line 112409, delete "4755.65, 4755.66, 4755.70, 4755.71,	401
4755.99,"	402
In line 112415, after "4779.20," insert "4779.21, 4779.22,"	403
In line 112417, after "4779.34," insert "4779.35,"	404
In line 112420, delete "4755.01,"	405
In line 135376, delete "\$612,956 \$0" and insert "\$996,053	406

\$1,059,477"	407
In line 135377, add \$383,097 to fiscal year 2018 and	408
\$1,059,477 to fiscal year 2019	409
In line 135378, add \$383,097 to fiscal year 2018 and	410
\$1,059,477 to fiscal year 2019	411
Delete lines 135480 through 135484	412
Delete lines 138945 through 139043 and insert:	413
" Section 515.32. (A) Effective January 21, 2018, the State	414
Board of Orthotics, Prosthetics, and Pedorthics is abolished.	415
(B) Any business commenced but not completed by January 21,	416
2018, by the State Board of Orthotics, Prosthetics, and	417
Pedorthics, or by the executive director of that board shall be	418
completed by the Ohio Occupational Therapy, Physical Therapy, and	419
Athletic Trainers Board or the Executive Director of the Ohio	420
Occupational Therapy, Physical Therapy, and Athletic Trainers	421
Board in the same manner, and with the same effect, as if	422
completed by the State Board of Orthotics, Prosthetics, and	423
Pedorthics, or by the executive director of that board.	424
(C) All rules, orders, and determinations of the State Board	425
of Orthotics, Prosthetics, and Pedorthics, or by the executive	426
director of that board continues in effect as rules, orders, and	427
determinations of the Ohio Occupational Therapy, Physical Therapy,	428
and Athletic Trainers Board until modified or rescinded by the	429
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers	430
Board. If necessary to ensure the integrity of the numbering of	431
the Administrative Code, the Director of the Legislative Service	432
Commission shall renumber any rule to reflect its transfer to the	433
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers	434
Board.	435

Any licenses, certificates, permits, registrations, or 436
endorsements issued before January 21, 2018, by the State Board of 437
Orthotics, Prosthetics, and Pedorthics shall continue in effect as 438
if issued by the Ohio Occupational Therapy, Physical Therapy, and 439
Athletic Trainers Board. 440

(D) Effective January 21, 2018, whenever the term "State 441
Board of Orthotics, Prosthetics, and Pedorthics" is used in any 442
statute, rule, contract, or other document, the use shall be 443
construed to mean the "Ohio Occupational Therapy, Physical 444
Therapy, and Athletic Trainers Board." 445

Whenever the Executive Director of the "State Board of 446
Orthotics, Prosthetics, and Pedorthics" is used in any statute, 447
rule, contract, or other document, the use shall be construed to 448
mean the Executive Director of the Ohio Occupational Therapy, 449
Physical Therapy, and Athletic Trainers Board. 450

(E)(1) Subject to the lay-off provisions of sections 124.321 451
to 124.328 of the Revised Code, all employees of the State Board 452
of Orthotics, Prosthetics, and Pedorthics are transferred to the 453
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers 454
Board. The employees shall retain their positions and benefits. 455

(2) During the period beginning January 21, 2018, and ending 456
June 30, 2019, the Executive Director of the Ohio Occupational 457
Therapy, Physical Therapy, and Athletic Trainers Board may 458
establish, change, and abolish positions on the Board and assign, 459
reassign, classify, reclassify, transfer, reduce, promote, or 460
demote all employees of the Board who are not subject to Chapter 461
4117. of the Revised Code. 462

(3) The authority granted to the Executive Director of the 463
Board under division (E)(2) of this section includes assigning or 464
reassigning an exempt employee, as defined in section 124.152 of 465

the Revised Code, to a bargaining unit classification that the
Executive Director determines is the proper classification for
that employee. If an employee in the E-1 pay range is to be
assigned, reassigned, classified, reclassified, transferred,
reduced, or demoted to a position in a lower classification during
the period specified in this section, the Executive Director, or
in the case of a transfer to a position outside the Board, the
Director of Administrative Services, shall assign the employee to
the appropriate classification and place the employee in Step X.
The employee shall not receive any increase in compensation until
the maximum rate of pay for that classification exceeds the
employee's compensation.

(4) Actions taken by the Executive Director pursuant to
division (E) of this section are not subject to appeal to the
State Personnel Board of Review.

(F) Notwithstanding section 145.297 of the Revised Code, the
State Board of Orthotics, Prosthetics, and Pedorthics may, at that
board's discretion and with approval from the Office of Budget and
Management, establish a retirement incentive plan for eligible
employees of the board who are members of the Public Employees
Retirement System. Any retirement incentive plan established
pursuant to this section shall remain in effect until January 20,
2018.

(G) No validation, cure, right, privilege, remedy,
obligation, or liability is lost or impaired by reason of the
transfer required by this section and shall be administered by the
Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers
Board. No action or proceeding pending on the effective date of
this act is affected by the transfer, and shall be prosecuted or
defended in the name of the Ohio Occupational Therapy, Physical

Therapy, and Athletic Trainers Board or the Board's Executive Director, as appropriate. In all such actions and proceedings, the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board or the Board's Executive Director shall be substituted as a party.

(H) Effective January 21, 2018, all records, documents, files, equipment, assets, and other materials of the State Board of Orthotics, Prosthetics, and Pedorthics are transferred to the Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers Board."

In line 139249, delete "State Physical"

In line 139250, delete "Health Services" and insert "Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers"

The motion was _____ agreed to.

SYNOPSIS

State Physical Health Services Board 509

R.C. 4744.06 and Chapters 4755. and 4779. with conforming changes 510
511

Eliminates the proposed creation of the State Physical Health Services Board. 512
513

Retains the existing Ohio Occupational Therapy, Physical Therapy, and Athletic Trainers (OTPTAT) Board and adds to the duties of that board the regulation of orthotics, prosthetics, and pedorthics. 514
515
516
517

Eliminates the State Board of Orthotics, Prosthetics, and 518

Pedorthics, and creates an Orthotics, Prosthetics, and Pedorthics	519
Advisory Council to advise the OTPTAT Board on the regulation of	520
the practice of orthotics, prosthetics, and pedorthics.	521
Occupational Therapy, Physical Therapy, and Athletic Trainers	522
Board	523
Section 347.10	524
Increases DPF Fund 4K90 appropriation item 890609, Operating	525
Expenses, by \$383,097 in FY 2018 and \$1,059,477 in FY 2019	526
State Physical Health Services Board	527
Section 365.10	528
Eliminates funding of \$576,740 in FY 2018 and \$1,122,918 in	529
FY 2019 in DPF Fund 4K90 appropriation item 127609, Operating	530
Expenses.	531
Office of Budget and Management	532
Section 515.35	533
Modifies language allowing the Director of Budget and	534
Management to reestablish encumbrances due to the	535
consolidations/transfers within the bill to an appropriate agency	536
to include the Occupational Therapy, Physical Therapy, and	537
Athletic Trainers Board and to remove the State Physical Health	538
Services Board.	539

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 129909, delete "to support early learning" 1

Delete lines 129910 through 129947 and insert "in an effort 2
to invest in high quality early childhood programs where there is 3
a need as determined by the Department. The Department shall 4
distribute the new or remaining funds to existing providers of 5
early childhood education programs or any new eligible providers 6
to serve additional eligible children based on community economic 7
disadvantage, limited access to high quality preschool or 8
childcare services, and demonstration of high quality preschool 9
services as determined by the Department using new metrics 10
developed pursuant to Ohio's Race to the Top-Early Learning 11
Challenge Grant, awarded to the Department in December 2011." 12

Between lines 130130 and 130131, insert: 13

"EARLY CHILDHOOD EDUCATION PILOT PROGRAM IN APPALACHIA 14

Of the foregoing appropriation item 200408, Early Childhood 15
Education, a portion in each fiscal year shall be used by the 16
Department of Education to implement a pilot program in not more 17
than two counties in the Appalachian region of the state. The 18
Department shall distribute funding to existing providers of early 19
childhood education programs or any new eligible providers to 20
serve a total of one hundred twenty-five eligible children in each 21

fiscal year. The Department shall collect and review data from the participating programs on at least the following:

(A) The number of eligible children served with the funding distributed under the pilot program and the amount of funding, if any, that was not used;

(B) The developmental progress of eligible children who were served with the funding distributed under the pilot program;

(C) The pilot program's identified challenges and successes in enrolling and serving preschool children.

The Department may also use a portion of funds for administration and evaluation of the effectiveness of the pilot program. The Department shall consider the data collected from the pilot program in determining the process for distributing funding to providers under this section in subsequent fiscal years."

The motion was _____ agreed to.

SYNOPSIS

Department of Education 36

Section 265.20 37

Removes the provisions of the bill that do the following: 38

(1) Change the criteria the Department of Education uses to determine which early childhood education programs should receive state funding to support early learning and development programs operating in smaller communities and programs that are rated at not lower than the third highest tier in the Step Up to Quality program or comply with other requirements. 44

(2) Replace metrics the Department must use to determine high quality preschool services with weighted factors including the program's Step Up to Quality rating, compliance with rules, and use of collaborative practices; and

(3) Require the Department to assess the effectiveness of early childhood education programs that receive state funding.

Reinstates the provision of the As Introduced version of the bill that requires the Department to distribute new or remaining funds to serve more eligible children where there is a need, as determined by the Department, and specifies that such funds be distributed based on community economic disadvantage, limited access to high quality preschool or childcare services, and demonstration of high quality preschool services as determined by the Department using new metrics developed pursuant to Ohio's Race to the Top-Early Learning Challenge Grant.

Allows a portion of GRF appropriation item 200408, Early Childhood Education, to be used by ODE to implement a pilot program in no more than two counties in the Appalachian region of the state.

Requires ODE to distribute funding to existing or new eligible providers of early childhood education to serve a total of 125 eligible children each fiscal year.

Requires ODE to collect and review data from the participating programs.

Allows ODE to use a portion of the funds for administration and evaluation of the pilot program.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 5 of the title, after "120.36," insert "121.22," 1
- In line 460 of the title, delete "121.22," 2
- In line 6104, strike through "division (LLL) of" 3
- In line 13876, delete "community-improvements" and insert "community improvements" 4
5
- In line 18479, delete the quotation mark 6
- In line 18610, delete the quotation mark 7
- In line 18800, after the second "of" insert "the" 8
- In line 29192, delete "or in section 5120.116 of the" 9
- In line 29193, delete "Revised Code" 10
- In line 81074, delete "that"; after "section" insert "2929.34
of the Revised Code" 11
12
- In line 92558, strike through "as defined in division" 13
- In line 92559, strike through "(LLL) of this section" 14
- In line 99175, strike through "department of"; after
"development" insert "services agency" 15
16
- Between lines 102828 and 102829, insert: 17

"Section 105.20. The version of section 118.023 of the Revised Code that is scheduled to take effect September 29, 2017, is hereby repealed. It is not the intent of this repeal to affect the continued operation of the version of section 118.023 of the Revised Code that is currently in effect."

In line 127128, delete "administrative code" and insert "Administrative Code"

Delete lines 127402 through 127406

Delete lines 127651 through 127659

In line 127722, delete "Long Term" and insert "Long-Term"

Delete lines 128724 and 128724a

In line 128736, subtract \$1,250,000 from each fiscal year

In line 128775, subtract \$1,250,000 from each fiscal year

In line 132682, delete "(F)" and insert "(E)"

In line 133446, delete "Continuing Judicial" and insert "Judiciary/Supreme Court"

In line 133571, delete "BOARD" and insert "BOARDS"

In line 133578, delete "Board" and insert "Boards"

In line 133725, delete "foregoing"

In line 133732, delete "foregoing"

In line 133736, delete "foregoing"

In line 133863, delete "\$1,092,060,000" and insert "\$1,078,130,000"; delete "\$1,117,660,000" and insert "\$1,088,130,000"

In line 133901a, delete "Reconciliations" and insert "Reconciliation"

In line 137246a, delete "&" and insert "and" 44

In line 137247a, delete "&" and insert "and" 45

In line 138487, delete "5YS0" and insert "5SY0" 46

In line 138785, after the period insert "Sections 4725.04,
4725.05, 4725.06, 4725.07, and 4725.08 of the Revised Code, as
amended by this act, which establish the State Vision
Professionals Board, take effect on the ninety-first day after
this act is filed with the Secretary of State, in accordance with
Section 812.10 of this act. The amendments to those sections
replace the statutory language establishing the current State
Board of Optometry, but the State Board of Optometry is not
abolished until January 21, 2018. Until January 21, 2018, the
State Board of Optometry shall continue to function under sections
4725.04, 4725.05, 4725.06, 4725.07, and 4725.08 of the Revised
Code as those sections existed immediately prior to their
amendment by this act." 47
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In line 139763, delete "amended by Am. Sub. H.B. 384 of the
131st" and insert "most recently amended by Sub. H.B. 26 of the
132nd" 60
61
62

Delete lines 139765 through 139940 and insert: 63

"Sec. 223.10. DNR DEPARTMENT OF NATURAL RESOURCES 64

Wildlife Fund (Fund 7015) 65

C725B0	Access Development	\$	13,600,000	66
C725K9	Wildlife Area Building Development/Renovations	\$	8,150,000	67
C725W0	MARCS Equipment	\$	1,866,087	68
TOTAL Wildlife Fund		\$	23,616,087	69

Administrative Building Fund (Fund 7026) 70

C725D7	MARCS Equipment	\$	5,996,598	71
C725N7	District Office Renovations	\$	3,000,000	72
TOTAL Administrative Building Fund		\$	8,996,598	73
Ohio Parks and Natural Resources Fund (Fund 7031)				74
C72512	Land Acquisition	\$	475,000	75
C72549	DNR Facilities Development	\$	1,500,000	76
C725E1	Local Parks Projects Statewide	\$	5,108,985	77
C725E5	Project Planning	\$	1,100,938	78
C725K0	State Park Renovations/Upgrading	\$	11,060,000	79
C725M0	Dam Rehabilitation	\$	2,550,000	80
C725N5	Wastewater/Water Systems Upgrades	\$	2,750,000	81
C725N8	Operations Facilities Development	\$	1,000,000	82
TOTAL Ohio Parks and Natural Resources Fund		\$	25,544,923	83
Parks and Recreation Improvement Fund (Fund 7035)				84
C725A0	State Parks, Campgrounds, Lodges, Cabins	\$	23,910,514	85
C725B5	Buckeye Lake Dam Rehabilitation	\$	61,546,960	86
C725C4	Muskingum River Lock and Dam	\$	3,750,000	87
C725E2	Local Parks Projects	\$	46,383,500	88
			<u>46,983,500</u>	
C725E6	Project Planning	\$	6,070,285	89
C725R4	Dam Rehabilitation - Parks	\$	55,425,000	90
C725R5	Lake White State Park - Dam	\$	27,376,761	91
	Rehabilitation			
C725U4	Water Quality Equipment and Projects	\$	7,400,000	92
TOTAL Parks and Recreation Improvement Fund		\$	231,863,020	93
			<u>232,463,020</u>	
Clean Ohio Trail Fund (Fund 7061)				94
C72514	Clean Ohio Trail Fund	\$	12,500,000	95
TOTAL Clean Ohio Trail Fund		\$	12,500,000	96
Waterways Safety Fund (Fund 7086)				97

C725A7	Cooperative Funding for Boating Facilities	\$	16,750,000	98
C725N9	Operations Facilities Development	\$	2,300,000	99
C725Z0	MARCS Equipment	\$	1,511,165	100
TOTAL	Waterways Safety Fund	\$	20,561,165	101
TOTAL ALL FUNDS		\$	323,081,793	102
			<u>323,681,793</u>	

FEDERAL REIMBURSEMENT 103

All reimbursements received from the federal government for 104
any expenditures made pursuant to this section shall be deposited 105
in the state treasury to the credit of the fund from which the 106
expenditure originated. 107

LOCAL PARKS PROJECTS 108

Of the foregoing appropriation item C725E2, Local Parks 109
Projects, an amount equal to two per cent of the projects listed 110
may be used by the Department of Natural Resources for the 111
administration of local projects, \$4,025,000 shall be used for the 112
Scioto Peninsula Park and Parking Garage, \$3,500,000 shall be used 113
for the Lakefront Pedestrian Bridge, \$2,500,000 shall be used for 114
the Cuyahoga River Franklin Hill Stabilization, \$2,000,000 shall 115
be used for the Flats East Development, \$1,200,000 shall be used 116
for the Harley Jones Rotary Memorial Amphitheater in Bryson Park, 117
\$1,000,000 shall be used for the South Point Community Pool, 118
\$1,000,000 shall be used for the Champion Mill Sports Complex 119
Improvements, \$1,000,000 shall be used for the Bridge to Wendy 120
Park, \$1,000,000 shall be used for the Franklin Park Conservatory, 121
\$1,000,000 shall be used for the Worthington Pools Renovation, 122
\$1,000,000 shall be used for the Lorain County Mill Creek 123
Conservation and Flood Control, \$1,000,000 shall be used for the 124
Promenade Park and ProMedica Parking Facility, \$1,000,000 shall be 125

used for the City of Canton Market Square Enhancement Project, 126
 \$1,000,000 shall be used for The Magnolia Flowering Mills/Stark 127
 County Park district, \$750,000 shall be used for the Gorge Dam 128
 Removal, \$700,000 shall be used for the Todds Fork Trail, \$600,000 129
 shall be used for the St. Henry Swimming Pool, \$500,000 shall be 130
 used for the Kuenning-Dicke Natural Area Preserve, \$500,000 shall 131
 be used for the West Chester Soccer Complex, \$500,000 shall be 132
 used for the Van Aken District Bicycle and Pedestrian Connections, 133
 \$500,000 shall be used for the Galloway Sports Complex, \$500,000 134
 shall be used for the Scioto Audubon Metro Park Pedestrian Bridge, 135
 \$500,000 shall be used for the Scioto River Park Development, 136
 \$500,000 shall be used for the Dream Field at Windsor Park 137
 Playground, \$500,000 shall be used for the Columbus Crew Practice 138
 Facility, \$500,000 shall be used for the Holmes County 139
 Agricultural Facility Improvements, \$500,000 shall be used for the 140
 City of Sylvania SOMO Project, \$500,000 shall be used for The 141
 White Rhinoceros Barn, \$500,000 shall be used for the Thornport 142
 Buckeye Lake Public Access and Park, \$500,000 shall be used for 143
 the Redskin Memorial Park Development, \$500,000 shall be used for 144
 the Warren County Sports Complex, \$406,000 shall be used for the 145
 Bryson Pool Improvements Splash Park, \$400,000 shall be used for 146
 the Cadiz Bike Trail/Public Infrastructure Connectivity Project, 147
 \$400,000 shall be used for the Cave Lake Dam Safety Modifications, 148
 \$400,000 shall be used for the Preble County Agricultural Facility 149
 Improvements, \$400,000 shall be used for the Nimisila Spillway and 150
 Bridge Demolition and Replacement, \$400,000 shall be used for the 151
 Green Central Park, \$350,000 shall be used for the Rocky River 152
 Bradstreets Landing Park, \$350,000 shall be used for the Little 153
 Miami Scenic Trail, \$350,000 shall be used for the East View Park 154
 Ball Diamonds and Field Improvements, \$300,000 shall be used for 155
 the Schoonover Lake Dam Restoration, \$300,000 shall be used for 156

the Columbiana County Agricultural Facility Improvements, \$300,000 157
 shall be used for the Bill Stanton Community Park Shoreline 158
 Enhancement, \$300,000 shall be used for the Chesapeake Community 159
 Building, \$300,000 shall be used for the Glenford Earthworks Phase 160
 III, \$300,000 shall be used for the Wilderness Center's Facility 161
 Enhancement Project, \$250,000 shall be used for the Carroll County 162
 Ohio FFA Camp Muskingum, \$250,000 shall be used for the Clinton 163
 County Agricultural Facility Improvements, \$250,000 shall be used 164
 for the Greenville Downtown Park, \$250,000 shall be used for the 165
 Greenville Harmon Field, \$250,000 shall be used for the McCutcheon 166
 Road Park, \$250,000 shall be used for the Heritage Rail Trail 167
 Extension, \$250,000 shall be used for the Upper Arlington 168
 Shared-Use Path Expansion Projects, \$250,000 shall be used for the 169
 Tremont Road-Zollinger Road Shared-Use Path Connector, \$250,000 170
 shall be used for the Hobson Freedom Park: Phase II, \$250,000 171
 shall be used for the Blue Ash Summit Park, \$250,000 shall be used 172
 for the Pro Football Hall of Fame Comprehensive Master Study, 173
 \$250,000 shall be used for the Cascade Plaza Phase II, \$250,000 174
 shall be used for the Richwood Lake Trail, \$250,000 shall be used 175
 for the Wren Community Building Shelter and Pavilion, \$250,000 176
shall be used for the Massillon Reservoir Dam Project in Stark 177
County, \$250,000 shall be used for the Union Township Recreational 178
Facility, \$200,000 shall be used for the J.W. Denver Memorial 179
 Park, \$200,000 shall be used for the Chippewa Creek Headwater 180
 Park, \$200,000 shall be used for the City of Strongsville 181
 Recreation Center, \$200,000 shall be used for the Brewing Heritage 182
 Trail Segment 1, \$200,000 shall be used for the Cincinnati Mill 183
 Creek Flood Mitigation/Mill Creek Barrier Dam, \$200,000 shall be 184
 used for the Southern State Community College Pathway, \$200,000 185
 shall be used for the Ernsthausen Recreation Center Splash Pad, 186
 \$200,000 shall be used for the Ohio University Proctorville 187

Walking Path, \$200,000 shall be used for the Coldwater Recreation	188
Space and Amphitheatre, \$200,000 shall be used for the Perry	189
County Home Farm, \$200,000 shall be used for the Coppel Soccer	190
Complex Improvements, \$200,000 shall be used for the Jungle	191
Junction Indoor Playground, \$200,000 shall be used for the Shelby	192
County Agricultural Facility Improvements, \$200,000 shall be used	193
for the Middle Point Ballpark Improvements, \$175,000 shall be used	194
for the Fairfield Township Metro Parks, \$170,000 shall be used for	195
the Chamberlin Park Bike/Pedestrian Access Improvements, \$150,000	196
shall be used for the Columbus Topiary Park Improvements, \$150,000	197
shall be used for the Gallipolis City Park, \$150,000 shall be used	198
for the Cincinnati Ault Park, \$150,000 shall be used for the Green	199
Township Hike/Bike Trail, \$150,000 shall be used for the Kenton	200
Baseball Park Lighting Improvements, \$150,000 shall be used for	201
the Kamp Dovetail, \$150,000 shall be used for the Avon Lake	202
Veterans Park, \$150,000 shall be used for the Marion Tallgrass	203
Trail, \$149,000 shall be used for the Ohio City Recreation	204
Facility, \$125,000 shall be used for the Cleveland Cultural	205
Gardens, \$125,000 shall be used for the Village of Fort Recovery	206
Community Park, \$125,000 shall be used for the Delphos Community	207
Pool and Splash Park, \$100,000 shall be used for the Auglaize	208
County Agricultural Facility Improvements, \$100,000 shall be used	209
for the Clarksville Upground Reservoir Safety Upgrades, <u>\$100,000</u>	210
<u>shall be used to support the Grand River Park construction project</u>	211
<u>in the Village of Grand River,</u> \$100,000 shall be used for the	212
Little Hearts Big Smiles All Children's Playground, \$100,000 shall	213
be used for The Wilds Educational Animal Display, \$80,000 shall be	214
used for the Rockford Shane's Park Playground Equipment, \$75,000	215
shall be used for the City of Parma Park Improvements, \$75,000	216
shall be used for the Deerasic Park Whitetail Deer Museum and	217
Educational Center, \$75,000 shall be used for the Stoll Lane Park	218

Redevelopment, \$75,000 shall be used for the Montpelier Park Barn 219
 Roof Replacement, \$67,500 shall be used for the Waddell Park 220
 Public Swimming Pool Renovation, \$60,000 shall be used for the 221
 Loveland McCoy Park Improvements, \$55,000 shall be used for the 222
 Columbia Township Community Natural Park, \$50,000 shall be used 223
 for the Columbiana County Beaver Creek Wildlife Education Center, 224
 \$50,000 shall be used for the restroom and storage facility 225
 project at Hicksville Park, \$50,000 shall be used for the City of 226
 Marion Ball Field Complex, \$50,000 shall be used for the City of 227
 Fremont Basketball Court Upgrades (Roger Young Park), \$50,000 228
 shall be used for the Upper Sandusky Bicentennial Park Project, 229
 \$45,000 shall be used for the Noble County Happy Time Pool, 230
 \$45,000 shall be used for the Lebanon Bike Park, \$40,000 shall be 231
 used for the Blanchester Playground, \$40,000 shall be used for the 232
 Beaver Park Sports Field, \$40,000 shall be used for the City of 233
 Tiffin City Park Upgrades, \$30,000 shall be used for the London 234
 Municipal Pool, \$20,000 shall be used for the Waverly Canal Park, 235
 and \$11,000 shall be used for the Washington Township Lake 236
 Stabilization Project." 237

In line 139942, delete "amended by Am. Sub. H.B. 384 of" 238

In line 139943, delete "the 131st" and insert "most recently 239
 amended by Sub. H.B. 26 of the 132nd" 240

In line 141905, after "5703.75" insert "of the Revised Code" 241

In line 141943, after "5749.17" insert "of the Revised Code" 242

The motion was _____ agreed to.

SYNOPSIS

LSC Technical and Corrective	243
R.C. 122.175, 307.283, 718.08, 718.80, 2929.34, 5149.38, 5739.01, and 5747.51	244 245
Sections 137.14, 209.10, 317.10, 317.20, 323.20, 329.10, 333.10, 383.10, 610.34, 803.100, and 803.220	246 247
Updates a section to the current version; makes grammatical and word usage corrections; corrects spelling, capitalization, and typographical errors; aligns division lettering and section references; includes certain words that were inadvertently omitted; makes technical edits to the names of various appropriation items; corrects a fund number; and corrects effective date references.	248 249 250 251 252 253 254
R.C. 121.22	255
Removes multiple references to R.C. 121.22 in the bill's title.	256 257
R.C. 118.023 and Section 105.20	258
Restores a provision that was erroneously removed from the substitute bill. The restored provision repeals a future version of a statute that, effective September 29, 2017, would have eliminated the Auditor of State's ability to declare a fiscal emergency for a municipal corporation, county, or township that is under fiscal watch, thereby continuing the current statute. (Compare Doc item AUDCD4.)	259 260 261 262 263 264 265
Section 207.20	266
Removes temporary law requiring appropriation item 100461, Pay For Success Contracting, to be used by the Director of Administrative Services for the Pay For Success Contracting Program created in section 125.66 of the Revised Code. The Senate	267 268 269 270

substitute bill does not include appropriations under this line	271
item.	272
Section 207.40	273
Removes a provision in order to correct an engrossing error.	274
(The uncodified law provision authorized a cash transfer of \$1.0	275
million in each fiscal year from the GRF to the MARCS	276
Administration Fund (Fund 5C20).)	277
Section 259.10	278
Removes DPF Fund 5HR0 appropriation item 195622, Defense	279
Development Assistance, in order to correct an engrossing error.	280
Section 515.30	281
Sections 4725.04 to 4725.08 of the Revised Code are amended	282
by the bill to establish the new State Vision Professionals Board.	283
However, the current State Optometry Board, which is created by	284
those sections, remains in place until repealed on January 21,	285
2018. The amendment clarifies that the Optometry Board remains in	286
place under the provisions of those sections that were in	287
existence immediately prior to their amendment.	288

_____ moved to amend as follows:

1 In line 19917, delete ", provided"

2 In line 19918, delete "that the" and insert ". A"; delete
3 "submits" and insert "shall submit"

4 The motion was _____ agreed to.

5 SYNOPSIS

6 **Municipal income tax: job creation and retention credits**

7 **R.C. 718.94**

8 With respect to businesses that elect for the Tax
9 Commissioner to administer the business' municipal income taxes,
10 as authorized by the Senate-pending bill, makes a technical
11 change to a provision that allows municipalities to provide job
12 creation and retention tax credits to such businesses.

13 Continuing law expressly allows municipalities to provide
14 job creation or retention tax credits against the municipality's
15 income tax.

_____ moved to amend as follows:

- 1 In line 47371, after the period delete the balance of the
- 2 line
- 3 Delete line 47372
- 4 In line 47377, after "ruling" delete the balance of the
- 5 line
- 6 Delete lines 47378 and 47379
- 7 In line 47380, delete "needed to make the ruling"
- 8 In line 47381, reinsert "that"; delete "the required"
- 9 In line 47385, reinsert "Each" and delete the balance of
- 10 the line
- 11 Delete lines 47386 and 47387
- 12 In line 47388, delete "Each"
- 13 In line 47413, delete "For an application"
- 14 Delete lines 47414 through 47416
- 15 In line 47417, delete "request for information."
- 16 In line 47448, after "director" delete the balance of the
- 17 line
- 18 Delete line 47449

19 In line 47450, delete "day after the application is
20 submitted"

21 Delete lines 47454 through 47456

22 In line 47457, delete "mailing the notice of completeness"

23 The motion was _____ agreed to.

24 SYNOPSIS

25 **Expedited process for certificate of need review**

26 **R.C. 3702.52**

27 Removes House-added provisions that would have required the
28 Director of Health to administer an expedited review process for
29 the Certificate of Need Program in addition to the process
30 currently in use.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 207 of the title, after "5162.70," insert "5163.01," 1
- In line 215 of the title, after "5166.40," insert "5166.405," 2
- In line 282 of the title, after "5162.65," insert "5163.15," 3
- In line 627, after "5162.70," insert "5163.01," 4
- In line 632, after "5166.40," insert "5166.405," 5
- In line 676, after "5162.65," insert "5163.15," 6
- Between lines 81748 and 81749, insert: 7
- "Sec. 5163.01.** As used in this chapter: 8
- "Caretaker relative" has the same meaning as in 42 C.F.R. 9
- 435.4 as that regulation is amended effective January 1, 2014. 10
- "Expansion eligibility group" means the medicaid eligibility 11
- group described in section 1902(a)(10)(A)(i)(VIII) of the "Social 12
- Security Act," 42 U.S.C. 1396a(a)(10)(A)(i)(VIII). 13
- "Federal financial participation" has the same meaning as in 14
- section 5160.01 of the Revised Code. 15
- "Federal medical assistance percentage for the expansion 16
- eligibility group" means the amount of the federal government's 17
- share of expenditures for medicaid services provided to medicaid 18

<u>recipients enrolled in the medicaid program on the basis of being</u>	19
<u>included in the expansion eligibility group, as established by</u>	20
<u>section 1905(y) of the "Social Security Act," 42 U.S.C. 1396d(y).</u>	21
"Federal poverty line" has the same meaning as in section	22
5162.01 of the Revised Code.	23
"Healthy start component" has the same meaning as in section	24
5162.01 of the Revised Code.	25
"Home and community-based services medicaid waiver component"	26
has the same meaning as in section 5166.01 of the Revised Code.	27
"Intermediate care facility for individuals with intellectual	28
disabilities" and "ICF/IID" have the same meanings as in section	29
5124.01 of the Revised Code.	30
"Mandatory eligibility groups" means the groups of	31
individuals that must be covered by the medicaid state plan as a	32
condition of the state receiving federal financial participation	33
for the medicaid program.	34
"Medicaid buy-in for workers with disabilities program" means	35
the component of the medicaid program established under sections	36
5163.09 to 5163.098 of the Revised Code.	37
"Medicaid services" has the same meaning as in section	38
5164.01 of the Revised Code.	39
"Medicaid waiver component" has the same meaning as in	40
section 5166.01 of the Revised Code.	41
"Nursing facility" and "nursing facility services" have the	42
same meanings as in section 5165.01 of the Revised Code.	43
"Optional eligibility groups" means the groups of individuals	44
who may be covered by the medicaid state plan or a federal	45
medicaid waiver and for whom the medicaid program receives federal	46

financial participation.

47

"Other medicaid-funded long-term care services" has the meaning specified in rules adopted under section 5163.02 of the Revised Code.

48

49

50

"Supplemental security income program" means the program established by Title XVI of the "Social Security Act," 42 U.S.C. 1381 et seq."

51

52

53

Between lines 81769 and 81770, insert:

54

"Sec. 5163.15. (A) Except as provided in division (B) of this section, the medicaid program shall not cover the expansion eligibility group on or after July 1, 2018.

55

56

57

(B) An individual enrolled on June 30, 2018, in the medicaid program on the basis of being included in the expansion eligibility group may continue to be enrolled in the medicaid program until the earlier of the following:

58

59

60

61

(1) The date the individual ceases to meet the eligibility requirements for the medicaid program;

62

63

(2) If the federal medical assistance percentage for the expansion eligibility group is reduced by federal legislation enacted on or after July 1, 2018, the date the reduction takes effect.

64

65

66

67

(C) This section does not preclude an individual who meets the requirements for the expansion eligibility group from enrolling, or continuing to be enrolled, in the medicaid program if the individual is eligible for medicaid on the basis of being included in another eligibility group the medicaid program covers."

68

69

70

71

72

73

Between lines 84695 and 84696, insert:

74

" <u>Expansion eligibility group</u> " has the same meaning as in	75
<u>section 5163.01 of the Revised Code.</u> "	76
In line 84965, after " <u>individual</u> " insert " <u>eligible, subject</u>	77
<u>to section 5163.15 of the Revised Code, for medicaid on the basis</u>	78
<u>of being</u> "	79
In line 84966, after " <u>the</u> " insert " <u>expansion</u> "; after " <u>group</u> "	80
delete the balance of the line	81
Delete line 84967	82
In line 84969, after " <u>the</u> " insert " <u>expansion</u> "	83
In line 85050, strike through "On" and insert " <u>Subject to</u>	84
<u>section 5163.15 of the Revised Code, on</u> "; after the second "the"	85
insert " <u>expansion</u> "	86
Strike through line 85051	87
In line 85052, strike through "Security Act," 42 U.S.C.	88
1396a(a)(10)(A)(i)(VIII)"	89
Between lines 85056 and 85057, insert:	90
" Sec. 5166.405. (A) A healthy Ohio program participant's	91
participation in the program shall cease if any of the following	92
applies:	93
(1) Unless the participant is pregnant, a monthly installment	94
payment to the participant's buckeye account is sixty days late.	95
(2) The participant fails to submit documentation needed for	96
a redetermination of the participant's eligibility for medicaid	97
before the sixty-first day after the documentation is requested.	98
(3) The participant becomes eligible for medicaid on a basis	99
other than being included in the category identified by the	100
department of medicaid as covered families and children or being	101

included in the <u>expansion</u> eligibility group described in section	102
1902(a)(10)(A)(i)(VIII) of the "Social Security Act," 42 U.S.C.	103
1396a(a)(10)(A)(i)(VIII).	104
(4) The participant becomes a ward of the state.	105
(5) The participant ceases to be eligible for medicaid.	106
(6) The participant exhausts the annual or lifetime payout	107
limit specified in division (D) of section 5166.401 of the Revised	108
Code.	109
(7) The participant requests that the participant's	110
participation be terminated.	111
(B) A healthy Ohio program participant who ceases to	112
participate in the program under division (A)(1) or (2) of this	113
section may not resume participation until the former participant	114
pays the full amount of the monthly installment payment or submits	115
the documentation needed for the former participant's medicaid	116
eligibility redetermination. The former participant shall not be	117
transferred to the fee-for-service component of medicaid or the	118
care management system as a result of ceasing to participate in	119
the healthy Ohio program under division (A)(1) or (2) of this	120
section.	121
(C) Except as provided in section 5166.407 of the Revised	122
Code, a healthy Ohio program participant who ceases to participate	123
in the program shall be provided the contributions that are in the	124
participant's buckeye account at the time the participant ceases	125
participation."	126
In line 102781, after "5162.70," insert "5163.01,"	127
In line 102787, after "5166.40," insert "5166.405,"	128

The motion was _____ agreed to.

SYNOPSIS

Medicaid expansion eligibility group	129
R.C. 5163.15 (primary), 5163.01, 5166.01, 5166.37, 5166.40,	130
and 5166.405	131
Prohibits the Medicaid program from newly enrolling	132
individuals as part of the expansion eligibility group (also known	133
as Group VIII) beginning July 1, 2018.	134

_____ moved to amend as follows:

1 In line 251 of the title, after "9.584," insert "103.43,"

2 In line 658, after "9.584," insert "103.43,"

3 Between lines 1780 and 1781, insert:

4 "Sec. 103.43. (A) As used in this section:

5 (1) "Care management system" means the system established
6 under section 5167.03 of the Revised Code.

7 (2) "Integrated care delivery system" has the same meaning
8 as in section 5164.01 of the Revised Code.

9 (3) "Long-term care services" means both of the following:

10 (a) Home and community-based services available under
11 Medicaid waiver components as defined in section 5166.01 of the
12 Revised Code;

13 (b) Nursing facility services as defined in section 5165.01
14 of the Revised Code.

15 (B) If the general assembly enacts legislation authorizing
16 the inclusion of long-term care services in the care management
17 system beyond the inclusion of those services that have been
18 implemented under the integrated care delivery system, the
19 patient-centered medicaid long-term care delivery system
20 advisory committee shall be created effective on the date that

21 the act authorizing the inclusion takes effect. All of the
22 following shall serve as members of the committee:

23 (1) Two members of the house of representatives who chair
24 committees of the house of representatives to which legislation
25 concerning medicaid is commonly referred, appointed by the
26 speaker of the house of representatives;

27 (2) Two members of the senate who chair committees of the
28 senate to which legislation concerning medicaid is commonly
29 referred, appointed by the senate president;

30 (3) The executive director of the office of health
31 transformation or the executive director's designee;

32 (4) The medicaid director or the director's designee;

33 (5) The director of aging or the director's designee;

34 (6) The director of health or the director's designee;

35 (7) The state long-term care ombudsman or the ombudsman's
36 designee;

37 (8) One representative of each of the following
38 organizations, appointed by the chief executive of the
39 organization:

40 (a) Leadingage Ohio;

41 (b) The academy of senior health sciences;

42 (c) The Ohio aging advocacy coalition;

43 (d) The Ohio assisted living association;

44 (e) The Ohio association of health plans;

45 (f) The Ohio association of area agencies on aging;

- 46 (g) The Ohio council for home care and hospice;
- 47 (h) The Ohio health care association;
- 48 (i) The Ohio Olmstead task force;
- 49 (j) The universal health care action network Ohio;
- 50 (k) AARP Ohio;
- 51 (l) the center for community solutions.

52 (C) Members of the committee shall serve without
53 compensation or reimbursement, except to the extent that serving
54 on the committee is part of their usual job duties.

55 (D) The speaker of the house of representatives shall
56 appoint one of the members described in division (B)(1) of this
57 section as the committee's co-chairperson. The senate president
58 shall appoint one of the members described in division (B)(2) of
59 this section to serve as the committee's other co-chairperson.
60 The employees of the joint medicaid oversight committee shall
61 provide the committee any administrative assistance the
62 committee needs. The department of medicaid shall provide the
63 committee updates about the inclusion of long-term care services
64 in the care management system.

65 (E) The committee shall advise the joint medicaid oversight
66 committee on projects that measure improvements to the delivery
67 of long-term care services to medicaid recipients and
68 periodically recommend to the medicaid director policy changes
69 intended to make additional improvements. Each quarter, the
70 committee shall complete a report regarding its work. The

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71 reports shall be submitted to the general assembly in accordance
72 with section 101.68 of the Revised Code and to the joint
73 medicaid oversight committee."

74 In line 85077, delete "ICDS participant"; strike through
75 "has the same meaning as in section"

76 In line 85078, delete "5164.01"; strike through "of the
77 Revised Code."

78 In line 85079, strike through "(E)"

79 In line 85082, strike through "(F)" and insert "(E)"

80 In line 85084, strike through "(G)" and insert "(F)"

81 In line 85086, strike through "(H)" and insert "(G)"

82 In line 85088, strike through "(I)" and insert "(H)"

83 In line 85092, strike through "(J)" and insert "(I)"

84 In line 85097, reinsert "The department shall designate
85 the"; delete "Only"; reinsert "recipients"

86 In line 85098, reinsert "who are"; delete "eligibility
87 groups that are required or permitted to"

88 Delete line 85099

89 In line 85100, delete "this amendment shall be"

90 In line 85110, delete "before January 1, 2021"

91 In line 134465 after "the" insert "Patient-Centered"

92 In line 134476, delete "Finance -"

93 In line 134477, after "Senate" insert "Finance Committee"

94 In line 134500, after "Ohio" insert ";

95 (1) the Center for Community Solutions"

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96 In line 134510, after "committee's" insert "other"

97 Delete lines 134515 through 134547 and insert:

98 "(1) Create implementation performance measures, including
99 measures of readiness for claims adjudication and payment,
100 waiver care plan approvals, prior authorization, and provider
101 verification of Medicaid recipients' enrollment in the care
102 management system;

103 (2) Define key domains and measures of a quality, patient-
104 centered long-term care delivery system;

105 (3) Recommend strategies for improving long-term care
106 consumer education and choices;

107 (4) Recommend models of long-term care that increase
108 population health and improve coordination, including models
109 that include a shared savings component between Medicaid managed
110 care organizations and long-term care providers and models that
111 include a quality incentive pool for long-term care providers
112 that assist Medicaid managed care organizations in increasing
113 the quality of the long-term care delivery system;

114 (5) Recommend improved measures of prompt pay and care
115 authorization requirements and penalties for noncompliance with
116 the requirements;

117 (6) Define key data sets and data variables that are
118 essential to providers being able to better manage the total
119 quality and cost of care of an assigned or attributed patient
120 population;

121 (7) Recommend data sharing models between Medicaid managed
122 care organizations and providers;

123 (8) Recommend policies for contracts with Medicaid managed
124 care organizations that eliminate administrative duplication and
125 standardize administrative functions, such as provider
126 credentialing, prior authorization, and billing instructions,
127 within the care management system."

128 In line 134549, delete "June 30, 2020" and insert "December
129 31, 2018"

130 Between lines 134565 and 134566, insert:

131 **"Section 333.____.** GENERAL ASSEMBLY TO VOTE ON INCLUDING
132 LONG-TERM CARE SERVICES IN MEDICAID MANAGED CARE

133 (A) As used in this section:

134 (1) "Care management system" means the system established
135 under section 5167.03 of the Revised Code.

136 (2) "Integrated Care Delivery System" has the same meaning
137 as in section 5164.01 of the Revised Code.

138 (3) "Long-term care services" means both of the following:

139 (a) Home and community-based services available under
140 Medicaid waiver components as defined in section 5166.01 of the
141 Revised Code;

142 (b) Nursing facility services as defined in section 5165.01
143 of the Revised Code.

144 (B) Not later than December 31, 2018, the General Assembly
145 shall consider and vote on legislation that would authorize the

146 inclusion of long-term care services in the care management
147 system beyond the inclusion of those services that have been
148 implemented under the Integrated Care Delivery System.

149 **Section 333.____.** AREA AGENCIES ON AGING AND MEDICAID
150 MANAGED CARE

151 (A) As used in this section:

152 (1) "Care management system" means the system established
153 under section 5167.03 of the Revised Code.

154 (2) "Dual eligible individuals" has the same meaning as in
155 section 5160.01 of the Revised Code.

156 (3) "Medicaid managed care organization" has the same
157 meaning as in section 5167.01 of the Revised Code.

158 (4) "Medicaid waiver component" has the same meaning as in
159 section 5166.01 of the Revised Code.

160 (B) If the Department of Medicaid expands the inclusion of
161 the aged, blind, and disabled Medicaid eligibility group or dual
162 eligible individuals in the care management system during the
163 2018-2019 fiscal biennium, the Department shall do both of the
164 following for the remainder of the fiscal biennium:

165 (1) Require area agencies on aging to be the coordinators
166 of home and community-based services available under Medicaid
167 waiver components that those individuals and that eligibility
168 group receive and permit Medicaid managed care organizations to
169 delegate to the agencies full-care coordination functions for

170 those services and other health-care services those individuals
171 and that eligibility group receive;

172 (2) In selecting managed care organizations with which to
173 contract under section 5167.10 of the Revised Code, give
174 preference to those organizations that will enter into
175 subcapitation arrangements with area agencies on aging under
176 which the agencies are to perform, in addition to other
177 functions, network management and payment functions for home and
178 community-based services available under Medicaid waiver
179 components that those individuals and that eligibility group
180 receive."

181 The motion was _____ agreed to.

182 SYNOPSIS

183 **Medicaid managed care**

184 **R.C. 103.43, 5167.01, and 5167.03; Sections 333.270,**
185 **333.____, and 333.____**

186 Removes the House provisions that would have provided that
187 only Medicaid eligibility groups currently required or permitted
188 to participate in the Medicaid managed care system are to
189 participate in the system.

190 Replaces the House provision that would have permitted
191 nursing facility services and home and community-based waiver
192 services to be included in the Medicaid managed care system
193 beginning January 1, 2021, with a provision that prohibits the
194 services from being included in the system.

195 Revises the House provision that establishes a committee to
196 examine the inclusion of nursing facility services and home and

197 community-based waiver services in the Medicaid managed care
198 system as follows:

199 (1) Adds "Patient-Centered" to the committee's name so that
200 it becomes the Patient-Centered Medicaid Managed Care Long-Term
201 Services and Supports Study Committee;

202 (2) Adds to the committee a representative of the Center
203 for Community Solutions;

204 (3) Establishes different duties for the committee;

205 (4) Requires that the committee complete its report not
206 later than December 31, 2018, instead of June 30, 2020.

207 Requires the General Assembly to consider and vote not
208 later than December 31, 2018, on legislation that would
209 authorize the inclusion of nursing facility services and home
210 and community-based waiver services in the Medicaid managed care
211 system.

212 Provides for an ongoing committee called the Patient-
213 Centered Medicaid Long-Term Care Delivery System Advisory
214 Committee to be established if the General Assembly enacts
215 legislations authorizing the inclusion of nursing facility
216 services and home and community-based waiver services in the
217 Medicaid managed care system.

218 Provides for the on-going committee to have the same type
219 of membership as the temporary committee.

220 Requires the employees of the Joint Medicaid Oversight
221 Committee to provide the ongoing committee administrative
222 assistance and the Department of Medicaid to provide it updates
223 about the inclusion of nursing facility services and home and
224 community-based waiver services in the Medicaid managed care
225 system.

226 Requires the ongoing committee to advise the Joint Medicaid
227 Oversight Committee on projects that measure improvements to the
228 delivery of long-term care services to Medicaid recipients and
229 periodically recommend to the Medicaid Director policy changes
230 intended to make additional improvements.

231 Requires the ongoing committee to complete quarterly
232 reports regarding its work.

233 Requires the Department of Medicaid, if it expands the
234 inclusion of the aged, blind, and disabled Medicaid eligibility
235 group or dual eligible individuals in the Medicaid managed care

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236 system during the 2018-2019 fiscal biennium, to (1) require area
237 agencies on aging to be the coordinators of the home and
238 community-based waiver services that the eligibility group and
239 those individuals receive, (2) permit Medicaid managed care
240 organizations to delegate to area agencies on aging full-care
241 coordination functions for those services and other health-care
242 services, and (3) give preference, when selecting Medicaid
243 managed care organizations, to organizations that will enter
244 into subcapitation arrangements with area agencies on aging
245 under which the agencies perform, in addition to other
246 functions, network management and payment functions for those
247 services.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 3 of the title, after "109.803," insert "109.91," 1

In line 506, after "109.803," insert "109.91," 2

Delete lines 2306 through 2328 3

Between lines 3319 and 3320, insert: 4

"**Sec. 109.91.** (A) There is hereby established within the 5
office of the attorney general the crime victims assistance 6
office. 7

(B) There is hereby established the state victims assistance 8
advisory council. The council shall consist of a chairperson, to 9
be appointed by the attorney general, three ex officio members, 10
and seventeen members to be appointed by the attorney general as 11
follows: one member who represents the Ohio victim-witness 12
association; three members who represent local victim assistance 13
programs, including one from a municipally operated program and 14
one from a county-operated program; one member who represents the 15
interests of elderly victims; one member who represents the 16
interests of individuals with mental illness; one member who is a 17
board member of any statewide or local organization that exists 18
primarily to aid victims of domestic violence or who is an 19
employee of, or counselor for, such an organization; one member 20

who is a board member of any statewide or local organization that
 exists primarily to aid victims of sexual violence or who is an
 employee of or a counselor for an organization that exists
 primarily to aid victims of sexual violence; one member who is an
 employee or officer of a county probation department or a
 probation department operated by the department of rehabilitation
 and correction; one member who is a county prosecuting attorney;
 one member who is a city law director; one member who is a county
 sheriff; one member who is a member or officer of a township or
 municipal police department; one member who is a court of common
 pleas judge; one member who is a municipal court judge or county
 court judge; and two members who are private citizens and are not
 government employees.

The council shall include the following ex officio, nonvoting
 members: the attorney general, one member of the senate to be
 designated by the president of the senate, and one member of the
 house of representatives to be designated by the speaker of the
 house.

Members of the council shall serve without compensation, but
 shall be reimbursed for travel and other necessary expenses that
 are incurred in the conduct of their official duties as members of
 the council. The chairperson and members of the council appointed
 by the attorney general shall serve at the pleasure of the
 attorney general. The attorney general shall serve on the council
 until the end of the term of office that qualified the attorney
 general for membership on the council. The member of the senate
 and the member of the house of representatives shall serve at the
 pleasure of the president of the senate and the speaker of the
 house of representatives, respectively.

(C) The victims assistance advisory council shall perform

~~both~~ all of the following duties: 51

(1) Advise the crime victims assistance office in determining 52
 crime and delinquency victim service needs, determining crime and 53
 delinquency victim policies for the state, and improving and 54
 exercising leadership in the quality of crime and delinquency 55
 victim programs in the state; 56

(2) Review and recommend to the crime victims assistance 57
 office the victim assistance programs that should be considered 58
 for the receipt of state financial assistance pursuant to section 59
 109.92 of the Revised Code. The financial assistance allocation 60
 recommendations of the council shall be based on the following 61
 priorities: 62

(a) Programs in existence on July 1, 1985, shall be given 63
 first priority; 64

(b) Programs offering or proposing to offer the broadest 65
 range of services and referrals to the community served, including 66
 medical, psychological, financial, educational, vocational, and 67
 legal services that were not in existence on July 1, 1985, shall 68
 be given second priority; 69

(c) Other qualified programs shall be given last priority. 70

(3) Provide advice and counsel to the attorney general in 71
 determining the needs of victims of domestic violence and 72
 developing a policy for the attorney general in the administration 73
 of the domestic violence program fund created under section 109.46 74
 of the Revised Code; 75

(4) Make recommendations to the attorney general in the 76
 distribution of domestic violence program funds under section 77
 109.46 of the Revised Code. 78

(D) As used in this section and section 109.92 of the Revised 79

Code, "victim assistance program" includes, but is not limited to 80
a program that provides at least one of the following: 81

(1) Services to victims of any offense of violence or 82
delinquent act that would be an offense of violence if committed 83
by an adult; 84

(2) Financial assistance or property repair services to 85
victims of crime or delinquent acts; 86

(3) Assistance to victims of crime or delinquent acts in 87
judicial proceedings; 88

(4) Assistance to victims of crime or delinquent acts under 89
the operation of any political subdivision of the state or a 90
branch of the criminal justice system set forth in division 91
(B)(1)(a), (b), or (c) of section 5502.61 of the Revised Code; 92

(5) Technical assistance to persons or organizations that 93
provide services to victims of crime or delinquent acts under the 94
operation of a branch of the criminal justice system set forth in 95
division (B)(1)(a), (b), or (c) of section 5502.61 of the Revised 96
Code. 97

A victim assistance program does not include the program for 98
the reparation of crime victims established pursuant to Chapter 99
2743. of the Revised Code." 100

In line 102660, after "109.803," insert "109.91," 101

The motion was _____ agreed to.

SYNOPSIS

Domestic violence program and fund 102

R.C. 109.46 and 109.91	103
Removes a provision of the House-Passed bill that would have	104
created a committee to provide advice to the Attorney General in	105
determining the needs of domestic violence victims and developing	106
a policy for administering the domestic violence program fund and	107
assigns those duties instead to the State Victims Assistance	108
Advisory Council.	109

_____ moved to amend as follows:

1 In line 133895, delete "\$15,000,000 \$15,000,000" and
2 insert "\$30,000,000 \$30,000,000"

3 In line 133899, add \$15,000,000 to each fiscal year

4 In line 133910, add \$15,000,000 to each fiscal year

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Medicaid**

8 **Section 333.10**

9 Increases dedicated purpose fund 5SC0 appropriation item
10 651683, Medicaid Services - Physician UPL, by \$15,000,000 in
11 FY 2018 and FY 2019.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 227 of the title, after "5717.01," insert "5717.04," 1

In line 641, after "5717.01," insert "5717.04," 2

Between lines 90699 and 90670, insert: 3

"**Sec. 5717.04.** This section does not apply to any decision 4
and order of the board made pursuant to section 5703.021 of the 5
Revised Code. Any such decision and order shall be conclusive upon 6
all parties and may not be appealed. 7

The proceeding to obtain a reversal, vacation, or 8
modification of a decision of the board of tax appeals shall be by 9
appeal to ~~the supreme court or~~ the court of appeals for the county 10
in which the property taxed is ~~situate~~ situated or in which the 11
taxpayer resides. If the taxpayer is a corporation, then the 12
proceeding to obtain such reversal, vacation, or modification 13
shall be by appeal to ~~the supreme court or to~~ the court of appeals 14
for the county in which the property taxed is ~~situate~~ situated, or 15
the county of residence of the agent for service of process, tax 16
notices, or demands, or the county in which the corporation has 17
its principal place of business. In all other instances, the 18
proceeding to obtain such reversal, vacation, or modification 19
shall be by appeal to the court of appeals for Franklin county. 20

Appeals from decisions of the board determining appeals from 21
 decisions of county boards of revision may be instituted by any of 22
 the persons who were parties to the appeal before the board of tax 23
 appeals, by the person in whose name the property involved in the 24
 appeal is listed or sought to be listed, if such person was not a 25
 party to the appeal before the board of tax appeals, or by the 26
 county auditor of the county in which the property involved in the 27
 appeal is located. 28

Appeals from decisions of the board of tax appeals 29
 determining appeals from final determinations by the tax 30
 commissioner of any preliminary, amended, or final tax 31
 assessments, reassessments, valuations, determinations, findings, 32
 computations, or orders made by the commissioner may be instituted 33
 by any of the persons who were parties to the appeal or 34
 application before the board, by the person in whose name the 35
 property is listed or sought to be listed, if the decision 36
 appealed from determines the valuation or liability of property 37
 for taxation and if any such person was not a party to the appeal 38
 or application before the board, by the taxpayer or any other 39
 person to whom the decision of the board appealed from was by law 40
 required to be sent, by the director of budget and management if 41
 the revenue affected by the decision of the board appealed from 42
 would accrue primarily to the state treasury, by the county 43
 auditor of the county to the undivided general tax funds of which 44
 the revenues affected by the decision of the board appealed from 45
 would primarily accrue, or by the tax commissioner. 46

Appeals from decisions of the board upon all other appeals or 47
 applications filed with and determined by the board may be 48
 instituted by any of the persons who were parties to such appeal 49
 or application before the board, by any persons to whom the 50
 decision of the board appealed from was by law required to be 51

sent, or by any other person to whom the board sent the decision 52
appealed from, as authorized by section 5717.03 of the Revised 53
Code. 54

Such appeals shall be taken within thirty days after the date 55
of the entry of the decision of the board on the journal of its 56
proceedings, as provided by such section, by the filing by 57
appellant of a notice of appeal with the court of appeals to which 58
the appeal is taken and the board. If the appeal is of a decision 59
of the board on an action originally brought under section 5717.01 60
of the Revised Code, the appellant also shall submit, at the same 61
time, a copy of the notice of appeal to the county board of 62
revision and the county auditor. If a timely notice of appeal is 63
filed by a party, any other party may file a notice of appeal 64
within ten days of the date on which the first notice of appeal 65
was filed or within the time otherwise prescribed in this section, 66
whichever is later. A notice of appeal shall set forth the 67
decision of the board appealed from and the errors therein 68
complained of. Proof of the filing of such notice with the board 69
of tax appeals shall be filed with the court of appeals to which 70
the appeal is being taken. The court of appeals in which notice of 71
appeal is first filed shall have exclusive jurisdiction of the 72
appeal. 73

In all such appeals the commissioner or all persons to whom 74
the decision of the board appealed from is required by such 75
section to be sent, other than the appellant, shall be made 76
appellees. Unless waived, notice of the appeal shall be served 77
upon all appellees by certified mail. The prosecuting attorney 78
shall represent the county auditor in any such appeal in which the 79
auditor is a party. If the commissioner is not a party to the 80
appeal or application before the board, the ~~supreme court or a~~ 81
court of appeals shall not dismiss an appeal of the board's 82

decision because of the failure to make the commissioner an 83
appellee or to serve the notice of appeal to the commissioner as 84
otherwise required under this section. 85

The board, upon written demand filed by an appellant, shall 86
within thirty days after the filing of such demand file with the 87
court of appeals to which the appeal is being taken a certified 88
transcript of the record of the proceedings of the board 89
pertaining to the decision complained of and the evidence 90
considered by the board in making such decision. 91

If upon hearing and consideration of such record and evidence 92
the court of appeals decides that the decision of the board 93
appealed from is reasonable and lawful it shall affirm the same, 94
but if the court decides that such decision of the board is 95
unreasonable or unlawful, the court shall reverse and vacate the 96
decision or modify it and enter final judgment in accordance with 97
such modification. 98

The clerk of the court of appeals shall certify the judgment 99
of the court to the board, which shall certify such judgment to 100
such public officials or take such other action in connection 101
therewith as is required to give effect to the decision. ~~The~~ 102
~~"taxpayer" includes any person required to return any property for~~ 103
~~taxation.~~ 104

Any party to the appeal shall have the right to appeal from 105
the judgment of the court of appeals on questions of law, as in 106
other cases. 107

As used in this section, "taxpayer" includes any person 108
required to return any property for taxation." 109

In line 102795, after "5717.01," insert "5717.04," 110

The motion was _____ agreed to.

SYNOPSIS

Appeals of Board of Tax Appeals decisions	111
R.C. 5717.04	112
Removes the authority to appeal a decision of the Board of	113
Tax Appeals directly to the Ohio Supreme Court. Instead, such	114
appeals are to be filed with the appropriate Court of Appeals, as	115
is authorized but not required under current law.	116

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 56 of the title, after "3313.6110," insert "3313.64," 1

In line 76 of the title, after "3323.052," insert "3323.14," 2

In line 544, after "3313.6110," insert "3313.64," 3

In line 559, after "3323.052," insert "3323.14," 4

Between lines 34789 and 34790, insert: 5

"**Sec. 3313.64.** (A) As used in this section and in section 6
3313.65 of the Revised Code: 7

(1)(a) Except as provided in division (A)(1)(b) of this 8
section, "parent" means either parent, unless the parents are 9
separated or divorced or their marriage has been dissolved or 10
annulled, in which case "parent" means the parent who is the 11
residential parent and legal custodian of the child. When a child 12
is in the legal custody of a government agency or a person other 13
than the child's natural or adoptive parent, "parent" means the 14
parent with residual parental rights, privileges, and 15
responsibilities. When a child is in the permanent custody of a 16
government agency or a person other than the child's natural or 17
adoptive parent, "parent" means the parent who was divested of 18
parental rights and responsibilities for the care of the child and 19
the right to have the child live with the parent and be the legal 20

custodian of the child and all residual parental rights, 21
privileges, and responsibilities. 22

(b) When a child is the subject of a power of attorney 23
executed under sections 3109.51 to 3109.62 of the Revised Code, 24
"parent" means the grandparent designated as attorney in fact 25
under the power of attorney. When a child is the subject of a 26
caretaker authorization affidavit executed under sections 3109.64 27
to 3109.73 of the Revised Code, "parent" means the grandparent 28
that executed the affidavit. 29

(2) "Legal custody," "permanent custody," and "residual 30
parental rights, privileges, and responsibilities" have the same 31
meanings as in section 2151.011 of the Revised Code. 32

(3) "School district" or "district" means a city, local, or 33
exempted village school district and excludes any school operated 34
in an institution maintained by the department of youth services. 35

(4) Except as used in division (C)(2) of this section, "home" 36
means a home, institution, foster home, group home, or other 37
residential facility in this state that receives and cares for 38
children, to which any of the following applies: 39

(a) The home is licensed, certified, or approved for such 40
purpose by the state or is maintained by the department of youth 41
services. 42

(b) The home is operated by a person who is licensed, 43
certified, or approved by the state to operate the home for such 44
purpose. 45

(c) The home accepted the child through a placement by a 46
person licensed, certified, or approved to place a child in such a 47
home by the state. 48

(d) The home is a children's home created under section 49

5153.21 or 5153.36 of the Revised Code.	50
(5) "Agency" means all of the following:	51
(a) A public children services agency;	52
(b) An organization that holds a certificate issued by the Ohio department of job and family services in accordance with the requirements of section 5103.03 of the Revised Code and assumes temporary or permanent custody of children through commitment, agreement, or surrender, and places children in family homes for the purpose of adoption;	53 54 55 56 57 58
(c) Comparable agencies of other states or countries that have complied with applicable requirements of section 2151.39 of the Revised Code or as applicable, sections 5103.20 to 5103.22 or 5103.23 to 5103.237 of the Revised Code.	59 60 61 62
(6) A child is placed for adoption if either of the following occurs:	63 64
(a) An agency to which the child has been permanently committed or surrendered enters into an agreement with a person pursuant to section 5103.16 of the Revised Code for the care and adoption of the child.	65 66 67 68
(b) The child's natural parent places the child pursuant to section 5103.16 of the Revised Code with a person who will care for and adopt the child.	69 70 71
(7) "Preschool child with a disability" has the same meaning as in section 3323.01 of the Revised Code.	72 73
(8) "Child," unless otherwise indicated, includes preschool children with disabilities.	74 75
(9) "Active duty" means active duty pursuant to an executive order of the president of the United States, an act of the	76 77

congress of the United States, or section 5919.29 or 5923.21 of	78
the Revised Code.	79
(B) Except as otherwise provided in section 3321.01 of the	80
Revised Code for admittance to kindergarten and first grade, a	81
child who is at least five but under twenty-two years of age and	82
any preschool child with a disability shall be admitted to school	83
as provided in this division.	84
(1) A child shall be admitted to the schools of the school	85
district in which the child's parent resides.	86
(2) Except as provided in division (B) of section 2151.362	87
and section 3317.30 of the Revised Code, a child who does not	88
reside in the district where the child's parent resides shall be	89
admitted to the schools of the district in which the child resides	90
if any of the following applies:	91
(a) The child is in the legal or permanent custody of a	92
government agency or a person other than the child's natural or	93
adoptive parent.	94
(b) The child resides in a home.	95
(c) The child requires special education.	96
(3) A child who is not entitled under division (B)(2) of this	97
section to be admitted to the schools of the district where the	98
child resides and who is residing with a resident of this state	99
with whom the child has been placed for adoption shall be admitted	100
to the schools of the district where the child resides unless	101
either of the following applies:	102
(a) The placement for adoption has been terminated.	103
(b) Another school district is required to admit the child	104
under division (B)(1) of this section.	105

Division (B) of this section does not prohibit the board of education of a school district from placing a child with a disability who resides in the district in a special education program outside of the district or its schools in compliance with Chapter 3323. of the Revised Code.

(C) A district shall not charge tuition for children admitted under division (B)(1) or (3) of this section. If the district admits a child under division (B)(2) of this section, tuition shall be paid to the district that admits the child as provided in divisions (C)(1) to (3) of this section, unless division (C)(4) of this section applies to the child:

(1) If the child receives special education in accordance with Chapter 3323. of the Revised Code, the school district of residence, as defined in section 3323.01 of the Revised Code, shall pay tuition for the child in accordance with section 3323.091, 3323.13, 3323.14, or 3323.141 of the Revised Code regardless of who has custody of the child or whether the child resides in a home.

(2) For a child that does not receive special education in accordance with Chapter 3323. of the Revised Code, except as otherwise provided in division (C)(2)(d) of this section, if the child is in the permanent or legal custody of a government agency or person other than the child's parent, tuition shall be paid by:

(a) The district in which the child's parent resided at the time the court removed the child from home or at the time the court vested legal or permanent custody of the child in the person or government agency, whichever occurred first;

(b) If the parent's residence at the time the court removed the child from home or placed the child in the legal or permanent custody of the person or government agency is unknown, tuition

shall be paid by the district in which the child resided at the 136
time the child was removed from home or placed in legal or 137
permanent custody, whichever occurred first; 138

(c) If a school district cannot be established under division 139
(C)(2)(a) or (b) of this section, tuition shall be paid by the 140
district determined as required by section 2151.362 of the Revised 141
Code by the court at the time it vests custody of the child in the 142
person or government agency; 143

(d) If at the time the court removed the child from home or 144
vested legal or permanent custody of the child in the person or 145
government agency, whichever occurred first, one parent was in a 146
residential or correctional facility or a juvenile residential 147
placement and the other parent, if living and not in such a 148
facility or placement, was not known to reside in this state, 149
tuition shall be paid by the district determined under division 150
(D) of section 3313.65 of the Revised Code as the district 151
required to pay any tuition while the parent was in such facility 152
or placement; 153

(e) If the department of education has determined, pursuant 154
to division (A)(2) of section 2151.362 of the Revised Code, that a 155
school district other than the one named in the court's initial 156
order, or in a prior determination of the department, is 157
responsible to bear the cost of educating the child, the district 158
so determined shall be responsible for that cost. 159

(3) If the child is not in the permanent or legal custody of 160
a government agency or person other than the child's parent and 161
the child resides in a home, tuition shall be paid by one of the 162
following: 163

(a) The school district in which the child's parent resides; 164

(b) If the child's parent is not a resident of this state, 165
the home in which the child resides. 166

(4) Division (C)(4) of this section applies to any child who 167
is admitted to a school district under division (B)(2) of this 168
section, resides in a home that is not a foster home, a home 169
maintained by the department of youth services, a detention 170
facility established under section 2152.41 of the Revised Code, or 171
a juvenile facility established under section 2151.65 of the 172
Revised Code, and receives educational services at the home or 173
facility in which the child resides pursuant to a contract between 174
the home or facility and the school district providing those 175
services, ~~and does not receive special education.~~ 176

If a child to whom division (C)(4) of this section applies is 177
a special education student, a district may choose whether to 178
receive a tuition payment for that child under division (C)(4) of 179
this section or to receive a payment for that child under section 180
3323.14 of the Revised Code. If a district chooses to receive a 181
payment for that child under section 3323.14 of the Revised Code, 182
it shall not receive a tuition payment for that child under 183
division (C)(4) of this section. 184

If a child to whom division (C)(4) of this section applies is 185
not a special education student, a district shall receive a 186
tuition payment for that child under division (C)(4) of this 187
section. 188

In the case of a child to which division (C)(4) of this 189
section applies, the total educational cost to be paid for the 190
child shall be determined by a formula approved by the department 191
of education, which formula shall be designed to calculate a per 192
diem cost for the educational services provided to the child for 193
each day the child is served and shall reflect the total actual 194

cost incurred in providing those services. The department shall
certify the total educational cost to be paid for the child to
both the school district providing the educational services and,
if different, the school district that is responsible to pay
tuition for the child. The department shall deduct the certified
amount from the state basic aid funds payable under Chapter 3317.
of the Revised Code to the district responsible to pay tuition and
shall pay that amount to the district providing the educational
services to the child.

(D) Tuition required to be paid under divisions (C)(2) and
(3)(a) of this section shall be computed in accordance with
section 3317.08 of the Revised Code. Tuition required to be paid
under division (C)(3)(b) of this section shall be computed in
accordance with section 3317.081 of the Revised Code. If a home
fails to pay the tuition required by division (C)(3)(b) of this
section, the board of education providing the education may
recover in a civil action the tuition and the expenses incurred in
prosecuting the action, including court costs and reasonable
attorney's fees. If the prosecuting attorney or city director of
law represents the board in such action, costs and reasonable
attorney's fees awarded by the court, based upon the prosecuting
attorney's, director's, or one of their designee's time spent
preparing and presenting the case, shall be deposited in the
county or city general fund.

(E) A board of education may enroll a child free of any
tuition obligation for a period not to exceed sixty days, on the
sworn statement of an adult resident of the district that the
resident has initiated legal proceedings for custody of the child.

(F) In the case of any individual entitled to attend school
under this division, no tuition shall be charged by the school

district of attendance and no other school district shall be	225
required to pay tuition for the individual's attendance.	226
Notwithstanding division (B), (C), or (E) of this section:	227
(1) All persons at least eighteen but under twenty-two years	228
of age who live apart from their parents, support themselves by	229
their own labor, and have not successfully completed the high	230
school curriculum or the individualized education program	231
developed for the person by the high school pursuant to section	232
3323.08 of the Revised Code, are entitled to attend school in the	233
district in which they reside.	234
(2) Any child under eighteen years of age who is married is	235
entitled to attend school in the child's district of residence.	236
(3) A child is entitled to attend school in the district in	237
which either of the child's parents is employed if the child has a	238
medical condition that may require emergency medical attention.	239
The parent of a child entitled to attend school under division	240
(F)(3) of this section shall submit to the board of education of	241
the district in which the parent is employed a statement from the	242
child's physician certifying that the child's medical condition	243
may require emergency medical attention. The statement shall be	244
supported by such other evidence as the board may require.	245
(4) Any child residing with a person other than the child's	246
parent is entitled, for a period not to exceed twelve months, to	247
attend school in the district in which that person resides if the	248
child's parent files an affidavit with the superintendent of the	249
district in which the person with whom the child is living resides	250
stating all of the following:	251
(a) That the parent is serving outside of the state in the	252
armed services of the United States;	253

(b) That the parent intends to reside in the district upon returning to this state;	254 255
(c) The name and address of the person with whom the child is living while the parent is outside the state.	256 257
(5) Any child under the age of twenty-two years who, after the death of a parent, resides in a school district other than the district in which the child attended school at the time of the parent's death is entitled to continue to attend school in the district in which the child attended school at the time of the parent's death for the remainder of the school year, subject to approval of that district board.	258 259 260 261 262 263 264
(6) A child under the age of twenty-two years who resides with a parent who is having a new house built in a school district outside the district where the parent is residing is entitled to attend school for a period of time in the district where the new house is being built. In order to be entitled to such attendance, the parent shall provide the district superintendent with the following:	265 266 267 268 269 270 271
(a) A sworn statement explaining the situation, revealing the location of the house being built, and stating the parent's intention to reside there upon its completion;	272 273 274
(b) A statement from the builder confirming that a new house is being built for the parent and that the house is at the location indicated in the parent's statement.	275 276 277
(7) A child under the age of twenty-two years residing with a parent who has a contract to purchase a house in a school district outside the district where the parent is residing and who is waiting upon the date of closing of the mortgage loan for the purchase of such house is entitled to attend school for a period	278 279 280 281 282

of time in the district where the house is being purchased. In 283
 order to be entitled to such attendance, the parent shall provide 284
 the district superintendent with the following: 285

(a) A sworn statement explaining the situation, revealing the 286
 location of the house being purchased, and stating the parent's 287
 intent to reside there; 288

(b) A statement from a real estate broker or bank officer 289
 confirming that the parent has a contract to purchase the house, 290
 that the parent is waiting upon the date of closing of the 291
 mortgage loan, and that the house is at the location indicated in 292
 the parent's statement. 293

The district superintendent shall establish a period of time 294
 not to exceed ninety days during which the child entitled to 295
 attend school under division (F)(6) or (7) of this section may 296
 attend without tuition obligation. A student attending a school 297
 under division (F)(6) or (7) of this section shall be eligible to 298
 participate in interscholastic athletics under the auspices of 299
 that school, provided the board of education of the school 300
 district where the student's parent resides, by a formal action, 301
 releases the student to participate in interscholastic athletics 302
 at the school where the student is attending, and provided the 303
 student receives any authorization required by a public agency or 304
 private organization of which the school district is a member 305
 exercising authority over interscholastic sports. 306

(8) A child whose parent is a full-time employee of a city, 307
 local, or exempted village school district, or of an educational 308
 service center, may be admitted to the schools of the district 309
 where the child's parent is employed, or in the case of a child 310
 whose parent is employed by an educational service center, in the 311
 district that serves the location where the parent's job is 312

primarily located, provided the district board of education 313
 establishes such an admission policy by resolution adopted by a 314
 majority of its members. Any such policy shall take effect on the 315
 first day of the school year and the effective date of any 316
 amendment or repeal may not be prior to the first day of the 317
 subsequent school year. The policy shall be uniformly applied to 318
 all such children and shall provide for the admission of any such 319
 child upon request of the parent. No child may be admitted under 320
 this policy after the first day of classes of any school year. 321

(9) A child who is with the child's parent under the care of 322
 a shelter for victims of domestic violence, as defined in section 323
 3113.33 of the Revised Code, is entitled to attend school free in 324
 the district in which the child is with the child's parent, and no 325
 other school district shall be required to pay tuition for the 326
 child's attendance in that school district. 327

The enrollment of a child in a school district under this 328
 division shall not be denied due to a delay in the school 329
 district's receipt of any records required under section 3313.672 330
 of the Revised Code or any other records required for enrollment. 331
 Any days of attendance and any credits earned by a child while 332
 enrolled in a school district under this division shall be 333
 transferred to and accepted by any school district in which the 334
 child subsequently enrolls. The state board of education shall 335
 adopt rules to ensure compliance with this division. 336

(10) Any child under the age of twenty-two years whose parent 337
 has moved out of the school district after the commencement of 338
 classes in the child's senior year of high school is entitled, 339
 subject to the approval of that district board, to attend school 340
 in the district in which the child attended school at the time of 341
 the parental move for the remainder of the school year and for one 342

additional semester or equivalent term. A district board may also
adopt a policy specifying extenuating circumstances under which a
student may continue to attend school under division (F)(10) of
this section for an additional period of time in order to
successfully complete the high school curriculum for the
individualized education program developed for the student by the
high school pursuant to section 3323.08 of the Revised Code.

(11) As used in this division, "grandparent" means a parent
of a parent of a child. A child under the age of twenty-two years
who is in the custody of the child's parent, resides with a
grandparent, and does not require special education is entitled to
attend the schools of the district in which the child's
grandparent resides, provided that, prior to such attendance in
any school year, the board of education of the school district in
which the child's grandparent resides and the board of education
of the school district in which the child's parent resides enter
into a written agreement specifying that good cause exists for
such attendance, describing the nature of this good cause, and
consenting to such attendance.

In lieu of a consent form signed by a parent, a board of
education may request the grandparent of a child attending school
in the district in which the grandparent resides pursuant to
division (F)(11) of this section to complete any consent form
required by the district, including any authorization required by
sections 3313.712, 3313.713, 3313.716, and 3313.718 of the Revised
Code. Upon request, the grandparent shall complete any consent
form required by the district. A school district shall not incur
any liability solely because of its receipt of a consent form from
a grandparent in lieu of a parent.

Division (F)(11) of this section does not create, and shall

not be construed as creating, a new cause of action or substantive
 legal right against a school district, a member of a board of
 education, or an employee of a school district. This section does
 not affect, and shall not be construed as affecting, any
 immunities from defenses to tort liability created or recognized
 by Chapter 2744. of the Revised Code for a school district,
 member, or employee.

(12) A child under the age of twenty-two years is entitled to
 attend school in a school district other than the district in
 which the child is entitled to attend school under division (B),
 (C), or (E) of this section provided that, prior to such
 attendance in any school year, both of the following occur:

(a) The superintendent of the district in which the child is
 entitled to attend school under division (B), (C), or (E) of this
 section contacts the superintendent of another district for
 purposes of this division;

(b) The superintendents of both districts enter into a
 written agreement that consents to the attendance and specifies
 that the purpose of such attendance is to protect the student's
 physical or mental well-being or to deal with other extenuating
 circumstances deemed appropriate by the superintendents.

While an agreement is in effect under this division for a
 student who is not receiving special education under Chapter 3323.
 of the Revised Code and notwithstanding Chapter 3327. of the
 Revised Code, the board of education of neither school district
 involved in the agreement is required to provide transportation
 for the student to and from the school where the student attends.

A student attending a school of a district pursuant to this
 division shall be allowed to participate in all student
 activities, including interscholastic athletics, at the school

where the student is attending on the same basis as any student 403
 who has always attended the schools of that district while of 404
 compulsory school age. 405

(13) All school districts shall comply with the 406
 "McKinney-Vento Homeless Assistance Act," 42 U.S.C.A. 11431 et 407
 seq., for the education of homeless children. Each city, local, 408
 and exempted village school district shall comply with the 409
 requirements of that act governing the provision of a free, 410
 appropriate public education, including public preschool, to each 411
 homeless child. 412

When a child loses permanent housing and becomes a homeless 413
 person, as defined in 42 U.S.C.A. 11481(5), or when a child who is 414
 such a homeless person changes temporary living arrangements, the 415
 child's parent or guardian shall have the option of enrolling the 416
 child in either of the following: 417

(a) The child's school of origin, as defined in 42 U.S.C.A. 418
 11432(g)(3)(C); 419

(b) The school that is operated by the school district in 420
 which the shelter where the child currently resides is located and 421
 that serves the geographic area in which the shelter is located. 422

(14) A child under the age of twenty-two years who resides 423
 with a person other than the child's parent is entitled to attend 424
 school in the school district in which that person resides if both 425
 of the following apply: 426

(a) That person has been appointed, through a military power 427
 of attorney executed under section 574(a) of the "National Defense 428
 Authorization Act for Fiscal Year 1994," 107 Stat. 1674 (1993), 10 429
 U.S.C. 1044b, or through a comparable document necessary to 430
 complete a family care plan, as the parent's agent for the care, 431

custody, and control of the child while the parent is on active 432
 duty as a member of the national guard or a reserve unit of the 433
 armed forces of the United States or because the parent is a 434
 member of the armed forces of the United States and is on a duty 435
 assignment away from the parent's residence. 436

(b) The military power of attorney or comparable document 437
 includes at least the authority to enroll the child in school. 438

The entitlement to attend school in the district in which the 439
 parent's agent under the military power of attorney or comparable 440
 document resides applies until the end of the school year in which 441
 the military power of attorney or comparable document expires. 442

(G) A board of education, after approving admission, may 443
 waive tuition for students who will temporarily reside in the 444
 district and who are either of the following: 445

(1) Residents or domiciliaries of a foreign nation who 446
 request admission as foreign exchange students; 447

(2) Residents or domiciliaries of the United States but not 448
 of Ohio who request admission as participants in an exchange 449
 program operated by a student exchange organization. 450

(H) Pursuant to sections 3311.211, 3313.90, 3319.01, 3323.04, 451
 3327.04, and 3327.06 of the Revised Code, a child may attend 452
 school or participate in a special education program in a school 453
 district other than in the district where the child is entitled to 454
 attend school under division (B) of this section. 455

(I)(1) Notwithstanding anything to the contrary in this 456
 section or section 3313.65 of the Revised Code, a child under 457
 twenty-two years of age may attend school in the school district 458
 in which the child, at the end of the first full week of October 459
 of the school year, was entitled to attend school as otherwise 460

provided under this section or section 3313.65 of the Revised Code, if at that time the child was enrolled in the schools of the district but since that time the child or the child's parent has relocated to a new address located outside of that school district and within the same county as the child's or parent's address immediately prior to the relocation. The child may continue to attend school in the district, and at the school to which the child was assigned at the end of the first full week of October of the current school year, for the balance of the school year. Division (I)(1) of this section applies only if both of the following conditions are satisfied:

(a) The board of education of the school district in which the child was entitled to attend school at the end of the first full week in October and of the district to which the child or child's parent has relocated each has adopted a policy to enroll children described in division (I)(1) of this section.

(b) The child's parent provides written notification of the relocation outside of the school district to the superintendent of each of the two school districts.

(2) At the beginning of the school year following the school year in which the child or the child's parent relocated outside of the school district as described in division (I)(1) of this section, the child is not entitled to attend school in the school district under that division.

(3) Any person or entity owing tuition to the school district on behalf of the child at the end of the first full week in October, as provided in division (C) of this section, shall continue to owe such tuition to the district for the child's attendance under division (I)(1) of this section for the lesser of the balance of the school year or the balance of the time that the

child attends school in the district under division (I)(1) of this section. 491
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(4) A pupil who may attend school in the district under division (I)(1) of this section shall be entitled to transportation services pursuant to an agreement between the district and the district in which the child or child's parent has relocated unless the districts have not entered into such agreement, in which case the child shall be entitled to transportation services in the same manner as a pupil attending school in the district under interdistrict open enrollment as described in division (H) of section 3313.981 of the Revised Code, regardless of whether the district has adopted an open enrollment policy as described in division (B)(1)(b) or (c) of section 3313.98 of the Revised Code. 493
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(J) This division does not apply to a child receiving special education. 505
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A school district required to pay tuition pursuant to division (C)(2) or (3) of this section or section 3313.65 of the Revised Code shall have an amount deducted under division (C) of section 3317.023 of the Revised Code equal to its own tuition rate for the same period of attendance. A school district entitled to receive tuition pursuant to division (C)(2) or (3) of this section or section 3313.65 of the Revised Code shall have an amount credited under division (C) of section 3317.023 of the Revised Code equal to its own tuition rate for the same period of attendance. If the tuition rate credited to the district of attendance exceeds the rate deducted from the district required to pay tuition, the department of education shall pay the district of attendance the difference from amounts deducted from all districts' payments under division (C) of section 3317.023 of the 507
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Revised Code but not credited to other school districts under such 521
 division and from appropriations made for such purpose. The 522
 treasurer of each school district shall, by the fifteenth day of 523
 January and July, furnish the superintendent of public instruction 524
 a report of the names of each child who attended the district's 525
 schools under divisions (C)(2) and (3) of this section or section 526
 3313.65 of the Revised Code during the preceding six calendar 527
 months, the duration of the attendance of those children, the 528
 school district responsible for tuition on behalf of the child, 529
 and any other information that the superintendent requires. 530

Upon receipt of the report the superintendent, pursuant to 531
 division (C) of section 3317.023 of the Revised Code, shall deduct 532
 each district's tuition obligations under divisions (C)(2) and (3) 533
 of this section or section 3313.65 of the Revised Code and pay to 534
 the district of attendance that amount plus any amount required to 535
 be paid by the state. 536

(K) In the event of a disagreement, the superintendent of 537
 public instruction shall determine the school district in which 538
 the parent resides. 539

(L) Nothing in this section requires or authorizes, or shall 540
 be construed to require or authorize, the admission to a public 541
 school in this state of a pupil who has been permanently excluded 542
 from public school attendance by the superintendent of public 543
 instruction pursuant to sections 3301.121 and 3313.662 of the 544
 Revised Code. 545

(M) In accordance with division (B)(1) of this section, a 546
 child whose parent is a member of the national guard or a reserve 547
 unit of the armed forces of the United States and is called to 548
 active duty, or a child whose parent is a member of the armed 549
 forces of the United States and is ordered to a temporary duty 550

assignment outside of the district, may continue to attend school 551
in the district in which the child's parent lived before being 552
called to active duty or ordered to a temporary duty assignment 553
outside of the district, as long as the child's parent continues 554
to be a resident of that district, and regardless of where the 555
child lives as a result of the parent's active duty status or 556
temporary duty assignment. However, the district is not 557
responsible for providing transportation for the child if the 558
child lives outside of the district as a result of the parent's 559
active duty status or temporary duty assignment." 560

Between lines 43029 and 43030, insert: 561

"**Sec. 3323.14.** (A) Where a child who is a school resident of 562
one school district receives special education from another 563
district and the per capita cost to the educating district for 564
that child exceeds the sum of the amount received by the educating 565
district for that child under division (A) of section 3317.08 of 566
the Revised Code and the amount received by the district from the 567
state board of education for that child, then the board of 568
education of the district of residence shall pay to the board of 569
the school district that is providing the special education such 570
excess cost as is determined by using a formula approved by the 571
department of education and agreed upon in contracts entered into 572
by the boards of the districts concerned at the time the district 573
providing such special education accepts the child for enrollment. 574
The department shall certify the amount of the payments under 575
Chapter 3317. of the Revised Code for such pupils with 576
disabilities for each school year ending on the thirtieth day of 577
July. 578

(B) In the case of a child described in division (A) of this 579
section who has been placed in a home, as defined in section 580

3313.64 of the Revised Code, pursuant to the order of a court and who is not subject to section 3323.141 of the Revised Code, the district providing the child with special education and related services may charge to the child's district of residence the excess cost determined by formula approved by the department, regardless of whether the district of residence has entered into a contract with the district providing the services. If the district providing the services chooses to charge excess costs, the district may report the amount calculated under this division to the department.

(C) If a district providing special education for a child reports an amount for the excess cost of those services, as authorized and calculated under division (A) or (B) of this section, the department shall pay that amount of excess cost to the district providing the services and shall deduct that amount from the child's district of residence in accordance with division (K) of section 3317.023 of the Revised Code.

(D) If a district providing special education to a child to whom division (C)(4) of section 3313.64 of the Revised Code applies chooses to receive a tuition payment for that child under that division, that district shall not receive any payments under this section.

In line 102698, after "3313.6110," insert "3313.64,"

In line 102713, after "3323.052," insert "3323.14,"

The motion was _____ agreed to.

SYNOPSIS

Payments for students in residential facilities 605

R.C. 3313.64 and 3323.14 606

With respect to the tuition paid for a child admitted to a 607
 school district other than the one in which the child's parent 608
 resides because the child is placed in a residential facility that 609
 is not a foster home or a home maintained by the Department of 610
 Youth Services who receives educational services at the 611
 residential facility, removes a specification of current law that 612
 the tuition provision applies only if the child does not receive 613
 special education. (Under continuing law, the parent's resident 614
 district is generally responsible to pay that tuition.) Therefore, 615
 the amendment permits tuition for special education students. 616

Permits a district to choose whether to receive a tuition 617
 payment for a special education student that fits the criteria 618
 described above or to receive an excess costs payment for that 619
 student from the parent's resident district for special education. 620
 (Under current law, the district providing special education 621
 services may receive additional payments from the parent's 622
 resident district to cover the full cost of those services.) 623

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 12 of the title, after "135.182," insert "135.35," 1

In line 513, after "135.182," insert "135.35," 2

After line 9759, insert: 3

"**Sec. 135.35.** (A) The investing authority shall deposit or 4
invest any part or all of the county's inactive moneys and shall 5
invest all of the money in the county public library fund when 6
required by section 135.352 of the Revised Code. The following 7
classifications of securities and obligations are eligible for 8
such deposit or investment: 9

(1) United States treasury bills, notes, bonds, or any other 10
obligation or security issued by the United States treasury, any 11
other obligation guaranteed as to principal or interest by the 12
United States, or any book entry, zero-coupon United States 13
treasury security that is a direct obligation of the United 14
States. 15

Nothing in the classification of eligible securities and 16
obligations set forth in divisions (A)(2) to (10) of this section 17
shall be construed to authorize any investment in stripped 18
principal or interest obligations of such eligible securities and 19
obligations. 20

(2) Bonds, notes, debentures, or any other obligations or securities issued by any federal government agency or instrumentality, including, but not limited to, the federal national mortgage association, federal home loan bank, federal farm credit bank, federal home loan mortgage corporation, and government national mortgage association. All federal agency securities shall be direct issuances of federal government agencies or instrumentalities.

(3) Time certificates of deposit or savings or deposit accounts, including, but not limited to, passbook accounts, in any eligible institution mentioned in section 135.32 of the Revised Code;

(4) Bonds and other obligations of this state or the political subdivisions of this state;

(5) No-load money market mutual funds rated in the highest category at the time of purchase by at least one nationally recognized standard rating service or consisting exclusively of obligations described in division (A)(1), (2), or (6) of section 135.143 of the Revised Code and repurchase agreements secured by such obligations, provided that investments in securities described in this division are made only through eligible institutions mentioned in section 135.32 of the Revised Code;

(6) The Ohio subdivision's fund as provided in section 135.45 of the Revised Code;

(7) Securities lending agreements with any eligible institution mentioned in section 135.32 of the Revised Code that is a member of the federal reserve system or federal home loan bank or with any recognized United States government securities dealer meeting the description in division (J)(1) of this section, under the terms of which agreements the investing authority lends

securities and the eligible institution or dealer agrees to 51
simultaneously exchange similar securities or cash, equal value 52
for equal value. 53

Securities and cash received as collateral for a securities 54
lending agreement are not inactive moneys of the county or moneys 55
of a county public library fund. The investment of cash collateral 56
received pursuant to a securities lending agreement may be 57
invested only in instruments specified by the investing authority 58
in the written investment policy described in division (K) of this 59
section. 60

(8) Up to ~~twenty-five~~ forty per cent of the county's total 61
average portfolio in either of the following investments: 62

(a) Commercial paper notes issued by an entity that is 63
defined in division (D) of section 1705.01 of the Revised Code and 64
that has assets exceeding five hundred million dollars, to which 65
notes all of the following apply: 66

(i) The notes are rated at the time of purchase in the 67
highest classification established by at least two nationally 68
recognized standard rating services. 69

(ii) The aggregate value of the notes does not exceed ten per 70
cent of the aggregate value of the outstanding commercial paper of 71
the issuing corporation. 72

(iii) The notes mature not later than two hundred seventy 73
days after purchase. 74

(b) Bankers acceptances of banks that are insured by the 75
federal deposit insurance corporation and that mature not later 76
than one hundred eighty days after purchase. 77

No investment shall be made pursuant to division (A)(8) of 78
this section unless the investing authority has completed 79

additional training for making the investments authorized by 80
division (A)(8) of this section. The type and amount of additional 81
training shall be approved by the treasurer of state and may be 82
conducted by or provided under the supervision of the treasurer of 83
state. 84

(9) Up to fifteen per cent of the county's total average 85
portfolio in notes issued by corporations that are incorporated 86
under the laws of the United States and that are operating within 87
the United States, or by depository institutions that are doing 88
business under authority granted by the United States or any state 89
and that are operating within the United States, provided both of 90
the following apply: 91

(a) The notes are rated in the second highest or higher 92
category by at least two nationally recognized standard rating 93
services at the time of purchase. 94

(b) The notes mature not later than two years after purchase. 95

(10) Debt interests rated at the time of purchase in the 96
three highest categories by two nationally recognized standard 97
rating services and issued by foreign nations diplomatically 98
recognized by the United States government. All interest and 99
principal shall be denominated and payable in United States funds. 100
The investments made under division (A)(10) of this section shall 101
not exceed in the aggregate two per cent of a county's total 102
average portfolio. 103

The investing authority shall invest under division (A)(10) 104
of this section in a debt interest issued by a foreign nation only 105
if the debt interest is backed by the full faith and credit of 106
that foreign nation, there is no prior history of default, and the 107
debt interest matures not later than five years after purchase. 108
For purposes of division (A)(10) of this section, a debt interest 109

is rated in the three highest categories by two nationally
 recognized standard rating services if either the debt interest
 itself or the issuer of the debt interest is rated, or is
 implicitly rated, at the time of purchase in the three highest
 categories by two nationally recognized standard rating services.

(11) A current unpaid or delinquent tax line of credit
 authorized under division (G) of section 135.341 of the Revised
 Code, provided that all of the conditions for entering into such a
 line of credit under that division are satisfied, or bonds and
 other obligations of a county land reutilization corporation
 organized under Chapter 1724. of the Revised Code, if the county
 land reutilization corporation is located wholly or partly within
 the same county as the investing authority.

(B) Nothing in the classifications of eligible obligations
 and securities set forth in divisions (A)(1) to (10) of this
 section shall be construed to authorize investment in a
 derivative, and no investing authority shall invest any county
 inactive moneys or any moneys in a county public library fund in a
 derivative. For purposes of this division, "derivative" means a
 financial instrument or contract or obligation whose value or
 return is based upon or linked to another asset or index, or both,
 separate from the financial instrument, contract, or obligation
 itself. Any security, obligation, trust account, or other
 instrument that is created from an issue of the United States
 treasury or is created from an obligation of a federal agency or
 instrumentality or is created from both is considered a derivative
 instrument. An eligible investment described in this section with
 a variable interest rate payment, based upon a single interest
 payment or single index comprised of other eligible investments
 provided for in division (A)(1) or (2) of this section, is not a
 derivative, provided that such variable rate investment has a

maximum maturity of two years. A treasury inflation-protected
security shall not be considered a derivative, provided the
security matures not later than five years after purchase.

(C) Except as provided in division (D) of this section, any
investment made pursuant to this section must mature within five
years from the date of settlement, unless the investment is
matched to a specific obligation or debt of the county or to a
specific obligation or debt of a political subdivision of this
state, and the investment is specifically approved by the
investment advisory committee.

(D) The investing authority may also enter into a written
repurchase agreement with any eligible institution mentioned in
section 135.32 of the Revised Code or any eligible securities
dealer pursuant to division (J) of this section, under the terms
of which agreement the investing authority purchases and the
eligible institution or dealer agrees unconditionally to
repurchase any of the securities listed in divisions (D)(1) to
(5), except letters of credit described in division (D)(2), of
section 135.18 of the Revised Code. The market value of securities
subject to an overnight written repurchase agreement must exceed
the principal value of the overnight written repurchase agreement
by at least two per cent. A written repurchase agreement must
exceed the principal value of the overnight written repurchase
agreement, by at least two per cent. A written repurchase
agreement shall not exceed thirty days, and the market value of
securities subject to a written repurchase agreement must exceed
the principal value of the written repurchase agreement by at
least two per cent and be marked to market daily. All securities
purchased pursuant to this division shall be delivered into the
custody of the investing authority or the qualified custodian of
the investing authority or an agent designated by the investing

authority. A written repurchase agreement with an eligible
 securities dealer shall be transacted on a delivery versus payment
 basis. The agreement shall contain the requirement that for each
 transaction pursuant to the agreement the participating
 institution shall provide all of the following information:

- (1) The par value of the securities;
- (2) The type, rate, and maturity date of the securities;
- (3) A numerical identifier generally accepted in the
 securities industry that designates the securities.

No investing authority shall enter into a written repurchase
 agreement under the terms of which the investing authority agrees
 to sell securities owned by the county to a purchaser and agrees
 with that purchaser to unconditionally repurchase those
 securities.

(E) No investing authority shall make an investment under
 this section, unless the investing authority, at the time of
 making the investment, reasonably expects that the investment can
 be held until its maturity. The investing authority's written
 investment policy shall specify the conditions under which an
 investment may be redeemed or sold prior to maturity.

(F) No investing authority shall pay a county's inactive
 moneys or moneys of a county public library fund into a fund
 established by another subdivision, treasurer, governing board, or
 investing authority, if that fund was established by the
 subdivision, treasurer, governing board, or investing authority
 for the purpose of investing or depositing the public moneys of
 other subdivisions. This division does not apply to the payment of
 public moneys into either of the following:

- (1) The Ohio subdivision's fund pursuant to division (A)(6)

of this section;	201
(2) A fund created solely for the purpose of acquiring,	202
constructing, owning, leasing, or operating municipal utilities	203
pursuant to the authority provided under section 715.02 of the	204
Revised Code or Section 4 of Article XVIII, Ohio Constitution.	205
For purposes of division (F) of this section, "subdivision"	206
includes a county.	207
(G) The use of leverage, in which the county uses its current	208
investment assets as collateral for the purpose of purchasing	209
other assets, is prohibited. The issuance of taxable notes for the	210
purpose of arbitrage is prohibited. Contracting to sell securities	211
not owned by the county, for the purpose of purchasing such	212
securities on the speculation that bond prices will decline, is	213
prohibited.	214
(H) Any securities, certificates of deposit, deposit	215
accounts, or any other documents evidencing deposits or	216
investments made under authority of this section shall be issued	217
in the name of the county with the county treasurer or investing	218
authority as the designated payee. If any such deposits or	219
investments are registrable either as to principal or interest, or	220
both, they shall be registered in the name of the treasurer.	221
(I) The investing authority shall be responsible for the	222
safekeeping of all documents evidencing a deposit or investment	223
acquired under this section, including, but not limited to,	224
safekeeping receipts evidencing securities deposited with a	225
qualified trustee, as provided in section 135.37 of the Revised	226
Code, and documents confirming the purchase of securities under	227
any repurchase agreement under this section shall be deposited	228
with a qualified trustee, provided, however, that the qualified	229
trustee shall be required to report to the investing authority,	230

auditor of state, or an authorized outside auditor at any time 231
upon request as to the identity, market value, and location of the 232
document evidencing each security, and that if the participating 233
institution is a designated depository of the county for the 234
current period of designation, the securities that are the subject 235
of the repurchase agreement may be delivered to the treasurer or 236
held in trust by the participating institution on behalf of the 237
investing authority. 238

Upon the expiration of the term of office of an investing 239
authority or in the event of a vacancy in the office for any 240
reason, the officer or the officer's legal representative shall 241
transfer and deliver to the officer's successor all documents 242
mentioned in this division for which the officer has been 243
responsible for safekeeping. For all such documents transferred 244
and delivered, the officer shall be credited with, and the 245
officer's successor shall be charged with, the amount of moneys 246
evidenced by such documents. 247

(J)(1) All investments, except for investments in securities 248
described in divisions (A)(5), (6), and (11) of this section, 249
shall be made only through a member of the financial industry 250
regulatory authority (FINRA), through a bank, savings bank, or 251
savings and loan association regulated by the superintendent of 252
financial institutions, or through an institution regulated by the 253
comptroller of the currency, federal deposit insurance 254
corporation, or board of governors of the federal reserve system. 255

(2) Payment for investments shall be made only upon the 256
delivery of securities representing such investments to the 257
treasurer, investing authority, or qualified trustee. If the 258
securities transferred are not represented by a certificate, 259
payment shall be made only upon receipt of confirmation of 260

transfer from the custodian by the treasurer, governing board, or 261
qualified trustee. 262

(K)(1) Except as otherwise provided in division (K)(2) of 263
this section, no investing authority shall make an investment or 264
deposit under this section, unless there is on file with the 265
auditor of state a written investment policy approved by the 266
investing authority. The policy shall require that all entities 267
conducting investment business with the investing authority shall 268
sign the investment policy of that investing authority. All 269
brokers, dealers, and financial institutions, described in 270
division (J)(1) of this section, initiating transactions with the 271
investing authority by giving advice or making investment 272
recommendations shall sign the investing authority's investment 273
policy thereby acknowledging their agreement to abide by the 274
policy's contents. All brokers, dealers, and financial 275
institutions, described in division (J)(1) of this section, 276
executing transactions initiated by the investing authority, 277
having read the policy's contents, shall sign the investment 278
policy thereby acknowledging their comprehension and receipt. 279

(2) If a written investment policy described in division 280
(K)(1) of this section is not filed on behalf of the county with 281
the auditor of state, the investing authority of that county shall 282
invest the county's inactive moneys and moneys of the county 283
public library fund only in time certificates of deposits or 284
savings or deposit accounts pursuant to division (A)(3) of this 285
section, no-load money market mutual funds pursuant to division 286
(A)(5) of this section, or the Ohio subdivision's fund pursuant to 287
division (A)(6) of this section. 288

(L)(1) The investing authority shall establish and maintain 289
an inventory of all obligations and securities acquired by the 290

investing authority pursuant to this section. The inventory shall
include a description of each obligation or security, including
type, cost, par value, maturity date, settlement date, and any
coupon rate.

(2) The investing authority shall also keep a complete record
of all purchases and sales of the obligations and securities made
pursuant to this section.

(3) The investing authority shall maintain a monthly
portfolio report and issue a copy of the monthly portfolio report
describing such investments to the county investment advisory
committee, detailing the current inventory of all obligations and
securities, all transactions during the month that affected the
inventory, any income received from the obligations and
securities, and any investment expenses paid, and stating the
names of any persons effecting transactions on behalf of the
investing authority.

(4) The monthly portfolio report shall be a public record and
available for inspection under section 149.43 of the Revised Code.

(5) The inventory and the monthly portfolio report shall be
filed with the board of county commissioners. The monthly
portfolio report also shall be filed with the treasurer of state.

(M) An investing authority may enter into a written
investment or deposit agreement that includes a provision under
which the parties agree to submit to nonbinding arbitration to
settle any controversy that may arise out of the agreement,
including any controversy pertaining to losses of public moneys
resulting from investment or deposit. The arbitration provision
shall be set forth entirely in the agreement, and the agreement
shall include a conspicuous notice to the parties that any party
to the arbitration may apply to the court of common pleas of the

county in which the arbitration was held for an order to vacate, 321
 modify, or correct the award. Any such party may also apply to the 322
 court for an order to change venue to a court of common pleas 323
 located more than one hundred miles from the county in which the 324
 investing authority is located. 325

For purposes of this division, "investment or deposit 326
 agreement" means any agreement between an investing authority and 327
 a person, under which agreement the person agrees to invest, 328
 deposit, or otherwise manage, on behalf of the investing 329
 authority, a county's inactive moneys or moneys in a county public 330
 library fund, or agrees to provide investment advice to the 331
 investing authority. 332

(N)(1) An investment held in the county portfolio on 333
 September 27, 1996, that was a legal investment under the law as 334
 it existed before September 27, 1996, may be held until maturity. 335

(2) An investment held in the county portfolio on September 336
 10, 2012, that was a legal investment under the law as it existed 337
 before September 10, 2012, may be held until maturity." 338

In line 102667, after "135.182," insert "135.35," 339

The motion was _____ agreed to.

SYNOPSIS

Investment of inactive moneys by counties 340

R.C. 135.35 341

With respect to the investment of a county's inactive moneys 342
 and money in the public library fund, revises the current law 343

restriction on investments in certain commercial paper notes and	344
bankers acceptances by increasing, from 25% to 40%, the amount of	345
a county's total average portfolio that can be used for such	346
investments.	347

_____ moved to amend as follows:

1 In line 6123, strike through "five" and insert "six"

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Sales and use tax: computer data center equipment exemption**

5 **R.C. 122.175 (A) (5)**

6 Increases from five to six the number of years that the
7 operator of a 2013 computer data center project has to meet the
8 capital investment requirement associated with an existing sales
9 and use tax exemption. Continuing law authorizes the Tax Credit
10 Authority (TCA) to fully or partially exempt from taxation the
11 purchase of certain computer data center equipment if the
12 operator of the data center agrees to make a \$100 million
13 capital investment at a site in this state within a specified
14 number of years.

15 For projects beginning in 2014, the capital investment must
16 be made within four years, and for all subsequent projects the
17 investment must be made within three years.

18 A similar provision was added by the House, but later
19 removed by the Senate.

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_____ moved to amend as follows:

In line 31 of the title, after "1509.02," insert "1509.07," 1

In line 527, after "1509.02," insert "1509.07," 2

Between lines 21918 and 21919, insert: 3

"**Sec. 1509.07.** (A)(1)(a) Except as provided in division 4
(A)(1)(b) or (A)(2) of this section, an owner of any well, except 5
an exempt Mississippian well or an exempt domestic well, shall 6
obtain liability insurance coverage from a company authorized or 7
approved to do business in this state in an amount of not less 8
than one million dollars bodily injury coverage and property 9
damage coverage to pay damages for injury to persons or damage to 10
property caused by the drilling, operation, or plugging of all the 11
owner's wells in this state. However, if any well is located 12
within an urbanized area, the owner shall obtain liability 13
insurance coverage in an amount of not less than three million 14
dollars for bodily injury coverage and property damage coverage to 15
pay damages for injury to persons or damage to property caused by 16
the drilling, operation, or plugging of all of the owner's wells 17
in this state. 18

(b) A board of county commissioners of a county that is an 19
owner of a well may elect to satisfy the liability coverage 20

requirements specified in division (A)(1)(a) of this section by
participating in a joint self-insurance pool in accordance with
the requirements established under section 2744.081 of the Revised
Code. Nothing in division (A)(1)(b) of this section shall be
construed to allow an entity, other than a county, to participate
in a joint self-insurance pool to satisfy the liability coverage
requirements specified in division (A)(1)(a) of this section.

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(2) An owner of a horizontal well shall obtain liability insurance coverage from an insurer authorized to write such insurance in this state or from an insurer approved to write such insurance in this state under section 3905.33 of the Revised Code in an amount of not less than five million dollars bodily injury coverage and property damage coverage to pay damages for injury to persons or damage to property caused by the production operations of all the owner's wells in this state. The insurance policy shall include a reasonable level of coverage available for an environmental endorsement.

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(3) An owner shall maintain the coverage required under division (A)(1) or (2) of this section until all the owner's wells are plugged and abandoned or are transferred to an owner who has obtained insurance as required under this section and who is not under a notice of material and substantial violation or under a suspension order. The owner shall provide proof of liability insurance coverage to the chief of the division of oil and gas resources management upon request. Upon failure of the owner to provide that proof when requested, the chief may order the suspension of any outstanding permits and operations of the owner until the owner provides proof of the required insurance coverage.

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(B)(1) Except as otherwise provided in this section, an owner of any well, before being issued a permit under section 1509.06 of

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the Revised Code or before operating or producing from a well,
shall execute and file with the division of oil and gas resources
management a surety bond conditioned on compliance with the
restoration requirements of section 1509.072, the plugging
requirements of section 1509.12, the permit provisions of section
1509.13 of the Revised Code, and all rules and orders of the chief
relating thereto, in an amount set by rule of the chief.

(2) The owner may deposit with the chief, instead of a surety
bond, cash in an amount equal to the surety bond as prescribed
pursuant to this section or negotiable certificates of deposit or
irrevocable letters of credit, issued by any bank organized or
transacting business in this state or by any savings and loan
association as defined in section 1151.01 of the Revised Code,
having a cash value equal to or greater than the amount of the
surety bond as prescribed pursuant to this section. Cash or
certificates of deposit shall be deposited upon the same terms as
those upon which surety bonds may be deposited. If certificates of
deposit are deposited with the chief instead of a surety bond, the
chief shall require the bank or savings and loan association that
issued any such certificate to pledge securities of a cash value
equal to the amount of the certificate that is in excess of the
amount insured by any of the agencies and instrumentalities
created under the "Federal Deposit Insurance Act," 64 Stat. 873
(1950), 12 U.S.C. 1811, as amended, and regulations adopted under
it, including at least the federal deposit insurance corporation,
bank insurance fund, and savings association insurance fund. The
securities shall be security for the repayment of the certificate
of deposit.

Immediately upon a deposit of cash, certificates of deposit,
or letters of credit with the chief, the chief shall deliver them
to the treasurer of state who shall hold them in trust for the

purposes for which they have been deposited. 82

(3) Instead of a surety bond, the chief may accept proof of 83
financial responsibility consisting of a sworn financial statement 84
showing a net financial worth within this state equal to twice the 85
amount of the bond for which it substitutes and, as may be 86
required by the chief, a list of producing properties of the owner 87
within this state or other evidence showing ability and intent to 88
comply with the law and rules concerning restoration and plugging 89
that may be required by rule of the chief. The owner of an exempt 90
Mississippian well is not required to file scheduled updates of 91
the financial documents, but shall file updates of those documents 92
if requested to do so by the chief. The owner of a nonexempt 93
Mississippian well shall file updates of the financial documents 94
in accordance with a schedule established by rule of the chief. 95
The chief, upon determining that an owner for whom the chief has 96
accepted proof of financial responsibility instead of bond cannot 97
demonstrate financial responsibility, shall order that the owner 98
execute and file a bond or deposit cash, certificates of deposit, 99
or irrevocable letters of credit as required by this section for 100
the wells specified in the order within ten days of receipt of the 101
order. If the order is not complied with, all wells of the owner 102
that are specified in the order and for which no bond is filed or 103
cash, certificates of deposit, or letters of credit are deposited 104
shall be plugged. No owner shall fail or refuse to plug such a 105
well. Each day on which such a well remains unplugged thereafter 106
constitutes a separate offense. 107

(4) The surety bond provided for in this section shall be 108
executed by a surety company authorized to do business in this 109
state. 110

The chief shall not approve any bond until it is personally 111

signed and acknowledged by both principal and surety, or as to 112
 either by the principal's or surety's attorney in fact, with a 113
 certified copy of the power of attorney attached thereto. The 114
 chief shall not approve a bond unless there is attached a 115
 certificate of the superintendent of insurance that the company is 116
 authorized to transact a fidelity and surety business in this 117
 state. 118

All bonds shall be given in a form to be prescribed by the 119
 chief and shall run to the state as obligee. 120

(5) An owner of an exempt Mississippian well or an exempt 121
 domestic well, in lieu of filing a surety bond, cash in an amount 122
 equal to the surety bond, certificates of deposit, irrevocable 123
 letters of credit, or a sworn financial statement, may file a 124
 one-time fee of fifty dollars, which shall be deposited in the oil 125
 and gas well plugging fund created in section 1509.071 of the 126
 Revised Code. 127

(C) An owner, operator, producer, or other person shall not 128
 operate a well or produce from a well at any time if the owner, 129
 operator, producer, or other person has not satisfied the 130
 requirements established in this section." 131

In line 102681, after "1509.02," insert "1509.07," 132

The motion was _____ agreed to.

SYNOPSIS

County liability insurance coverage for oil and gas wells 133

R.C. 1509.07 134

Authorizes a board of county commissioners of a county that	135
is an owner of an oil and gas well to comply with oil and gas well	136
liability coverage requirements by participating in a joint	137
self-insurance pool in accordance with the law governing such	138
pools.	139

_____ moved to amend as follows:

1 In line 282 of the title, after "5164.29," insert
2 "5164.761,"

3 In line 676, after "5164.29," insert "5164.761,"

4 In line 81773, after "(B)" insert "Behavioral health
5 redesign" means proposals developed in a collaborative effort by
6 the office of health transformation, department of medicaid, and
7 department of mental health and addiction services to make
8 revisions to the medicaid program's coverage of community
9 behavioral health services beginning July 1, 2017, including
10 revisions that update medicaid billing codes and payment rates
11 for community behavioral health services.

12 (C) "Clean claim" has the same meaning as in 42 C.F.R.
13 447.45(b).

14 (D) "Community behavioral health services" means both of
15 the following:

16 (1) Alcohol and drug addiction services provided by a
17 community addiction services provider, as defined in section
18 5119.01 of the Revised Code;

19 (2) Mental health services provided by a community mental
20 health services provider, as defined in section 5119.01 of the
21 Revised Code.

22 (E) "

23 In line 81776, strike through "(C)" and insert "(F)"

24 In line 81778, strike through "(D)" and insert "(G)"

25 In line 81780, delete "(E)" and insert "(H)"

26 In line 81783, delete "(F)" and insert "(I)"

27 In line 81786, delete "(G)" and insert "(J)"

28 In line 81788, delete "(H)" and insert "(K)"

29 In line 81790, delete "(I)" and insert "(L)"

30 In line 81792, delete "(J)" and insert "(M)"

31 In line 81795, delete "(K)" and insert "(N)"

32 In line 81799, delete "(L)" and insert "(O)"

33 In line 81801, delete "(M)" and insert "(P)"

34 In line 81807, delete "(N)" and insert "(Q)"

35 In line 81811, delete "(O)" and insert "(R)"

36 In line 81813, delete "(P)" and insert "(S)"

37 In line 81817, delete "(Q)" and insert "(T)"

38 In line 81819, delete "(R)" and insert "(U)"

39 In line 81826, delete "(S)" and insert "(V)"

40 In line 81831, delete "(T)" and insert "(W)"

41 Between lines 82772 and 82773, insert:

42 "Sec. 5164.761. Before the department of medicaid or
43 department of mental health and addiction services updates
44 medicaid billing codes or medicaid payment rates for community
45 behavioral health services as part of the behavioral health
46 redesign, the departments shall conduct a beta test of the
47 updates. Any medicaid provider of community behavioral health
48 services may volunteer to participate in the beta test. An
49 update may not begin to be implemented outside of the beta test
50 until at least half of the medicaid providers participating in
51 the beta test are able to submit a clean claim for community
52 behavioral health services under the beta test and receive the
53 correct payment for the clean claim not later than thirty days
54 after the date the clean claim is submitted."

55 In line 85131, delete "July" and insert "January"

56 In line 134417, after "(1)" insert ""Behavioral health
57 carve-in" means the inclusion of community behavioral health
58 services in the care management system.

59 (2) "

60 In line 134419, delete "(2)" and insert "(3) "

61 In line 134421, delete "(3)" and insert "(4) "

62 In line 134427, delete "(4)" and insert "(5) "Community
63 behavioral health services provider" means both of the
64 following:

65 (a) A community addiction services provider;

SC5341X2

66 (b) A community mental health services provider.

67 (6) "

68 Between lines 134428 and 134429, insert:

69 "(7) "Medicaid managed care organization" has the same
70 meaning as in section 5167.01 of the Revised Code."

71 In line 134431, after "before" insert "the later of"; after
72 "2018" insert ", or the date the requirement established by
73 section 5164.761 of the Revised Code is satisfied"

74 In line 134440, delete "addiction" and insert "behavioral
75 health"; after "provider" delete the balance of the line

76 In line 134441, delete the first "provider"

77 In line 134443, delete "addiction" and insert "behavioral
78 health"; delete "and"

79 In line 134444, delete "community mental health services
80 providers"

81 In line 134449, delete "adopt"

82 Delete line 134450

83 In line 134451, delete "(a) The" and insert "do both of the
84 following as part of the implementation of the"

85 In line 134453, delete the semicolon

86 Delete line 134454

87 In line 134455, delete "the care management system" and
88 insert ":

89 (a) Adopt rules;

SC5341X2

90 (b) Complete and make available to the public provider
91 manuals, claims instructions, information technology resources,
92 and other educational and training documents"

93 In line 134456, delete "The rules required by" and insert
94 "None of the actions taken under"

95 In line 134457, delete "not"; delete "either of the
96 following:"

97 In line 134458, delete "(a) Implementing" and insert
98 "implementing"

99 In line 134460, after "before" insert "the later of";
100 delete the semicolon

101 Delete line 134461

102 In line 134462, delete "care management system" and insert
103 ", or the date the requirement established by section 5164.761
104 of the Revised Code is satisfied.

105 (D)(1) Not later than October 1, 2017, the Medicaid
106 Director and Director of Mental Health and Addiction Services
107 shall complete and make available to the public all of the
108 following:

109 (a) All policy changes that are needed to ensure there is
110 no gap in Medicaid recipients' access to Medicaid-covered
111 community behavioral health services resulting from the carve-
112 in;

113 (b) Revisions to the contracts between the Department of
114 Medicaid and Medicaid managed care organizations regarding the
115 organizations' panel requirements, prompt pay standards, quality
116 measures, and other issues related to the carve-in;

117 (c) Informational material about each Medicaid managed care
118 organization's provider credentialing process;

119 (d) A list containing a telephone number for each Medicaid
120 managed care organization that may be used to contact the
121 organization about problems regarding claims and prior
122 authorization for services;

123 (e) A process that community behavioral health services
124 providers may use to test each Medicaid managed care
125 organization's ability to accept the providers' claims before
126 the carve-in is implemented;

127 (f) A process by which community behavioral health services
128 providers may verify a Medicaid recipient's enrollment in a
129 Medicaid managed care organization on the day the provider
130 renders service to the recipient;

131 (g) A process by which community behavioral health services
132 providers may ask each Medicaid managed care organization
133 questions about the implementation and administration of the
134 carve-in.

135 (2) None of the actions taken under division (D)(1) of this
136 section shall provide for implementing the behavioral health
137 carve-in"; delete "July" and insert "January"

138 The motion was _____ agreed to.

139 SYNOPSIS

140 **Behavioral Health Redesign**

141 **R.C. 5167.04 (primary), 5164.01, and 5164.761; Section**
142 **333.260**

143 Revises the House provision that would prohibit community
144 behavioral health services from being included in the Medicaid
145 managed care system before a certain date by changing the date
146 from July 1, 2018, to January 1, 2018.

147 Replaces the Senate provision that would have required the
148 Directors to adopt not later than October 1, 2017, all rules
149 necessary to include community behavioral health services in the
150 Medicaid managed care system with a provision that would require
151 the Directors to complete certain actions regarding this issue
152 not later than that date.

153 Requires the Medicaid Director and Director of Mental
154 Health and Addiction Services to complete and make available to
155 the public not later than October 1, 2107, provider manuals,
156 claims instructions, information technology resources, and other
157 educational and training documents as part of the implementation
158 of other elements of the Behavioral Health Redesign.

159 Requires the Department of Medicaid and Department of
160 Mental Health and Addiction Services to conduct a beta test
161 before implementing updates to Medicaid billing codes or payment
162 rates for community behavioral health services as part of the
163 Behavioral Health Redesign.

_____ moved to amend as follows:

1 In line 264 of the title, delete "3345.58,"

2 In line 668, delete "3345.58,"

3 Delete lines 44391 through 44406

4 The motion was _____ agreed to.

5 SYNOPSIS

6 **Awarding college credit for comparable courses**

7 **R.C. 3345.58**

8 Eliminates the bill's provisions that do both of the
9 following:

10 (1) Prohibit state institutions of higher education from
11 refusing to accept college credit earned in Ohio in the past
12 five years as a substitute for comparable coursework, including
13 credit that was earned in advanced or upper level coursework,
14 which must be accepted as a substitute for comparable core or
15 lower level coursework; and

16 (2) For college credit earned in Ohio more than five years
17 ago, require state institutions to (a) permit the student to
18 take a competency-based assessment in the relevant subject area,
19 and (b) if the student passes the assessment, to excuse the
20 student from completing the course and grant the student credit
21 for that course.

_____ moved to amend as follows:

1 In line 75520, after the period insert "Licensee" includes
2 a person who, for purposes of section 3796.13 of the Revised
3 Code, has complied with sections 4776.01 to 4776.04 of the
4 Revised Code and has been determined by the department of
5 commerce or state board of pharmacy, as the applicable licensing
6 agency, to meet the requirements for employment."

7 In line 75534, delete "to issue a license to a person or
8 entity"

9 In line 75535, delete "pursuant to" and insert "under";
10 delete "or" and insert "and"

11 In line 75536, after "chapter" insert "with respect to a
12 person who is subject to section 3796.13 of the Revised Code"

13 In line 75540, after the period insert "Applicant for an
14 initial license" also includes a person who, for purposes of
15 section 3796.13 of the Revised Code, is required to comply with
16 sections 4776.01 to 4776.04 of the Revised Code."

17 In line 75549, after the comma insert "or"

18 In line 75554, strike through ", or a person seeking
19 employment with"

20 Strike through line 75555

21 In line 75556, strike through "Revised Code"

22 The motion was _____ agreed to.

23 SYNOPSIS

24 **Criminal records checks for employees of licensed medical**
25 **marijuana entities**

26 **R.C. 4776.01 and 4776.02**

27 Clarifies the criminal records check procedures that apply
28 under current law, as modified by the Executive version, with
29 respect to certain persons seeking employment with entities
30 licensed under the Medical Marijuana Control Program.

_____ moved to amend as follows:

1 Between lines 35509 and 35510, insert:

2 "(d) Notwithstanding division (F)(3) of section 3314.02 of
3 the Revised Code and the agreement entered into with the
4 department under section 3314.015 of the Revised Code, an entity
5 that is an educational service center that receives an overall
6 rating of "effective" or higher may sponsor a community school
7 regardless of whether it is located in a county within the
8 service territory of the service center or in a contiguous
9 county."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Educational service center community school sponsors**

13 **R.C. 3314.016**

14 Permits an educational service center (ESC) that sponsors
15 community schools and has a sponsor rating of effective or
16 higher to sponsor a community school regardless of whether it is
17 located in the ESC's territory or a contiguous county.

_____ moved to amend as follows:

1 In line 7719, after "125.03." insert "(A)"

2 After line 7733, insert:

3 "(B) Any state agency wanting to enter into a contract for
4 the procurement of energy, the aggregate cost of which would
5 amount to more than fifty thousand dollars over the next
6 succeeding five-year period, shall make the purchase by
7 competitive selection and with the approval of the controlling
8 board."

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Agency procurement of energy**

12 **R.C. 125.03(B)**

13 Requires that any state agency contract for the procurement
14 of energy, the aggregate cost of which would amount to more than
15 \$50,000 over the succeeding five-year period, be made by
16 competitive selection and with the approval of the Controlling
17 Board.

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_____ moved to amend as follows:

In line 98 of the title, delete "3734.576," 1

In line 266 of the title, after "3729.14," insert "3734.578," 2

In line 575, delete "3734.576," 3

In line 670, after "3729.14," insert "3734.578," 4

Delete lines 52947 through 53036 and insert: 5

"Sec. 3734.578. Fees applicable to solid waste under this 6
chapter do not apply to solid waste that the director of 7
environmental protection approves for use as alternative daily 8
cover in accordance with rules adopted under section 3734.02 of 9
the Revised Code and that is used as alternative daily cover in 10
accordance with those rules." 11

In line 102729, delete "3734.576," 12

The motion was _____ agreed to.

SYNOPSIS

Automotive shredder residue and alternative daily cover 13

R.C. 3734.576 and 3734.578 14

Removes the provisions of the bill that do all of the 15
following: 16

(1) Exempt automotive shredder residue from requirements and 17
fees applicable to other solid wastes if both of the following 18
apply: 19

--The automotive shredder residue conforms to specifications 20
that result in a residue of uniform consistency resembling dirt or 21
mulch; and 22

--The particulate pieces that make up the residue do not 23
exceed three inches in diameter. 24

(2) Specify that automotive shredder residue that does not 25
comply with the above requirements is subject to the requirements 26
and fees otherwise applicable to solid wastes. 27

(3) Authorize automotive shredder residue that does comply 28
with the above requirements to be used as daily cover if the 29
residue provides protection comparable to six inches of soil. 30

Instead, exempts solid waste that the Director of 31
Environmental Protection approves for use as alternative daily 32
cover and that is used as alternative daily cover from fees 33
otherwise applicable to solid waste under current law. 34

_____ moved to amend as follows:

1 Between lines 132632 and 132633, insert:

2 "CHRONIC DISEASE/HEALTH PROMOTION

3 Of the unexpended, unencumbered balance of appropriation
4 item 440477, Emergency Preparation and Response, \$20,000 at the
5 end of fiscal year 2017 is hereby reappropriated to the
6 foregoing appropriation item 440482, Chronic Disease/Health
7 Promotion, for fiscal year 2018. These funds shall be used to
8 purchase naloxone."

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Department of Health**

12 **Section 291.20**

13 Reappropriates \$20,000 of the unexpended, unencumbered
14 balance of GRF appropriation item 440477, Emergency Preparation
15 and Response, to GRF appropriation item 440482, Chronic
16 Disease/Health Promotion, at the end of FY 2017 for FY 2018.
17 Requires the funds to be used to purchase naloxone.

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_____ moved to amend as follows:

In line 196 of the title, after "4927.13," insert "4928.01, 1
4928.64," 2

In line 619, after "4927.13," insert "4928.01, 4928.64," 3

After line 76794, insert: 4

"**Sec. 4928.01.** (A) As used in this chapter: 5

(1) "Ancillary service" means any function necessary to the 6
provision of electric transmission or distribution service to a 7
retail customer and includes, but is not limited to, scheduling, 8
system control, and dispatch services; reactive supply from 9
generation resources and voltage control service; reactive supply 10
from transmission resources service; regulation service; frequency 11
response service; energy imbalance service; operating 12
reserve-spinning reserve service; operating reserve-supplemental 13
reserve service; load following; back-up supply service; 14
real-power loss replacement service; dynamic scheduling; system 15
black start capability; and network stability service. 16

(2) "Billing and collection agent" means a fully independent 17
agent, not affiliated with or otherwise controlled by an electric 18
utility, electric services company, electric cooperative, or 19
governmental aggregator subject to certification under section 20

4928.08 of the Revised Code, to the extent that the agent is under
contract with such utility, company, cooperative, or aggregator
solely to provide billing and collection for retail electric
service on behalf of the utility company, cooperative, or
aggregator.

(3) "Certified territory" means the certified territory
established for an electric supplier under sections 4933.81 to
4933.90 of the Revised Code.

(4) "Competitive retail electric service" means a component
of retail electric service that is competitive as provided under
division (B) of this section.

(5) "Electric cooperative" means a not-for-profit electric
light company that both is or has been financed in whole or in
part under the "Rural Electrification Act of 1936," 49 Stat. 1363,
7 U.S.C. 901, and owns or operates facilities in this state to
generate, transmit, or distribute electricity, or a not-for-profit
successor of such company.

(6) "Electric distribution utility" means an electric utility
that supplies at least retail electric distribution service.

(7) "Electric light company" has the same meaning as in
section 4905.03 of the Revised Code and includes an electric
services company, but excludes any self-generator to the extent
that it consumes electricity it so produces, sells that
electricity for resale, or obtains electricity from a generating
facility it hosts on its premises.

(8) "Electric load center" has the same meaning as in section
4933.81 of the Revised Code.

(9) "Electric services company" means an electric light
company that is engaged on a for-profit or not-for-profit basis in

the business of supplying or arranging for the supply of only a competitive retail electric service in this state. "Electric services company" includes a power marketer, power broker, aggregator, or independent power producer but excludes an electric cooperative, municipal electric utility, governmental aggregator, or billing and collection agent.

(10) "Electric supplier" has the same meaning as in section 4933.81 of the Revised Code.

(11) "Electric utility" means an electric light company that has a certified territory and is engaged on a for-profit basis either in the business of supplying a noncompetitive retail electric service in this state or in the businesses of supplying both a noncompetitive and a competitive retail electric service in this state. "Electric utility" excludes a municipal electric utility or a billing and collection agent.

(12) "Firm electric service" means electric service other than nonfirm electric service.

(13) "Governmental aggregator" means a legislative authority of a municipal corporation, a board of township trustees, or a board of county commissioners acting as an aggregator for the provision of a competitive retail electric service under authority conferred under section 4928.20 of the Revised Code.

(14) A person acts "knowingly," regardless of the person's purpose, when the person is aware that the person's conduct will probably cause a certain result or will probably be of a certain nature. A person has knowledge of circumstances when the person is aware that such circumstances probably exist.

(15) "Level of funding for low-income customer energy efficiency programs provided through electric utility rates" means

the level of funds specifically included in an electric utility's 79
rates on October 5, 1999, pursuant to an order of the public 80
utilities commission issued under Chapter 4905. or 4909. of the 81
Revised Code and in effect on October 4, 1999, for the purpose of 82
improving the energy efficiency of housing for the utility's 83
low-income customers. The term excludes the level of any such 84
funds committed to a specific nonprofit organization or 85
organizations pursuant to a stipulation or contract. 86

(16) "Low-income customer assistance programs" means the 87
percentage of income payment plan program, the home energy 88
assistance program, the home weatherization assistance program, 89
and the targeted energy efficiency and weatherization program. 90

(17) "Market development period" for an electric utility 91
means the period of time beginning on the starting date of 92
competitive retail electric service and ending on the applicable 93
date for that utility as specified in section 4928.40 of the 94
Revised Code, irrespective of whether the utility applies to 95
receive transition revenues under this chapter. 96

(18) "Market power" means the ability to impose on customers 97
a sustained price for a product or service above the price that 98
would prevail in a competitive market. 99

(19) "Mercantile customer" means a commercial or industrial 100
customer if the electricity consumed is for nonresidential use and 101
the customer consumes more than seven hundred thousand kilowatt 102
hours per year or is part of a national account involving multiple 103
facilities in one or more states. 104

(20) "Municipal electric utility" means a municipal 105
corporation that owns or operates facilities to generate, 106
transmit, or distribute electricity. 107

(21) "Noncompetitive retail electric service" means a component of retail electric service that is noncompetitive as provided under division (B) of this section.

(22) "Nonfirm electric service" means electric service provided pursuant to a schedule filed under section 4905.30 of the Revised Code or pursuant to an arrangement under section 4905.31 of the Revised Code, which schedule or arrangement includes conditions that may require the customer to curtail or interrupt electric usage during nonemergency circumstances upon notification by an electric utility.

(23) "Percentage of income payment plan arrears" means funds eligible for collection through the percentage of income payment plan rider, but uncollected as of July 1, 2000.

(24) "Person" has the same meaning as in section 1.59 of the Revised Code.

(25) "Advanced energy project" means any technologies, products, activities, or management practices or strategies that facilitate the generation or use of electricity or energy and that reduce or support the reduction of energy consumption or support the production of clean, renewable energy for industrial, distribution, commercial, institutional, governmental, research, not-for-profit, or residential energy users, including, but not limited to, advanced energy resources and renewable energy resources. "Advanced energy project" also includes any project described in division (A), (B), or (C) of section 4928.621 of the Revised Code.

(26) "Regulatory assets" means the unamortized net regulatory assets that are capitalized or deferred on the regulatory books of the electric utility, pursuant to an order or practice of the public utilities commission or pursuant to generally accepted

accounting principles as a result of a prior commission 138
 rate-making decision, and that would otherwise have been charged 139
 to expense as incurred or would not have been capitalized or 140
 otherwise deferred for future regulatory consideration absent 141
 commission action. "Regulatory assets" includes, but is not 142
 limited to, all deferred demand-side management costs; all 143
 deferred percentage of income payment plan arrears; 144
 post-in-service capitalized charges and assets recognized in 145
 connection with statement of financial accounting standards no. 146
 109 (receivables from customers for income taxes); future nuclear 147
 decommissioning costs and fuel disposal costs as those costs have 148
 been determined by the commission in the electric utility's most 149
 recent rate or accounting application proceeding addressing such 150
 costs; the undepreciated costs of safety and radiation control 151
 equipment on nuclear generating plants owned or leased by an 152
 electric utility; and fuel costs currently deferred pursuant to 153
 the terms of one or more settlement agreements approved by the 154
 commission. 155

(27) "Retail electric service" means any service involved in 156
 supplying or arranging for the supply of electricity to ultimate 157
 consumers in this state, from the point of generation to the point 158
 of consumption. For the purposes of this chapter, retail electric 159
 service includes one or more of the following "service 160
 components": generation service, aggregation service, power 161
 marketing service, power brokerage service, transmission service, 162
 distribution service, ancillary service, metering service, and 163
 billing and collection service. 164

(28) "Starting date of competitive retail electric service" 165
 means January 1, 2001. 166

(29) "Customer-generator" means a user of a net metering 167

system.	168
(30) "Net metering" means measuring the difference in an applicable billing period between the electricity supplied by an electric service provider and the electricity generated by a customer-generator that is fed back to the electric service provider.	169 170 171 172 173
(31) "Net metering system" means a facility for the production of electrical energy that does all of the following:	174 175
(a) Uses as its fuel either solar, wind, biomass, landfill gas, or hydropower, or uses a microturbine or a fuel cell;	176 177
(b) Is located on a customer-generator's premises;	178
(c) Operates in parallel with the electric utility's transmission and distribution facilities;	179 180
(d) Is intended primarily to offset part or all of the customer-generator's requirements for electricity.	181 182
(32) "Self-generator" means an entity in this state that owns or hosts on its premises an electric generation facility that produces electricity primarily for the owner's consumption and that may provide any such excess electricity to another entity, whether the facility is installed or operated by the owner or by an agent under a contract.	183 184 185 186 187 188
(33) "Rate plan" means the standard service offer in effect on the effective date of the amendment of this section by S.B. 221 of the 127th general assembly, July 31, 2008.	189 190 191
(34) "Advanced energy resource" means any of the following:	192
(a) Any method or any modification or replacement of any property, process, device, structure, or equipment that increases the generation output of an electric generating facility to the	193 194 195

extent such efficiency is achieved without additional carbon	196
dioxide emissions by that facility;	197
(b) Any distributed generation system consisting of customer	198
cogeneration technology;	199
(c) Clean coal technology that includes a carbon-based	200
product that is chemically altered before combustion to	201
demonstrate a reduction, as expressed as ash, in emissions of	202
nitrous oxide, mercury, arsenic, chlorine, sulfur dioxide, or	203
sulfur trioxide in accordance with the American society of testing	204
and materials standard D1757A or a reduction of metal oxide	205
emissions in accordance with standard D5142 of that society, or	206
clean coal technology that includes the design capability to	207
control or prevent the emission of carbon dioxide, which design	208
capability the commission shall adopt by rule and shall be based	209
on economically feasible best available technology or, in the	210
absence of a determined best available technology, shall be of the	211
highest level of economically feasible design capability for which	212
there exists generally accepted scientific opinion;	213
(d) Advanced nuclear energy technology consisting of	214
generation III technology as defined by the nuclear regulatory	215
commission; other, later technology; or significant improvements	216
to existing facilities;	217
(e) Any fuel cell used in the generation of electricity,	218
including, but not limited to, a proton exchange membrane fuel	219
cell, phosphoric acid fuel cell, molten carbonate fuel cell, or	220
solid oxide fuel cell;	221
(f) Advanced solid waste or construction and demolition	222
debris conversion technology, including, but not limited to,	223
advanced stoker technology, and advanced fluidized bed	224
gasification technology, that results in measurable greenhouse gas	225

emissions reductions as calculated pursuant to the United States	226
environmental protection agency's waste reduction model (WARM);	227
(g) Demand-side management and any energy efficiency	228
improvement;	229
(h) Any new, retrofitted, refueled, or repowered generating	230
facility located in Ohio, including a simple or combined-cycle	231
natural gas generating facility or a generating facility that uses	232
biomass, coal, modular nuclear, or any other fuel as its input;	233
(i) Any uprated capacity of an existing electric generating	234
facility if the uprated capacity results from the deployment of	235
advanced technology.	236
"Advanced energy resource" does not include a waste energy	237
recovery system that is, or has been, included in an energy	238
efficiency program of an electric distribution utility pursuant to	239
requirements under section 4928.66 of the Revised Code.	240
(35) "Air contaminant source" has the same meaning as in	241
section 3704.01 of the Revised Code.	242
(36) "Cogeneration technology" means technology that produces	243
electricity and useful thermal output simultaneously.	244
(37)(a) "Renewable energy resource" means any of the	245
following:	246
(i) Solar photovoltaic or solar thermal energy;	247
(ii) Wind energy;	248
(iii) Power produced by a hydroelectric facility;	249
(iv) <u>Power produced by a small hydroelectric facility, which</u>	250
<u>is a facility that operates, or is rated to operate, at an</u>	251
<u>aggregate capacity of less than six megawatts;</u>	252

<u>(v)</u> Power produced by a run-of-the-river hydroelectric facility placed in service on or after January 1, 1980, that is located within this state, relies upon the Ohio river, and operates, or is rated to operate, at an aggregate capacity of forty or more megawatts;	253 254 255 256 257
(v) <u>(vi)</u> Geothermal energy;	258
(vi) <u>(vii)</u> Fuel derived from solid wastes, as defined in section 3734.01 of the Revised Code, through fractionation, biological decomposition, or other process that does not principally involve combustion;	259 260 261 262
(vii) <u>(viii)</u> Biomass energy;	263
(viii) <u>(ix)</u> Energy produced by cogeneration technology that is placed into service on or before December 31, 2015, and for which more than ninety per cent of the total annual energy input is from combustion of a waste or byproduct gas from an air contaminant source in this state, which source has been in operation since on or before January 1, 1985, provided that the cogeneration technology is a part of a facility located in a county having a population of more than three hundred sixty-five thousand but less than three hundred seventy thousand according to the most recent federal decennial census;	264 265 266 267 268 269 270 271 272 273
(ix) <u>(x)</u> Biologically derived methane gas;	274
(x) <u>(xi)</u> Heat captured from a generator of electricity, boiler, or heat exchanger fueled by biologically derived methane gas;	275 276 277
(xi) <u>(xii)</u> Energy derived from nontreated by-products of the pulping process or wood manufacturing process, including bark, wood chips, sawdust, and lignin in spent pulping liquors.	278 279 280
"Renewable energy resource" includes, but is not limited to,	281

any fuel cell used in the generation of electricity, including, 282
but not limited to, a proton exchange membrane fuel cell, 283
phosphoric acid fuel cell, molten carbonate fuel cell, or solid 284
oxide fuel cell; wind turbine located in the state's territorial 285
waters of Lake Erie; methane gas emitted from an abandoned coal 286
mine; waste energy recovery system placed into service or 287
retrofitted on or after the effective date of the amendment of 288
this section by S.B. 315 of the 129th general assembly, September 289
10, 2012, except that a waste energy recovery system described in 290
division (A)(38)(b) of this section may be included only if it was 291
placed into service between January 1, 2002, and December 31, 292
2004; storage facility that will promote the better utilization of 293
a renewable energy resource; or distributed generation system used 294
by a customer to generate electricity from any such energy. 295

"Renewable energy resource" does not include a waste energy 296
recovery system that is, or was, on or after January 1, 2012, 297
included in an energy efficiency program of an electric 298
distribution utility pursuant to requirements under section 299
4928.66 of the Revised Code. 300

(b) As used in division (A)(37) of this section, 301
"hydroelectric facility" means a hydroelectric generating facility 302
that is located at a dam on a river, or on any water discharged to 303
a river, that is within or bordering this state or within or 304
bordering an adjoining state and meets all of the following 305
standards: 306

(i) The facility provides for river flows that are not 307
detrimental for fish, wildlife, and water quality, including 308
seasonal flow fluctuations as defined by the applicable licensing 309
agency for the facility. 310

(ii) The facility demonstrates that it complies with the 311

water quality standards of this state, which compliance may 312
 consist of certification under Section 401 of the "Clean Water Act 313
 of 1977," 91 Stat. 1598, 1599, 33 U.S.C. 1341, and demonstrates 314
 that it has not contributed to a finding by this state that the 315
 river has impaired water quality under Section 303(d) of the 316
 "Clean Water Act of 1977," 114 Stat. 870, 33 U.S.C. 1313. 317

(iii) The facility complies with mandatory prescriptions 318
 regarding fish passage as required by the federal energy 319
 regulatory commission license issued for the project, regarding 320
 fish protection for riverine, anadromous, and catadromous fish. 321

(iv) The facility complies with the recommendations of the 322
 Ohio environmental protection agency and with the terms of its 323
 federal energy regulatory commission license regarding watershed 324
 protection, mitigation, or enhancement, to the extent of each 325
 agency's respective jurisdiction over the facility. 326

(v) The facility complies with provisions of the "Endangered 327
 Species Act of 1973," 87 Stat. 884, 16 U.S.C. 1531 to 1544, as 328
 amended. 329

(vi) The facility does not harm cultural resources of the 330
 area. This can be shown through compliance with the terms of its 331
 federal energy regulatory commission license or, if the facility 332
 is not regulated by that commission, through development of a plan 333
 approved by the Ohio historic preservation office, to the extent 334
 it has jurisdiction over the facility. 335

(vii) The facility complies with the terms of its federal 336
 energy regulatory commission license or exemption that are related 337
 to recreational access, accommodation, and facilities or, if the 338
 facility is not regulated by that commission, the facility 339
 complies with similar requirements as are recommended by resource 340
 agencies, to the extent they have jurisdiction over the facility; 341

and the facility provides access to water to the public without
fee or charge. 342
343

(viii) The facility is not recommended for removal by any
federal agency or agency of any state, to the extent the
particular agency has jurisdiction over the facility. 344
345
346

(c) The standards in divisions (A)(37)(b)(i) to (viii) of
this section do not apply to a small hydroelectric facility under
division (A)(37)(a)(iv) of this section. 347
348
349

(38) "Waste energy recovery system" means either of the
following: 350
351

(a) A facility that generates electricity through the
conversion of energy from either of the following: 352
353

(i) Exhaust heat from engines or manufacturing, industrial,
commercial, or institutional sites, except for exhaust heat from a
facility whose primary purpose is the generation of electricity; 354
355
356

(ii) Reduction of pressure in gas pipelines before gas is
distributed through the pipeline, provided that the conversion of
energy to electricity is achieved without using additional fossil
fuels. 357
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(b) A facility at a state institution of higher education as
defined in section 3345.011 of the Revised Code that recovers
waste heat from electricity-producing engines or combustion
turbines and that simultaneously uses the recovered heat to
produce steam, provided that the facility was placed into service
between January 1, 2002, and December 31, 2004. 361
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(39) "Smart grid" means capital improvements to an electric
distribution utility's distribution infrastructure that improve
reliability, efficiency, resiliency, or reduce energy demand or
use, including, but not limited to, advanced metering and 367
368
369
370

automation of system functions. 371

(40) "Combined heat and power system" means the coproduction 372
of electricity and useful thermal energy from the same fuel source 373
designed to achieve thermal-efficiency levels of at least sixty 374
per cent, with at least twenty per cent of the system's total 375
useful energy in the form of thermal energy. 376

(B) For the purposes of this chapter, a retail electric 377
service component shall be deemed a competitive retail electric 378
service if the service component is competitive pursuant to a 379
declaration by a provision of the Revised Code or pursuant to an 380
order of the public utilities commission authorized under division 381
(A) of section 4928.04 of the Revised Code. Otherwise, the service 382
component shall be deemed a noncompetitive retail electric 383
service. 384

Sec. 4928.64. (A)(1) As used in this section, "qualifying 385
renewable energy resource" means a renewable energy resource, as 386
defined in section 4928.01 of the Revised Code that ~~has:~~ 387

(a) Has a placed-in-service date on or after January 1, 1998, ~~or with respect to;~~ 388
389

(b) Is any run-of-the-river hydroelectric facility, that has 390
an in-service date on or after January 1, 1980; ~~a renewable energy~~ 391
~~resource~~ 392

(c) Is a small hydroelectric facility; 393

(d) Is created on or after January 1, 1998, by the 394
modification or retrofit of any facility placed in service prior 395
to January 1, 1998; or 396

(e) Is a mercantile customer-sited renewable energy resource, 397
whether new or existing, that the mercantile customer commits for 398

integration into the electric distribution utility's 399
demand-response, energy efficiency, or peak demand reduction 400
programs as provided under division (A)(2)(c) of section 4928.66 401
of the Revised Code, including, but not limited to, any of the 402
following: 403

~~(a)~~(i) A resource that has the effect of improving the 404
relationship between real and reactive power; 405

~~(b)~~(ii) A resource that makes efficient use of waste heat or 406
other thermal capabilities owned or controlled by a mercantile 407
customer; 408

~~(c)~~(iii) Storage technology that allows a mercantile customer 409
more flexibility to modify its demand or load and usage 410
characteristics; 411

~~(d)~~(iv) Electric generation equipment owned or controlled by 412
a mercantile customer that uses a renewable energy resource. 413

(2) For the purpose of this section and as it considers 414
appropriate, the public utilities commission may classify any new 415
technology as such a qualifying renewable energy resource. 416

(B)(1) By 2027 and thereafter, an electric distribution 417
utility shall provide from qualifying renewable energy resources, 418
including, at its discretion, qualifying renewable energy 419
resources obtained pursuant to an electricity supply contract, a 420
portion of the electricity supply required for its standard 421
service offer under section 4928.141 of the Revised Code, and an 422
electric services company shall provide a portion of its 423
electricity supply for retail consumers in this state from 424
qualifying renewable energy resources, including, at its 425
discretion, qualifying renewable energy resources obtained 426
pursuant to an electricity supply contract. That portion shall 427
equal twelve and one-half per cent of the total number of kilowatt 428

hours of electricity sold by the subject utility or company to any 429
 and all retail electric consumers whose electric load centers are 430
 served by that utility and are located within the utility's 431
 certified territory or, in the case of an electric services 432
 company, are served by the company and are located within this 433
 state. However, nothing in this section precludes a utility or 434
 company from providing a greater percentage. 435

(2) The portion required under division (B)(1) of this 436
 section shall be generated from renewable energy resources, 437
 including one-half per cent from solar energy resources, in 438
 accordance with the following benchmarks: 439

By end of year	Renewable energy resources	Solar energy resources	
2009	0.25%	0.004%	441
2010	0.50%	0.010%	442
2011	1%	0.030%	443
2012	1.5%	0.060%	444
2013	2%	0.090%	445
2014	2.5%	0.12%	446
2015	2.5%	0.12%	447
2016	2.5%	0.12%	448
2017	3.5%	0.15%	449
2018	4.5%	0.18%	450
2019	5.5%	0.22%	451
2020	6.5%	0.26%	452
2021	7.5%	0.3%	453
2022	8.5%	0.34%	454
2023	9.5%	0.38%	455
2024	10.5%	0.42%	456
2025	11.5%	0.46%	457
2026 and each calendar	12.5%	0.5%.	458

year thereafter

(3) The qualifying renewable energy resources implemented by 459
the utility or company shall be met either: 460

(a) Through facilities located in this state; or 461

(b) With resources that can be shown to be deliverable into 462
this state. 463

(C)(1) The commission annually shall review an electric 464
distribution utility's or electric services company's compliance 465
with the most recent applicable benchmark under division (B)(2) of 466
this section and, in the course of that review, shall identify any 467
undercompliance or noncompliance of the utility or company that it 468
determines is weather-related, related to equipment or resource 469
shortages for qualifying renewable energy resources as applicable, 470
or is otherwise outside the utility's or company's control. 471

(2) Subject to the cost cap provisions of division (C)(3) of 472
this section, if the commission determines, after notice and 473
opportunity for hearing, and based upon its findings in that 474
review regarding avoidable undercompliance or noncompliance, but 475
subject to division (C)(4) of this section, that the utility or 476
company has failed to comply with any such benchmark, the 477
commission shall impose a renewable energy compliance payment on 478
the utility or company. 479

(a) The compliance payment pertaining to the solar energy 480
resource benchmarks under division (B)(2) of this section shall be 481
an amount per megawatt hour of undercompliance or noncompliance in 482
the period under review, as follows: 483

(i) Three hundred dollars for 2014, 2015, and 2016; 484

(ii) Two hundred fifty dollars for 2017 and 2018; 485

(iii) Two hundred dollars for 2019 and 2020; 486

(iv) Similarly reduced every two years thereafter through 487
2026 by fifty dollars, to a minimum of fifty dollars. 488

(b) The compliance payment pertaining to the renewable energy 489
resource benchmarks under division (B)(2) of this section shall 490
equal the number of additional renewable energy credits that the 491
electric distribution utility or electric services company would 492
have needed to comply with the applicable benchmark in the period 493
under review times an amount that shall begin at forty-five 494
dollars and shall be adjusted annually by the commission to 495
reflect any change in the consumer price index as defined in 496
section 101.27 of the Revised Code, but shall not be less than 497
forty-five dollars. 498

(c) The compliance payment shall not be passed through by the 499
electric distribution utility or electric services company to 500
consumers. The compliance payment shall be remitted to the 501
commission, for deposit to the credit of the advanced energy fund 502
created under section 4928.61 of the Revised Code. Payment of the 503
compliance payment shall be subject to such collection and 504
enforcement procedures as apply to the collection of a forfeiture 505
under sections 4905.55 to 4905.60 and 4905.64 of the Revised Code. 506

(3) An electric distribution utility or an electric services 507
company need not comply with a benchmark under division (B)(2) of 508
this section to the extent that its reasonably expected cost of 509
that compliance exceeds its reasonably expected cost of otherwise 510
producing or acquiring the requisite electricity by three per cent 511
or more. The cost of compliance shall be calculated as though any 512
exemption from taxes and assessments had not been granted under 513
section 5727.75 of the Revised Code. 514

(4)(a) An electric distribution utility or electric services 515
company may request the commission to make a force majeure 516

determination pursuant to this division regarding all or part of
the utility's or company's compliance with any minimum benchmark
under division (B)(2) of this section during the period of review
occurring pursuant to division (C)(2) of this section. The
commission may require the electric distribution utility or
electric services company to make solicitations for renewable
energy resource credits as part of its default service before the
utility's or company's request of force majeure under this
division can be made.

(b) Within ninety days after the filing of a request by an
electric distribution utility or electric services company under
division (C)(4)(a) of this section, the commission shall determine
if qualifying renewable energy resources are reasonably available
in the marketplace in sufficient quantities for the utility or
company to comply with the subject minimum benchmark during the
review period. In making this determination, the commission shall
consider whether the electric distribution utility or electric
services company has made a good faith effort to acquire
sufficient qualifying renewable energy or, as applicable, solar
energy resources to so comply, including, but not limited to, by
banking or seeking renewable energy resource credits or by seeking
the resources through long-term contracts. Additionally, the
commission shall consider the availability of qualifying renewable
energy or solar energy resources in this state and other
jurisdictions in the PJM interconnection regional transmission
organization, L.L.C., or its successor and the midcontinent
independent system operator or its successor.

(c) If, pursuant to division (C)(4)(b) of this section, the
commission determines that qualifying renewable energy or solar
energy resources are not reasonably available to permit the
electric distribution utility or electric services company to

comply, during the period of review, with the subject minimum 548
benchmark prescribed under division (B)(2) of this section, the 549
commission shall modify that compliance obligation of the utility 550
or company as it determines appropriate to accommodate the 551
finding. Commission modification shall not automatically reduce 552
the obligation for the electric distribution utility's or electric 553
services company's compliance in subsequent years. If it modifies 554
the electric distribution utility or electric services company 555
obligation under division (C)(4)(c) of this section, the 556
commission may require the utility or company, if sufficient 557
renewable energy resource credits exist in the marketplace, to 558
acquire additional renewable energy resource credits in subsequent 559
years equivalent to the utility's or company's modified obligation 560
under division (C)(4)(c) of this section. 561

(5) The commission shall establish a process to provide for 562
at least an annual review of the renewable energy resource market 563
in this state and in the service territories of the regional 564
transmission organizations that manage transmission systems 565
located in this state. The commission shall use the results of 566
this study to identify any needed changes to the amount of the 567
renewable energy compliance payment specified under divisions 568
(C)(2)(a) and (b) of this section. Specifically, the commission 569
may increase the amount to ensure that payment of compliance 570
payments is not used to achieve compliance with this section in 571
lieu of actually acquiring or realizing energy derived from 572
qualifying renewable energy resources. However, if the commission 573
finds that the amount of the compliance payment should be 574
otherwise changed, the commission shall present this finding to 575
the general assembly for legislative enactment. 576

(D) The commission annually shall submit to the general 577
assembly in accordance with section 101.68 of the Revised Code a 578

report describing all of the following: 579

(1) The compliance of electric distribution utilities and 580
 electric services companies with division (B) of this section; 581

(2) The average annual cost of renewable energy credits 582
 purchased by utilities and companies for the year covered in the 583
 report; 584

(3) Any strategy for utility and company compliance or for 585
 encouraging the use of qualifying renewable energy resources in 586
 supplying this state's electricity needs in a manner that 587
 considers available technology, costs, job creation, and economic 588
 impacts. 589

The commission shall begin providing the information 590
 described in division (D)(2) of this section in each report 591
 submitted after September 10, 2012. The commission shall allow and 592
 consider public comments on the report prior to its submission to 593
 the general assembly. Nothing in the report shall be binding on 594
 any person, including any utility or company for the purpose of 595
 its compliance with any benchmark under division (B) of this 596
 section, or the enforcement of that provision under division (C) 597
 of this section. 598

(E) All costs incurred by an electric distribution utility in 599
 complying with the requirements of this section shall be 600
 bypassable by any consumer that has exercised choice of supplier 601
 under section 4928.03 of the Revised Code." 602

In line 102773, after "4927.13," insert "4928.01, 4928.64," 603

The motion was _____ agreed to.

SYNOPSIS

Small hydroelectric facilities	604
R.C. 4928.01 and 4928.64	605
Classifies the power from small hydroelectric facilities as a	606
renewable energy resource under the competitive retail electric	607
service law.	608
Specifies that the small hydroelectric facilities are	609
qualified energy resources for the purposes of the renewable	610
energy resource mandates and thus are eligible for renewable	611
energy credits.	612

_____ moved to amend as follows:

1 Between lines 138416 and 138417, insert:

2 **"Section 512.1_.** CASH TRANSERS TO THE GENERAL REVENUE FUND
3 FROM SELECTED NON-GRF FUNDS

4 Notwithstanding any provision of law to the contrary, in
5 each fiscal year of the biennium ending June 30, 2019, the
6 Director of Budget and Management may transfer cash from any
7 funds that are not otherwise constitutionally restricted and
8 that are used by the Department of Commerce, the Environmental
9 Protection Agency, the Department of Insurance, the Office of
10 the Consumers' Counsel, the Bureau of Workers' Compensation, the
11 Ohio Industrial Commission, the Public Utilities Commission, or
12 the State Racing Commission, an amount equaling up to two per
13 cent of each fund's total fiscal year 2017 appropriation to the
14 General Revenue Fund. These transfers may be made by intrastate
15 transfer voucher. The transfers authorized under this section
16 shall not affect any calculations required by those agencies to
17 allocate or assess costs or charges and collection of revenue
18 pursuant to law."

19 The motion was _____ agreed to.

20

SYNOPSIS

21

Cash Transfer from Selected Non-GRF Funds to the GRF

22

Section 512.1_

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Authorizes the Director of Budget and Management, in each fiscal year of the FY 2018-FY 2019 biennium, to transfer cash from certain funds that are used by the Department of Commerce, the Environmental Protection Agency, the Department of Insurance, the Office of the Consumers' Counsel, the Bureau of Workers' Compensation, the Ohio Industrial Commission, the Public Utilities Commission, or the State Racing Commission, an amount equaling up to 2% of each fund's total fiscal year 2017 appropriation to the General Revenue Fund. Specifies that such transfers may be made by intrastate transfer voucher.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 196 of the title, after "4927.13," insert "4928.143," 1

In line 619, after "4927.13," insert "4928.143," 2

After line 76794, insert: 3

"**Sec. 4928.143.** (A) For the purpose of complying with section 4 4928.141 of the Revised Code, an electric distribution utility may 5 file an application for public utilities commission approval of an 6 electric security plan as prescribed under division (B) of this 7 section. The utility may file that application prior to the 8 effective date of any rules the commission may adopt for the 9 purpose of this section, and, as the commission determines 10 necessary, the utility immediately shall conform its filing to 11 those rules upon their taking effect. 12

(B) Notwithstanding any other provision of Title XLIX of the 13 Revised Code to the contrary except division (D) of this section, 14 divisions (I), (J), and (K) of section 4928.20, division (E) of 15 section 4928.64, and section 4928.69 of the Revised Code: 16

(1) An electric security plan shall include provisions 17 relating to the supply and pricing of electric generation service. 18 In addition, if the proposed electric security plan has a term 19 longer than three years, it may include provisions in the plan to 20

permit the commission to test the plan pursuant to division (E) of
this section and any transitional conditions that should be
adopted by the commission if the commission terminates the plan as
authorized under that division.

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(2) The plan may provide for or include, without limitation,
any of the following:

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(a) Automatic recovery of any of the following costs of the
electric distribution utility, provided the cost is prudently
incurred: the cost of fuel used to generate the electricity
supplied under the offer; the cost of purchased power supplied
under the offer, including the cost of energy and capacity, and
including purchased power acquired from an affiliate; the cost of
emission allowances; and the cost of federally mandated carbon or
energy taxes;

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(b) A reasonable allowance for construction work in progress
for any of the electric distribution utility's cost of
constructing an electric generating facility or for an
environmental expenditure for any electric generating facility of
the electric distribution utility, provided the cost is incurred
or the expenditure occurs on or after January 1, 2009. Any such
allowance shall be subject to the construction work in progress
allowance limitations of division (A) of section 4909.15 of the
Revised Code, except that the commission may authorize such an
allowance upon the incurrence of the cost or occurrence of the
expenditure. No such allowance for generating facility
construction shall be authorized, however, unless the commission
first determines in the proceeding that there is need for the
facility based on resource planning projections submitted by the
electric distribution utility. Further, no such allowance shall be
authorized unless the facility's construction was sourced through

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a competitive bid process, regarding which process the commission
may adopt rules. An allowance approved under division (B)(2)(b) of
this section shall be established as a nonbypassable surcharge for
the life of the facility.

(c) The establishment of a nonbypassable surcharge for the
life of an electric generating facility that is owned or operated
by the electric distribution utility, was sourced through a
competitive bid process subject to any such rules as the
commission adopts under division (B)(2)(b) of this section, and is
newly used and useful on or after January 1, 2009, which surcharge
shall cover all costs of the utility specified in the application,
excluding costs recovered through a surcharge under division
(B)(2)(b) of this section. However, no surcharge shall be
authorized unless the commission first determines in the
proceeding that there is need for the facility based on resource
planning projections submitted by the electric distribution
utility. Additionally, if a surcharge is authorized for a facility
pursuant to plan approval under division (C) of this section and
as a condition of the continuation of the surcharge, the electric
distribution utility shall dedicate to Ohio consumers the capacity
and energy and the rate associated with the cost of that facility.
Before the commission authorizes any surcharge pursuant to this
division, it may consider, as applicable, the effects of any
decommissioning, deratings, and retirements.

(d) Terms, conditions, or charges relating to limitations on
customer shopping for retail electric generation service,
bypassability, standby, back-up, or supplemental power service,
default service, carrying costs, amortization periods, and
accounting or deferrals, including future recovery of such
deferrals, as would have the effect of stabilizing or providing
certainty regarding retail electric service;

(e) Automatic increases or decreases in any component of the standard service offer price;	82 83
(f) Consistent with sections 4928.23 to 4928.2318 of the Revised Code, both of the following:	84 85
(i) Provisions for the electric distribution utility to securitize any phase-in, inclusive of carrying charges, of the utility's standard service offer price, which phase-in is authorized in accordance with section 4928.144 of the Revised Code;	86 87 88 89 90
(ii) Provisions for the recovery of the utility's cost of securitization.	91 92
(g) Provisions relating to transmission, ancillary, congestion, or any related service required for the standard service offer, including provisions for the recovery of any cost of such service that the electric distribution utility incurs on or after that date pursuant to the standard service offer;	93 94 95 96 97
(h) Provisions regarding the utility's distribution service, including, without limitation and notwithstanding any provision of Title XLIX of the Revised Code to the contrary, provisions regarding single issue ratemaking, a revenue decoupling mechanism or any other incentive ratemaking, and provisions regarding distribution infrastructure and modernization incentives for the electric distribution utility. The latter may include a long-term energy delivery infrastructure modernization plan for that utility or any plan providing for the utility's recovery of costs, including lost revenue, shared savings, and avoided costs, and a just and reasonable rate of return on such infrastructure modernization. As part of its determination as to whether to allow in an electric distribution utility's electric security plan inclusion of any provision described in division (B)(2)(h) of this	98 99 100 101 102 103 104 105 106 107 108 109 110 111

section, the commission shall examine the reliability of the electric distribution utility's distribution system and ensure that customers' and the electric distribution utility's expectations are aligned and that the electric distribution utility is placing sufficient emphasis on and dedicating sufficient resources to the reliability of its distribution system.

(i) Provisions under which the electric distribution utility may implement economic development, job retention, and energy efficiency programs, which provisions may allocate program costs across all classes of customers of the utility and those of electric distribution utilities in the same holding company system.

(C)(1) The burden of proof in the proceeding shall be on the electric distribution utility. The commission shall issue an order under this division for an initial application under this section not later than one hundred fifty days after the application's filing date and, for any subsequent application by the utility under this section, not later than two hundred seventy-five days after the application's filing date. Subject to division (D) of this section, the commission by order shall approve or modify and approve an application filed under division (A) of this section if it finds that the electric security plan so approved, including its pricing and all other terms and conditions, including any deferrals and any future recovery of deferrals, is more favorable in the aggregate as compared to the expected results that would otherwise apply under section 4928.142 of the Revised Code. Additionally, if the commission so approves an application that contains a surcharge under division (B)(2)(b) or (c) of this section, the commission shall ensure that the benefits derived for any purpose for which the surcharge is established are reserved

and made available to those that bear the surcharge. Otherwise, 143
the commission by order shall disapprove the application. 144

(2)(a) If the commission modifies and approves an application 145
under division (C)(1) of this section, the electric distribution 146
utility may withdraw the application, thereby terminating it, and 147
may file a new standard service offer under this section or a 148
standard service offer under section 4928.142 of the Revised Code. 149

(b) If the utility terminates an application pursuant to 150
division (C)(2)(a) of this section or if the commission 151
disapproves an application under division (C)(1) of this section, 152
the commission shall issue such order as is necessary to continue 153
the provisions, terms, and conditions of the utility's most recent 154
standard service offer, along with any expected increases or 155
decreases in fuel costs from those contained in that offer, until 156
a subsequent offer is authorized pursuant to this section or 157
section 4928.142 of the Revised Code, respectively. 158

(D) Regarding the rate plan requirement of division (A) of 159
section 4928.141 of the Revised Code, if an electric distribution 160
utility that has a rate plan that extends beyond December 31, 161
2008, files an application under this section for the purpose of 162
its compliance with division (A) of section 4928.141 of the 163
Revised Code, that rate plan and its terms and conditions are 164
hereby incorporated into its proposed electric security plan and 165
shall continue in effect until the date scheduled under the rate 166
plan for its expiration, and that portion of the electric security 167
plan shall not be subject to commission approval or disapproval 168
under division (C) of this section, and the earnings test provided 169
for in division (F) of this section shall not apply until after 170
the expiration of the rate plan. However, that utility may include 171
in its electric security plan under this section, and the 172

commission may approve, modify and approve, or disapprove subject 173
to division (C) of this section, provisions for the incremental 174
recovery or the deferral of any costs that are not being recovered 175
under the rate plan and that the utility incurs during that 176
continuation period to comply with section 4928.141, division (B) 177
of section 4928.64, or division (A) of section 4928.66 of the 178
Revised Code. 179

(E)(1) If an electric security plan approved under division 180
(C) of this section, except one withdrawn by the utility as 181
authorized under that division, has a term, exclusive of phase-ins 182
or deferrals, that exceeds three years from the effective date of 183
the plan, the commission shall test the plan in the fourth year, 184
and if applicable, every fourth year thereafter, to determine 185
whether the plan, including its then-existing pricing and all 186
other terms and conditions, including any deferrals and any future 187
recovery of deferrals, continues to be more favorable in the 188
aggregate and during the remaining term of the plan as compared to 189
the expected results that would otherwise apply under section 190
4928.142 of the Revised Code. The commission shall also determine 191
the prospective effect of the electric security plan to determine 192
if that effect is substantially likely to provide the electric 193
distribution utility with a return on common equity that is 194
significantly in excess of the return on common equity that is 195
likely to be earned by publicly traded companies, including 196
utilities, that face comparable business and financial risk, with 197
such adjustments for capital structure as may be appropriate. The 198
burden of proof for demonstrating that significantly excessive 199
earnings will not occur shall be on the electric distribution 200
utility. If the test results are in the negative or the commission 201
finds that continuation of the electric security plan will result 202
in a return on equity that is significantly in excess of the 203

return on common equity that is likely to be earned by publicly 204
traded companies, including utilities, that will face comparable 205
business and financial risk, with such adjustments for capital 206
structure as may be appropriate, during the balance of the plan, 207
the commission may terminate the electric security plan, but not 208
until it shall have provided interested parties with notice and an 209
opportunity to be heard. The commission may impose such conditions 210
on the plan's termination as it considers reasonable and necessary 211
to accommodate the transition from an approved plan to the more 212
advantageous alternative. In the event of an electric security 213
plan's termination pursuant to this division, the commission shall 214
permit the continued deferral and phase-in of any amounts that 215
occurred prior to that termination and the recovery of those 216
amounts as contemplated under that electric security plan. 217

(2) The commission may consider the utility's credit rating 218
when testing an electric security plan under division (E)(1) of 219
this section. 220

(F) With regard to the provisions that are included in an 221
electric security plan under this section, the commission shall 222
consider, following the end of each annual period of the plan, if 223
any such adjustments resulted in excessive earnings as measured by 224
whether the earned return on common equity of the electric 225
distribution utility is significantly in excess of the return on 226
common equity that was earned during the same period by publicly 227
traded companies, including utilities, that face comparable 228
business and financial risk, with such adjustments for capital 229
structure as may be appropriate. Consideration also shall be given 230
to the capital requirements of future committed investments in 231
this state. The burden of proof for demonstrating that 232
significantly excessive earnings did not occur shall be on the 233
electric distribution utility. If the commission finds that such 234

adjustments, in the aggregate, did result in significantly
 excessive earnings, it shall require the electric distribution
 utility to return to consumers the amount of the excess by
 prospective adjustments; provided that, upon making such
 prospective adjustments, the electric distribution utility shall
 have the right to terminate the plan and immediately file an
 application pursuant to section 4928.142 of the Revised Code. Upon
 termination of a plan under this division, rates shall be set on
 the same basis as specified in division (C)(2)(b) of this section,
 and the commission shall permit the continued deferral and
 phase-in of any amounts that occurred prior to that termination
 and the recovery of those amounts as contemplated under that
 electric security plan. In making its determination of
 significantly excessive earnings under this division, the
 commission shall not consider, directly or indirectly, the
 revenue, expenses, or earnings of any affiliate or parent company.

(G)(1) The commission, in a proceeding regarding an electric
 security plan, may establish or upwardly adjust the rates the
 electric distribution utility is authorized to collect from its
 customers to ensure that the utility achieves and maintains at
 least a minimum credit rating. The rate adjustment shall be in an
 amount that the commission determines is just and reasonable, as
 well as necessary for the utility to achieve and maintain a target
 credit rating determined by the commission.

(2) When making a rate adjustment under this division, the
 commission shall do the following:

(a) Consider the potential benefits over time from an
 improved credit rating;

(b) Consider the need to provide safe, reliable, and stable
 utility service in the state;

(c) Determine the target credit rating, which may be a higher credit rating than the minimum credit rating; 265
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(d) Consider any and all matters that may adversely affect the target credit rating; 267
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(e) Determine the form of a rate adjustment under this division; 269
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(f) Determine the duration of the rate adjustment based on the time period necessary to achieve and maintain the target credit rating. 271
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(3) A rate adjustment approved under this section is not a transition charge and shall not be subject to the limitations for such charges under division (A) of section 4928.141 or sections 4928.31 to 4928.40 of the Revised Code or to any limitation relating to corporate separation plans under section 4928.17 of the Revised Code. 274
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(4) As used in this division, "minimum credit rating" means the lowest credit rating that is rated as investment grade by independent entities in the business of establishing credit ratings." 280
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In line 102773, after "4927.13," insert "4928.143," 284

The motion was _____ agreed to.

SYNOPSIS

Electric distribution utility rate adjustments 285

R.C. 4928.143 286

Permits the Public Utilities Commission (PUCO) to consider 287

the EDU's credit rating when testing an EDU's electric security	288
plan (ESP) for whether the plan is more favorable in the aggregate	289
than a market rate offer (MRO).	290
Permits PUCO to establish or upwardly adjust the rates that	291
an electric distribution utility (EDU) may charge under an ESP so	292
that the EDU may achieve and maintain a minimum credit rating that	293
is at least an investment grade credit rating.	294
Authorizes PUCO to set a target credit rating and determine	295
its form and duration.	296
Specifies that such rate adjustments are not transition	297
charges, which were charges that were permitted only during the	298
now expired market development period of the competitive retail	299
electric service law.	300

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

Between lines 141196 and 141197, insert: 1

"Section 753.____. (A) The Governor may execute one or more 2
deeds in the name of the state conveying to a purchaser or 3
purchasers, their heirs, successors, and assigns, to be determined 4
in the manner provided in division (C) of this section, all of the 5
state's right, title, and interest in the following described real 6
estate: 7

Warren County, Lebanon 8

Begin at the southeast corner of lands now or formerly owned 9
by Warren General Property (Warren County parcel number 10
11064000201) said corner also being on the north right-of-way line 11
of State Route 63 (SR 63), thence northerly along the east line of 12
said Warren General Property lands 2035 +/- feet to the northeast 13
corner of said Warren General Property lands, thence westerly 14
along the north line of said Warren General Property lands 2635 15
+/- feet to the easterly right-of-way of North Union Road, thence 16
along the easterly right-of-way of North Union Road 3475 +/- feet 17
to the southwest corner of lands now or formerly owned by Warren 18
County Commissioners (Warren County parcel number 08313000040), 19
thence easterly along the south line of said Commissioners lands 20
and lands now or formerly owned by FRL Real Estate LLC (Warren 21

County parcel number 08313000082) 2420 +/- feet to a point on the
south line of said FRL Real Estate lands and the northwest corner
of lands now or formerly owned by Grand Communities LTD. (Warren
County parcel number 12362000190), thence southerly along the west
line of said Grand Communities LTD. lands 1400 +/- feet to a
corner of Grand Communities LTD. lands, thence westerly along said
Grand Communities LTD. lands 585 +/- feet to a corner of said
Grand Communities LTD. lands, thence southerly along said Grand
Communities LTD. lands extended 3685 +/- feet extended to a fence
line that surrounds a wastewater treatment facility, thence
westerly along the fence line 195 +/- feet to the southerly top of
bank of Shaker Creek, thence southwesterly along the top of bank
270 +/- feet to a point, thence southerly 125 +/- feet to the
north right-of-way line of State Route 63 (SR 63), thence westerly
along the north right-of-way line of State Route 63 (SR 63) 750
+/- feet to the beginning and containing 292 acres.

Begin at the southwest corner of lands now or formerly owned
by Warren County Commissioners (Warren County parcel number
12364000010), said corner also being in the centerline of State
Route 63 (SR 63), thence westerly with the center of State Route
63 (SR 63) 1255 +/- feet to the extension of a fence line from the
north that surrounds a wastewater treatment facility, thence
northerly along the fence line 280 +/- feet to a fence corner,
thence westerly along the fence line 205 +/- feet to a point where
the extension of the west line of lands now or formerly owned by
Grand Communities LTD. (Warren County parcel number 12362000190),
thence northerly along said extended line 1870 +/- feet to a
southwest corner of said Grand Communities LTD. lands, thence
easterly along the south line of said Grand Communities, LTD.
lands and the south line of lands now or formerly owned by Shaker
Run Capital Funding (Warren County parcel number 12301000040),

6030 feet to a point on the west line of lands now or formerly
 owned by Otterbein Lebanon LLC (Warren County parcel number
 12302000031), thence southerly along the west line of said
 Otterbein Lebanon LLC lands 1700 +/- feet to the extension of a
 fence line from the west that surrounds a Department of
 Transportation Outpost facility, thence westerly along the fence
 line 310 +/- feet to a fence corner, thence southerly along the
 fence line 435 +/- feet to the centerline of State Route 63 (SR
 63), thence westerly along the centerline of State route 63 (SR
 63) 455 +/- feet to the southeast corner of lands now or formerly
 owned by Cincinnati Gas & Electric (Warren County parcel number
 12303000020), thence with the boundaries of the said Cincinnati
 Gas & Electric lands the following three (3) courses and
 distances: (1) northerly 330 +/- feet, (2) northwesterly 405 +/-
 feet, (3) southerly 560 +/- feet to the centerline of State Route
 63 (SR 63), thence westerly along the centerline of State Route 63
 (SR 63) 2155 +/- feet to the extension of a fence line projected
 from the northeast, thence northeasterly along the fence line 675
 +/- feet to an angle point in the fence, thence northerly along
 the fence line 200 +/- feet to a fence corner, thence
 southwesterly along the fence line 320 +/- feet to a point on the
 north line of the above referenced Warren County Commissioners
 lands (Warren County parcel number 12364000010), thence with the
 boundaries of said County Commissioners lands the following two
 (2) courses and distances: (1) westerly 550 +/- feet, (2)
 southerly 435 +/- feet to the place of beginning containing
 approximately 273 acres.

The foregoing legal descriptions may be corrected or modified
 by the Department of Administrative Services as necessary in order
 to facilitate the recording of the deed or deeds to define the
 description of the real estate identified as no longer obligatory

by the state. 84

(B)(1) The conveyance or conveyances include improvements and 85
chattels situated on the real estate, and is or are subject to all 86
easements, covenants, conditions, and restrictions of record; all 87
legal highways and public rights-of-way; zoning, building, and 88
other laws, ordinances, restrictions, and regulations; and real 89
estate taxes and assessments not yet due and payable. The real 90
estate shall be conveyed in "as-is, where-is, with all faults" 91
condition. 92

(2) The deed or deeds for the conveyance of the real estate 93
may contain restrictions, covenants, exceptions, reservations, 94
reversionary interests, and other terms and conditions the 95
Director of Administrative Services determines to be in the best 96
interest of the state. 97

(3) Subsequent to the conveyance or conveyances, any 98
restrictions, exceptions, reservations, reversionary interests, or 99
other terms and conditions contained in the deed or deeds may be 100
released by the state or the Department of Rehabilitation and 101
Correction without the necessity of further legislation. 102

(4) The deed or deeds shall contain restrictions prohibiting 103
the purchaser or purchasers from occupying, using, developing, or 104
selling the real estate if the occupation, use, development, or 105
sale will interfere with the quiet enjoyment of neighboring 106
state-owned land. 107

(5) The real estate described in division (A) of this section 108
shall be conveyed only if the Director of Administrative Services 109
and the Director of Rehabilitation and Correction first have 110
determined that the real estate is surplus real property no longer 111
needed by the state and that the conveyance or conveyances are in 112
the best interest of the state. 113

(C)(1) The Director of Administrative Services and the 114
 Director of Rehabilitation and Correction shall offer the sale of 115
 the real estate in the manner described in division (C)(2) or 116
 (C)(3) of this section. 117

(2) The Director of Administrative Services may offer the 118
 sale of the real estate described in division (A) to a purchaser 119
 or purchasers to be determined, through a negotiated real estate 120
 purchase agreement or agreements. 121

Consideration for the conveyance of the real estate shall be 122
 at a price and at terms and conditions acceptable to the Director 123
 of Administrative Services and the Director of Rehabilitation and 124
 Correction. The consideration shall be paid at closing. 125

(3) The Director of Administrative Services shall conduct a 126
 sale of the real estate by sealed bid auction or public auction, 127
 and the real estate shall be sold to the highest bidder at a price 128
 acceptable to the Director of Administrative Services and the 129
 Director of Rehabilitation and Correction. The Director of 130
 Administrative Services shall advertise the sealed bid auction or 131
 public auction by publication in a newspaper of general 132
 circulation in Warren County, once a week for three consecutive 133
 weeks before the date on which the sealed bids are to be opened or 134
 the public auction is to be held. The Director of Administrative 135
 Services shall notify the successful bidder in writing. The 136
 Director of Administrative Services may reject any or all bids. 137

The purchaser or purchasers shall pay ten percent of the 138
 purchase price to the Director of Administrative Services not 139
 later than five business days after receiving the notice the bid 140
 has been accepted, and shall enter into a real estate purchase 141
 agreement, in the form prescribed by the Department of 142
 Administrative Services. Payment may be made by bank draft or 143

certified check made payable to the Treasurer of State. The 144
purchaser or purchasers shall submit the balance of the purchase 145
price to the Director of Administrative Services not later than 146
sixty days after receiving notice the bid has been accepted. A 147
purchaser who does not complete the conditions of the sale as 148
prescribed in this division shall forfeit as liquidated damages 149
the ten percent of the purchase price paid to the state. If a 150
purchaser fails to complete the purchase of the real estate, the 151
Director of Administrative Services may accept the next highest 152
bid, subject to the foregoing conditions. If the Director of 153
Administrative Services rejects all bids, the Director may repeat 154
the sealed bid auction or public auction. 155

The Department of Rehabilitation and Correction shall pay 156
advertising costs incident to the sale of the real estate. 157

(D) The real estate described in division (A) of this section 158
may be conveyed as an entire tract or as multiple parcels as 159
determined by the Director of Administrative Services and the 160
Director of Rehabilitation and Correction. The real estate 161
described in division (A) of this section may be conveyed to a 162
single purchaser or multiple purchasers as determined by the 163
Director of Administrative Services and the Director of 164
Rehabilitation and Correction. 165

(E) Except as otherwise specified in this section, the 166
purchaser or purchasers shall pay all costs associated with the 167
purchase, closing, and conveyance of the real estate, including 168
surveys, appraisals, title evidence, title insurance, transfer 169
costs and fees, recording costs and fees, taxes, and any other 170
fees, assessments, and costs that may be imposed. 171

(F) The proceeds of the conveyance of facilities and interest 172
in real estate sale or sales shall be deposited into the state 173

treasury to the credit of the Adult and Juvenile Correctional 174
 Facilities Bond Retirement Fund in accordance with section 175
 5120.092 of the Revised Code. 176

(G) Upon payment of the purchase price, the Auditor of State, 177
 with the assistance of the Attorney General, shall prepare a deed 178
 or deeds to the real estate described in division (A) of this 179
 section. The deed or deeds shall state the consideration and shall 180
 be executed by the Governor in the name of the state, 181
 countersigned by the Secretary of State, sealed with the Great 182
 Seal of the State, presented in the Office of the Auditor of State 183
 for recording, and delivered to the purchaser or purchasers. The 184
 purchaser or purchasers shall present the deed or deeds for 185
 recording in the office of the Warren County Recorder. 186

(H) This section expires three years after its effective 187
 date." 188

The motion was _____ agreed to.

SYNOPSIS

Warren County land conveyance 189

Section 753._____ 190

Reinstates a provision of the bill that authorizes the 191
 conveyance of two parcels of state-owned land in Warren County by 192
 sealed bid auction or public auction, and restores the option to 193
 convey the parcels through a negotiated real estate purchase 194
 agreement, which the Executive version authorized for various DRC 195
 real estate but the As Passed by the House version removed. Before 196
 selling the real estate, the Director of Administrative Services 197

and the Director of Rehabilitation and Correction must determine 198
the real estate is surplus real property no longer needed by the 199
state and that the conveyance is in the best interest of the 200
state. Proceeds from the conveyance must be deposited into the 201
state treasury to the credit of the Adult and Juvenile 202
Correctional Facilities Bond Retirement Fund. 203

_____ moved to amend as follows:

1 Between lines 133253 and 133254, insert:

2 "Of the foregoing appropriation item 600696, Early
3 Childhood Education, up to \$20,000,000 in each fiscal year shall
4 be used to achieve the goals described in division (C) of
5 section 5104.29 of the Revised Code. The funds shall be used to
6 support early learning and development programs operating in
7 smaller communities, early learning and development programs
8 that are rated in the Step Up to Quality program at the third
9 highest tier or higher, or both."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Job and Family Services**

13 **Section 307.170**

14 Restores the earmark for appropriation item 600696, Early
15 Childhood Education to the As Introduced version of the bill,
16 which earmarks up to \$20,000,000 in each fiscal year to support
17 early learning and development programs that are in smaller
18 communities, programs rated in the Step Up to Quality Program at
19 the third highest tier or higher, or both.

_____ moved to amend as follows:

1 In line 132925, delete "\$62,268,993 \$62,268,993" and

2 insert "\$77,268,993 \$77,268,993"

3 In line 132934, add \$15,000,000 to each fiscal year

4 In line 132986, add \$15,000,000 to each fiscal year

5 In line 133207, delete everything after the first comma

6 Delete line 133208

7 In line 133209, delete everything before "shall"

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Department of Job and Family Services**

11 **Sections 307.10 and 307.130**

12 Increases GRF appropriation item 600523, Family and
13 Children Services, by \$15,000,000 in FY 2018 and FY 2019.

14 Removes an earmark from Federal Fund 3V60 appropriation
15 item 600689, TANF Block Grant, for \$15,000,000 in FY 2018 and FY
16 2019 for child and family community protection services.

Sub. H.B. 49
As Pending in S. Finance
TAXCD68

_____ moved to amend as follows:

- In line 226 of the title, delete "5715.19," 1
- In line 227 of the title, delete "5717.01," 2
- In line 640, delete "5715.19," 3
- In line 641, delete "5717.01," 4
- Delete lines 90215 through 90446 5
- Delete lines 90650 through 90699 6
- In line 102795, delete "5715.19, "; delete "5717.01," 7

The motion was _____ agreed to.

SYNOPSIS

- Property tax complaints and appeals** 8
- R.C. 5715.19 and 5717.01** 9
- Removes provisions in the pending bill that would have done 10
- all of the following: 11
- Prohibited a property owner from filing a complaint with a 12
- county board of revision challenging the tax value of property the 13

person does not own. 14

--Prohibited a political subdivision from filing a property 15
tax complaint challenging the valuation of property unless its 16
legislative authority adopts a resolution describing the 17
circumstances under which the subdivision will file such 18
complaints. 19

--Prohibited an attorney from appearing before a county board 20
of revision or the Board of Tax Appeals in an appeal of a property 21
tax complaint unless the attorney certifies that the attorney is 22
not paid on a contingency basis for that action or appeal. 23

_____ moved to amend as follows:

1 In line 8835, delete "(1)"

2 In line 8838, delete "ten" and insert "an amount greater
3 than one"; delete "amount appropriated by the general"

4 In line 8839, delete "assembly for that specific or related
5 purpose or item" and insert "general revenue fund
6 appropriations"

7 In line 8840, delete ", or ten million dollars, whichever
8 amount is less"

9 Delete lines 8841 through 8844

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Controlling Board authority**

13 **R.C. 131.35**

14 Changes the bill's threshold amount regarding Controlling
15 Board expenditure authorization of unanticipated revenue to 1%
16 of the general-revenue-fund appropriations for that fiscal year
17 (under the bill the threshold is the lesser of 10% of the amount
18 appropriated for the specific or related purpose or item for
19 that fiscal year, or \$10 million).

20 Removes a provision of the bill that would have prohibited
21 the Controlling Board from creating additional funds to receive
22 unanticipated revenue for the biennium in which the new revenues
23 were received if the revenue exceeded \$10 million.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 204 of the title, after "5123.60," insert "5124.15, 1
5124.25," 2

In line 624, after "5123.60," insert "5124.15, 5124.25," 3

Between lines 80578 and 80579, insert: 4

"**Sec. 5124.15.** (A) Except as otherwise provided by section 5
5124.101 of the Revised Code, sections 5124.151 to 5124.155 of the 6
Revised Code, and divisions (B) and (C) of this section, the total 7
per medicaid day payment rate that the department of developmental 8
disabilities shall pay to an ICF/IID provider for ICF/IID services 9
the provider's ICF/IID provides during a fiscal year shall equal 10
the sum of all of the following: 11

(1) The per medicaid day payment rate for capital costs 12
determined for the ICF/IID under section 5124.17 of the Revised 13
Code; 14

(2) The per medicaid day payment rate for direct care costs 15
determined for the ICF/IID under section 5124.19 of the Revised 16
Code; 17

(3) The per medicaid day payment rate for indirect care costs 18
determined for the ICF/IID under section 5124.21 of the Revised 19
Code; 20

(4) The per medicaid day payment rate for other protected costs determined for the ICF/IID under section 5124.23 of the Revised Code.

(B) The total per medicaid day payment rate for an ICF/IID in peer group 3 shall not exceed the average total per medicaid day payment rate in effect on July 1, 2013, for developmental centers.

(C) The department shall adjust the total rate otherwise determined under division (A) of this section as directed by the general assembly through the enactment of law governing medicaid payments to ICF/IID providers.

(D) In addition to paying an ICF/IID provider the total rate determined for the provider's ICF/IID under divisions (A), (B), and (C) of this section for a fiscal year, the department, in accordance with section 5124.25 of the Revised Code, may pay the provider a rate add-on for ~~pediatric~~ ventilator-dependent outlier ICF/IID services if the rate add-on is to be paid under that section and the department approves the provider's application for the rate add-on. The rate add-on is not to be part of the ICF/IID's total rate.

Sec. 5124.25. (A) Subject to division (D) of this section, the department of developmental disabilities may pay a medicaid rate add-on to an ICF/IID provider for outlier ICF/IID services the ICF/IID provides to qualifying ventilator-dependent residents on or after ~~the effective date of this section~~ September 29, 2013, if the provider applies to the department of developmental disabilities to receive the rate add-on and the department approves the application. The department of developmental disabilities may approve a provider's application if both of the following apply:

(1) The provider submits to the department of developmental disabilities a best practices protocol for providing outlier ICF/IID services under this section and the department of developmental disabilities determines that the protocol is acceptable;

(2) The provider and ICF/IID meet all other eligibility requirements for the rate add-on established in rules authorized by this section.

(B) An ICF/IID that has been approved by the department of developmental disabilities to provider outlier ICF/IID services under this section shall provide the services in accordance with both of the following:

(1) The best practices protocol the department of developmental disabilities determined is acceptable;

(2) Requirements regarding the services established in rules authorized by this section.

(C) To qualify to receive outlier ICF/IID services from an ICF/IID under this section, a resident of the ICF/IID must be a medicaid recipient, ~~be under twenty two years of age,~~ be dependent on a ventilator, and meet all other eligibility requirements established in rules authorized by this section.

(D) The department of developmental disabilities shall negotiate the amount of the medicaid payment rate add-on, if any, to be paid under this section, or the method by which that amount is to be determined, with the department of medicaid. The department of developmental disabilities shall not pay the rate add-on unless the department of medicaid has approved the amount of the rate add-on or method by which the amount is to be determined."

In line 102779, after "5123.60," insert "5124.15, 5124.25," 79

The motion was _____ agreed to.

SYNOPSIS

Ventilator-dependent ICF/IID residents 80

R.C. 5124.25 (primary) and 5124.15 81

Restores an Executive provision that would eliminate a 82
requirement that a resident of an intermediate care facility for 83
individuals with intellectual disabilities (ICF/IID) be under 22 84
years of age to qualify for outlier ICF/IID services available to 85
certain Medicaid recipients dependent on a ventilator. 86

_____ moved to amend as follows:

1 In line 83 of the title, delete "3365.15,"

2 In line 564, delete "3365.15,"

3 Delete lines 45691 through 45779

4 In line 102718, delete "3365.15,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **CCP biennial and outcomes reports**

8 **R.C. 3365.15**

9 Maintains current law requiring the Chancellor of Higher
10 Education and the Superintendent of Public Instruction to submit
11 a biennial report to the Governor, Senate President, Speaker of
12 the House, and chairpersons of the House and Senate Education
13 Committees detailing the status of the College Credit Plus (CCP)
14 program, including an analysis of quality assurance measures.

15 Removes the substitute bill's provisions that do both of
16 the following:

17 (1) Specify that only data available through the Higher
18 Education Information System may be included in the biennial CCP
19 report; and

20 (2) Require an additional annual report to be submitted to
21 the same individuals on outcomes of the CCP program, which must
22 include specified data related to student success after CCP
23 participation, disaggregated by cohort. Under the bill, this
24 report must be submitted annually from 2018 to 2023.

_____ moved to amend as follows:

1 In line 139790, delete "\$46,733,500" and insert
2 "\$47,033,500"

3 In line 139796, delete "\$232,213,020" and insert
4 "\$232,513,020"

5 In line 139806, delete "\$323,431,793" and insert
6 "\$323,731,793"

7 In line 139866, after the first comma, insert "\$300,000
8 shall be used to support the Lake Metropolitan Housing Authority
9 Chagrin Riverbank Stabilization Project,"

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **Department of Natural Resources**

13 **Section 610.34**

14 Amends Section 223.10 of S.B. 310 of the 131st General
15 Assembly, the capital appropriations act for the FY 2017-FY 2018
16 capital biennium, to increase appropriations under Parks and
17 Recreation Improvement Fund (Fund 7035) capital appropriation
18 item C725E2, Local Parks Projects, by \$300,000 from \$46,733,500
19 to a total of \$47,033,500.

20 Earmarks the increased amount for the Lake Metropolitan
21 Housing Authority Chagrin Riverbank Stabilization Project.

_____ moved to amend as follows:

1 In line 129756, delete "\$500,000 \$500,000" and insert
2 "\$600,000 \$600,000"

3 In line 129757, add \$100,000 to each fiscal year

4 In line 129794, add \$100,000 to each fiscal year

5 Between lines 131568 and 131569, insert:

6 **"Section 265.____.** EDUCATIONAL IMPROVEMENT GRANTS

7 Of the foregoing appropriation item 200615, Educational
8 Improvement Grants, \$100,000 in each fiscal year shall be
9 distributed to the Lake County Educational Service Center to
10 support the Lake and Geauga Counties Manufacturing K-12
11 Partnership.

12 TRANSFER FROM THE OHIOMEANSJOBS WORKFORCE DEVELOPMENT
13 REVOLVING LOAN FUND (FUND 5NH0) TO THE EDUCATIONAL GRANTS FUND
14 (FUND 6200)

15 Notwithstanding any provision of law to the contrary, on
16 July 1, 2017, or as soon as possible thereafter, the Director of
17 Budget and Management shall transfer \$200,000 cash from the
18 OhioMeansJobs Workforce Development Revolving Loan Fund (Fund
19 5NH0) to the Educational Grants Fund (Fund 6200)."

SC5615X1

20 In line 138004, delete "\$16,250,000" and insert
21 "\$16,050,000"

22 In line 138007, subtract \$200,000 from fiscal year 2018

23 In line 138011, subtract \$200,000 from fiscal year 2018

24 The motion was _____ agreed to.

25 SYNOPSIS

26 **Department of Education**

27 **Sections 265.10 and 265.____**

28 Increases DPF Fund 6200 appropriation item 200615,
29 Educational Improvement Grants, by \$100,000 in each fiscal year
30 and earmarks those amounts for the Lake County Educational
31 Service Center to support the Lake and Geauga Counties
32 Manufacturing K-12 Partnership.

33 Requires the Director of OBM to transfer \$200,000 cash from
34 the OhioMeansJobs Workforce Development Revolving Loan Fund
35 (Fund 5NH0) to the Educational Grants Fund (Fund 6200).

36 **Treasurer of State**

37 **Section 413.10**

38 Decreases DPF Fund 5NH0 appropriation item 090610,
39 OhioMeansJobs Workforce Development, by \$200,000 in FY 2018.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 32 of the title, delete "1509.28," 1
- In line 527, delete "1509.28," 2
- Delete lines 22171 through 22399 3
- In line 102681, delete "1509.28," 4
- Delete lines 140768 through 140774 5

The motion was _____ agreed to.

SYNOPSIS

Unit operation procedures under Oil and Gas Law 6

R.C. 1509.28 and Section 715.10 7

Eliminates the provisions of the bill that do all of the 8
following: 9

- (1) Require the Chief of the Division of Oil and Gas 10
- Resources Management to hold a hearing required under current law 11
- to consider the need for the operation as a unit of an entire pool 12
- (underground reservoir) or part of a pool not later than 45 days 13
- after the Chief's motion or receipt of an application by the 14

owners of 65% of the land area overlying the pool; 15

(2) Specify that an order of the Chief providing for unit 16
operation must be made not later than 30 days after the date of 17
the hearing if the Chief makes certain findings; 18

(3) Retain a requirement that the plan prescribed in the 19
Chief's order for unit operation contain a provision for carrying 20
or otherwise financing any person who is unable to meet the 21
person's financial obligations in connection with the unit, 22
allowing a reasonable interest charge for that service, and add 23
that the interest rate must be 200% for an unleased mineral rights 24
owner; 25

(4) Provide for a specified royalty for unleased mineral 26
rights owners that are included in the unit; and 27

(5) Specify that an applicant is not required to begin unit 28
operations sooner than 24 months from the effective date of the 29
Chief's order providing for unit operation if the application for 30
unit operation had a hearing before January 1, 2018. 31

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 2 of the title, after "105.41," insert "106.042," 1

In line 505, after "105.41," insert "106.042," 2

Between lines 2022 and 2023, insert: 3

"**Sec. 106.042.** (A) The adoption by the general assembly of a 4
concurrent resolution invalidating any version of a proposed rule 5
prohibits the agency that proposed the rule from instituting or 6
continuing rule-making proceedings with regard to any version of 7
the proposed rule for the remaining term of the general assembly. 8
However, the general assembly may adopt a concurrent resolution 9
that authorizes the agency to institute or continue rule-making 10
proceedings with regard to the proposed rule, but the agency may 11
not adopt any version of the proposed rule unless it has been 12
submitted to the joint committee on agency rule review and the 13
time for legislative review has expired without adoption of a 14
concurrent resolution invalidating the proposed rule. 15

(B) The failure of the general assembly to adopt a concurrent 16
resolution invalidating a proposed or existing rule is not a 17
ratification of the lawfulness or reasonableness of the proposed 18
or existing rule or of the validity of the procedure by which the 19
rule was proposed or adopted." 20

In line 102659, after "105.41," insert "106.042," 21

The motion was _____ agreed to.

SYNOPSIS

Agency prohibited from reintroducing invalidated rule 22

R.C. 106.042 23

Prohibits an agency whose rule has been invalidated by a 24
concurrent resolution from reintroducing that rule or any version 25
of the rule during the term of the general assembly in which the 26
concurrent resolution invalidating the rule was adopted. 27

Provides that the general assembly may adopt a concurrent 28
resolution to authorize an agency to institute or continue 29
rule-making procedures for an invalidated rule or a version of the 30
invalidated rule, but the agency may not adopt any version of the 31
rule until the rule has been submitted to the Joint Committee on 32
Agency Rule Review and the time for legislative review of the rule 33
has expired. 34

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

In line 261 of the title, after "3318.037," insert "3318.39," 1

In line 666, after "3318.037," insert "3318.39," 2

Between lines 41229 and 41230, insert: 3

"Sec. 3318.39. (A) The 1:1 school facilities option program 4
is hereby established. Under the program, the Ohio facilities 5
construction commission shall provide state funds to assist 6
eligible school districts in constructing, acquiring, 7
reconstructing, or making additions or repairs to any feature of a 8
classroom facility that meets the design standards of the 9
commission in lieu of that district participating in the classroom 10
facilities assistance program under sections 3318.01 to 3318.20 of 11
the Revised Code, in the case of a city, exempted village, or 12
local school district, or sections 3318.40 to 3318.45 of the 13
Revised Code, in the case of a joint vocational school district. 14

For purposes of this program, an eligible school district is 15
either of the following: 16

(1) A city, exempted village, or local school district that 17
has not entered into an agreement for any program under this 18
chapter, except for emergency assistance under section 3318.351 of 19
the Revised Code, prior to the effective date of this section. A 20

district that received partial assistance prior to May 20, 1997,
and can qualify for assistance under division (B)(2) of section
3318.04 of the Revised Code shall not be eligible for assistance
under this section.

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(2) A joint vocational school district that has not entered
into an agreement for any program under this chapter prior to the
effective date of this section.

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An eligible school district may avail itself of the option
provided under this section only at the time it becomes eligible
for assistance under the classroom facilities assistance program
in accordance with the annual percentile ranking of districts
under section 3318.011 or 3318.42 of the Revised Code.

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(B)(1) The commission, at the request of a school district
that meets the criteria set forth in division (A) of this section,
shall assess the current conditions of the classroom facilities of
that school district. Based on the results of the assessment, the
commission shall determine the scope of the entire project, the
basic project cost of the school district's classroom facilities
needs, and the state's portion of the total project if the school
district were to receive assistance under sections 3318.01 to
3318.20 of the Revised Code, in the case of a city, exempted
village, or local school district, or sections 3318.40 to 3318.45
of the Revised Code, in the case of a joint vocational school
district.

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(2) A district that opts to receive assistance under this
section shall be eligible to receive state funds in the amount of
up to the greater of one million dollars or ten per cent of the
state's share of the total project cost determined under division
(B)(1) of this section. However, a district may choose to receive
less than the maximum amount of state funds for which it is

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eligible under this division. 51

(3) A district that opts to receive assistance under this 52
section shall match the amount of state funds it receives on a 53
one-to-one basis. A district may generate the school district 54
funds for its match using any lawful manner. 55

(C) The commission shall adopt guidelines and procedures for 56
the administration of the program. The guidelines shall include 57
the following: 58

(1) A requirement that, in order to participate in the 59
program, the district's board of education must approve 60
participation by an affirmative vote of not less than four-fifths 61
of the board's full membership; 62

(2) The application process for districts; 63

(3) A requirement that, in order to participate in the 64
program, the district shall provide a share that is at least equal 65
to the amount of the state assistance provided under this section. 66

(D) If a district participates in the program established 67
under this section, that district shall not have another project 68
under sections 3318.01 to 3318.20 of the Revised Code, in the case 69
of a city, exempted village, or local school district, or sections 70
3318.40 to 3318.45 of the Revised Code, in the case of a joint 71
vocational school district, conditionally approved until the 72
expiration of twenty years after the date the district enters into 73
an agreement with the commission for assistance under this 74
section." 75

The motion was _____ agreed to.

SYNOPSIS

1:1 School Facilities Option Program 76

R.C. 3318.39 77

Establishes the 1:1 School Facilities Option Program as an 78
 alternative to assist school districts that have not entered into 79
 an agreement for classroom facilities assistance (except for 80
 emergency assistance) with constructing, acquiring, 81
 reconstructing, or making additions or repairs to any feature of a 82
 classroom facility. 83

Specifies that a district becomes eligible for the 84
 alternative program only at the time it becomes eligible for 85
 assistance under the Classroom Facilities Assistance Program 86
 (CFAP) or Vocational School Facilities Assistance Program (VFAP), 87
 in accordance with the annual wealth percentile rankings of 88
 districts under continuing law. 89

Requires the Ohio Facilities Construction Commission, at the 90
 request of an eligible district, to assess the district's current 91
 facilities conditions and determine the scope of the entire 92
 project, the basic project cost of the district's classroom 93
 facilities needs, and the state's portion of the total project if 94
 the school were to receive assistance under CFAP or VFAP. 95

Specifies that a district that opts to receive assistance 96
 under the alternative program is eligible to receive up to \$1 97
 million or 10% of the state's share of the total project cost 98
 under CFAP or VFAP, provided that the district matches the amount 99
 of state funds it receives on a one-to-one basis. 100

Specifies that a district that receives assistance under the 101
 1:1 School Facilities Option Program is not eligible for 102

subsequent assistance under either CFAP or VFAP until the
expiration of 20 years after the date the district enters into an
agreement under the program.

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_____ moved to amend as follows:

1 Between lines 106621 and 106622, insert:

2 "If the board appoints a committee or group to address
3 issues concerning optical dispensing or the practice of licensed
4 dispensing opticians and licensed ocularists under sections
5 4725.40 to 4725.59 of the Revised Code, the board shall include
6 as a member of that committee or group a physician licensed by
7 the state medical board who engages in the practice of
8 ophthalmology and is recommended by a professional association
9 representing the interests of the profession of ophthalmology."

10 The motion was _____ agreed to.

11 SYNOPSIS

12 **State Vision Professionals Board advisory committees**

13 **R.C. 4725.63**

14 Requires the State Vision Professionals Board, if the Board
15 appoints a committee or group to address issues concerning
16 optical dispensing or the practice of licensed dispensing
17 opticians and licensed ocularists, to include as a member of
18 that committee or group a licensed ophthalmologist who is
19 recommended by a professional association representing the
20 interests of ophthalmology.

_____ moved to amend as follows:

1 Between lines 141196 and 141197, insert:

2 **"Section 751.____.** The Director of Job and Family Services,
3 in collaboration with the Chancellor of Higher Education, shall
4 do the following:

5 (A) Convene a skills-based Supplemental Nutrition
6 Assistance Program Employment and Training program planning
7 committee to develop a plan for the expansion of the program,
8 which shall at least include representatives of community
9 colleges, local workforce development boards, and nonprofit
10 organizations that provide employment and training services for
11 low-income individuals;

12 (B) Identify workforce development, adult basic education,
13 and higher education programs and resources that could serve as
14 potential providers of education, training, and support
15 services;

16 (C) Identify resources that could be reimbursed by funds
17 from the United States Department of Agriculture and develop
18 guidance on leveraging eligible state, local, and philanthropic
19 resources to qualify for Supplemental Nutrition Assistance

20 Program Employment and Training program federal match. The
21 guidance shall include a description of the process to
22 participate in the Supplemental Nutrition Assistance Program
23 Employment and Training program, and a description of a system
24 of tracking participant eligibility, enrollment, continued
25 participation, and outcomes.

26 (D) Incorporate the plan to expand a skills-based
27 Supplemental Nutrition Assistance Program Employment and
28 Training program into the annual state Supplemental Nutrition
29 Assistance Program Employment and Training plan submitted to the
30 United States Department of Agriculture."

31 The motion was _____ agreed to.

32 SYNOPSIS

33 **Supplemental Nutrition Assistance Program planning**
34 **committee**

35 **Section 751.____**

36 Requires the Director of Job and Family Services, in
37 collaboration with the Chancellor of Higher Education, to
38 convene a Supplemental Nutrition Assistance Program Employment
39 and Training program planning committee to develop a plan for
40 the program and to incorporate the plan into the annual state
41 Supplemental Nutrition Assistance Program Employment and
42 Training plan submitted to the United States Department of
43 Agriculture.

_____ moved to amend as follows:

1 Delete lines 132522 through 132522b

2 In line 132530, subtract \$1,000,000 from each fiscal year

3 In line 132547, delete "\$4,500,000 \$4,500,000" and insert

4 "\$12,500,000 \$12,500,000"

5 In line 132547a, after "Prevention" insert "Cessation and

6 Enforcement"

7 In line 132561, add \$8,000,000 to each fiscal year

8 In line 132579, add \$7,000,000 to each fiscal year

9 Delete lines 132608 through 132612

10 Between lines 132678 and 132679, insert:

11 "TOBACCO USE PREVENTION CESSATION AND ENFORCEMENT

12 Of the foregoing appropriation item 440656, Tobacco Use

13 Prevention Cessation and Enforcement, \$750,000 in each fiscal

14 year shall be used to award grants in accordance with the

15 section of this act entitled "MOMS QUIT FOR TWO GRANT PROGRAM."

16 Of the foregoing appropriation item 440656, Tobacco Use

17 Prevention Cessation and Enforcement, \$250,000 in each fiscal

18 year shall be distributed to boards of health for the Baby and

19 Me Tobacco Free Program. The Director of Health shall determine

20 how the funds are to be distributed, but shall prioritize awards

SC5651

21 to boards that serve women who reside in communities that have
22 the highest infant mortality rates in this state, as identified
23 under section 3701.142 of the Revised Code."

24 Between lines 132745 and 132746, insert:

25 **"Section 291.____.** CASH TRANSFER TO THE TOBACCO USE
26 PREVENTION FUND

27 On July 1, 2017, or as soon as possible thereafter, the
28 Director of Budget and Management shall transfer the cash
29 balance in the Lung Cancer Research Fund (Fund 5CY0) to the
30 Tobacco Use Prevention Fund (Fund 5BX0). Upon completion of the
31 transfer, Fund 5CY0 is hereby abolished. The Director of Budget
32 and Management shall cancel any existing encumbrances against
33 appropriation item 195682, Lung Cancer and Lung Disease
34 Research, and reestablish them against appropriation item
35 440656, Tobacco Use Prevention Cessation and Enforcement. The
36 reestablished encumbrance amounts are hereby appropriated."

37 The motion was _____ agreed to.

38 SYNOPSIS

39 **Department of Health**

40 **Sections 291.10, 291.20, and 291.____**

41 Eliminates an appropriation of \$1 million in each fiscal
42 year to line item 440473, Tobacco Prevention Cessation and
43 Enforcement.

SC5651

44 Increases DPF Fund 5BX0 line item 440656, Tobacco Use
45 Prevention, by \$8 million in each fiscal year, and renames the
46 line item "Tobacco Use Prevention Cessation and Enforcement."

47 Eliminates an earmark of \$500,000 in each fiscal year for
48 the Moms Quit for Two Grant Program in line item 440473, Tobacco
49 Prevention Cessation and Enforcement. Earmarks \$750,000 in each
50 fiscal year for the Program in line item 440656, Tobacco Use
51 Prevention Cessation and Enforcement, instead.

52 Requires \$250,000 in each fiscal year to be distributed to
53 boards of health for the Baby and Me Tobacco Free Program.
54 Requires the Director of Health to determine how the funds are
55 to be distributed for the Baby and Me Tobacco Free Program and
56 to prioritize awards to boards that serve women who reside in
57 communities that have the highest infant mortality rates in this
58 state.

59 Requires, on July 1, 2017, or as soon as possible
60 thereafter, the Director of Budget and Management to transfer
61 the cash balance in the Lung Cancer Research Fund (Fund 5CY0) to
62 the Tobacco Use Prevention Fund (Fund 5BX0). Specifies that,
63 upon completion of the transfer, Fund 5CY0 is abolished.
64 Requires the Director to cancel any existing encumbrances
65 against line item 195682, Lung Cancer and Lung Disease Research,
66 and reestablish them against line item 440656, Tobacco Use
67 Prevention Cessation and Enforcement. Appropriates the
68 reestablished encumbrance amounts.

_____ moved to amend as follows:

1 Delete lines 140979 through 140995

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Electric distribution system innovations**

5 **Section 749.10**

6 Removes the provision that requires the Public Utilities
7 Commission (PUCO) to research the latest technological and
8 regulatory innovations for the electric distribution system.

9 Removes the provision that permits the PUCO to examine any
10 resulting research work product and issue a report summarizing
11 its findings and recommending a course of action to implement
12 cost-effective distribution system innovations.

_____ moved to amend as follows:

1 In line 105 of the title, delete "3937.32,"

2 In line 580, delete "3937.32,"

3 Delete lines 56725 through 56750

4 In line 102734, delete "3937.32,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Notice of cancellation of automobile insurance**

8 **R.C. 3937.32**

9 Removes from the As Pending in S. Finance version of the
10 bill a provision that permits insurers to include a notice of
11 cancellation of automobile insurance for nonpayment of the
12 premium with a billing notice.

_____ moved to amend as follows:

1 Delete lines 128158 through 128170 and insert:

2 "DRUG ABUSE RESPONSE TEAM EXPANSION GRANT PROGRAM

3 The Attorney General shall establish the Drug Abuse Response
4 Team Grant Program for the purpose of replicating or expanding
5 successful law enforcement programs that address the opioid
6 epidemic similar to the Drug Abuse Response Team established by
7 the Lucas County Sheriff's Department, and the Quick Response
8 Teams established in Colerain Township's Department of Public
9 Safety in Hamilton County and Summit County. Any grants awarded
10 by this grant program may include requirements for private or
11 nonprofit matching support.

12 The foregoing appropriation item 055431, Drug Abuse Response
13 Team Grants, shall be used by the Attorney General to fund grants
14 to law enforcement or other government agencies; the primary
15 purpose of the grants shall be to replicate or expand successful
16 law enforcement programs that address the opioid epidemic similar
17 to the Drug Abuse Response Team established by the Lucas County
18 Sheriff's Department and the Quick Response Teams established in

19 Colerain Township's Department of Public Safety in Hamilton
20 County and Summit County."

21 The motion was _____ agreed to.

22 SYNOPSIS

23 **Attorney General**

24 **Section 221.20**

25 Removes a provision that required the Attorney General, in
26 consultation with the Lucas County Sheriff's Department, the
27 Colerain Township's Department of Public Safety in Hamilton
28 County, and the officials implementing Quick Response Team
29 programs in Summit County, to establish the Drug Abuse Response
30 Team Replication Grant Program.

31 Removes the requirement that DPF Fund 5AH0 appropriation
32 item 055604, Drug Abuse Response Team Grants, be used to fund
33 the grants noted in the immediately preceding paragraph,
34 primarily for the purpose of replicating the Drug Abuse Response
35 Team Program in Lucas County and the Quick Response Team
36 programs in Colerain Township and Summit County in other Ohio
37 communities.

38 Requires the Attorney General to establish the Drug Abuse
39 Response Team Grant Program for the purpose of replicating or
40 expanding successful law enforcement programs that address the
41 opioid epidemic similar to the Drug Abuse Response Team
42 established by the Lucas County Sheriff's Department, and the
43 Quick Response Teams established in Colerain Township's
44 Department of Public Safety in Hamilton County and Summit
45 County.

46 Requires that GRF appropriation item 055431, Drug Abuse
47 Response Team Grants, be used by the Attorney General to fund
48 grants to law enforcement or other government agencies primarily
49 for the purpose of expanding or replicating successful law
50 enforcement programs that address the opioid epidemic similar to
51 the Drug Abuse Response Team established by the Lucas County
52 Sheriff's Department and the Quick Response Teams established in
53 Colerain Township's Department of Public Safety in Hamilton
54 County and Summit County.

_____ moved to amend as follows:

1 In line 8108, delete "to an individual who uses" and insert
2 "on each license or registration issued as part of"

3 In line 8109, delete "to apply for or renew a license or"

4 In line 8110, delete "registration"

5 In line 8111, after the underlined period insert "The
6 transaction fee shall apply to all transactions, regardless of
7 form, that immediately precede the issuance, renewal,
8 reinstatement, reactivation of, or other activity that results
9 in, a license or registration to operate as a regulated
10 professional or entity. Each license or registration is a
11 separate transaction to which a fee under this division applies.
12 Notwithstanding any provision of the Revised Code to the
13 contrary, if a fee is assessed under this section, no agency,
14 board, or commission shall issue a license or registration
15 unless a fee required by this division has been received."

16 In line 8112, after "agency" insert ", board, or
17 commission"

18 In line 8114, after "in" insert "or transferred to"

SC5679

19 In line 127598, after "fee" delete the balance of the line
20 and insert "on each license or registration issued as part of
21 an"

22 In line 127599, delete "to apply"

23 In line 127600, delete "for or renew a license or
24 registration"

25 In line 127601, after "The" insert "transaction fee shall
26 apply to all transactions, regardless of form, that immediately
27 precede the issuance, renewal, reinstatement, or reactivation
28 of, or other activity that results in, a license or registration
29 to operate as a regulated professional or entity. Each license
30 or registration is a separate transaction to which a fee under
31 this section applies. Notwithstanding any provision of the
32 Revised Code to the contrary, if a transaction fee is assessed
33 pursuant to this section, no agency, board, or commission shall
34 issue a license or registration without first collecting the
35 fee. The"

36 In line 127603, after "agency" insert ", board, or
37 commission"

38 In line 127605, after "in" insert "or transferred to"

39 The motion was _____ agreed to.

40

SYNOPSIS

41

Electronic licensing transaction fees

42

R.C. 125.18 and Section 207.40

43

44 Makes the following changes to the bill's provision to
45 authorize the Office of Information Technology to assess a
46 transaction fee, not to exceed \$3.50, to an individual who uses
47 an electronic licensing system operated by the Office to apply
for or renew a license or registration:

48

49 --Specifies that the transaction fee applies to all
50 transactions regardless of form that immediately precede the
51 issuance, renewal, reinstatement, reactivation of, or other
52 activity that results in, a license or registration to operate
53 as a regulated professional or entity, rather than to an
54 individual who uses the electronic licensing system to apply for
55 or renew a license or registration as under the As Passed by the
House version of the bill.

56

57 --Specifies that each license or registration is a separate
transaction to which a transaction fee shall apply.

58

59 --Prohibits an agency, board, or commission from issuing a
60 license or registration unless a transaction fee due, if
assessed, under the bill's provision has been received.

61

62 --Specifies that the Director of Administrative Services
63 may require a state agency, board, or commission for which the
64 electronic licensing system is being operated to collect the
65 fee, rather than only a state agency as under the As Passed by
the House version of the bill.

66

67 --Clarifies that the fees are to be deposited in or
68 transferred to the Professions Licensing System Fund, rather
69 than just deposited in as under the As Passed by the House
version of the bill.

_____ moved to amend as follows:

1 In line 132200, delete "\$3,000,000" and insert "\$4,712,000"

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Environmental Protection Agency**

5 **Section 277.20**

6 Increases the amount required to be scheduled for transfer
7 from the Scrap Tire Management Fund (Fund 4R50) to the Auto
8 Emissions Test Fund (Fund 5BY0) during the period from July 1,
9 2017 to June 30, 2019 by the Director of Budget and Management,
10 in consultation with the Director of Environmental Protection,
11 by \$1,712,000, from up to \$3,000,000 to up to \$4,712,000.

_____ moved to amend as follows:

- 1 In line 83551, delete "Thirty" and insert "Thirty-four"
- 2 In line 133878, delete "\$3,741,867,966 \$3,905,093,214"
- 3 and insert "\$3,743,867,966 \$3,897,595,014"
- 4 In line 133879, delete "\$8,866,173,162 \$9,251,578,717"
- 5 and insert "\$8,869,530,783 \$9,232,120,066"
- 6 In line 133880, delete "\$12,608,041,128 \$13,156,671,931"
- 7 and insert "\$12,613,398,749 \$13,129,715,080"
- 8 In line 133883, add \$2,000,000 to fiscal year 2018 and
- 9 subtract \$7,498,200 from fiscal year 2019
- 10 In line 133884, add \$3,357,621 to fiscal year 2018 and
- 11 subtract \$19,458,651 from fiscal year 2019
- 12 In line 133885, add \$5,357,621 to fiscal year 2018 and
- 13 subtract \$26,956,851 from fiscal year 2019
- 14 In line 133910, add \$5,357,621 to fiscal year 2018 and
- 15 subtract \$26,956,851 from fiscal year 2019
- 16 In line 134027, delete "three quarters of a" and insert
- 17 "one"
- 18 In line 134310, after the second comma delete the balance
- 19 of the line

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20 In line 134311, delete "titled "DURABLE MEDICAL EQUIPMENT,
21 ORTHOSES, AND PROSTHESES,""

22 Delete lines 134326 through 134332

23 The motion was _____ agreed to.

24 SYNOPSIS

25 **Department of Medicaid**

26 **Section 333.10**

27 Increases GRF appropriation item 651525, Medicaid Health
28 Care Services, by \$5,357,621 (\$2,000,000 state share) in FY 2018
29 and decreases it by \$26,956,851 (\$7,498,200 state share) in FY
30 2019.

31 **Medicaid rates for DME, orthoses, and prostheses**

32 **Sections 333.183 (primary) and 333.180**

33 Removes the Senate provision that would have prohibited the
34 maximum Medicaid rates for durable medical equipment, orthoses,
35 and prostheses provided during the period beginning January 1,
36 2018, and ending July 1, 2019, from exceeding the Ohio-specific
37 Medicare rates for those services in effect on July 1, 2017.

38 **Managed care premium payment withholdings**

39 **Section 333.50**

40 Revises the Senate provision that would set the amount to
41 be withheld in FY 2019 from Medicaid managed care organizations'
42 premiums for the purpose of the Managed Care Performance Payment
43 Program by increasing the amount from .75% to 1%.

44 **Alternative purchasing model for nursing facility services**

45 **R.C. 5165.157**

46 Revises the Senate provision that changes the default
47 Medicaid rate for nursing facility services provided under the
48 alternative purchasing model from 60% to 30% of the statewide
49 average of the Medicaid rate for long-term acute care hospital
50 services by setting the rate at 34%.

_____ moved to amend as follows:

1 In line 3 of the title, delete "109.802,"

2 In line 506, delete "109.802,"

3 Delete lines 3121 through 3234

4 In line 102660, delete "109.802,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Fee reimbursement from law enforcement assistance fund**

8 **R.C. 109.802**

9 Removes a provision that requires the Ohio Peace Officer
10 Training Commission to reimburse an appointing authority for the
11 actual costs of continuing professional training programs that
12 are successfully completed by the appointing authority's peace
13 officers or troopers, and reverts back to existing law which
14 allows the rate of that reimbursement to be determined by rules
15 adopted by the Attorney General.

_____ moved to amend as follows:

1 In line 253 of the title, delete "125.66,"

2 In line 254 of the title, delete "125.661,"

3 In line 660, delete "125.66,"

4 In line 661, delete "125.661,"

5 Delete lines 8318 through 8374

6 Delete lines 127402 through 127406

7 Delete lines 127684 through 127699

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Pay for Success Contracting Program**

11 **R.C. 125.66 and 125.661; Section 207.60**

12 Removes from the bill provisions that would have:

13 (1) Established the Pay for Success Contracting Program;

14 (2) Authorized the Director of Administrative Services to
15 enter into multi-year contracts with social service
16 intermediaries under the Program to achieve certain social goals
17 in Ohio;

18 (3) Required the Director, in consultation with the
19 Department of Health, to contract with social service

SC5693

20 intermediaries to administer infant mortality and other birth
21 outcome pilot projects.

22 **Department of Administrative Services**

23 **Section 207.20**

24 Removes from the bill earmark language for the Pay for
25 Success Contracting Program.

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_____ moved to amend as follows:

Between lines 128045a and 128046, insert: 1
"GRF 055431 Drug Abuse Response \$ 2,500,000 \$ 2,500,000" 2
Team Grants
In line 128047, add \$2,500,000 to each fiscal year 3
Delete lines 128061 and 128061a 4
In line 128070, subtract \$2,500,000 from each fiscal year 5
In line 128165, delete "055604" and insert "055431" 6
In line 129726, delete "\$5,413,167 \$5,913,167" and insert 7
"\$413,167 \$913,167" 8
In line 129745, subtract \$5,000,000 from each fiscal year 9
Between lines 129755a and 129756, insert: 10
"5UC0200662 Accountability/Report \$ 5,000,000 \$ 5,000,000" 11
Cards
In line 129757, add \$5,000,000 to each fiscal year 12
Between lines 130278 and 130279, insert: 13
"The foregoing appropriation item 200439, 14
Accountability/Report Cards, shall be used in conjunction with 15
appropriation item 200662, Accountability/Report Cards." 16
Delete lines 130279 through 130310 17

Between lines 131568 and 131569, insert: 18

"Section 265._____. ACCOUNTABILITY/REPORT CARDS 19

Of the foregoing appropriation item 200662, 20
 Accountability/Report Cards, \$500,000 in each fiscal year shall be 21
 used as matching funds to support efforts by the Accelerate Great 22
 Schools public-private partnership to increase the number of 23
 high-performing schools in Cincinnati, to attract and develop 24
 excellent school leaders and teachers, and to engage families and 25
 communities in fostering educational improvement. 26

Of the foregoing appropriation item 200662, 27
 Accountability/Report Cards, a portion in each fiscal year may be 28
 used to train district and regional specialists and district 29
 educators in the use of the value-added progress dimension and in 30
 the use of data as it relates to improving student achievement. 31
 This training may include teacher and administrator professional 32
 development in the use of data to improve instruction and student 33
 learning, and teacher and administrator training in understanding 34
 teacher value-added reports and how they can be used as a 35
 component in measuring teacher and administrator effectiveness. A 36
 portion of this funding shall be provided to educational service 37
 centers to support training and professional development under 38
 this section consistent with section 3312.01 of the Revised Code. 39

The remainder of appropriation item 200662, 40
 Accountability/Report Cards, shall be used by the Department of 41
 Education to incorporate a statewide value-added progress 42
 dimension into performance ratings for school districts and for 43
 the development of an accountability system that includes the 44
 preparation and distribution of school report cards, funding and 45
 expenditure accountability reports under sections 3302.03 and 46

3302.031 of the Revised Code, the development and maintenance of 47
 teacher value-added reports, the teacher student linkage/roster 48
 verification process, and the performance management section of 49
 the Department's web site required by section 3302.26 of the 50
 Revised Code. 51

Section 265._____. TRANSFER FROM STATE BOARD OF EDUCATION 52
 LICENSURE FUND TO THE ACCOUNTABILITY/REPORT CARDS FUND 53

Notwithstanding any provision of law to the contrary, on July 54
 1 of each fiscal year, or as soon as possible thereafter, the 55
 Director of Budget and Management shall transfer \$5,000,000 cash 56
 from the State Board of Education Licensure Fund (Fund 4L20) to 57
 the Accountability/Report Cards Fund (Fund 5UC0), which is hereby 58
 created in the state treasury." 59

Between lines 134585a and 134586, insert: 60
 "GRF 336410 Drug Addiction \$ 2,500,000 \$ 2,500,000" 61
 Detection

In line 134598, add \$2,500,000 to each fiscal year 62

Delete lines 134600 and 134600a 63

In line 134610, subtract \$2,500,000 from each fiscal year 64

Between lines 134644 and 134645, insert: 65

"Section 337._____. DRUG ADDICTION DETECTION 66

The foregoing appropriation item 336410, Drug Addiction 67
 Detection, shall be used to develop a program to help teachers and 68
 educators identify students using or addicted to drugs, including 69
 opioids. The Department of Mental Health and Addiction Services 70
 shall collaborate with the Department of Education to develop this 71
 program." 72

Delete lines 135108 through 135123 73

The motion was _____ agreed to.

SYNOPSIS

Attorney General 74

Sections 221.10 and 221.20 75

Creates GRF appropriation item 055431, Drug Abuse Response 76
Team Grants, with an appropriation of \$2,500,000 in each of FYs 77
2018 and 2019. 78

Deletes DPF Fund 5AH0 appropriation item 055604, Drug Abuse 79
Response Team Grants, with an appropriation of \$2,500,000 in each 80
of FYs 2018 and 2019. 81

Requires GRF appropriation item 055431, Drug Abuse Response 82
Team Grants, instead of DPF Fund 5AH0 appropriation item 055604, 83
Drug Abuse Response Team Grants which the amendment deletes, to be 84
used to fund the grants, primarily for the purpose of replicating 85
the Drug Abuse Response Team program in Lucas County and the Quick 86
Response Team programs in Colerain Township and Summit County in 87
other Ohio communities. 88

Department of Education 89

Sections 265.10, 265.100, 265._____, and 265._____ 90

Decreases GRF appropriation item 200439, 91
Accountability/Report Cards, by \$5,000,000 in each fiscal year. 92
Establishes DPF Fund 5UC0 appropriation item 200662, 93
Accountability/Report Cards, with appropriations of \$5,000,000 in 94
each fiscal year, and moves the following earmarks from item 95

200439 to item 200662: 96

(1) \$500,000 in each fiscal year to be used as matching funds 97
 for the Accelerate Great Schools public private partnership. 98

(2) A portion to be provided to educational service centers 99
 to support training and professional development. 100

(3) The remainder of the appropriation to be used to 101
 incorporate a statewide value-added progress dimension into 102
 performance ratings for school districts and develop an 103
 accountability system that includes the preparation and 104
 distribution of school report cards, funding and expenditure 105
 accountability reports, the development and maintenance of teacher 106
 value-added reports, the teacher student linkage/roster 107
 verification process, and the performance management section of 108
 ODE's website. 109

Requires the Director of Budget and Management to transfer \$5 110
 million cash in each fiscal year from the State Board of Education 111
 Licensure Fund (Fund 4L20) to the Accountability/Report Cards Fund 112
 (Fund 5UC0). Creates Fund 5UC0 in the state treasury. 113

Department of Mental Health and Addiction Services 114

Sections 337.10, 337._____, 337.210, and 337.211 115

Changes the funding source for a program that will help 116
 teachers and educators identify students using or addicted to 117
 drugs, including opioids, by doing the following: 118

--Establishes an appropriation of \$2.5 million in new GRF 119
 line item 336410, Drug Addiction Detection, and specifies that the 120
 line item must be used for the program referenced above. 121

--Eliminates an appropriation of \$2.5 million in new DPF Fund 122
 5AH0 line item 336642, Drug and Opiate Addiction Detection, and 123

removes language specifying that the line item must be used for 124
the program referenced above. 125

--Removes a transfer of \$5 million in each fiscal year from 126
the State Board of Education Licensure Fund (Fund 4L20) to the 127
Drug and Opiate Addiction Detection and Response Fund, which is 128
created by the bill. 129

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_____ moved to amend as follows:

In line 133 of the title, after "4723.05," insert "4723.09," 1

In line 600, after "4723.05," insert "4723.09," 2

Between lines 68307 and 68308, insert: 3

"**Sec. 4723.09.** (A)(1) An application for licensure by 4
examination to practice as a registered nurse or as a licensed 5
practical nurse shall be submitted to the board of nursing in the 6
form prescribed by rules of the board. The application shall 7
include all of the following: 8

(a) Evidence that the applicant has met the educational 9
requirements described in division (C) of this section; 10

(b) Any other information required by rules of the board; 11

(c) The application fee required by section 4723.08 of the 12
Revised Code. 13

(2) The board shall grant a license to practice nursing as a 14
registered nurse or as a licensed practical nurse if the 15
conditions of divisions (A)(2)(a) to (d) have been met: 16

(a) The applicant passes the examination accepted by the 17
board under section 4723.10 of the Revised Code. 18

(b) In the case of an applicant who entered a prelicensure 19

nursing education program on or after June 1, 2003, the results of
a criminal records check conducted in accordance with section
4723.091 of the Revised Code demonstrate that the applicant is not
ineligible for licensure as specified in section 4723.092 of the
Revised Code.

(c) The board determines that the applicant has not committed
any act that is grounds for disciplinary action under section
3123.47 or 4723.28 of the Revised Code or determines that an
applicant who has committed any act that is grounds for
disciplinary action under either section has made restitution or
has been rehabilitated, or both.

(d) The applicant is not required to register under Chapter
2950. of the Revised Code or a substantially similar law of
another state, the United States, or another country.

(3) The board is not required to afford an adjudication to an
individual to whom it has refused to grant a license because of
that individual's failure to pass the examination.

(B)(1) An application for licensure by endorsement to
practice nursing as a registered nurse or as a licensed practical
nurse shall be submitted to the board in the form prescribed by
rules of the board. The application shall include all of the
following:

(a) Evidence that the applicant holds a current, valid, and
unrestricted license or equivalent authorization from another
jurisdiction granted after passing an examination approved by the
board of that jurisdiction that is equivalent to the examination
requirements under this chapter for a license to practice nursing
as a registered nurse or licensed practical nurse;

(b) Any other information required by rules of the board;

(c) The application fee required by section 4723.08 of the Revised Code. 49
50

(2) The board shall grant a license by endorsement to practice nursing as a registered nurse or as a licensed practical nurse if the conditions of divisions (B)(2)(a) to (f) have been met: 51
52
53
54

(a) The applicant provides evidence satisfactory to the board that the applicant has met the educational requirements described in division (C) of this section. 55
56
57

(b) The examination, at the time it is successfully completed, is equivalent to the examination requirements in effect at that time for applicants who were licensed by examination in this state. 58
59
60
61

(c) The board determines there is sufficient evidence that the applicant completed two contact hours of continuing education directly related to this chapter or the rules adopted under it. 62
63
64

(d) The results of a criminal records check conducted in accordance with section 4723.091 of the Revised Code demonstrate that the applicant is not ineligible for licensure as specified in section 4723.092 of the Revised Code. 65
66
67
68

(e) The applicant has not committed any act that is grounds for disciplinary action under section 3123.47 or 4723.28 of the Revised Code, or the board determines that an applicant who has committed any act that is grounds for disciplinary action under either of those sections has made restitution or has been rehabilitated, or both. 69
70
71
72
73
74

(f) The applicant is not required to register under Chapter 2950. of the Revised Code, or a substantially similar law of another state, the United States, or another country. 75
76
77

(C)(1) To be eligible for licensure by examination or	78
endorsement, an applicant seeking a license to practice nursing as	79
a registered nurse must successfully complete either of the	80
following:	81
(a) A nursing education program approved by the board under	82
division (A) of section 4723.06 of the Revised Code;	83
(b) A nursing education program approved by a board of	84
another jurisdiction that is a member of the national council of	85
state boards of nursing.	86
(2) To be eligible for licensure by examination or	87
endorsement, an applicant seeking a license to practice nursing as	88
a licensed practical nurse must successfully complete one of the	89
following:	90
(a) A nursing education program approved by the board under	91
division (A) of section 4723.06 of the Revised Code;	92
(b) A nursing education program approved by a board of	93
another jurisdiction that is a member of the national council of	94
state boards of nursing;	95
(c) A practical nurse course offered or approved by the	96
United States army;	97
<u>(d) A practical nurse education program approved by the</u>	98
<u>United States air force as either of the following:</u>	99
<u>(i) The community college of the air force associate degree</u>	100
<u>in practical nursing technology;</u>	101
<u>(ii) The allied health program, for students who graduated</u>	102
<u>that program prior to 2016.</u>	103
(D) The board may grant a nonrenewable temporary permit to	104
practice nursing as a registered nurse or as a licensed practical	105

nurse to an applicant for license by endorsement if the board is satisfied by the evidence that the applicant holds a current, valid, and unrestricted license or equivalent authorization from another jurisdiction. Subject to earlier automatic termination as described in this paragraph, the temporary permit shall expire at the earlier of one hundred eighty days after issuance or upon the issuance of a license by endorsement. The temporary permit shall terminate automatically if the criminal records check completed by the bureau of criminal identification and investigation as described in section 4723.091 of the Revised Code regarding the applicant indicates that the applicant is ineligible for licensure as specified in section 4723.092 of the Revised Code. An applicant whose temporary permit is automatically terminated is permanently prohibited from obtaining a license to practice nursing in this state as a registered nurse or as a licensed practical nurse."

In line 102754, after "4723.05," insert "4723.09,"

The motion was _____ agreed to.

SYNOPSIS

Pre-licensure education requirements for LPNs

R.C. 4723.09

Provides that graduation from either of the following coursework satisfies the pre-licensure education requirements for licensed practical nurses:

- An education program that is approved by the U.S. Air Force as the Community College of the Air Force associate degree;
- The Allied Health Program, for graduates prior to 2016.

_____ moved to amend as follows:

1 In line 160 of the title, delete "4735.01,"

2 In line 612, delete "4735.01,"

3 Delete lines 74229 through 74517

4 In line 102767, delete "4735.01,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Land professionals and real estate licensing**

8 **R.C. 4735.01**

9 Removes a provision of the bill that exempts from the Real
10 Estate Licensing Law oil and gas land professionals who are
11 both:

12 (1) Primarily involved in negotiating the acquisition,
13 exploration, and development of oil and gas mineral interests to
14 extract oil or gas products;

15 (2) Are members of a professional organization that has
16 been in existence for at least three years and has developed
17 standards of performance and ethics for land professionals.

_____ moved to amend as follows:

1 Delete lines 129186 through 129190

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Department of Developmental Disabilities**

5 **Section 261.30**

6 Removes a provision which would have required \$30,000 in
7 each fiscal year from GRF appropriation item 322420, Screening
8 and Early Identification, to be distributed to the Preble County
9 Board of Developmental Disabilities for the Play and Language
10 for Autistic Youngsters Project.

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_____ moved to amend as follows:

- In line 6 of the title, delete "122.01," 1
- In line 7 of the title, delete "122.33," 2
- In line 508, delete "122.01," 3
- In line 509, delete "122.33," 4
- Delete lines 4452 through 4493 5
- Delete lines 6391 through 6477 6
- In line 102662, delete "122.01," 7
- In line 102663, delete "122.33," 8
- In line 128805, after the semicolon delete the balance of the 9
line 10
- Delete lines 128806 through 128813 and insert "up to 11
\$10,000,000 in each fiscal year shall be used pursuant to sections 12
122.28 to 122.36 of the Revised Code, of which not more than ten 13
per cent shall be used for operating expenses incurred in 14
administering the program." 15

The motion was _____ agreed to.

SYNOPSIS

Edison grant program changes - current law 16

R.C. 122.01 and 122.33 17

Removes the provision permitting the Director of Development Services to waive the contribution requirement for a project to receive a grant under the Thomas Alva Edison Grant Program if the project enables Ohio companies to access new technology applications. 18-22

Removes the provision defining "Edison Center Network" apparently for purposes of the administration of the Edison grant program. 23-25

Development Services Agency 26

Section 259.20 27

Restores the temporary law governing GRF appropriation item 195453, Technology Programs and Grants, present in H.B. 49 As Introduced, by: 28-30

- Adding language requiring up to \$10.0 million in each of FY 2018 and FY 2019 to be used pursuant to sections 122.28 to 122.36 of the Revised Code, of which not more than 10% shall be used for operating expenses; and 31-34
- Removing language requiring (1) up to \$4.6 million in each of FY 2018 and FY 2019 to be used for the Manufacturing Extension Partnership Program, and (2) up to \$5.9 million in each year to be used for the Technology Application Program to support new technology applications for small- and mid-sized manufacturers via the Edison Network through direct technology application development or service creation. 35-41

_____ moved to amend as follows:

1 In line 56169, reinsert "The" and delete the balance of the
2 line

3 In line 56170, delete "this section, the"

4 In line 56192, delete everything after "(6)"

5 Delete lines 56193 and 56194

6 In line 56195, delete "(7)"

7 The motion was _____ agreed to.

8 SYNOPSIS

9 **Commission to be paid video lottery sales agents**

10 **R.C. 3770.03**

11 Removes a provision in the bill directing the State Lottery
12 Commission to adopt a rule reducing the commission paid to video
13 lottery sales agents to 66% of the agent's video lottery
14 terminal income. The commission is set at 66.5% in current
15 rules.

_____ moved to amend as follows:

1 In line 36737, after the underlined comma insert "for
2 fiscal year 2018 or 2019,"

3 In line 36739, after "following" insert "for that fiscal
4 year"

5 In line 36742, after "for" insert "the tax year immediately
6 preceding the most recent"; delete "2015" and insert "for which
7 data is available"

8 In line 36744, after "for" insert "the most recent"; delete
9 "2016" and insert "for which data is available"

10 In line 36746, after "for" insert "the tax year immediately
11 preceding the most recent"; delete "2015" and insert "for which
12 data is available"

13 In line 36748, after "for" insert "the most recent"; delete
14 "2016" and insert "for which data is available"

15 In line 36749, after "for" insert "the tax year immediately
16 preceding the most recent"; delete "2015" and insert "for which
17 data is available"

18 In line 36755, after "for" insert "the most recent"; delete
19 "2016" and insert "for which data is available"

20 In line 36758, after "for" insert "the most recent"; delete
21 "2016" and insert "for which data is available"

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22 In line 130676, delete "each"; after "year" insert "2018
23 and up to \$7,000,000 in fiscal year 2019"

24 In line 131136, after "for" insert "the"

25 In line 131137, delete "2015" and insert "three years
26 preceding the tax year in which the current fiscal year ends"

27 In line 131139, after "for" insert "the"; delete "2016" and
28 insert "two years preceding the tax year in which the current
29 fiscal year ends"

30 The motion was _____ agreed to.

31 SYNOPSIS

32 **Adjustment of state share index for certain city, local,**
33 **and exempted village school districts**

34 **R.C. 3317.017**

35 With respect to the bill's provision that adjusts the
36 valuation index used in the state share index calculation for
37 eligible school districts, makes all of the following changes:

38 --Specifies that a district may be eligible for the
39 adjustment for fiscal year 2018 or 2019 (the substitute bill
40 does not specify fiscal years in which a district may be
41 eligible for the adjustment);

42 --Specifies that a district is an "eligible school
43 district" for purposes of this provision if it satisfies all of
44 the following criteria:

45 (1) The total taxable value of public utility personal
46 property in the district is at least 10% of the district's total
47 taxable value for the tax year immediately preceding the most
48 recent tax year for which data is available (rather than tax
49 year 2015 as in the substitute bill);

50 (2) The total taxable value of public utility personal
51 property in the district for the most recent tax year for which

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52 data is available (rather than tax year 2016 as in the
53 substitute bill) is at least 10% less than the total taxable
54 value of public utility property in the district for the tax
55 year immediately preceding the most recent tax year for which
56 data is available (rather than tax year 2015 as in the
57 substitute bill);

58 (3) The total taxable value of power plants in the district
59 for the most recent tax year for which data is available (rather
60 than tax year 2016 as in the substitute bill) is at least 10%
61 less than the total taxable value of power plants in the
62 district for the tax year immediately preceding the most recent
63 tax year for which data is available (rather than tax year 2015
64 as in the substitute bill).

65 --Specifies that a district's "three-year average
66 valuation" is adjusted by replacing a district's "three-year
67 average valuation" with a district's total taxable value for the
68 most recent tax year for which data is available (rather than a
69 district's total taxable value for tax year 2016 as under the
70 substitute bill), if that value is less than the three-year
71 average valuation.

72 **Department of Education**

73 **Sections 265.210 and 265.220**

74 Decreases by \$3,000,000 in FY 2019 an earmark from GRF
75 appropriation item 200550, Foundation Funding, for payments
76 under R.C. 3317.028 to school districts due to changes in the
77 taxable value of public utility tangible personal property.

78 Modifies an eligible school district's funding limitation
79 in FY 2019 to take into account the district's loss in taxes
80 charged and payable between tax year (TY) 2016 and TY 2017
81 rather than the district's loss in taxes charged and payable
82 between TY 2015 and TY 2016, which applies to both fiscal years
83 under the substitute bill. (Under the substitute bill, the
84 funding limitation for an eligible school district in each
85 fiscal year is the greater of (a) 1.055 times the district's
86 limitation base for the fiscal year (the same limitation that
87 applies to all other districts) and (b) the lesser of (i) the
88 district's foundation funding each fiscal year before the
89 funding limitation is applied and (ii) the district's limitation
90 base for the fiscal year plus the district's taxes charged and
91 payable for TY 2015 minus the district's taxes charged and
92 payable for TY 2016.)

_____ moved to amend as follows:

1 Delete lines 78884 through 78891 and insert:

2 "(a) Antipsychotic medications;

3 (b) Antidepressant medications;

4 (c) Anti-anxiety medications;

5 (d) Mood stabilizing medications."

6 In line 78896, delete "The" and insert:

7 "The"

8 In line 78899, after "state" insert ". The department,
9 based on factors it considers appropriate, shall allocate an
10 amount to each county for reimbursement of such psychotropic
11 drug costs incurred by the county.

12 (C) The director of mental health and addiction services
13 may adopt rules as necessary to implement this section. The
14 rules, if adopted, shall be adopted in accordance with Chapter
15 119. of the Revised Code"

16 Delete lines 78900 through 78929

17 The motion was _____ agreed to.

18

SYNOPSIS

19

Psychotropic drug reimbursement program for county jails

20

R.C. 5119.19

21

22 Modifies, as follows, the Senate-added provisions
23 establishing the Psychotropic Drug Reimbursement Program, which
24 is to provide state reimbursement to counties for psychotropic
25 drugs dispensed to county jail inmates:

26

27 --Removes provisions governing how (1) county sheriffs must
28 submit drug dispensing information to boards of alcohol, drug
29 addiction, and mental health services (ADAMHS boards), (2)
30 ADAMHS boards are to submit reimbursement requests to the Ohio
31 Department of Mental Health and Addiction Services (ODMHAS), and
32 (3) ODMHAS is to transfer money to ADAMHS boards.

33

34 --Instead, authorizes ODMHAS to (1) allocate to each county
35 an amount that ODMHAS considers appropriate for psychotropic
36 drug reimbursements and (2) adopt rules to implement the
37 Program.

38

39 --Replaces the list of examples of psychotropic drugs with
40 the following: antipsychotic medications, antidepressant
41 medications, anti-anxiety medications, and mood stabilizing
42 medications.

_____ moved to amend as follows:

1 Delete lines 79577 through 79619 and insert:

2 "Sec. 5119.48. (A) The department of mental health and
3 addiction services shall create the all roads lead to home
4 program. The program shall include both of the following
5 initiatives:

6 (1) A media campaign. As part of the campaign, the
7 department shall develop public service announcements and shall
8 make the announcements available to television and radio media
9 outlets. The announcements shall be made available beginning on
10 January 1, 2018, and at least twice annually, once between
11 January and March of each year, and once in September of each
12 year as part of national recovery month.

13 (2) A web site as described in division (C) of this
14 section.

15 (B) The media campaign described in division (A)(1) of this
16 section shall do all of the following:

17 (1) Include messages to reduce the stigma associated with
18 seeking help for drug addiction;

19 (2) Provide directions for people who are in need of drug
20 addiction assistance to a web-based location that includes all
21 of the following:

22 (a) Information on where to find help for drug addiction;

23 (b) Information on intervention and referral options;

24 (c) Contact information for county board drug addiction
25 assistance authorities.

26 (3) Prioritize its efforts in media markets that have the
27 highest rates of drug overdose deaths in this state;

28 (4) Utilize television and radio public service
29 announcements provided to media outlets, as well as internet
30 advertising models such as low-cost social media outlets.

31 (C) Before January 1, 2018, the department shall create a
32 web site as described in division (A)(2) of this section that
33 offers all of the following components:

34 (1) If reasonably available for use, an evidence-based
35 self-reporting screening tool approved by the department's
36 medical director;

37 (2) Community detoxification and withdrawal management
38 options and community treatment options;

39 (3) A searchable database of certified substance abuse
40 providers organized by zip code;

41 (4) Information on recovery supports, including recovery
42 housing;

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68 Eliminates the requirement that community detoxification
69 and withdrawal management options on the website best meet the
70 needs of a particular patient.

71 Replaces the option for follow-up on recovery progress with
72 information on recovery supports.

_____ moved to amend as follows:

1 In line 93 of the title, delete "3715.021,"

2 In line 572, delete "3715.021,"

3 Delete lines 49217 through 49249

4 In line 102726, delete "3715.021,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Food processing establishment - exemption**

8 **R.C. 3715.021**

9 Removes a provision of the bill that exempts a processor of
10 apple syrup or apple butter who directly harvests from trees at
11 least 75% of the apples used to produce the apple syrup or
12 butter from the Director of Agriculture's rules governing
13 standards and good manufacturing practices for food processing
14 establishments.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 214 of the title, delete "5166.121," 1
- In line 318 of the title, delete "5164.90," 2
- In line 632, delete "5166.121," 3
- Delete lines 84759 through 84796 4
- In line 102786, delete "5166.121," 5
- In line 102826, delete "5164.90," 6
- In line 134345, after "(1)" insert "Helping Ohioans Move,
Expanding Choice program" means the component of the Medicaid
program authorized by section 5164.90 of the Revised Code. 7
8
9
- (2)" 10
- In line 134347, delete "(2)" and insert "(3)" 11
- In line 134351, after "to" insert "the following:" 12
- (1) Except as provided in division (B)(2) of this section,
the Helping Ohioans Move, Expanding Choice program; 13
14
- (2) If the Helping Ohioans Move, Expanding Choice program is
integrated into a home and community-based services Medicaid
waiver component, the same or" 15
16
17
- Delete lines 134353 through 134356 18

The motion was _____ agreed to.

SYNOPSIS

Money Follows the Person demonstration project	19
R.C. 5164.90 (repeal removed from bill) and 5166.121 (removed from bill); Sections 333.200 and 333.203 (removed from bill)	20 21
Regarding the provision eliminating the Ohio Access Success Project, restores the Executive provision requiring the Department of Medicaid to transfer the Project's enrollees into the Helping Ohioans Move, Expanding (HOME) Choice Program or, if that program is integrated into a Medicaid waiver program, the same or another Medicaid waiver program.	22 23 24 25 26 27
Removes the Senate-added provision that would have abolished the Money Follows the Person demonstration project.	28 29

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_____ moved to amend as follows:

In line 107 of the title, after "4141.51," insert "4301.13," 1

In line 582, after "4141.51," insert "4301.13," 2

Between lines 58410 and 58411, insert: 3

"**Sec. 4301.13.** (A) The liquor control commission may adopt, 4
promulgate, repeal, rescind, and amend rules to regulate the 5
manner of dealing in and distributing and selling bottled wine 6
within the state. The commission may require out-of-state 7
producers, shippers, bottlers, and holders of federal importers' 8
permits shipping bottled wine into Ohio and holders of A-2, A-2f, 9
B-5, B-3, and B-2 permits issued by the division of liquor 10
control, engaged in distributing and selling bottled wine in Ohio, 11
to file with the division a schedule of prices in which minimum 12
prices are set forth for the sale of bottled wine at wholesale or 13
retail, or both, in Ohio. Any amendments, additions, alterations, 14
or revisions to the schedule of prices as originally filed with 15
the division shall be filed in the same manner as the original 16
schedule of prices required to be filed with the division. 17

(B)(1) The commission may determine and fix the minimum 18
mark-ups at wholesale or retail, or both, for bottled wine, and 19
fix the minimum prices at which the various classes of bottled 20

wine shall be distributed and sold in Ohio either at wholesale or 21
 retail, or both. With regard to the minimum prices at which 22
various classes of bottled wine are sold in the state at retail, 23
the commission shall allow a retail permit holder to offer to a 24
personal consumer a ten per cent discount off the per-bottle 25
retail sale price on each bottle included in a case of that wine 26
that is offered for sale. 27

(2) As used in division (B)(1) of this section, "case" means 28
not less than six and not more than twelve bottles of wine that 29
are the same brand and variety and hold the same volume." 30

In line 102736, after "4141.51," insert "4301.13," 31

The motion was _____ agreed to.

SYNOPSIS

Case of wine discount 32

R.C. 4301.13 33

Requires the Liquor Control Commission to allow retail liquor 34
 permit holders to offer to a personal consumer a 10% discount off 35
 the per-bottle retail sale price on each bottle included in a case 36
 of that wine that is offered for sale. 37

Defines "case" as between 6 and 12 bottles of wine that are 38
 the same brand and variety and hold the same volume. 39

_____ moved to amend as follows:

1 Delete lines 139560 through 139569

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Department of Administrative Services**

5 **Section 610.23**

6 Eliminates the requirement that the Department of
7 Administrative Services issue a request for proposals (RFP) for
8 the purposes of creating a unified statewide purchasing or
9 leasing plan for voting and tabulation equipment as part of the
10 proposal to provide \$1.0 million in capital money to reimburse
11 counties for this equipment.

12 Removes intent language to provide future additional
13 funding to counties for voting machine purchases, leases, or
14 reimbursements by FY 2019.

_____ moved to amend as follows:

1 Between lines 135068 and 135069, insert:

2 **"Section ____.** DATA COLLECTION AND SHARING BY AGENCIES THAT
3 SERVE MULTI-SYSTEM YOUTH

4 (A) As used in this section:

5 (1) "Behavioral Health Redesign" means proposals developed
6 in a collaborative effort by the Office of Health
7 Transformation, Department of Medicaid, and Department of Mental
8 Health and Addiction Services to make revisions to the Medicaid
9 program's coverage of community behavioral health services
10 beginning July 1, 2017, including revisions that update Medicaid
11 billing codes and payment rates for community behavioral health
12 services.

13 (2) "Community behavioral health services" means both of
14 the following:

15 (a) Alcohol and drug addiction services provided by a
16 community addiction services provider, as defined in section
17 5119.01 of the Revised Code;

18 (b) Mental health services provided by a community mental
19 health services provider, as defined in section 5119.01 of the
20 Revised Code.

21 (3) "Multi-system youth" means a youth that is in need of
22 services from two or more of the following:

23 (a) The child welfare system;

24 (b) The mental health and addiction services system;

25 (c) The developmental disabilities system;

26 (d) The juvenile court system.

27 (B) The Director of Mental Health and Addiction Services,
28 in the Director's position as the chairperson of the Ohio Family
29 and Children First Cabinet Council, shall establish a strategy
30 for data collection and sharing by agencies that serve multi-
31 system youth. When establishing the strategy, the Director shall
32 consider that the purpose of the data collection and sharing is
33 to determine resource utilization, service utilization trends
34 and gaps, and monitor outcomes. The Director shall ensure that
35 the strategy, when implemented, is able to identify and monitor
36 the availability of evidence-based services that target multi-
37 system youth before and after implementation of the Behavioral
38 Health Redesign, as well as before and after delivery of
39 community behavioral health services is made a component of
40 Medicaid managed care.

41 (C) The Director shall submit a report to the Governor and
42 General Assembly on both of the following:

43 (1) The parameters of the strategy required by division (B)
44 of this section;

45 (2) The cost to implement the strategy not later than
46 December 31, 2017.

47 The submission to the General Assembly shall be made in
48 accordance with [section 101.68 of the Revised Code.](#)"

49 The motion was _____ agreed to.

50 SYNOPSIS

51 **Strategy for data collection and sharing by agencies that**
52 **serve multi-system youth**

53 **Section ____**

54 Requires the Director of Mental Health and Addiction
55 Services to establish a strategy for data collection and sharing
56 by agencies that serve multi-system youth.

57 Requires the Director to submit a report to the Governor
58 and General Assembly on the parameters of the strategy and the
59 cost to implement the strategy.

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

Between lines 141351 and 141352, insert: 1

"Section 753.____. (A) The Governor may execute a deed in the 2
name of the state conveying to the Mahoning County Mental Health 3
and Recovery Board, and its heirs, and to its successors and 4
assigns, or to an alternate purchaser, and the alternate 5
purchaser's heirs, and to its successors and assigns, all of the 6
state's right, title, and interest in the following described real 7
estate: 8

Situated in the Township of Austintown, County of Mahoning, 9
State of Ohio, and known as being a part of Austintown Township 10
Great Lot No. 2 and being further bounded and described as 11
follows: 12

Beginning at a point in the center line of County Line Road, 13
at the northwest corner of a 44.15 acre parcel of land conveyed to 14
Lillian Beazell by certificate of transfer from Albert J. Elias, 15
deceased, recorded in Vol. 964, page 239, Mahoning County Records 16
of Deeds; thence east along the center line of said County Line 17
Road 405 feet, but to the Northwest corner of a 2 acre parcel now 18
or formerly owned by M. and A. Markowsky; thence Southerly along 19
the west line of said Markowsky land 412.50 feet to the southwest 20
corner thereof; thence easterly along the southerly line of said 21

Markowsky land and continuing on the same course along the southerly line of lands now or formerly owned by A. Piowarsky a total distance of 422.4 feet to the east line of lands of said Lillian Beazell; thence S. 01° 35' 38" E. 1457.48feet, but to the northerly right of way line of land for a highway conveyed by Lillian Beazell to the State of Ohio by deed recorded in Vol. 1070, Page 524, Mahoning County Deed Records; thence S. 43° 29' 58" W. 321 feet along said northerly right of way line; thence S. 48° 11' 53" W. 479.61 feet along said northerly right of way line; thence S. 53° 34' 21" W. along said northerly right of way line to its intersection with the south line of Great Lot 2; thence westerly along the south line of Great lot 2 a distance of approximately 15 feet, but to the Southwest corner of said lands acquired by Lillian Beazell by instrument recorded in Vol. 964, Page 239, Mahoning County Deed Records; thence north along the west line of said Beazell lands a distance of 2622.84 feet to the place of beginning and containing within said bounds approximately 37.75 acres of land.

Excepting from the above described lands, the following:

Situated in the Township of Austintown, County of Mahoning, State of Ohio, and known as being a part of Austintown Township Great Lot No. 2 and being further bounded and described as follows:

Beginning at a point on the west line of lands of Lillian Beazell in Great Lot 2, (vol. 964, page 239) Mahoning County Records of Deeds 370.1 feet southerly of the center line of County line Road, also known as Ohltown-Girard Road; thence S. 47° 15 ½' E. 1128.8 feet to the westerly line of lands now or formerly owned by A. & F. Piowarsky; thence southerly along said westerly boundary line 81.9 feet to a point; thence parallel to and 60 feet

southwesterly of the first mentioned course N. 47° 15 ½' W. 1128.8 feet to a point on the westerly line of said Beazell land; thence northerly along said westerly line 81.9 feet to the place of beginning and containing 1.55 acres of land.

Leaving 36.2 acres of land more or less subject however, to all legal highways and easements of record.

Prior Deed Reference: Vol. 1362, Page 828, Mahoning County Records of Deeds

Permanent Parcel Number: 48-087-0-008.00-0"

(B) The Department of Administrative Services shall prepare a legal description of the real estate to be conveyed, as necessary, in order to facilitate the recording of the deed.

(C) The conveyance includes improvements and chattels situated on the real estate, and is subject to all easements, covenants, conditions, and restrictions of record; all legal highways and public rights-of-way; zoning, building, and other laws, ordinances, restrictions, and regulations; and real estate taxes and assessments not yet due and payable. The real estate shall be conveyed in an "as-is, where-is, with all faults" condition.

(D) Consideration for the conveyance of the real estate described in division (A) of this section is one dollar.

(E) The real estate described in division (A) of this section shall be sold as an entire tract and not in parcels.

(F) Except as otherwise specified in this section, the purchaser shall pay all costs associated with the purchase, closing, and conveyance of the real estate, including surveys, title evidence, title insurance, transfer costs and fees, recording costs and fees, taxes, and any other fees, assessments,

and costs that may be imposed. 81

The proceeds of the sale shall be deposited into the state treasury to the credit of the Mental Health Facilities Improvement Fund (Fund 7033) or another fund designated by the Director of Budget and Management. 82-85

(G) Upon payment of the purchase price, the Auditor of State, with the assistance of the Attorney General, shall prepare a deed to the real estate described in division (A) of this section. The deed shall state the consideration and shall be executed by the Governor in the name of the state, countersigned by the Secretary of State, sealed with the Great Seal of the State, presented in the Office of the Auditor of State for recording, and delivered to the purchaser. The purchaser shall present the deed for recording in the Office of the Mahoning County Recorder. 86-94

(H) This section expires three years after its effective date." 95-96

The motion was _____ agreed to.

SYNOPSIS

Mahoning County land conveyance 97

Section 753.____ 98

Authorizes the conveyance for \$1.00 of the Department of Developmental Disabilities Youngstown Developmental Center property to the Mahoning County Mental Health and Recovery Board, or to an alternate purchaser. 99-102

Sub. H.B. 49
As Pending in S. Finance

_____ moved to amend as follows:

- In line 289 of the title, delete "6111.61, 6111.62," 1
- In line 682, delete "6111.61, 6111.62," 2
- Delete lines 101832 through 101904 3

The motion was _____ agreed to.

SYNOPSIS

- Eliminate areawide waste treatment management planning** 4
- R.C. 6111.61 and 6111.62** 5

Eliminates provisions added by the House that do all of the following: 6
7

(1) Require the Governor to designate Clean Water Central Ohio as the entity responsible for waste treatment planning for Franklin County, and portions of Delaware, Licking, Fairfield, Pickaway, and Union Counties; 8
9
10
11

(2) Require the governing board for Clean Water Central Ohio to consist of nine initial members designated by the Governor; 12
13

(3) Require the membership of the initial governing board to 14

consist of three members from the most populous municipal
 corporation within Clean Water Central Ohio's jurisdiction, and
 the remaining members to represent the next six most populous
 municipal corporations within such jurisdiction;

(4) Require the initial governing board to adopt a resolution
 specifying the manner by which subsequent members of the governing
 board are selected and the term of office for those members.
 Specifies that the resolution must require three members to
 represent the most populous municipal corporation within Clean
 Water Central Ohio's jurisdiction and the remaining six members to
 equitably represent all other municipal corporations within that
 jurisdiction;

(5) Require Clean Water Central Ohio to coordinate with OEPA
 to amend any existing plan established under the Federal Water
 Pollution Control Act that is applicable to the area within its
 jurisdiction, or create a new plan for that area;

(6) Require Clean Water Central Ohio, in executing its
 duties, to comply with applicable requirements of the Federal
 Water Pollution Control Act and regulations promulgated under it;

(7) Require an entity responsible for waste treatment
 management planning under the Federal Water Pollution Control Act,
 including OEPA, to do both of the following with regard to each
 waste treatment management plan over which the entity has
 authority:

--Determine if any element of each plan conflicts with or
 supersedes the authority of a county sewer district to enter into
 a contract for water and sewerage services with persons or
 entities located outside the district's jurisdiction;

--If any element of a plan does conflict with or supersede

any such authorizations or requirements, amend the plan to 44
eliminate the conflicting or superseding element. 45

(8) Prohibit an entity responsible for waste treatment 46
management planning from adopting or amending a plan in a manner 47
that results in a conflict with a county sewer district's 48
contracting authority referenced above. 49

_____ moved to amend as follows:

1 In line 9 of the title, delete "124.823,"

2 In line 510, delete "124.823,"

3 Delete lines 7636 through 7689

4 In line 102664, delete "124.823,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **High deductible health plan with a health savings account -**
8 **state employee health care option**

9 **R.C. 124.823**

10 Removes a provision added by the House that:

11 --Repeals the pilot program that required DAS to establish
12 a medical savings account pilot program.

13 --Requires DAS to establish and offer a high-deductible
14 health plan with a health savings account as part of the package
15 of health care benefits offered to state employees.

16 --Requires the high-deductible health plan to provide the
17 health benefits to which the employee is entitled.

18 --Permits DAS to require state employees enrolled in the
19 high-deductible health plan to contribute to their health
20 savings accounts.

_____ moved to amend as follows:

- 1 In line 129422, delete "AND FISCAL YEAR 2019"
- 2 In line 129436, delete "or"
- 3 In line 129437, delete "fiscal year 2019"
- 4 In line 129439, delete "or fiscal year 2019"
- 5 In line 129443, delete "or"
- 6 In line 129444, delete "fiscal year 2019"
- 7 In line 129446, delete "or"
- 8 In line 129447, delete "fiscal year 2019"
- 9 In line 129452, delete "and fiscal year 2019"
- 10 In line 129458, delete "and fiscal year 2019"
- 11 In line 129462, delete "and fiscal year 2019"
- 12 In line 129465, delete "years" and insert "year"
- 13 In line 129485, after the comma insert "not more than"
- 14 In line 129486, after the comma insert "not more than"
- 15 In line 129500, delete "the following"
- 16 In line 129501, after "year" insert "2016"; delete the
- 17 colon
- 18 Delete line 129502

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19 In line 129503, delete "(ii) For the fiscal year 2019 rate,
20 calendar year 2017"

21 In line 129506, after "by" insert "a direct support
22 personnel payment equal to"; delete "to reflect"

23 In line 129507, delete "direct support personnel costs" and
24 insert "of the ICF/IID's desk-reviewed, actual, allowable per
25 Medicaid day direct care costs from calendar year 2016"

26 In line 129508, delete "and fiscal year 2019"

27 In line 129528, delete "(a)" and insert "(b)"

28 In line 129529, delete "(in"

29 Delete line 129530

30 In line 129531, delete "the case of the fiscal year 2019
31 rate)"

32 In line 129533, delete "(a)" and insert "(b)"

33 In line 129547, delete "3.04% to"

34 In line 129548, delete "reflect direct support personnel
35 costs" and insert "the median direct support personnel payment
36 made under division (C) (2) (h) of this section"

37 In line 129550, delete "or fiscal year 2019"

38 In line 129554, delete "or fiscal year"

39 In line 129555, delete "2019"

40 In line 129567, after "2017" delete the balance of the line

41 Delete line 129568

42 In line 129569, delete "of the fiscal year 2019 rate"

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43 In line 129572, delete "the first day of the fiscal"

44 In line 129573, delete "year for which the rate is being
45 determined" and insert "July 1, 2017,"

46 In line 129574, delete the first "the"; delete "immediately
47 preceding the"

48 In line 129575, delete "fiscal year for which the rate is
49 being determined" and insert "2017"

50 In line 129577, delete the first "the"; delete "for which
51 the rate is"

52 In line 129578, delete "being determined" and insert "2018"

53 In line 129589, delete "the"; delete "immediately
54 preceding"

55 In line 129590, delete "the fiscal year for which the rate
56 is being determined" and insert "2017"

57 In line 129591, delete "the"; delete "for which"

58 In line 129592, delete "the rate is being determined" and
59 insert "2018"

60 In line 129600, delete the first "the"; delete "immediately
61 preceding the"

62 In line 129601, delete "fiscal year for which the rate is
63 being determined" and insert "2017"

64 In line 129602, delete "the"; delete "for which"

65 In line 129603, delete "the rate is being determined" and
66 insert "2018"

67 Between lines 129613 and 129614, insert:

68 **"Section 261.____.** GENERAL ASSEMBLY'S INTENT REGARDING NEW
69 ICF/IID MEDICAID PAYMENT FORMULA

70 (A) As used in this section:

71 (1) "Current formula rate" means an ICF/IID's Medicaid
72 payment rate as determined in accordance with the formula
73 established in Chapter 5124. of the Revised Code, as in effect
74 on the effective date of this section, but as modified by an
75 uncodified statute for the specific fiscal year for which the
76 ICF/IID's Medicaid payment rate is determined.

77 (2) "ICF/IID" and "ICF/IID services" have the same meanings
78 as in section 5124.01 of the Revised Code.

79 (B) It is the General Assembly's intent to enact
80 legislation establishing a new formula to be used to determine
81 Medicaid payment rates for ICF/IID services beginning not sooner
82 than July 1, 2018, and not later than January 1, 2019.

83 (C)(1) The Department of Developmental Disabilities shall
84 work in collaboration with all of the following to finalize
85 recommendations for the new formula to be submitted to the
86 General Assembly:

87 (a) The Ohio Association of County Boards;

88 (b) The Ohio Health Care Association;

89 (c) The Ohio Provider Resource Association;

90 (d) The Values and Faith Alliance;

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91 (e) The Academy of Senior Health Services.

92 (2) The Department shall not submit recommendations for the
93 new formula to the General Assembly unless all of the
94 organizations specified in division (C)(1) of this section
95 support the recommendations.

96 (D)(1) All of the following shall be included in the
97 recommendations for the new formula that is submitted to the
98 General Assembly:

99 (a) Using the Ohio Developmental Disabilities Profile as
100 the assessment instrument for determining case-mix scores used
101 to calculate rates for the direct care costs of ICFs/IID;

102 (b) Determining rates for capital using an ICF/IID's
103 current asset value and a rate of return;

104 (c) Including all of the following in the calculation of an
105 ICF/IID's current asset value:

106 (i) The ICF/IID's age;

107 (ii) The date and cost of capital improvements made to the
108 ICF/IID;

109 (iii) The ICF/IID's current Medicaid-certified capacity;

110 (iv) An RS Means Construction Cost Index;

111 (v) A rate of depreciation;

112 (vi) Estimated equipment value;

113 (vii) Estimated land value.

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114 (d) Establishing a quality incentive rate component to take
115 effect July 1, 2019, and having the initial rate determined
116 using data from calendar year 2018;

117 (e) Establishing new peer groups that are differentiated by
118 Medicaid-certified capacity;

119 (f) Considering the changing acuity level of ICF/IID
120 residents, including residents with intensive behavioral and
121 intensive medical needs;

122 (g) Establishing a method to transition ICFs/IID to the new
123 formula that provides for the Department to do all of the
124 following for the first thirty-six months that the new formula
125 is in effect:

126 (i) Comparing each ICF/IID's Medicaid payment rate
127 determined under the new formula with its current formula rate;

128 (ii) Paying the ICF/IID its current formula rate rate
129 instead of the rate determined under the new formula if that
130 rate is less than its current formula rate;

131 (iii) Subject to division (D)(1)(g)(iv) of this section,
132 paying the ICF/IID the rate determined for it under the new
133 formula if that rate is greater than its current formula rate;

134 (iv) Specifying, to the extent the Department determines
135 necessary and subject to division (D)(2) of this section, a
136 maximum percentage by which an ICF/IID's rate determined under
137 the new formula may exceed its current formula rate and paying

138 the ICF/IID a rate adjusted in accordance with the maximum
139 percentage if the percentage difference between the ICF/IID's
140 rate determined under the new formula and its current formula
141 rate is greater than the maximum percentage.

142 (2) If, for the purpose of division (D)(1)(g)(iv) of this
143 section, the Department specifies a maximum percentage by which
144 an ICF/IID's rate determined under the new formula may exceed
145 its current formula rate, the Department shall strive to the
146 greatest extent possible to ensure that the mean total per
147 Medicaid day fiscal year 2019 rate for all ICFs/IID subject to
148 the section of this act titled "FISCAL YEAR 2019 ICF/IID
149 MEDICAID RATES DETERMINED UNDER NEW FORMULA" equals the amount
150 determined under division (D)(2) of that section.

151 **Section 261.____.** FISCAL YEAR 2019 ICF/IID MEDICAID RATES
152 DETERMINED UNDER CURRENT FORMULA

153 (A) As used in this section:

154 (1) "Change of operator," "entering operator," "exiting
155 operator," "ICF/IID," "ICF/IID services," "Medicaid days," "peer
156 group 1," "peer group 2," "peer group 3," "provider," and
157 "provider agreement" have the same meanings as in section
158 5124.01 of the Revised Code.

159 (2) "Franchise permit fee" means the fee imposed by
160 sections 5168.60 to 5168.71 of the Revised Code.

161 (B) (1) This section applies to each ICF/IID that is in peer
162 group 1 or peer group 2 and to which any of the following apply:

163 (a) The provider of the ICF/IID has a valid Medicaid
164 provider agreement for the ICF/IID on June 30, 2018, and a valid
165 Medicaid provider agreement for the ICF/IID during fiscal year
166 2019.

167 (b) The ICF/IID undergoes a change of operator that takes
168 effect during fiscal year 2019, the exiting operator has a valid
169 Medicaid provider agreement for the ICF/IID on the day
170 immediately preceding the effective date of the change of
171 operator, and the entering operator has a valid Medicaid
172 provider agreement for the ICF/IID during fiscal year 2019.

173 (c) The ICF/IID is a new ICF/IID for which the provider
174 obtains an initial provider agreement during fiscal year 2019.

175 (2) This section does not apply to an ICF/IID in peer group
176 3.

177 (3) Notwithstanding anything to the contrary in Chapter
178 5124. of the Revised Code, the Department of Developmental
179 Disabilities shall follow this section in determining the rates
180 to be paid under this section for ICF/IID services provided
181 during fiscal year 2019 by ICFs/IID subject to this section.

182 (C) (1) Except as otherwise provided in this section and the
183 section of this act titled "FISCAL YEAR 2019 ICF/IID MEDICAID
184 RATES DETERMINED UNDER NEW FORMULA," the provider of an ICF/IID

185 to which this section applies shall be paid, for ICF/IID
186 services the ICF/IID provides during fiscal year 2019, the total
187 per Medicaid day rate determined for the ICF/IID under division
188 (C) (2) or (3) of this section.

189 (2) Except in the case of a new ICF/IID, the fiscal year
190 2019 total per Medicaid day rate for an ICF/IID to which this
191 section applies shall be the ICF/IID's total per Medicaid day
192 rate determined for the ICF/IID in accordance with Chapter 5124.
193 of the Revised Code for the fiscal year with the following
194 modifications:

195 (a) The ICF/IID's efficiency incentive for capital costs,
196 as determined under division (F) of section 5124.17 of the
197 Revised Code, shall be reduced by 50%.

198 (b) In place of the maximum cost per case-mix unit
199 established for the ICF/IID's peer group under division (C) of
200 section 5124.19 of the Revised Code, the ICF/IID's maximum costs
201 per case-mix unit shall be the amount the Department determined
202 for the ICF/IID's peer group for fiscal year 2016 in accordance
203 with division (E) of Section 259.160 of Am. Sub. H.B. 64 of the
204 131st General Assembly.

205 (c) In place of the inflation adjustment otherwise
206 calculated under division (D) of section 5124.19 of the Revised
207 Code for the purpose of division (A) (1) (b) of that section, an
208 inflation adjustment of 1.014 shall be used.

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209 (d) In place of the efficiency incentive otherwise
210 calculated under division (B)(2) of section 5124.21 of the
211 Revised Code, the ICF/IID's efficiency incentive for indirect
212 care costs shall be the following:

213 (i) In the case of an ICF/IID in peer group 1, not more
214 than \$3.69;

215 (ii) In the case of an ICF/IID in peer group 2, not more
216 than \$3.19.

217 (e) In place of the maximum rate for indirect care costs
218 established for the ICF/IID's peer group under division (C) of
219 section 5124.21 of the Revised Code, the maximum rate for
220 indirect care costs for the ICF/IID's peer group shall be an
221 amount the Department shall determine in accordance with
222 division (E) of this section.

223 (f) In place of the inflation adjustment otherwise
224 calculated under division (D)(1) of section 5124.21 of the
225 Revised Code for the purpose of division (B)(1) of that section
226 only, an inflation adjustment of 1.014 shall be used.

227 (g) In place of the inflation adjustment otherwise made
228 under section 5124.23 of the Revised Code, the ICF/IID's desk-
229 reviewed, actual, allowable, per Medicaid day other protected
230 costs, excluding the franchise permit fee, from calendar year
231 2017 shall be multiplied by 1.014.

232 (h) After all of the modifications specified in divisions
233 (C)(2)(a) to (g) of this section have been made, the ICF/IID's
234 total per Medicaid day rate shall be increased by a direct
235 support personnel payment equal to 3.04% of the ICF/IID's desk-
236 reviewed, actual, allowable, per Medicaid day direct care costs
237 from calendar year 2017.

238 (3) The fiscal year 2019 initial total per Medicaid day
239 rate for a new ICF/IID to which this section applies shall be
240 the ICF/IID's initial total per Medicaid day rate determined for
241 the ICF/IID in accordance with section 5124.151 of the Revised
242 Code for the fiscal year with the following modifications:

243 (a) In place of the amount determined under division (B)(1)
244 of section 5124.151 of the Revised Code, the new ICF/IID's
245 initial per Medicaid day rate for capital costs shall be the
246 median rate for all ICFs/IID determined under section 5124.17 of
247 the Revised Code with the modification made under division
248 (C)(2)(a) of this section.

249 (b) In place of the amount determined under division
250 (B)(2)(a) of section 5124.151 of the Revised Code, if there are
251 no cost or resident assessment data for the new ICF/IID, the new
252 ICF/IID's initial per Medicaid day rate for direct care costs
253 shall be determined as follows:

254 (i) Determine the median of the costs per case-mix units of
255 each peer group;

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256 (ii) Multiply the median determined under division
257 (C) (3) (b) (i) of this section by the median annual average case-
258 mix score for the new ICF/IID's peer group for calendar year
259 2017;

260 (iii) Multiply the product determined under division
261 (C) (3) (b) (ii) of this section by 1.014.

262 (c) In place of the amount determined under division (B) (3)
263 of section 5124.151 of the Revised Code, the new ICF/IID's
264 initial per Medicaid day rate for indirect care costs shall be
265 the amount of the maximum rate for indirect costs determined for
266 the ICF/IID's peer group under division (E) of this section.

267 (d) In place of the amount determined under division (B) (4)
268 of section 5124.151 of the Revised Code, the new ICF/IID's
269 initial per Medicaid day rate for other protected costs shall be
270 115% of the median rate for ICFs/IID determined under section
271 5124.23 of the Revised Code with the modification made under
272 division (C) (2) (g) of this section.

273 (e) After all of the modifications specified in divisions
274 (C) (3) (a) to (d) of this section have been made, the new
275 ICF/IID's initial total per Medicaid day rate shall be increased
276 by the median direct support personnel payment made under
277 division (C) (2) (h) of this section.

278 (D) A new ICF/IID's initial total modified per Medicaid day
279 rate for fiscal year 2019 as determined under division (C) (3) of

280 this section shall be adjusted at the applicable time specified
281 in division (D) of section 5124.151 of the Revised Code. If the
282 adjustment affects the ICF/IID's rate for ICF/IID services
283 provided during fiscal year 2019, the modifications specified in
284 division (C) (2) of this section apply to the adjustment.

285 (E) In determining the amount of the maximum rate for
286 indirect costs for the purposes of divisions (C) (2) (e) and
287 (C) (3) (c) of this section, the Department shall strive to the
288 greatest extent possible to do both of the following:

289 (1) Avoid rate reductions under division (F) (1) of this
290 section;

291 (2) Have the amount so determined result in payment of all
292 desk-reviewed, actual, allowable indirect care costs for the
293 same percentage of Medicaid days for ICFs/IID in peer group 1 as
294 for ICFs/IID in peer group 2 as of July 1, 2018, based on May
295 2018 Medicaid days.

296 (F) (1) If the mean total per Medicaid day rate for all
297 ICFs/IID to which this section applies, as determined under
298 division (C) of this section as of July 1, 2018, and weighted by
299 May 2018 Medicaid days is other than the amount determined under
300 division (F) (2) of this section, the Department shall adjust,
301 for fiscal year 2019, the total per Medicaid day rate for each
302 ICF/IID to which this section applies by a percentage that is
303 equal to the percentage by which the mean total per Medicaid day

304 rate is greater or less than the amount determined under
305 division (F)(2) of this section.

306 (2) The amount to be used for the purpose of division
307 (F)(1) of this section shall be not less than \$290.10. The
308 Department, in its sole discretion, may use a larger amount for
309 the purpose of that division. In determining whether to use a
310 larger amount, the Department may consider any of the following:

311 (a) The reduction in the total Medicaid-certified capacity
312 of all ICFs/IID that occurs in fiscal year 2018, and the
313 reduction that is projected to occur in fiscal year 2019, as a
314 result of either of the following:

315 (i) A downsizing pursuant to a plan approved by the
316 Department under section 5123.042 of the Revised Code;

317 (ii) A conversion of beds to providing home and community-
318 based services under the Individual Options waiver pursuant to
319 section 5124.60 or 5124.61 of the Revised Code.

320 (b) The increase in Medicaid payments made for ICF/IID
321 services provided during fiscal year 2018, and the increase that
322 is projected to occur in fiscal year 2019, as a result of the
323 modifications to the payment rates made under section 5124.101
324 of the Revised Code;

325 (c) The total reduction in the number of ICF/IID beds that
326 occurs pursuant to section 5124.67 of the Revised Code;

327 (d) Other factors the Department determines to be relevant.

328 (G) If the United States Centers for Medicare and Medicaid
329 Services requires that the franchise permit fee be reduced or
330 eliminated, the Department shall reduce the amount it pays
331 ICF/IID providers under this section as necessary to reflect the
332 loss to the state of the revenue and federal financial
333 participation generated from the franchise permit fee.

334 **Section 261.____.** FISCAL YEAR 2019 ICF/IID MEDICAID RATES
335 DETERMINED UNDER NEW FORMULA

336 (A) As used in this section:

337 (1) "Change of operator," "entering operator," "exiting
338 operator," "ICF/IID," "ICF/IID services," "Medicaid days,"
339 "provider," and "provider agreement" have the same meanings as
340 in section 5124.01 of the Revised Code.

341 (2) "Franchise permit fee" means the fee imposed by
342 sections 5168.60 to 5168.71 of the Revised Code.

343 (B) This section applies to each ICF/IID to which any of
344 the following apply:

345 (1) The provider of the ICF/IID has a valid Medicaid
346 provider agreement for the ICF/IID on June 30, 2018, and a valid
347 Medicaid provider agreement for the ICF/IID during fiscal year
348 2019.

349 (2) The ICF/IID undergoes a change of operator that takes
350 effect during fiscal year 2019, the exiting operator has a valid
351 Medicaid provider agreement for the ICF/IID on the day

352 immediately preceding the effective date of the change of
353 operator, and the entering operator has a valid Medicaid
354 provider agreement for the ICF/IID during fiscal year 2019.

355 (3) The ICF/IID is a new ICF/IID for which the provider
356 obtains an initial provider agreement during fiscal year 2019.

357 (C) Beginning on the date that a new formula for
358 determining Medicaid payment rates for ICF/IID services
359 established pursuant to the section of this act titled "GENERAL
360 ASSEMBLY'S INTENT REGARDING NEW ICF/IID MEDICAID PAYMENT
361 FORMULA" begins to be used, ICFs/IID to which this section
362 applies shall cease to be paid the rates determined under the
363 section of this act titled "FISCAL YEAR 2019 ICF/IID MEDICAID
364 RATES DETERMINED UNDER CURRENT FORMULA." Subject to the cap
365 established under division (D) of this section and the
366 transition established pursuant to division (D)(1)(g) of the
367 section of this act titled "GENERAL ASSEMBLY'S INTENT REGARDING
368 NEW ICF/IID MEDICAID PAYMENT FORMULA," the ICFs/IID instead
369 shall be paid the rates determined in accordance with the new
370 formula for ICF/IID services provided during the period
371 beginning on the date that the new formula begins to be used and
372 ending July 1, 2019.

373 (D)(1) If the mean total per Medicaid day rate for all
374 ICFs/IID to which this section applies that is paid pursuant to
375 division (C) of this section and weighted by May 2018 Medicaid

376 days is other than the amount determined under division (D)(2)
377 of this section, the Department of Developmental Disabilities
378 shall adjust, for the part of fiscal year 2019 during which that
379 rate is paid, the total per Medicaid day rate for each ICF/IID
380 to which this section applies by a percentage that is equal to
381 the percentage by which the mean total per Medicaid day rate is
382 greater or less than the amount determined under division (D)(2)
383 of this section.

384 (2) The amount to be used for the purpose of division
385 (D)(1) of this section shall not exceed \$295.90.

386 (E) If the United States Centers for Medicare and Medicaid
387 Services requires that the franchise permit fee be reduced or
388 eliminated, the Department shall reduce the amount it pays
389 ICF/IID providers under this section as necessary to reflect the
390 loss to the state of the revenue and federal financial
391 participation generated from the franchise permit fee."

392 The motion was _____ agreed to.

393 SYNOPSIS

394 **Medicaid rates for ICFs/IID**

395 **Sections 261.165, 261.____, 261.____, and 261.____**

396 Revises the House provision regarding the FY 2018 and FY
397 2019 Medicaid rates for intermediate care facilities for

398 individuals with intellectual disabilities (ICFs/IID) as
399 follows:

400 (1) Provides for an ICF/IID's FY 2018 efficiency incentive
401 for indirect care costs to be *not more than* \$3.69 if it is in
402 peer group 1 or *not more than* \$3.19 if it is in peer group 2
403 instead of equaling those specific amounts.

404 (2) Provides for an ICF/IID's FY 2018 rate to be increased
405 by a direct support personnel payment equal to 3.04% of its per
406 Medicaid day direct care costs from calendar year 2016 or, if it
407 is a new ICF/IID, the median direct support personnel payment
408 made to non-new ICFs/IID, instead of being increased by 3.04% to
409 reflect direct support personnel costs.

410 (3) States the General Assembly's intent to enact
411 legislation establishing a new formula to be used to determine
412 the rates beginning not sooner than July 1, 2018, and not later
413 than January 1, 2019.

414 (4) Requires the Department of Developmental Disabilities
415 to work in collaboration with certain organizations to finalize
416 recommendations for the new formula.

417 (5) Requires that the recommendations include certain
418 features, including a feature that establishes a method to
419 transition ICFs/IID to the new formula during a 36-month period.

420 (6) Provides for an ICF/IID's rate for the part of fiscal
421 year 2019 that is before the new formula takes effect to be
422 determined in the same manner that its fiscal year 2018 rate is
423 determined, except that data for a subsequent fiscal or calendar
424 year is to be used to determine certain parts of the rate.

425 (7) Provides for an ICF/IID's rate for the part of fiscal
426 year 2019 that begins when the new formula takes effect to be
427 determined in accordance with the new formula and be subject to
428 (a) a maximum cap of \$295.90 per Medicaid day and (b) the
429 transition that must be included in the Department's
430 recommendations for the new formula.

19 **Medicaid Managed Care Quality Payment Fund**

20 **Section 333.53 (removed from the bill)**

21 Removes the House provisions that would have done the
22 following:

23 (1) Created the Medicaid Managed Care Quality Payment Fund
24 to be used only to make performance payments under the Managed
25 Care Performance Payment Program when the unencumbered balance
26 of the Managed Care Performance Payment Fund was zero.

27 (2) Required the Director of Budget and Management to
28 transfer \$20 million from the General Revenue Fund to the new
29 fund on July 1, 2017 and on July 1, 2018.

30 (3) Specified that if the amount of quality payments earned
31 by Medicaid managed care organizations under the Managed Care
32 Performance Payment Program exceeded \$103.5 million in FY 2018,
33 and \$103.9 million in FY 2019, the Medicaid Director could
34 certify to the Director of Budget and Management the amount of
35 quality payments earned.

36 (4) Abolished the new fund on July 1, 2019, and permitted
37 the Director of Budget and Management to transfer its
38 unencumbered balance to the General Revenue Fund or Budget
39 Stabilization Fund.

_____ moved to amend as follows:

1 In line 41590, delete "or a project"

2 In line 41591, delete "initiated under section 3318.36 of
3 the Revised Code"

4 In line 41595, reinsert "only"

5 In line 41596, reinsert "executive director of the"

6 In line 41597, reinsert "within five years after occupancy
7 of"; delete "and"

8 In line 41598, delete "was occupied"

9 In line 41599, delete "after January 1, 2000"

10 In line 41600, reinsert "and deadlines"

11 In line 41602, reinsert "shall"; delete "may"

12 In line 41607, reinsert ", taking into account the"

13 Reinsert line 41608

14 In line 41609, reinsert "section"; delete the balance of
15 the line

16 Delete lines 41610 through 41613

17 In line 41614, delete "of that work"

18 In line 41615, delete "approve and"

19 In line 41617, delete "or to reimburse for corrective work"

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20 Delete lines 41618 through 41622

21 In line 41623, delete "adopted by the commission"

22 In line 41624, delete "corrective"; reinsert "to be
23 corrected or remediated"

24 In line 41626, delete "may"

25 In line 41628, delete "corrective"; reinsert "to be
26 corrected or remediated"

27 In line 41632, delete "If the commission enters into a new
28 agreement,"

29 Delete lines 41633 through 41645

30 The motion was _____ agreed to.

31 SYNOPSIS

32 **School facilities assistance - Corrective Action Program**

33 **R.C. 3318.49**

34 Removes provisions of the substitute bill that do all of
35 the following:

36 --Permit the Facilities Construction Commission to provide
37 funding under the Corrective Action Program for the correction
38 of defective or omitted work that is connected to a city, local,
39 exempted village, or joint vocational school district facilities
40 construction project in a facility that was occupied after
41 January 1, 2000, upon receiving notification from the district
42 (rather than permitting the Commission to provide funding only
43 if notified by the district of the defective or omitted work
44 within five years after occupancy).

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45 --Permit the Commission to provide funds for correction of
46 defective or omitted work that was part of a project under the
47 Expedited Local Partnership Program.

48 --Permit the Commission to consider applications for
49 reimbursement for corrective work performed by a school district
50 as part of the Program in addition to paying for corrective work
51 as it is completed (in accordance with current law).

52 --Permit the Commission to consider applications for the
53 reimbursement of corrective work that occurred prior to the
54 bill's effective date if the Commission was notified of the
55 defective or omitted work prior to the initiation of that work.

56 --Prohibit the Commission from providing funding under the
57 Program in an amount greater than the cost that would otherwise
58 have been incurred if the classroom facilities to be corrected
59 had met, but not exceeded, the current specifications for plans
60 and materials for classroom facilities adopted by the
61 Commission.

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_____ moved to amend as follows:

- In line 249 of the title, after "sections" insert "3319.229," 1
- In line 250 of the title, after "3742.43" insert a comma 2
- In line 302 of the title, after "3319.223," insert 3
"3319.229," 4
- In line 657, after "sections" insert "3319.229," 5
- In line 658, after "3742.43" insert a comma 6
- Between lines 42387 and 42388, insert: 7

- "Sec. 3319.229. (A)(1) Notwithstanding the repeal of former 8
section 3319.229 of the Revised Code by this act, the state board 9
of education shall accept applications for new, and for renewal 10
of, professional career-technical teaching licenses through June 11
30, 2018, and issue them on the basis of the applications received 12
by that date in accordance with the rules described in that former 13
section. Except as otherwise provided in divisions (A)(2) and (3) 14
of this section, beginning July 1, 2018, the state board shall 15
issue career-technical workforce development educator licenses 16
only under this section. 17

- (2) An individual who, on July 1, 2018, holds a professional 18
career-technical teaching license issued under the rules described 19
in former section 3319.229 of the Revised Code, may continue to 20

renew that license in accordance with those rules for the remainder of the individual's teaching career. However, nothing in this division shall be construed to prohibit the individual from applying to the state board for a career-technical workforce development educator license under this section.

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(3) An individual who, on July 1, 2018, holds an alternative resident educator license for teaching career-technical education issued under section 3319.26 of the Revised Code may, upon the expiration of the license, apply for a professional career-technical teaching license issued under the rules described in former section 3319.229 of the Revised Code. Such an individual may continue to renew the professional license in accordance with those rules for the remainder of the individual's teaching career. However, nothing in this division shall be construed to prohibit the individual from applying to the state board for a career-technical workforce development educator license under this section.

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(B) The state board, in collaboration with the chancellor of higher education, shall adopt rules establishing standards and requirements for obtaining a two-year initial career-technical workforce development educator license and a five-year advanced career-technical workforce development educator license. Each license shall be valid for teaching career-technical education or workforce development programs in grades four through twelve. The rules shall require applicants for either license to have a high school diploma.

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(C)(1) The state board shall issue an initial career-technical workforce development educator license to an applicant upon request from the superintendent of a school district that has agreed to employ the applicant. In making the

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request, the superintendent shall provide documentation, in accordance with procedures prescribed by the department of education, showing that the applicant has at least five years of work experience, or the equivalent, in the subject area in which the applicant will teach. The license shall be valid for teaching only in the requesting district. The superintendent also shall provide documentation, in accordance with procedures prescribed by the department, that the applicant is enrolled in a career-technical workforce development educator preparation program offered by an institution of higher education that meets all of the following criteria:

(a) Is approved by the chancellor of higher education to provide instruction in teaching methods and principles;

(b) Provides classroom support to the license holder;

(c) Includes at least three semester hours of coursework in the teaching of reading in the subject area;

(d) Is aligned with career-technical education and workforce development competencies developed by the department;

(e) Uses a summative performance-based assessment developed by the program and aligned to the competencies described in division (C)(1)(d) of this section to evaluate the license holder's knowledge and skills.

(2) As a condition of continuing to hold the initial career-technical workforce development license, the holder of the license shall be participating in a career-technical workforce development educator preparation program described in division (C)(1) of this section.

(3) The state board shall renew an initial career-technical workforce development educator license if the supervisor of the

program described in division (C)(1) of this section and the 80
superintendent of the employing school district indicate that the 81
applicant is making sufficient progress in both the program and 82
the teaching position. 83

(D) The state board shall issue an advanced career-technical 84
workforce development educator license to an applicant who has 85
successfully completed the program described in division (C)(1) of 86
this section, as indicated by the supervisor of the program, and 87
who demonstrates mastery of the applicable career-technical 88
education and workforce development competencies described in 89
division (C)(1)(d) of this section in the teaching position, as 90
indicated by the superintendent of the employing school district. 91

(E) The holder of an advanced career-technical workforce 92
development educator license shall work with a local professional 93
development committee established under section 3319.22 of the 94
Revised Code in meeting requirements for renewal of the license." 95

In line 102817, after "3319.223," insert "3319.229," 96

The motion was _____ agreed to.

SYNOPSIS

Career-technical workforce development educator licenses 97

R.C. 3319.229 98

Creates two new educator licenses (the Initial and the 99
 Advanced Career-Technical Workforce Development educator licenses) 100
 for individuals teaching in career-technical and workforce 101
 development subject areas in any of grades 4-12 and, as of July 1, 102
 2018, requires new applicants for career-technical licenses to 103

obtain one of the new licenses, rather than the current	104
professional career-technical teaching license.	105
Requires the State Board of Education, in collaboration with	106
the Chancellor of Higher Education, to adopt rules for the	107
licenses and prescribes specified requirements for each license.	108
Permits the State Board of Education to continue issuing the	109
current professional career-technical teaching license until June	110
30, 2018.	111
Authorizes both of the following individuals to continue to	112
renew the professional career-technical teaching license, rather	113
than obtain one of the new licenses, for the remainder of the	114
individual's teaching career:	115
(1) An individual who holds a professional career-technical	116
teaching license as of July 1, 2018.	117
(2) An individual who (a) holds an alternative resident	118
educator license as of July 1, 2018, and (b) upon expiration of	119
that alternative license, applies for a professional	120
career-technical teaching license.	121
Specifies that nothing shall be construed to prohibit the	122
individuals described from applying for the new career-technical	123
workforce development educator licenses.	124
(Several of the above provisions were included in the "As	125
Introduced" version of the budget bill. Some of the provisions	126
were modified in the House-passed version. All changes to	127
career-technical educator licenses were removed by the current	128
substitute bill.)	129

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_____ moved to amend as follows:

In line 36 of the title, after "1531.06," insert "1533.10," 1

In line 530, after "1531.06," insert "1533.10," 2

Between lines 24611 and 24612, insert: 3

"**Sec. 1533.10.** Except as provided in this section or division 4
(A)(2) of section 1533.12 or section 1533.73 or 1533.731 of the 5
Revised Code, no person shall hunt any wild bird or wild quadruped 6
without a hunting license. Each day that any person hunts within 7
the state without procuring such a license constitutes a separate 8
offense. Except as otherwise provided in this section, every 9
applicant for a hunting license who is a resident of the state and 10
eighteen years of age or more shall procure a resident hunting 11
license or an apprentice resident hunting license, the fee for 12
which shall be eighteen dollars unless the rules adopted under 13
division (B) of section 1533.12 of the Revised Code provide for 14
issuance of a resident hunting license to the applicant free of 15
charge. Except as provided in rules adopted under division (B)(2) 16
of that section, each applicant who is a resident of this state 17
and who at the time of application is sixty-six years of age or 18
older shall procure a special senior hunting license, the fee for 19
which shall be one-half of the regular hunting license fee. Every 20
applicant who is under the age of eighteen years shall procure a 21

special youth hunting license or an apprentice youth hunting 22
 license, the fee for which shall be one-half of the regular 23
 hunting license fee. 24

A resident of this state who owns lands in the state and the 25
 owner's children of any age and grandchildren under eighteen years 26
 of age may hunt on the lands without a hunting license. A resident 27
 of any other state who owns real property in this state, and the 28
 spouse and children living with the property owner, may hunt on 29
 that property without a license, ~~provided that the state of~~ 30
~~residence of the real property owner allows residents of this~~ 31
~~state owning real property in that state, and the spouse and~~ 32
~~children living with the property owner, to hunt without a license~~ 33
and shall be treated as a resident for the purposes of this 34
section. If the owner of land in this state is a limited liability 35
 company or a limited liability partnership that consists of three 36
 or fewer individual members or partners, as applicable, an 37
 individual member or partner who is a resident of this state and 38
 the member's or partner's children of any age and grandchildren 39
 under eighteen years of age may hunt on the land owned by the 40
 limited liability company or limited liability partnership without 41
 a hunting license. In addition, if the owner of land in this state 42
 is a trust that has a total of three or fewer trustees and 43
 beneficiaries, an individual who is a trustee or beneficiary and 44
 who is a resident of this state and the individual's children of 45
 any age and grandchildren under eighteen years of age may hunt on 46
 the land owned by the trust without a hunting license. The tenant 47
 and children of the tenant, residing on lands in the state, may 48
 hunt on them without a hunting license. 49

Except as otherwise provided in this section or division 50
 (A)(1) of section 1533.12 of the Revised Code, every applicant for 51
 a hunting license who is a nonresident of the state and who is 52

eighteen years of age or older shall procure a nonresident hunting 53
license or an apprentice nonresident hunting license, the fee for 54
which shall be one hundred twenty-four dollars unless the 55
applicant is a resident of a state that is a party to an agreement 56
under section 1533.91 of the Revised Code, in which case the fee 57
shall be eighteen dollars. Apprentice resident hunting licenses, 58
apprentice youth hunting licenses, and apprentice nonresident 59
hunting licenses are subject to the requirements established under 60
section 1533.102 of the Revised Code and rules adopted pursuant to 61
it. 62

The chief of the division of wildlife may issue a small game 63
hunting license expiring three days from the effective date of the 64
license to a nonresident of the state, the fee for which shall be 65
thirty-nine dollars. No person shall take or possess deer, wild 66
turkeys, fur-bearing animals, ducks, geese, brant, or any nongame 67
animal while possessing only a small game hunting license. A small 68
game hunting license or an apprentice nonresident hunting license 69
does not authorize the taking or possessing of ducks, geese, or 70
brant without having obtained, in addition to the small game 71
hunting license or the apprentice nonresident hunting license, a 72
wetlands habitat stamp as provided in section 1533.112 of the 73
Revised Code. A small game hunting license or an apprentice 74
nonresident hunting license does not authorize the taking or 75
possessing of deer, wild turkeys, or fur-bearing animals. A 76
nonresident of the state who wishes to take or possess deer, wild 77
turkeys, or fur-bearing animals in this state shall procure, 78
respectively, a deer or wild turkey permit as provided in section 79
1533.11 of the Revised Code or a fur taker permit as provided in 80
section 1533.111 of the Revised Code in addition to a nonresident 81
hunting license, an apprentice nonresident hunting license, a 82
special youth hunting license, or an apprentice youth hunting 83

license, as applicable, as provided in this section. 84

No person shall procure or attempt to procure a hunting license by fraud, deceit, misrepresentation, or any false statement. 85
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This section does not authorize the taking and possessing of deer or wild turkeys without first having obtained, in addition to the hunting license required by this section, a deer or wild turkey permit as provided in section 1533.11 of the Revised Code or the taking and possessing of ducks, geese, or brant without first having obtained, in addition to the hunting license required by this section, a wetlands habitat stamp as provided in section 1533.112 of the Revised Code. 88
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This section does not authorize the hunting or trapping of fur-bearing animals without first having obtained, in addition to a hunting license required by this section, a fur taker permit as provided in section 1533.111 of the Revised Code. 96
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No hunting license shall be issued unless it is accompanied by a written explanation of the law in section 1533.17 of the Revised Code and the penalty for its violation, including a description of terms of imprisonment and fines that may be imposed. 100
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No hunting license, other than an apprentice hunting license, shall be issued unless the applicant presents to the agent authorized to issue the license a previously held hunting license or evidence of having held such a license in content and manner approved by the chief, a certificate of completion issued upon completion of a hunter education and conservation course approved by the chief, or evidence of equivalent training in content and manner approved by the chief. A previously held apprentice hunting license does not satisfy the requirement concerning the 105
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presentation of a previously held hunting license or evidence of 114
 it. 115

No person shall issue a hunting license, except an apprentice 116
 hunting license, to any person who fails to present the evidence 117
 required by this section. No person shall purchase or obtain a 118
 hunting license, other than an apprentice hunting license, without 119
 presenting to the issuing agent the evidence required by this 120
 section. Issuance of a hunting license in violation of the 121
 requirements of this section is an offense by both the purchaser 122
 of the illegally obtained hunting license and the clerk or agent 123
 who issued the hunting license. Any hunting license issued in 124
 violation of this section is void. 125

The chief, with approval of the wildlife council, shall adopt 126
 rules prescribing a hunter education and conservation course for 127
 first-time hunting license buyers, other than buyers of apprentice 128
 hunting licenses, and for volunteer instructors. The course shall 129
 consist of subjects including, but not limited to, hunter safety 130
 and health, use of hunting implements, hunting tradition and 131
 ethics, the hunter and conservation, the law in section 1533.17 of 132
 the Revised Code along with the penalty for its violation, 133
 including a description of terms of imprisonment and fines that 134
 may be imposed, and other law relating to hunting. Authorized 135
 personnel of the division or volunteer instructors approved by the 136
 chief shall conduct such courses with such frequency and at such 137
 locations throughout the state as to reasonably meet the needs of 138
 license applicants. The chief shall issue a certificate of 139
 completion to each person who successfully completes the course 140
 and passes an examination prescribed by the chief." 141

In line 24648, after "any" insert "of the following:" 142

(i) An" 143

In line 24650, delete "and a" and insert "i" 144

(ii) A" 145

In line 24651, after "state" insert "i" 146

(iii) The spouse of a person who owns real property in this 147
state who lives with that person; 148

(iv) A child of a person who owns real property in this state 149
who lives with that person" 150

In line 102684, after "1531.06," insert "1533.10," 151

The motion was _____ agreed to.

SYNOPSIS

Eligibility for resident deer and wild turkey permits and 152
hunting license exemption 153

R.C. 1533.10 and 1533.11 154

Treats the spouse and children of an individual that owns 155
real property in Ohio as residents for purposes of obtaining a 156
resident deer or wild turkey permit. 157

Removes the requirement in current law that for a nonresident 158
who owns real property in Ohio (and the spouse and children living 159
with the property owner) to hunt on the property without a hunting 160
license, the nonresident must be a resident of a state that allows 161
an Ohio resident (and the spouse and children living with the Ohio 162
resident) to hunt without a license if the Ohioan owns real 163
property in that state. 164

Also allows those nonresident individuals to procure a 165
resident hunting license. 166

_____ moved to amend as follows:

1 Delete lines 129084 through 129094

2 In line 129095, delete everything before "per" and insert
3 "Up to fifteen"

4 In line 129097, delete "shall" and insert "may"

5 In line 129100, after the period delete the balance of the
6 line and insert "Any transfers or increases in appropriation for
7 the foregoing appropriation items 195614, HEAP Weatherization,
8 or 195611, Home Energy Assistance Block Grant, shall be subject
9 to approval by the Controlling Board."

10 Delete lines 129101 and 129102

11 The motion was _____ agreed to.

12 SYNOPSIS

13 **Development Services Agency**

14 **Section 259.80**

15 Reinstates temporary law governing Home Energy Assistance
16 Block Grant (Fund 3K90) appropriations from H.B. 49 As
17 Introduced, specifically by:

18 - Removing language (1) requiring DSA to apply to the
19 federal government for a waiver in both FY 2018 and FY 2019 in

SC5786

20 order to spend 25% of the federal Home Energy Assistance Program
21 (HEAP) moneys on weatherization, and (2) specifying that the
22 full 25% of HEAP funding must be spent through appropriation
23 item 195614, HEAP Weatherization, in each fiscal year.

24 - Adding language (1) allowing DSA to direct up to 15% of
25 HEAP funding for weatherization through appropriation item
26 195614, and (2) requiring appropriation changes to appropriation
27 item 195614 or appropriation item 195611 to be subject to
28 approval by the Controlling Board.

_____ moved to amend as follows:

1 In line 127304, delete "\$19,000,000" and insert
2 "\$18,000,000"

3 In line 127305, subtract \$1,000,000 from fiscal year 2019

4 In line 127341, subtract \$1,000,000 from fiscal year 2019

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Department of Administrative Services**

8 **Section 207.10**

9 Reduces appropriations under GRF appropriation item 130321,
10 State Agency Support Services, by \$1.0 million, from \$19.0
11 million to \$18.0 million in FY 2019.

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_____ moved to amend as follows:

In line 128724, delete "\$1,250,000 \$1,250,000" and insert 1
"\$250,000 \$250,000" 2

In line 128736, subtract \$1,000,000 from each fiscal year 3

In line 128775, subtract \$1,000,000 from each fiscal year 4

Between lines 128941 and 128942, insert: 5

"DEFENSE DEVELOPMENT ASSISTANCE 6

On July 1, 2017, or as soon as possible thereafter, the 7
Director of Budget and Management shall transfer \$500,000 cash 8
from the OhioMeansJobs Workforce Development Revolving Loan Fund 9
(Fund 5NH0) to the Ohio Incumbent Workforce Job Training Fund 10
(Fund 5HR0). 11

The foregoing appropriation item 195622, Defense Development 12
Assistance, shall be allocated to Development Projects, Inc., for 13
economic development programs and the creation of new jobs to 14
leverage and support mission gains at Department of Defense and 15
related facilities in Ohio by working with future base realignment 16
and closure activities and ongoing Department of Defense 17
efficiency and partnership initiatives, assisting efforts to 18
secure Department of Defense support contracts for Ohio companies, 19
assessing and supporting regional job training and workforce 20

development needs generated by the Department of Defense and the Ohio aerospace industry, promoting technology transfer to Ohio businesses, and for expanding job training and economic development programs in human performance and cyber security related initiatives." 21-25

In line 138004, delete "\$16,250,000" and insert "\$15,750,000" 26

In line 138007, subtract \$500,000 from fiscal year 2018 27

In line 138011, subtract \$500,000 from fiscal year 2018 28

The motion was _____ agreed to.

SYNOPSIS

Development Services Agency 29

Section 259.30 30

Requires the OBM Director to transfer \$500,000 in FY 2018 from the OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 5NH0) to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0). 31-34

Changes appropriations to \$250,000 in each of FY 2018 and FY 2019 under Fund 5HR0 appropriation item 195622, Defense Development Assistance, and requires these amounts to be allocated to Development Projects, Inc. to support various defense-related workforce efforts. 35-39

Treasurer of State 40

Section 413.10 41

Reduces appropriations by \$500,000 in FY 2018 for OhioMeansJobs Workforce Development Revolving Loan Fund (Fund 42-43

5NH0) appropriation item 090610, OhioMeansJobs Workforce	44
Development, so that appropriations to the line item total	45
\$15,750,000 in FY 2018.	46

_____ moved to amend as follows:

1 Between lines 129709 and 129710, insert:

2 **"Section 261._____.** DEVELOPMENTAL DISABILITIES STAKEHOLDER
3 WORKGROUP

4 (A) Not later than thirty days after the effective date of
5 this section, the Department of Developmental Disabilities shall
6 convene a stakeholder workgroup to do both of the following:

7 (1) Evaluate services provided to individuals with
8 developmental disabilities living in the community;

9 (2) Develop recommendations related to the provision of
10 such services.

11 The workgroup shall include the following as members:
12 representatives of the Department, county boards of
13 developmental disabilities, service providers, and individuals
14 with developmental disabilities and their family members.
15 Members of the workgroup shall serve without compensation or
16 reimbursement, except to the extent that serving on the
17 workgroup is part of their usual job duties. A representative of
18 the Department shall serve as the chairperson of the workgroup.

SC5795

19 The Department shall provide the workgroup any administrative
20 assistance the workgroup needs.

21 (B) Not later than one year after the workgroup first
22 convenes, it shall develop and submit to the Department and
23 General Assembly a report with recommendations addressing the
24 following topics:

25 (1) Determining whether immediate action is necessary to
26 ensure the health and safety of an individual with a
27 developmental disability or a group of such individuals,
28 including through the use of standardized protocols;

29 (2) Supporting quality services beyond those necessary for
30 minimum compliance;

31 (3) Monitoring the health and safety of individuals with
32 developmental disabilities, including through on-site monitoring
33 and monitoring conducted by the Department or arranged for by
34 the Department;

35 (4) Clarifying the roles and responsibilities of the
36 Department, county boards, and service providers, including when
37 adverse actions are taken.

38 The workgroup may include any other recommendations in the
39 report it determines necessary. The workgroup shall submit its
40 report to the General Assembly in accordance with section 101.68
41 of the Revised Code.

42 (C) The workgroup shall cease to exist on the submission of
43 its report.

44 (D) To the extent authorized by current law, the Director
45 of Developmental Disabilities may adopt rules to implement the
46 recommendations included in the report. If a recommendation
47 requires a statutory change or current law does not provide the
48 Director the authority to adopt a particular rule, the report
49 shall include a recommendation that the General Assembly enact
50 legislation making the statutory change or giving the Director
51 the authority to adopt the rule."

52 The motion was _____ agreed to.

53 SYNOPSIS

54 **Department of Developmental Disabilities - stakeholder**
55 **workgroup**

56 **Section 261.____**

57 Requires the Department of Developmental Disabilities, not
58 later than 30 days after the bill's effective date, to convene a
59 stakeholder workgroup to evaluate services provided to
60 individuals with developmental disabilities living in the
61 community and to develop recommendations related to the
62 provision of such services.

63 Requires the workgroup to submit a report with the
64 recommendations to the Department and General Assembly not later
65 than one year after the workgroup first convenes.

_____ moved to amend as follows:

1 In line 261 of the title, after "3317.062," insert
2 "3317.27,"

3 In line 666, after "3317.062," insert "3317.27,"

4 Between lines 38004 and 38005, insert:

5 "Sec. 3317.27. (A) In any fiscal year, if a city, exempted
6 village, local, or joint vocational school district experiences
7 at least a fifty per cent decrease in valuation of public
8 utility personal property, as certified to the department of
9 education under division (A)(2) of section 3317.021 of the
10 Revised Code, from the tax year immediately preceding the most
11 recent tax year for which data is available to the most recent
12 tax year for which data is available, the department shall
13 develop a payment structure to recommend to the general assembly
14 that would provide additional state funds to the district to
15 compensate the district for a percentage of that decrease in
16 valuation. This payment structure shall take into consideration
17 the effect the valuation decrease has on the amount of state
18 foundation aid received by the district under this chapter and

19 any temporary transitional aid or payment limitations imposed by
20 the general assembly that apply to the district.

21 (B) Annually, the department shall submit to the general
22 assembly, in accordance with section 101.68 of the Revised Code,
23 the recommended structure for each district to which division
24 (A) of this section applies for the current fiscal year."

25 The motion was _____ agreed to.

26 SYNOPSIS

27 **Compensation for school districts experiencing 50% losses**
28 **in public utility personal property valuation**

29 **R.C. 3317.27**

30 Requires the Department of Education, on an annual basis,
31 to recommend to the General Assembly a structure to compensate
32 each school district that experiences at least a 50% decrease in
33 public utility personal property valuation from one year to the
34 next for a percentage of the effect that decrease has on the
35 district's foundation aid payments.

SC5803X1

25 residential, cultural, educational, and recreational activities,
26 and designed in accordance with planning concepts for the
27 placement of utility, open space, and other supportive
28 facilities.")

_____ moved to amend as follows:

1 Delete lines 128827 through 128829

2 The motion was _____ agreed to.

3 SYNOPSIS

4 **Development Services Agency**

5 **Section 259.20**

6 Removes an uncodified law provision earmarking \$250,000 in
7 each of FY 2018 and FY 2019 for Lumos Innovation from GRF
8 appropriation item 195454, Small Business and Export Assistance.

_____ moved to amend as follows:

1 Between lines 138667 and 138668, insert:

2 **"Section 512.____.** TRANSFER FROM THE STRAIGHT A FUND (FUND
3 5RB0) TO THE GENERAL REVENUE FUND

4 Not later than January 31, 2018, the Director of Budget and
5 Management shall transfer the unexpended, unencumbered cash
6 balance in the Straight A Fund (Fund 5RB0) to the General
7 Revenue Fund."

8 The motion was _____ agreed to.

9 SYNOPSIS

10 **Cash Transfer to the GRF**

11 **Section 512.____**

12 Requires the Director of OBM to transfer the unexpended,
13 unencumbered cash balance in the Straight A Fund (Fund 5RB0) to
14 the GRF by January 31, 2018.

_____ moved to amend as follows:

1 In line 18818, after "(1)" insert "(a)"

2 Between lines 18821 and 18822, insert:

3 "(b) If, after the thirty-first day of January of any year,
4 the electors of a municipal corporation approve an increase in
5 the rate of the municipal corporation's tax on income that takes
6 effect within that year, the municipal corporation shall certify
7 to the tax commissioner the new rate of tax not less than sixty
8 days before the effective date of the increase, after which
9 effective date the commissioner shall apply the increased rate."

10 In line 19184, delete "March" and insert "May and November"

11 In line 19204, after "name" insert "and federal
12 identification number"

13 In line 19209, after "corporation" insert "having taxpayers
14 that have made the election allowed under section 718.80 of the
15 Revised Code"

16 In line 19213, delete "division" and insert "divisions";
17 after "(B)" insert "and (C)"

SC5810X1

18 In line 19214, after the second "person" insert "who is
19 designated to receive the information under this section and who
20 is"

21 In line 19233, after "(B)" insert "of section 718.91 of the
22 Revised Code or division (B) or (C)"

23 In line 19247, delete all after "taxpayer"

24 In line 19248 delete all before the underlined period

25 Between lines 19248 and 19249, insert:

26 "(4) Nothing in this chapter shall prohibit a municipal
27 corporation from filing a writ of mandamus if the municipal
28 corporation believes that the commissioner has violated the
29 commissioner's fiduciary duty as the administrator of the tax
30 levied by the municipal corporation."

31 In line 19921, delete "municipal corporation allows" and
32 insert "taxpayer is eligible to receive"

33 In line 19925, delete "allowing"

34 In line 19926, delete "the credit" and insert "authorizing
35 the agreement entered into between the municipal corporation and
36 the taxpayer"

37 In line 19929, delete "shows the following:" and insert
38 "confirms the eligibility of the taxpayer for the credit, the
39 amount of the credit for which the taxpayer is eligible, and the
40 tax year to which the credit is to be applied."

41 Delete lines 19930 through 19933

42 In line 19934, after "(2)" insert "Such documentation shall
43 be provided in the form prescribed by the tax commissioner.

44 (3)"

45 In line 19936, delete "or" and insert an underlined comma

46 In line 19938, after "Code" insert ", or to modify the
47 terms or conditions of any such existing agreement"

48 Delete lines 19939 through 19942

49 The motion was _____ agreed to.

50 SYNOPSIS

51 **State administration of municipal taxes on business income**

52 **R.C. 718.80, 718.84, 718.91, and 718.94**

53 Makes several changes to a provision added by the Senate
54 that allows businesses to elect for the Tax Commissioner to
55 administer the business's municipal income taxes, as follows:

56 --Requires that the Commissioner provide municipalities
57 with certain information about taxpayers filing returns with the
58 Commissioner in May and November of each year, rather than in
59 March.

60 --Requires the Commissioner to provide municipalities with
61 the federal taxpayer identification number, in addition to the
62 name, of each taxpayer that makes estimated tax payments with
63 the Commissioner.

64 --Clarifies that the Commissioner may not provide taxpayer
65 information to any municipal employee other than employees
66 designated to receive such information by the municipality.

67 --Adds language stating that nothing in the Municipal
68 Income Tax Law prohibits a municipality from filing a writ of
69 mandamus if the municipality believes the Commissioner has

SC5810X1

70 "violated the Commissioner's fiduciary duty" in administering
71 the municipality's tax.

72 --Makes changes to the documentation requirements for
73 taxpayers that claim a job creation or job retention credit
74 against their municipal income tax liability.

_____ moved to amend as follows:

1 In line 106 of the title, delete "4117.01,"

2 In line 581, delete "4117.01,"

3 Delete lines 57388 through 57608

4 In line 102735, delete "4117.01,"

5 The motion was _____ agreed to.

6 SYNOPSIS

7 **Public Employees' Collective Bargaining Law - municipal**
8 **corporation population**

9 **R.C. 4117.01**

10 Removes a provision from the bill that proposed to exclude
11 from the Public Employees' Collective Bargaining Law any
12 municipal corporation that has a population of less than 5,000,
13 according to the most recent federal decennial census, after
14 excluding from the count those individuals incarcerated in a
15 state or federal prison within the municipal corporation.

_____ moved to amend as follows:

1 In line 209 of the title, delete "5164.70,"

2 In line 628, delete "5164.70,"

3 Delete lines 82730 through 82739

4 In line 102782, delete "5164.70,"

5 Delete lines 134307 through 134332

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Payment limits for noninstitutional providers**

9 **R.C. 5164.70; Sections 333.180 and 333.183**

10 Removes an executive provision that would have eliminated a
11 prohibition on Medicaid payments for services provided by a
12 noninstitutional provider from exceeding the payment limits for
13 the same services under Medicare.

14 Removes a Senate-added provision that would have prohibited
15 the maximum Medicaid rates for durable medical equipment,
16 orthoses, and prostheses provided during the period beginning
17 January 1, 2018, and ending July 1, 2019, from exceeding the
18 Ohio-specific Medicare rates for those services in effect on
19 July 1, 2017.

_____ moved to amend as follows:

1 In line 254 of the title, after "125.661," insert
2 "126.231,"

3 In line 661, after "125.661," insert "126.231,"

4 After line 8561, insert:

5 "Sec. 126.231. Beginning on July 1, 2018, and every six
6 months thereafter, the director of budget and management shall
7 furnish to the president and minority leader of the senate, the
8 speaker and minority leader of the house of representatives, and
9 the chairpersons of the finance committees of the senate and
10 house of representatives a report of all of the following:

11 (A) Line items that have been discontinued, but have a
12 remaining balance;

13 (B) (1) For a July report, funds that had no expenditures in
14 the immediately preceding fiscal year;

15 (2) For a January report, funds that had no expenditures in
16 the current fiscal year;

17 (C) Funds that have spent less than half of their
18 appropriations;

_____ moved to amend as follows:

1 In line 135524, delete "\$17,750,000 \$17,750,000" and
2 insert "\$17,760,000 \$17,760,000"

3 In line 135529, add \$10,000 to each fiscal year

4 In line 135534, add \$10,000 to each fiscal year

5 Between lines 135550 and 135551, insert:

6 "CASH TRANSFER FROM THE GENERAL REVENUE FUND TO THE LEGAL
7 AID FUND

8 On July 1 of each fiscal year, or as soon as possible
9 thereafter, the Director of Budget and Management shall transfer
10 \$10,000 cash from the General Revenue Fund to the Legal Aid Fund
11 (Fund 5740). The transferred cash shall be distributed by the
12 Ohio Legal Assistance Foundation to Ohio's civil legal aid
13 societies for the sole purpose of providing legal services for
14 economically disadvantaged individuals."

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Public Defender Commission

18

Section 371.10

19

20 Increases DPF Fund 5740 appropriation item 019606, Civil
21 Legal Aid, by \$10,000 in each fiscal year, from \$17,750,000 to
22 \$17,760,000 in both FYs 2018 and 2019.

23

24 Requires the Director of Budget and Management, on July 1
25 of each fiscal year, or as soon as possible thereafter, to
26 transfer \$10,000 from the GRF to the Legal Aid Fund (Fund 5740).

27

28 Requires the transferred cash in each fiscal year to be
distributed by the Ohio Legal Assistance Foundation to Ohio's
civil legal aid societies for the sole purpose of providing
legal services for economically disadvantaged individuals.

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_____ moved to amend as follows:

Between lines 134414 and 134415, insert:	1
"Section 333.240. PAYMENT RATES FOR HOSPITAL SERVICES	2
The Medicaid payment rate for a hospital service provided	3
during the period beginning July 1, 2017, and ending June 30,	4
2019, shall equal the rate that was in effect for the same type of	5
hospital service on January 1, 2017, except for any change in that	6
rate that occurs as a result of any rebasing or recalibration of	7
hospital payment rates by the Department of Medicaid on July 1,	8
2017."	9

The motion was _____ agreed to.

SYNOPSIS

Medicaid rates for hospital services	10
Section 333.240	11
Restores, in part, a House provision removed by the Senate	12
substitute bill regarding Medicaid payment rates for hospital	13
services during the 2018-2019 fiscal biennium, as follows:	14
--As in the House provision, generally sets the rate for a	15

hospital service at the rate that applied on January 1, 2017;	16
--Excludes the House provision requiring rate reductions if	17
the total amount projected to be paid in either fiscal year could	18
exceed \$6.9 billion.	19

_____ moved to amend as follows:

1 In line 139720a, delete "32,000,000" and insert
2 "32,600,000"

3 In line 139744a, delete "61,375,000" and insert
4 "61,975,000"

5 In line 139745a, delete "61,375,000" and insert
6 "61,975,000"

7 Between lines 139758 and 139759, insert:

8 "Of the foregoing appropriation item C58001, Community
9 Assistance Projects, \$300,000 shall be used for the Providence
10 House.

11 Of the foregoing appropriation item C58001, Community
12 Assistance Projects, \$300,000 shall be used for the Blessing
13 House."

14 In line 140564, delete "74,000,000" and insert "75,000,000"

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Department of Mental Health and Addiction Services

18

**Sections 610.32, 610.33, 610.90, and 610.91 (amends
19 Sections 221.10 and 221.20 of S.B. 310 of the 131st General
20 Assembly)**

21

22

Increases capital appropriation item C58001, Community
Assistance Projects, by \$600,000.

23

24

Earmarks funds for the Providence House (\$300,000) and the
Blessing House (\$300,000).

25

26

27

28

Modifies language allowing the Treasurer of State to issue
and sell obligations by increasing the amount that can be
authorized to the credit of the Mental Health Facilities
Improvement Fund (Fund 7033) by \$1 million.

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_____ moved to amend as follows:

Between lines 128710 and 128711, insert: 1

"GRF 195501 Appalachian Local \$ 100,000 \$ 100,000" 2

Development Districts

In line 128715, add \$100,000 to each fiscal year 3

In line 128775, add \$100,000 to each fiscal year 4

Between lines 128835 and 128836, insert: 5

"APPALACHIAN LOCAL DEVELOPMENT DISTRICTS 6

The foregoing appropriation item 195501, Appalachian Local 7

Development Districts shall be allocated to the iBELIEVE 8

Foundation to provide opportunities for Appalachian youth to 9

develop twenty-first century skills, including leadership, 10

communication, and problem-solving for college access and 11

retention." 12

Delete lines 128936 through 128941 13

The motion was _____ agreed to.

SYNOPSIS

Development Services Agency

14

Sections 259.10, 259.20, and 259.30	15
Establishes appropriations of \$100,000 in each of FY 2018 and	16
FY 2019 for GRF appropriation item 195501, Appalachian Local	17
Development Districts, and earmarks the appropriations for	18
iBELIEVE Foundation.	19
Removes identical earmarking language of \$100,000 in each	20
year for iBELIEVE Foundation from the appropriation under Fund	21
5HR0 appropriation item 195403, Appalachian Workforce Assistance.	22

_____ moved to amend as follows:

1 Between lines 128709a and 128710, insert:

2 "GRF 195455 Appalachian Workforce \$3,172,000 \$3,172,000"

3 Assistance

4 In line 128715, add \$3,172,000 to each fiscal year

5 In line 128775, add \$3,172,000 to each fiscal year

6 Between lines 128829 and 128830, insert:

7 "APPALACHIAN WORKFORCE ASSISTANCE

8 The foregoing GRF appropriation item 195455, Appalachian
9 Workforce Assistance, shall be used in conjunction with Ohio
10 Incumbent Workforce Job Training Fund (Fund 5HR0) appropriation
11 item 195403, Appalachian Workforce Assistance."

12 Between lines 135792a and 135793, insert:

13 "GRF 235428 Appalachian New Economy \$828,000 \$828,000"

14 Workforce Partnership

15 In line 135829, add \$828,000 to each fiscal year

16 In line 135856, add \$828,000 to each fiscal year

17 Between lines 135924 and 135925, insert:

18 "**Section 381.____.** APPALACHIAN NEW ECONOMY WORKFORCE
19 PARTNERSHIP

_____ moved to amend as follows:

1 In line 129719, delete "\$67,768,341 \$67,768,341" and

2 insert "\$68,116,789 \$68,116,789"

3 In line 129745, add \$348,448 to each fiscal year

4 In line 129794, add \$348,448 to each fiscal year

5 In line 132929, delete "\$139,133,689 \$139,133,689" and

6 insert "\$141,285,241 \$141,285,241"

7 In line 132934, add \$2,151,552 to each fiscal year

8 In line 132986, add \$2,151,552 to each fiscal year

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Department of Education**

12 **Section 265.10**

13 Increases GRF appropriation item 200408, Early Childhood
14 Education, by \$348,448 in each fiscal year.

15 **Department of Job and Family Services**

16 **Section 307.10**

17 Increases GRF appropriation item 600535, Early Care and
18 Education, by \$2,151,552 in FY 2018 and FY 2019.

_____ moved to amend as follows:

1 In line 129737, delete "\$10,412,366 \$9,475,892" and

2 insert "\$10,437,366 \$9,500,892"

3 In line 129745, add \$25,000 to each fiscal year

4 In line 129794, add \$25,000 to each fiscal year

5 In line 130643, delete "\$75,000" and insert "\$100,000"

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Education**

9 **Sections 265.10 and 265.200**

10 Increases GRF appropriation item 200545, Career-Technical
11 Education Enhancements, by \$25,000 in each fiscal year and
12 increases by the same amounts, from \$75,000 in each fiscal year
13 to \$100,000 in each fiscal year, the earmark to support the Ohio
14 ProStart school restaurant program.

_____ moved to amend as follows:

1 In line 134588, delete "\$72,089,846 \$72,089,846" and

2 insert "\$72,114,846 \$72,114,846"

3 In line 134598, add \$25,000 to each fiscal year

4 In line 134631, add \$25,000 to each fiscal year

5 In line 134677, delete "\$100,000" and insert "\$125,000"

6 The motion was _____ agreed to.

7 SYNOPSIS

8 **Department of Mental Health and Addiction Services**

9 **Sections 337.10 and 337.50**

10 Increases GRF line item 336421, Continuum of Care Services,
11 by \$25,000 in each fiscal year.

12 Increases an existing earmark in line item 336421 for the
13 Chardon School District by \$25,000 in each fiscal year, which
14 brings the total earmark to \$125,000 in each fiscal year.

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_____ moved to amend as follows:

In line 135813, delete "\$7,713,996 \$7,713,996" and insert	1
"\$7,813,996 \$7,813,996"	2
In line 135829, add \$100,000 to each fiscal year	3
In line 135856, add \$100,000 to each fiscal year	4
Between lines 136819 and 136820, insert:	5
"Of the foregoing appropriation item 235537, University of	6
Cincinnati Clinical Teaching, \$100,000 in each fiscal year shall	7
be used to support the SmartOhio Financial Literacy Program at the	8
University of Cincinnati."	9

The motion was _____ agreed to.

SYNOPSIS

Department of Higher Education	10
Sections 381.10 and 381.300	11
Increases GRF appropriation item 235537, University of	12
Cincinnati Clinical Teaching, by \$100,000 in each fiscal year and	13
earmarks those same amounts to support the SmartOhio Financial	14
Literacy Program at the University of Cincinnati. (The	15

House-passed bill contained an earmark of \$250,000 in each fiscal year for SmartOhio from GRF appropriation 235533, Higher Education Program Support.)

16
17
18

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_____ moved to amend as follows:

In line 129729, delete "\$1,060,384 \$1,060,384" and insert	1
"\$1,310,384 \$1,310,384"	2
In line 129745, add \$250,000 to each fiscal year	3
In line 129794, add \$250,000 to each fiscal year	4
Between lines 130369 and 130370, insert:	5
"Of the foregoing appropriation item 200448, Educator	6
Preparation, \$250,000 in each fiscal year shall be distributed to	7
Teach For America to increase recruitment of potential corps	8
members at select Ohio universities, train and develop first-year	9
and second-year teachers in the Teach for America program in Ohio,	10
and expand alumni support and networking within the state."	11

The motion was _____ agreed to.

SYNOPSIS

Department of Education	12
Sections 265.10 and 265.120	13
Increases GRF appropriation item 200448, Educator	14
Preparation, by \$250,000 in each fiscal year and earmarks those	15

amounts for Teach for America (the House-passed version of the 16
bill earmarked \$2,000,000 in each fiscal year for the purpose from 17
GRF appropriation item 200597, Education Program Support; the 18
Senate substitute bill eliminated this line item and earmark). 19

_____ moved to amend as follows:

1 In line 127295, delete "\$15,251,600 \$15,344,800" and
2 insert "\$14,251,600 \$14,344,800"

3 In line 127297, delete "\$95,017,500 \$88,862,900" and
4 insert "\$93,017,500 \$85,862,900"

5 In line 127305, subtract \$3,000,000 from fiscal year 2018
6 and subtract \$4,000,000 from fiscal year 2019

7 In line 127341, subtract \$3,000,000 from fiscal year 2018
8 and subtract \$4,000,000 from fiscal year 2019

9 In line 135828, delete "\$272,425,600 \$300,094,600" and
10 insert "\$271,425,600 \$298,094,600"

11 In line 135829, subtract \$1,000,000 from fiscal year 2018
12 and subtract \$2,000,000 from fiscal year 2019

13 In line 135856, subtract \$1,000,000 from fiscal year 2018
14 and subtract \$2,000,000 from fiscal year 2019

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Department of Administrative Services

18

Section 207.10

19

20 Reduces appropriations under GRF appropriation item 100415,
21 OAKS Lease Rental Payments, by \$1.0 million in each fiscal year
22 to totals of \$14,251,600 in FY 2018 and \$14,344,800 FY 2019.

22

23 Reduces appropriations under GRF appropriation item 100447,
24 Administrative Building Lease Rental Bond Payments, by \$2.0
25 million in FY 2018 and \$3.0 million in FY 2019 to totals of
26 \$93,017,500 in FY 2018 and \$85,862,900 in FY 2019.

26

Department of Higher Education

27

Section 381.10

28

29 Reduces appropriations under GRF appropriation item 235909,
30 Higher Education General Obligation Bond Debt Service, by \$1.0
31 million in FY 2018 and \$2.0 million in FY 2019 to totals of
\$271,425,600 in FY 2018 and \$298,094,600 in FY 2019.

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_____ moved to amend as follows:

In line 43 of the title, after "2743.75," insert "2923.1210," 1

In line 535, after "2743.75," insert "2923.1210," 2

Between lines 28091 and 28092, insert: 3

"**Sec. 2923.1210.** (A) A business entity, property owner, or 4
public or private employer may not establish, maintain, or enforce 5
a policy or rule that prohibits or has the effect of prohibiting a 6
person who has been issued a valid concealed handgun license from 7
transporting or storing a firearm or ammunition when both of the 8
following conditions are met: 9

(1) Each firearm and all of the ammunition remains inside the 10
person's privately owned motor vehicle while the person is 11
physically present inside the motor vehicle, or each firearm and 12
all of the ammunition is locked within the trunk, glove box, or 13
other enclosed compartment or container within or on the person's 14
privately owned motor vehicle; 15

(2) The vehicle is in a location where it is otherwise 16
permitted to be. 17

(B) A business entity, property owner, or public or private 18
employer that violates division (A) of this section may be found 19
liable in a civil action brought by any individual injured by the 20

violation. The court may award compensatory damages and any 21
equitable relief, including injunctive relief, it finds 22
appropriate. If an award is made in favor of the plaintiff, the 23
court may award costs and reasonable attorney's fees to the 24
plaintiff after a hearing to determine the amount of the fees. 25

(C) No business entity, property owner, or public or private 26
 employer shall be held liable in any civil action for damages, 27
 injuries, or death resulting from or arising out of another 28
 person's actions involving a firearm or ammunition transported or 29
 stored pursuant to division (A) of this section including the 30
 theft of a firearm from an employee's or invitee's automobile, 31
 unless the business entity, property owner, or public or private 32
 employer intentionally solicited or procured the other person's 33
 injurious actions." 34

In line 102689, after "2743.75," insert "2923.1210," 35

The motion was _____ agreed to.

SYNOPSIS

Storage of firearm in privately owned motor vehicle 36

R.C. 2923.1210 37

Creates a civil cause of action against a business entity, 38
 property owner, or employer who establishes, maintains, or 39
 enforces a policy that prohibits a valid concealed handgun 40
 licensee from transporting or storing a firearm or ammunition in 41
 the person's privately owned motor vehicle in accordance with 42
 existing law conditions. 43

_____ moved to amend as follows:

1 In line 133986, after "(B)" delete the balance of the line

2 In line 133987, delete "fiscal biennium, the" and insert
3 "The"

4 In line 133990, after "program" insert "during the 2018-
5 2019 fiscal biennium"; after the period delete the balance of
6 the line

7 In line 133991, delete "costs for six months."

8 In line 133992, delete "both of the following requirements
9 are met:"

10 In line 133993, delete "(1) The" and insert "the"

11 Delete lines 133997 through 134013

12 Between lines 134559 and 134560, insert:

13 **"Section 333.____. HEALTHY OHIO PROGRAM WAIVER SUBMISSION**

14 Not later than January 31, 2018, the Medicaid Director
15 shall resubmit to the United States Department of Health and
16 Human Services a request for a federal Medicaid waiver needed to
17 implement the Healthy Ohio Program under sections 5166.40 to
18 5166.409 of the Revised Code."

19 The motion was _____ agreed to.

20

SYNOPSIS

21 **Controlling Board authorization regarding Medicaid**
22 **expenditures**

23 **Section 333.34**

24 Revises the House provision that would permit the Medicaid
25 Director to request that the Controlling Board authorize
26 expenditure from the Health and Human Services Fund in an amount
27 necessary to pay for the costs of the Medicaid program by
28 eliminating both of the following:

29 (1) The restrictions that the Director not make the request
30 more than once every six months and that the amount per request
31 not exceed six months of the costs;

32 (2) A requirement that the Controlling Board be satisfied
33 with certain matters in order to be permitted to authorize the
34 expenditure.

35 **Healthy Ohio Program waiver submission**

36 **Section 333.____**

37 Requires the Medicaid Director to resubmit not later than
38 January 31, 2018, a request for a federal Medicaid waiver needed
39 to implement the Healthy Ohio Program.

_____ moved to amend as follows:

1 In line 133879, delete "\$8,866,173,162 \$9,251,578,717"

2 and insert "\$9,829,821,920 \$10,185,499,354"

3 In line 133880, delete "\$12,608,041,128 \$13,156,671,931"

4 and insert "\$13,571,689,886 \$14,090,592,568"

5 In line 133884, add \$963,648,758 to fiscal year 2018 and

6 \$933,920,637 to fiscal year 2019

7 In line 133885, add \$963,648,758 to fiscal year 2018 and

8 \$933,920,637 to fiscal year 2019

9 In line 133905, delete "\$2,390,806,106 \$2,577,826,559"

10 and insert "\$6,213,919,469 \$6,338,785,019"

11 In line 133909, add \$3,823,113,363 to fiscal year 2018 and

12 \$3,760,958,460 to fiscal year 2019

13 In line 133910, add \$4,786,762,121 to fiscal year 2018 and

14 \$4,694,879,097 to fiscal year 2019

15 The motion was _____ agreed to.

16

SYNOPSIS

17

Department of Medicaid

18

Section 333.10

19

20 Increases the federal share of GRF appropriation item
21 651525, Medicaid Health Care Services, by \$963,648,758 in FY
22 2018 and \$933,920,637 in FY 2019.

23

24 Increases federal Fund 3F00 appropriation item 651623,
25 Medicaid Services - Federal, by \$3,823,113,363 in FY 2018 and
26 \$3,760,958,460 in FY 2019.

_____ moved to amend as follows:

1 In line 129729, delete "\$1,060,384 \$1,060,384" and
2 insert "\$1,160,384 \$1,160,384"

3 In line 129745, add \$100,000 to each fiscal year

4 In line 129794, add \$100,000 to each fiscal year

5 Between lines 130369 and 130370, insert:

6 "Of the foregoing appropriation item 200448, Educator
7 Preparation, \$75,000 in fiscal year 2018 and \$100,000 in fiscal
8 year 2019 shall be used to support training for selected school
9 staff through the FASTER Saves Lives Program for the purpose of
10 stopping active shooters and treating casualties.

11 Of the foregoing appropriation item 200448, Educator
12 Preparation, \$25,000 in fiscal year 2018 shall be used to
13 purchase trauma training and equipment for school staff that
14 have completed FASTER Saves Lives training in active shooter
15 response or tactical combat casualty care. An amount equal to
16 the unexpended, unencumbered balance of this earmark at the end
17 of fiscal year 2018 is hereby reappropriated for the same
18 purpose for fiscal year 2019."

19 The motion was _____ agreed to.

20

SYNOPSIS

21

Department of Education

22

Sections 265.10 and 265.270

23 Increases GRF appropriation item 200448, Educator
24 Preparation, by \$100,000 in each fiscal year and earmarks
25 \$75,000 in FY 2018 and \$100,000 in FY 2019 to support FASTER
26 Saves Lives training for selected school staff and \$25,000 in FY
27 2018 to purchase trauma training and equipment for school staff
28 that have completed FASTER Saves Lives training.

29 Reappropriates the unexpended, unencumbered balance of the
30 earmark to purchase trauma training and equipment at the end of
31 FY 2018 to FY 2019.

_____ moved to amend as follows:

1 In line 134588, delete "\$72,089,846 \$72,089,846" and
2 insert "\$72,189,846 \$72,189,846"

3 In line 134598, add \$100,000 to each fiscal year

4 In line 134631, add \$100,000 to each fiscal year

5 Between lines 134679 and 134680, insert:

6 "(D) Of the foregoing appropriation item 336421, Continuum
7 of Care Services, \$100,000 in each fiscal year shall be
8 allocated to the Wingspan Care Group."

9 The motion was _____ agreed to.

10 SYNOPSIS

11 **Department of Mental Health and Addiction Services**

12 **Sections 337.10 and 337.50**

13 Increases the appropriation to GRF line item 336421,
14 Continuum of Care Services, by \$100,000 in each fiscal year.

15 Allocates these funds to the Wingspan Care Group.

H.B. 49 (As Pending in S. Finance) Omnibus Amendment Appropriation Change Summary

Amendment	Agency	Fund Group	Fund	ALI	ALI Name	FY18 (As Pending in S. Finance)	FY18 (As Pending in S. Finance)	FY18 (Omnibus Amendment)	FY 19 (Omnibus Amendment)	FY 18 Change	FY 19 Change
SC4849	MCD	GRF	GRF	651525	Medicaid Health Care Services - State	\$3,741,867,966	\$3,905,093,214	\$3,741,967,966	\$3,905,193,214	\$100,000	\$100,000
SC4849	MCD	GRF	GRF	651525	Medicaid Health Care Services - Total	\$12,608,041,128	\$13,156,671,931	\$12,608,141,128	\$13,156,771,931	\$100,000	\$100,000
SC4887X1	EDU	GRF	GRF	200550	Foundation Funding	\$6,803,882,816	\$6,942,228,845	\$6,799,382,816	\$6,936,728,845	-\$4,500,000	-\$5,500,000
SC4887X1	EDU	SLF	7017	200612	Foundation Funding	\$1,081,530,000	\$1,081,530,000	\$1,086,030,000	\$1,087,030,000	\$4,500,000	\$5,500,000
SC4889X1	MCD	DPF	5AN0	651686	Care Innovation and Community Improvement Program	\$0	\$0	\$60,000,000	\$60,000,000	\$60,000,000	\$60,000,000
SC4889X1	MCD	FED	3F00	651623	Medicaid Services - Federal	\$2,390,806,106	\$2,577,826,559	\$2,530,806,106	\$2,717,826,559	\$140,000,000	\$140,000,000
SC5086X1, SC5794X2	DEV	DPF	5HR0	195622	Defense Development Assistance	\$1,250,000	\$1,250,000	\$350,000	\$350,000	-\$900,000	-\$900,000
SC5086X1	TOS	DPF	5NH0	090610	OhioMeansJobs Workforce Development	\$16,250,000	\$0	\$16,050,000	\$0	-\$200,000	\$0
SC5143X1	EDU	DPF	6200	200615	Educational Improvement Grants	\$500,000	\$500,000	\$575,000	\$500,000	\$75,000	\$0
SC5143X1	TOS	DPF	5NH0	090610	OhioMeansJobs Workforce Development	\$16,250,000	\$0	\$16,175,000	\$0	-\$75,000	\$0
SC5163X1	EDU	DPF	6200	200615	Educational Improvement Grants	\$500,000	\$500,000	\$625,000	\$500,000	\$125,000	\$0
SC5163X1	TOS	DPF	5NH0	090610	OhioMeansJobs Workforce Development	\$16,250,000	\$0	\$16,125,000	\$0	-\$125,000	\$0
SC5211	PYT	DPF	4K90	890609	Operating Expenses	\$612,956	\$0	\$996,053	\$1,059,477	\$383,097	\$1,059,477
SC5211	PHS	DPF	4K90	127609	Operating Expenses	\$576,740	\$1,122,918	\$0	\$0	-\$576,740	-\$1,122,918
SC5270X1	OOD	GRF	GRF	415402	Independent Living Council	\$200,640	\$200,640	\$252,000	\$252,000	\$51,360	\$51,360
SC5305	MCD	DPF	5SC0	651683	Medicaid Services - Physician UPL	\$15,000,000	\$15,000,000	\$30,000,000	\$30,000,000	\$15,000,000	\$15,000,000
SC5569X1	JFS	GRF	GRF	600523	Family and Children Services	\$62,268,993	\$62,268,993	\$77,268,993	\$77,268,993	\$15,000,000	\$15,000,000
SC5615X1	EDU	DPF	6200	200615	Educational Improvement Grants	\$500,000	\$500,000	\$600,000	\$600,000	\$100,000	\$100,000
SC5615X1	TOS	DPF	5NH0	090610	OhioMeansJobs Workforce Development	\$16,250,000	\$0	\$16,050,000	\$0	-\$200,000	\$0
SC5623	DNR	DPF	5180	725677	Oil and Gas Well Plugging	\$3,000,000	\$3,000,000	\$6,000,000	\$6,000,000	\$3,000,000	\$3,000,000
SC5651	DOH	GRF	GRF	440473	Tobacco Prevention Cessation and Enforcement	\$1,000,000	\$1,000,000	\$0	\$0	-\$1,000,000	-\$1,000,000
SC5651	DOH	DPF	5BX0	440656	Tobacco Use Prevention Cessation and Enforcement	\$4,500,000	\$4,500,000	\$12,500,000	\$12,500,000	\$8,000,000	\$8,000,000
SC5685X1	MCD	GRF	GRF	651525	Medicaid Health Care Services - State	\$3,741,867,966	\$3,905,093,214	\$3,743,867,966	\$3,897,595,014	\$2,000,000	-\$7,498,200
SC5685X1	MCD	GRF	GRF	651525	Medicaid Health Care Services - Federal	\$8,866,173,162	\$9,251,578,717	\$8,869,530,783	\$9,232,120,066	\$3,357,621	-\$19,458,651
SC5685X1	MCD	GRF	GRF	651525	Medicaid Health Care Services - Total	\$12,608,041,128	\$13,156,671,931	\$12,613,398,749	\$13,129,715,080	\$5,357,621	-\$26,956,851
SC5701X1	AGO	GRF	GRF	055431	Drug Abuse Response Team Grants	\$0	\$0	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
SC5701X1	AGO	DPF	5AH0	055604	Drug Abuse Response Team Grants	\$2,500,000	\$2,500,000	\$0	\$0	-\$2,500,000	-\$2,500,000
SC5701X1	EDU	GRF	GRF	200439	Accountability/Report Cards	\$5,413,167	\$5,913,167	\$413,167	\$913,167	-\$5,000,000	-\$5,000,000
SC5701X1	EDU	DPF	5UC0	200662	Accountability/Report Cards	\$0	\$0	\$5,000,000	\$5,000,000	\$5,000,000	\$5,000,000
SC5701X1	MHA	GRF	GRF	336410	Drug Addiction Detection	\$0	\$0	\$2,500,000	\$2,500,000	\$2,500,000	\$2,500,000
SC5701X1	MHA	DPF	5AH0	336642	Drug and Opiate Addiction Detection	\$2,500,000	\$2,500,000	\$0	\$0	-\$2,500,000	-\$2,500,000
SC5749	DEV	GRF	GRF	195453	Technology Programs and Grants	\$13,524,956	\$13,274,956	\$13,549,956	\$13,299,956	\$25,000	\$25,000
SC5771	TOS	DPF	4E90	090603	Securities Lending Income	\$5,290,000	\$5,290,000	\$5,415,468	\$5,415,468	\$125,468	\$125,468
SC5777	MCD	GRF	GRF	651525	Medicaid Health Care Services - State	\$3,741,867,966	\$3,905,093,214	\$3,761,867,966	\$3,925,093,214	\$200,000	\$200,000
SC5777	MCD	GRF	GRF	651525	Medicaid Health Care Services - Federal	\$8,866,173,162	\$9,251,578,717	\$8,934,473,162	\$9,319,878,717	\$68,300,000	\$68,300,000
SC5777	MCD	GRF	GRF	651525	Medicaid Health Care Services - Total	\$12,608,041,128	\$13,156,671,931	\$12,696,341,128	\$13,244,971,931	\$88,300,000	\$88,300,000
SC5792	DAS	GRF	GRF	130321	State Agency Support Services	\$18,000,000	\$19,000,000	\$18,000,000	\$18,000,000	\$0	-\$1,000,000
SC5794X2	TOS	DPF	5NH0	090610	OhioMeansJobs Workforce Development	\$16,250,000	\$0	\$15,750,000	\$0	-\$500,000	\$0
SC5822	PUB	DPF	5740	019606	Civil Legal Aid	\$17,750,000	\$17,750,000	\$17,760,000	\$17,760,000	\$10,000	\$10,000
SC5826	DEV	GRF	GRF	195501	Appalachian Local Development Districts	\$0	\$0	\$100,000	\$100,000	\$100,000	\$100,000
SC5827	DEV	GRF	GRF	195455	Appalachian Workforce Assistance	\$0	\$0	\$3,172,000	\$3,172,000	\$3,172,000	\$3,172,000
SC5827	BOR	GRF	GRF	235428	Appalachian New Economy Workforce Partnership	\$0	\$0	\$828,000	\$828,000	\$828,000	\$828,000
SC5828	EDU	GRF	GRF	200408	Early Childhood Education	\$67,768,341	\$67,768,341	\$68,116,789	\$68,116,789	\$348,448	\$348,448
SC5828	JFS	GRF	GRF	600535	Early Care and Education	\$139,133,689	\$139,133,689	\$141,285,241	\$141,285,241	\$2,151,552	\$2,151,552
SC5829	EDU	GRF	GRF	200545	Career-Technical Education Enhancements	\$10,412,366	\$9,475,892	\$10,437,366	\$9,500,892	\$25,000	\$25,000
SC5830	MHA	GRF	GRF	336421	Continuum of Care Services	\$72,089,846	\$72,089,846	\$72,114,846	\$72,114,846	\$25,000	\$25,000
SC5831X1	JFS	GRF	GRF	600410	TANF State Maintenance of Effort	\$148,300,326	\$148,300,326	\$148,500,326	\$148,500,326	\$200,000	\$200,000
SC5832	DDD	GRF	GRF	320411	Special Olympics	\$0	\$0	\$100,000	\$100,000	\$100,000	\$100,000
SC5833	BOR	GRF	GRF	235537	University of Cincinnati Clinical Teaching	\$7,713,996	\$7,713,996	\$7,813,996	\$7,813,996	\$100,000	\$100,000
SC5834	EDU	GRF	GRF	200448	Educator Preparation	\$1,060,384	\$1,060,384	\$1,310,384	\$1,310,384	\$250,000	\$250,000
SC5835	DOH	GRF	GRF	440431	Free Clinic Safety Net Services	\$237,326	\$237,326	\$362,326	\$362,326	\$125,000	\$125,000
SC5836	DAS	GRF	GRF	100415	OAKS Lease Rental Payments	\$15,251,600	\$15,344,800	\$14,251,600	\$14,344,800	-\$1,000,000	-\$1,000,000
SC5836	DAS	GRF	GRF	100447	Administrative Buildings Lease Rental Bond Payments	\$95,017,500	\$88,862,900	\$93,017,500	\$85,862,900	-\$2,000,000	-\$3,000,000
SC5836	BOR	GRF	GRF	235909	Higher Education General Obligation Bond Debt Service	\$272,425,600	\$300,094,600	\$271,425,600	\$298,094,600	-\$1,000,000	-\$2,000,000
SC5841	MCD	FED	3F00	651623	Medicaid Services - Federal	\$2,390,806,106	\$2,577,826,559	\$6,213,919,469	\$6,338,785,019	\$3,823,113,363	\$3,760,958,460
SC5841	MCD	GRF	GRF	651525	Medicaid Health Care Services - Federal	\$8,866,173,162	\$9,251,578,717	\$9,829,821,920	\$10,185,499,354	\$963,648,758	\$933,920,637
SC5841	MCD	GRF	GRF	651525	Medicaid Health Care Services - Total	\$12,608,041,128	\$13,156,671,931	\$13,571,689,886	\$14,090,592,568	\$963,648,758	\$933,920,637
SC5852	EDU	GRF	GRF	200448	Educator Preparation	\$1,060,384	\$1,060,384	\$1,160,384	\$1,160,384	\$100,000	\$100,000
SC5853	MHA	GRF	GRF	336421	Continuum of Care Services	\$72,089,846	\$72,089,846	\$72,189,846	\$72,189,846	\$100,000	\$100,000
SC5855	JFS	GRF	GRF	600546	Healthy Food Financing Initiative	\$0	\$0	\$100,000	\$100,000	\$100,000	\$100,000
SC5858	JFS	GRF	GRF	600504	Healthier Buckeye Grant Program	\$0	\$0	\$50,000	\$50,000	\$50,000	\$50,000
								Total Changes	GRF-State	\$35,451,360	\$21,953,160
									GRF-Federal	\$1,035,306,379	\$982,761,986
									GRF-Total	\$1,070,757,739	\$1,004,715,146
									Non-GRF Total	\$4,051,855,188	\$3,991,730,487
									Grand Total	\$5,122,612,927	\$4,996,445,633