

**As Introduced**

**133rd General Assembly**

**Regular Session**

**2019-2020**

**H. B. No. 480**

**Representatives Smith, T., Plummer**

**Cosponsors: Representatives Riedel, Strahorn**

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**A BILL**

To amend Sections 265.10 and 265.210 of H.B. 166 of 1  
the 133rd General Assembly to make an 2  
appropriation to compensate school districts for 3  
property tax losses due to certain natural 4  
disasters. 5

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

**Section 1.** (A) As used in this section: 6

(1) "Eligible district" means a city, local, exempted 7  
village, or joint vocational school district that has territory 8  
in a county that satisfies both of the following conditions: 9

(a) The county was declared to be in a state of emergency 10  
as a result of one or more natural disasters that occurred on 11  
May 27, 2019, or May 28, 2019. 12

(b) The sum of the eligible property tax losses 13  
attributable to school districts with territory in the county 14  
exceeds \$750,000. 15

(2) A school district's "eligible property tax loss" means 16  
its property tax loss for tax year 2019 arising from deductions 17

to property valuation pursuant to section 319.38 of the Revised Code due to one or more natural disasters that occurred between May 27, 2019, and May 28, 2019.

(B) The Department of Education shall pay an eligible school district an amount equal to its eligible property tax loss.

(C) Prior to making a payment to an eligible district under division (B) of this section, the Department of Education may request the county auditor of each county in which an eligible district has territory to certify to the Department the district's eligible property tax loss in that county.

**Section 2.** On the effective date of this section, or as soon as possible thereafter, the Director of Budget and Management shall transfer \$1,000,000 cash from the Controlling Board Emergency Purposes/Contingencies Fund (5KM0) to the General Revenue Fund.

**Section 3.** That Sections 265.10 and 265.210 of H.B. 166 of the 133rd General Assembly be amended to read as follows:

**Sec. 265.10.**

	1	2	3	4	5
A			EDU DEPARTMENT OF EDUCATION		
B		General Revenue Fund			
C	GRF	200321	Operating	\$	\$

			Expenses	15,153,032	16,565,951
D	GRF	200408	Early Childhood Education	\$68,116,789.00	\$68,116,789
E	GRF	200420	Information Technology Development and Support	\$4,004,299	\$4,026,960
F	GRF	200422	School Management Assistance	\$2,385,580	\$2,408,711
G	GRF	200424	Policy Analysis	\$458,232	\$457,676
H	GRF	200426	Ohio Educational Computer Network	\$15,457,000	\$15,457,000
I	GRF	200427	Academic Standards	\$4,434,215	\$4,483,525
J	GRF	200437	Student Assessment	\$56,906,893	\$56,948,365
K	GRF	200439	Accountability /Report Cards	\$7,517,406	\$7,565,320
L	GRF	200442	Child Care Licensing	\$2,156,322	\$2,227,153
M	GRF	200446	Education Management	\$8,112,987	\$8,174,415

			Information System		
N	GRF	200448	Educator Preparation	\$ 11,785,384	\$ 7,285,384
O	GRF	200455	Community Schools and Choice Programs	\$ 4,867,763	\$ 4,912,546
P	GRF	200465	Education Technology Resources	\$ 5,179,664	\$ 5,179,664
Q	GRF	200478	Industry- Recognized Credentials High School Students	\$ 25,000,000	\$ 25,000,000
R	GRF	200502	Pupil Transportation	\$ 527,129,809	\$ 527,129,809
S	GRF	200505	School Lunch Match	\$ 8,963,500	\$ 8,963,500
T	GRF	200511	Auxiliary Services	\$ 154,939,134	\$ 154,939,134
U	GRF	200532	Nonpublic Administrative Cost Reimbursement	\$ 69,997,735	\$ 69,997,735
V	GRF	200540	Special	\$	\$

			Education Enhancements	152,600,000	152,850,000
W	GRF	200545	Career-Technical Education Enhancements	\$ 9,750,892	\$ 9,750,892
X	GRF	200550	Foundation Funding	\$ <del>6,942,880,845</del>	\$ 6,774,618,845
				<u>6,943,880,845</u>	
Y	GRF	200566	Literacy Improvement	\$ 1,452,876	\$ 1,452,172
Z	GRF	200572	Adult Education Programs	\$ 10,207,674	\$ 10,207,674
AA	GRF	200573	EdChoice Expansion	\$ 57,223,340	\$ 121,017,418
AB	GRF	200574	Half-Mill Maintenance Equalization	\$ 18,849,207	\$ 18,128,526
AC	GRF	200576	Adaptive Sports Program	\$ 250,000	\$ 250,000
AD	GRF	200597	Program and Project Support	\$ 1,125,000	\$ 625,000
AE	GRF	657401	Medicaid in Schools	\$ 297,978	\$ 297,978

AF	TOTAL GRF General Revenue Fund			\$	\$
				<del>8,187,203,556</del>	8,079,038,142
					<u>8,188,20</u>
				<u>3,556</u>	
AG	Dedicated Purpose Fund Group				
AH	4520	200638	Charges and Reimbursements	\$	\$
				1,000,000	1,000,000
AI	4550	200608	Commodity Foods	\$	\$
				1,000,000	1,000,000
AJ	4L20	200681	Teacher Certification and Licensure	\$	\$
				13,795,827	14,000,000
AK	5980	200659	Auxiliary Services Reimbursement	\$	\$
				1,300,000	1,300,000
AL	5H30	200687	School District Solvency Assistance	\$	\$
				2,000,000	2,000,000
AM	5KX0	200691	Ohio School Sponsorship Program	\$	\$
				1,250,000	1,250,000
AN	5MM0	200677	Child Nutrition Refunds	\$	\$
				550,000	550,000
AO	5U20	200685	National Education	\$	\$
				170,675	175,000

			Statistics		
AP	5VS0	200604	Student	\$	\$
			Wellness and	275,000,000	400,000,000
			Success		
AQ	5VU0	200663	School Bus	\$	\$
			Purchase	0	20,000,000
AR	6200	200615	Educational	\$	\$
			Improvement	594,443	600,000
			Grants		
AS	TOTAL DPF Dedicated Purpose Fund			\$	\$
	Group			296,660,945	441,875,000
AT	Internal Service Activity Fund Group				
AU	1380	200606	Information	\$	\$
			Technology	7,939,104	8,047,645
			Development		
			and Support		
AV	4R70	200695	Indirect	\$	\$
			Operational	7,856,766	7,856,766
			Support		
AW	4V70	200633	Interagency	\$	\$
			Program	5,497,938	5,500,000
			Support		
AX	TOTAL ISA Internal Service Activity			\$	\$
	Fund Group			21,293,808	21,404,411
AY	State Lottery Fund Group				
AZ	7017	200602	School Climate	\$	\$
			Grants	2,000,000	2,000,000

BA	7017	200612	Foundation	\$	\$
			Funding	1,081,400,000	1,249,900,000
BB	7017	200614	Accelerate	\$	\$
			Great Schools	1,500,000	1,500,000
BC	7017	200631	Quality	\$	\$
			Community	30,000,000	30,000,000
			Schools		
			Support		
BD	7017	200636	Enrollment	\$	\$
			Growth	15,500,000	23,000,000
			Supplement		
BE	7017	200684	Community	\$	\$
			School	20,600,000	20,600,000
			Facilities		
BF	TOTAL SLF State Lottery Fund Group			\$	\$
				1,151,000,000	1,327,000,000
BG	Federal Fund Group				
BH	3670	200607	School Food	\$	\$
			Services	11,469,730	11,897,473
BI	3700	200624	Education of	\$	\$
			Exceptional	2,000,000	2,000,000
			Children		
BJ	3AF0	657601	Schools	\$	\$
			Medicaid	295,500	295,500
			Administrative		
			Claims		
BK	3AN0	200671	School	\$	\$



			Improvement Grants	17,000,000	17,000,000
BL	3C50	200661	Early Childhood Education	\$ 12,555,000	\$ 12,555,000
BM	3EH0	200620	Migrant Education	\$ 2,700,000	\$ 2,700,000
BN	3EJ0	200622	Homeless Children Education	\$ 3,295,203	\$ 3,300,000
BO	3FE0	200669	Striving Readers	\$ 12,507,905	\$ 12,511,000
BP	3GE0	200674	Summer Food Service Program	\$ 15,599,467	\$ 16,342,299
BQ	3GG0	200676	Fresh Fruit and Vegetable Program	\$ 4,911,207	\$ 5,145,074
BR	3HF0	200649	Federal Education Grants	\$ 7,049,677	\$ 7,056,327
BS	3HI0	200634	Student Support and Academic Enrichment	\$ 40,042,720	\$ 40,042,720
BT	3L60	200617	Federal School Lunch	\$ 418,643,500	\$ 430,837,000

BU	3L70	200618	Federal School	\$	\$
			Breakfast	158,726,966	163,350,081
BV	3L80	200619	Child/Adult	\$	\$
			Food Programs	110,121,168	113,328,580
BW	3L90	200621	Career-	\$	\$
			Technical	45,946,927	46,000,000
			Education		
			Basic Grant		
BX	3M00	200623	ESEA Title 1A	\$	\$
				600,000,000	600,000,000
BY	3M20	200680	Individuals	\$	\$
			with	454,770,591	455,000,000
			Disabilities		
			Education Act		
BZ	3T40	200613	Public Charter	\$	\$
			Schools	7,000,000	7,000,000
CA	3Y20	200688	21st Century	\$	\$
			Community	47,500,000	47,500,000
			Learning		
			Centers		
CB	3Y60	200635	Improving	\$	\$
			Teacher	85,000,000	85,000,000
			Quality		
CC	3Y70	200689	English	\$	\$
			Language	10,500,000	10,500,000
			Acquisition		
CD	3Y80	200639	Rural and Low	\$	\$

			Income	3,600,000	3,600,000
			Technical Assistance		
CE	3Z20	200690	State Assessments	\$ 12,000,000	\$ 12,000,000
CF	3Z30	200645	Consolidated Federal Grant Administration	\$ 10,701,635	\$ 10,900,000
CG	TOTAL FED Federal Fund Group			\$ 2,093,937,196	\$ 2,115,861,054
CH	TOTAL ALL BUDGET FUND GROUPS			\$ 11,750,095,505	\$ 11,985,178,60
				<u>11,751,09<sup>7</sup></u>	
				<u>5,505</u>	

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**Sec. 265.210. FOUNDATION FUNDING**

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Of the foregoing appropriation item 200550, Foundation  
 Funding, up to \$40,000,000 in each fiscal year shall be used to  
 provide additional state aid to school districts, joint  
 vocational school districts, community schools, and STEM schools  
 for special education students under division (C) (3) of section  
 3314.08, section 3317.0214 and division (B) of section 3317.16  
 in accordance with the section of ~~this act~~ H.B. 166 of the 133rd  
 General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS  
 2020 and 2021," and section 3326.34 of the Revised Code, except  
 that the Controlling Board may increase these amounts if  
 presented with such a request from the Department of Education  
 at the final meeting of the fiscal year.

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Of the foregoing appropriation item 200550, Foundation 53  
Funding, up to \$3,800,000 in each fiscal year shall be used to 54  
fund gifted education at educational service centers. The 55  
Department shall distribute the funding through the unit-based 56  
funding methodology in place under division (L) of section 57  
3317.024, division (E) of section 3317.05, and divisions (A), 58  
(B), and (C) of section 3317.053 of the Revised Code as they 59  
existed prior to fiscal year 2010. 60

Of the foregoing appropriation item 200550, Foundation 61  
Funding, up to \$40,000,000 in each fiscal year shall be reserved 62  
to fund the state reimbursement of educational service centers 63  
under the section of ~~this act~~ H.B. 166 of the 133rd General 64  
Assembly entitled "EDUCATIONAL SERVICE CENTERS FUNDING." 65

Of the foregoing appropriation item 200550, Foundation 66  
Funding, up to \$3,500,000 in each fiscal year shall be 67  
distributed to educational service centers for School 68  
Improvement Initiatives and for the provision of technical 69  
assistance to schools and districts consistent with requirements 70  
of section 3312.01 of the Revised Code. The Department may 71  
distribute these funds through a competitive grant process. 72

Of the foregoing appropriation item 200550, Foundation 73  
Funding, up to \$7,000,000 in each fiscal year shall be reserved 74  
for payments under section 3317.029 of the Revised Code, in 75  
accordance with the section of ~~this act~~ H.B. 166 of the 133rd 76  
General Assembly entitled "OPERATING FUNDING FOR FISCAL YEARS 77  
2020 and 2021." If this amount is not sufficient, the 78  
Superintendent of Public Instruction may reallocate excess funds 79  
for other purposes supported by this appropriation item in order 80  
to fully pay the amounts required by that section, provided that 81  
the aggregate amount appropriated in appropriation item 200550, 82

Foundation Funding, is not exceeded. 83

Of the foregoing appropriation item 200550, Foundation 84  
Funding, up to \$26,400,000 in each fiscal year shall be used to 85  
support school choice programs. 86

Of the portion of the funds distributed to the Cleveland 87  
Municipal School District under this section, up to \$23,501,887 88  
in each fiscal year shall be used to operate the school choice 89  
program in the Cleveland Municipal School District under 90  
sections 3313.974 to 3313.979 of the Revised Code. 91  
Notwithstanding divisions (B) and (C) of section 3313.978 and 92  
division (C) of section 3313.979 of the Revised Code, up to 93  
\$1,000,000 in each fiscal year of this amount shall be used by 94  
the Cleveland Municipal School District to provide tutorial 95  
assistance as provided in division (H) of section 3313.974 of 96  
the Revised Code. The Cleveland Municipal School District shall 97  
report the use of these funds in the district's three-year 98  
continuous improvement plan as described in section 3302.04 of 99  
the Revised Code in a manner approved by the Department. 100

Of the foregoing appropriation item 200550, Foundation 101  
Funding, up to \$2,000,000 in each fiscal year may be used for 102  
payment of the College Credit Plus Program for students 103  
instructed at home pursuant to section 3321.04 of the Revised 104  
Code. An amount equal to the unexpended, unencumbered balance of 105  
this earmark at the end of fiscal year 2020 is hereby 106  
reappropriated for the same purpose for fiscal year 2021. 107

Of the foregoing appropriation item 200550, Foundation 108  
Funding, an amount shall be available in each fiscal year to be 109  
paid to joint vocational school districts in accordance with the 110  
section of ~~this act~~ H.B. 166 of the 133rd General Assembly 111  
entitled "FUNDING FOR JOINT VOCATIONAL SCHOOL DISTRICTS." 112

Of the foregoing appropriation item 200550, Foundation 113  
Funding, up to \$700,000 in each fiscal year shall be used by the 114  
Department for a program to pay for educational services for 115  
youth who have been assigned by a juvenile court or other 116  
authorized agency to any of the facilities described in division 117  
(A) of the section of ~~this act~~ H.B. 166 of the 133rd General 118  
Assembly entitled "PRIVATE TREATMENT FACILITY PROJECT." 119

Of the foregoing appropriation item 200550, Foundation 120  
Funding, a portion may be used to pay college-preparatory 121  
boarding schools the per pupil boarding amount pursuant to 122  
section 3328.34 of the Revised Code. 123

Of the foregoing appropriation item 200550, Foundation 124  
Funding, a portion in each fiscal year shall be used to pay 125  
community schools and STEM schools the amounts calculated for 126  
the graduation and third-grade reading bonuses under sections 127  
3314.085 and 3326.41 of the Revised Code, in accordance with the 128  
sections of ~~this act~~ H.B. 166 of the 133rd General Assembly 129  
entitled "FUNDING FOR COMMUNITY SCHOOLS" and "FUNDING FOR STEM 130  
SCHOOLS." 131

Of the foregoing appropriation item 200550, Foundation 132  
Funding, up to \$1,172,000 in fiscal year 2020 and up to 133  
\$1,760,000 in fiscal year 2021 may be used by the Department for 134  
duties and activities related to the establishment of academic 135  
distress commissions under section 3302.10 of the Revised Code, 136  
to provide support and assistance to academic distress 137  
commissions to further their duties under Chapter 3302. of the 138  
Revised Code, and to provide technical assistance and tools to 139  
support districts subject to academic distress commissions. 140

Of the foregoing appropriation item 200550, Foundation 141  
Funding, up to \$350,000 in fiscal year 2020 shall be used by the 142

Department of Education to conduct return on investment studies 143  
for programming funded through student success and wellness 144  
funds and to provide technical assistance to school districts on 145  
implementing these strategies. 146

Of the foregoing appropriation item 200550, Foundation 147  
Funding, up to \$100,000 in each fiscal year shall be used to 148  
make payments under section 3314.06 of the Revised Code to each 149  
community school that operates a program that uses the 150  
Montessori method endorsed by the American Montessori society, 151  
the Montessori Accreditation Council for Teacher Education, or 152  
the Association Montessori Internationale as its primary method 153  
of instruction for students younger than four years of age who 154  
are enrolled in the school. 155

Of the foregoing appropriation item 200550, Foundation 156  
Funding, up to \$1,000,000 in fiscal year 2020 shall be used to 157  
make payments pursuant to Section 1 of \_\_. B \_\_ of the 133rd 158  
General Assembly. 159

The remainder of the foregoing appropriation item 200550, 160  
Foundation Funding, shall be used to fund the payments included 161  
in the state funding allocation under division (A)(1) of the 162  
section of ~~this act~~ H.B. 166 of the 133rd General Assembly 163  
entitled "FUNDING FOR CITY, LOCAL, AND EXEMPTED VILLAGE SCHOOL 164  
DISTRICTS." 165

Appropriation items 200502, Pupil Transportation, 200540, 166  
Special Education Enhancements, and 200550, Foundation Funding, 167  
other than specific set-asides, are collectively used in each 168  
fiscal year to pay state formula aid obligations for school 169  
districts, community schools, STEM schools, college preparatory 170  
boarding schools, and joint vocational school districts under 171  
this act. The first priority of these appropriation items, with 172

the exception of specific set-asides, is to fund state formula 173  
aid obligations. It may be necessary to reallocate funds among 174  
these appropriation items or use excess funds from other general 175  
revenue fund appropriation items in the Department of 176  
Education's budget, including appropriation item 200903, 177  
Property Tax Reimbursement - Education, in each fiscal year in 178  
order to meet state formula aid obligations. If it is determined 179  
that it is necessary to transfer funds among these appropriation 180  
items or to transfer funds from other General Revenue Fund 181  
appropriations in the Department's budget to meet state formula 182  
aid obligations, the Superintendent of Public Instruction shall 183  
seek approval from the Director of Budget and Management to 184  
transfer funds as needed. 185

The Superintendent of Public Instruction shall make 186  
payments, transfers, and deductions, as authorized by Title 187  
XXXVIII of the Revised Code in amounts substantially equal to 188  
those made in the prior year, or otherwise, at the discretion of 189  
the Superintendent, until at least the effective date of the 190  
amendments and enactments made to Title XXXVIII by ~~this act~~ H.B. 191  
166 of the 133rd General Assembly. Any funds paid to districts 192  
or schools under this section shall be credited toward the 193  
annual funds calculated for the district or school after the 194  
changes made to Title XXXVIII in ~~this act~~ H.B. 166 of the 133rd 195  
General Assembly are effective. Upon the effective date of 196  
changes made to Title XXXVIII in ~~this act~~ H.B. 166 of the 133rd 197  
General Assembly, funds shall be calculated as an annual amount. 198

**Section 4.** That existing Sections 265.10 and 265.210 of 199  
H.B. 166 of the 133rd General Assembly are hereby repealed. 200