

**As Passed by the Senate**

**135th General Assembly**

**Regular Session**

**2023-2024**

**Am. Sub. H. B. No. 27**

**Representatives Mathews, Thomas, J.**

**Cosponsors: Representatives Barhorst, Carruthers, Claggett, Click, Cutrona, Dean, Demetriou, Dobos, Ferguson, King, Klopfenstein, LaRe, Merrin, Peterson, Richardson, Williams, Willis, Miller, J., Abdullahi, Bird, Abrams, Blackshear, Brennan, Brewer, Cross, Dell'Aquila, Galonski, Grim, Hillyer, Holmes, Hoops, Humphrey, Isaacsohn, Jones, Lorenz, Miller, K., Miller, M., Patton, Pavliga, Pizzulli, Ray, Robinson, Rogers, Schmidt, Seitz, Somani, Stein, Stewart, Swearingen, Thomas, C., White, Wiggam**

**Senators Cirino, Gavarone, Johnson, Lang, Reineke, Reynolds, Romanchuk, Schuring**

---

**A BILL**

To amend sections 5101.192, 5101.193, 5101.194, and 1  
to enact section 3345.026 of the Revised Code 2  
and to amend Sections 307.10 and 307.140 of H.B. 3  
33 of the 135th General Assembly to amend the 4  
versions of sections 5101.193 and 5101.194 of 5  
the Revised Code that are scheduled to take 6  
effect on January 1, 2025, to continue the 7  
changes on and after that date, to require state 8  
institutions of higher education to provide 9  
financial cost and aid disclosure forms, to make 10  
an appropriation for the Adoption Grant Program, 11  
and to make certain capital appropriations and 12  
reappropriations for the biennium ending June 13  
30, 2026. 14

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

**Section 1.** That sections 5101.192, 5101.193, and 5101.194 15  
be amended and section 3345.026 of the Revised Code be enacted 16  
to read as follows: 17

**Sec. 3345.026.** (A) As used in this section: 18

(1) "Community college" has the same meaning as in section 19  
3333.168 of the Revised Code. 20

(2) "Qualifying student" means a newly admitted full-time 21  
student who is seeking a degree. 22

(3) "State university" has the same meaning as in section 23  
3345.011 of the Revised Code. 24

(B) Beginning one year after the effective date of this 25  
section, each state university shall, prior to the student 26  
decision deadline to accept admission from a university, provide 27  
a financial cost and aid disclosure form to a qualifying student 28  
with the student's initial financial aid packet. The form shall 29  
be based on the template developed or approved under division 30  
(E) of this section. The form may be provided electronically and 31  
shall not exceed one double-sided page in length when it is 32  
printed. 33

(C) The state university shall include all of the 34  
following information in the form: 35

(1) Costs associated with attendance including all of the 36  
following: 37

(a) General and instructional fees; 38

(b) Room and board, or a reasonable estimate of room and 39  
board if the qualifying student has not selected a room and 40  
board plan; 41

(c) Special fees that the state university charges at the 42  
time the form is created. 43

(2) The qualifying student's aggregate cost of attendance, 44  
including the instructional, general, and special fees and room 45  
and board; 46

(3) All available sources of financial aid offered by the 47  
state university for which the qualifying student would be 48  
eligible including all of the following: 49

(a) Any grants and scholarships the state university is 50  
aware of and that it offers, including a description of any 51  
requirements for maintaining that eligibility; 52

(b) Federal student loans, including federal direct 53  
subsidized and unsubsidized student loans; 54

(c) Work study programs, including a description of any 55  
requirements for maintaining that eligibility. 56

(4) The qualifying student's expected net cost of 57  
attendance after the student's aggregate financial aid, 58  
including the student's grants, scholarships, loans, and work 59  
study programs, is applied to the student's aggregate cost of 60  
attendance; 61

(5) The qualifying student's expected monthly education 62  
loan payment upon graduation based on the student loans 63  
described in division (C) (3) (b) of this section; 64

(6) The income range between the twenty-fifth and seventy- 65  
fifth percentiles for all of the following: 66

(a) The state university's most recent cohort of 67  
graduates; 68

(b) The state university's cohort of graduates who graduated five years prior to the qualifying student's admission to the university. 69  
70  
71

(c) If the qualifying student has declared a major or enrolled in a particular school at the state university, the university shall include income ranges for graduates who had that major or were enrolled in that school. 72  
73  
74  
75

(D) Beginning one year after the effective date of this section, each community college shall provide a qualifying student a financial cost and aid disclosure form with the student's financial aid award letter. The form shall be based on the template developed or approved under division (E) of this section. The form may be provided electronically and shall not exceed one double-sided page in length when it is printed. 76  
77  
78  
79  
80  
81  
82

(1) A community college shall include the information described in divisions (C)(1) to (5) of this section in the financial cost and aid disclosure form. Nothing in this section shall be construed to prohibit a community college from providing financial counseling, including advising students on expected monthly loan payments for total loan amounts a student may borrow. 83  
84  
85  
86  
87  
88  
89

(2) A community college shall provide a qualifying student, with the student's acceptance letter, a link to a readily available page on the college's web site that contains information on the income ranges described in division (C)(6) of this section. 90  
91  
92  
93  
94

(E) The chancellor of higher education shall develop a financial cost and aid disclosure form template or approve an existing alternative that addresses the information described in 95  
96  
97

division (C) of this section. The chancellor shall develop or 98  
approve the template in consultation with the United States 99  
department of education and financial aid directors from state 100  
institutions of higher education to ensure alignment with the 101  
United States department of education's college financing plan 102  
and other federal financing tools. 103

**Sec. 5101.192.** (A) To receive a grant payment under 104  
division (B) of section 5101.191 of the Revised Code, all of the 105  
following must be satisfied: 106

(1) The adoptive parent has not previously received a 107  
grant payment from the Ohio adoption grant program for the 108  
adopted child for whom the parent is seeking payment. 109

(2) The adoptive parent does not also currently claim an 110  
adoption tax credit pursuant to former section 5747.37 of the 111  
Revised Code for the adopted child for whom the parent is 112  
seeking payment. 113

(3) The adoptive parent applies for the grant not later 114  
than one year after the final adoption order, interlocutory 115  
order of adoption, or recognition of the adoption by this state 116  
under section 3107.18 of the Revised Code for the adopted child 117  
for whom the grant payment is sought. 118

(4) The adoption was not by a parent whose spouse is a 119  
biological or adoptive parent of the child prior to the adoption 120  
for which the payment is sought. 121

(5) The adoption is finalized on or after January 1, 2023. 122

(6) The adoptive parent was a resident of Ohio at the time 123  
the adoption was finalized. 124

(B) To receive a grant payment under division (C) of 125

section 5101.191 of the Revised Code, both of the following must 126  
be satisfied: 127

(1) The requirements of division (A) of this section must 128  
be satisfied. 129

(2) A qualified professional who does not provide casework 130  
services to the adopted child diagnoses the child with one or 131  
more special needs in the professional's area of expertise prior 132  
to the final order of adoption, interlocutory order of adoption, 133  
or recognition of the adoption by this state under section 134  
3107.18 of the Revised Code. 135

**Sec. 5101.193.** (A) The director of job and family services 136  
shall adopt rules to administer and implement the Ohio adoption 137  
grant program. The director, in consultation with the tax 138  
commissioner, shall also adopt rules authorizing the department 139  
to withhold and remit to the Internal Revenue Service federal 140  
income tax from grant payments under division (B) of section 141  
5101.191 of the Revised Code, provided such withholding is 142  
authorized under federal law or approved by the Internal Revenue 143  
Service. 144

(B) No application fee shall be charged for the grant 145  
program. 146

(C) Notwithstanding any law to the contrary, the director 147  
may require, as necessary to administer the Ohio adoption grant 148  
program, either or both of the following: 149

(1) ~~The submission~~ Certified copies of any court or legal 150  
document necessary to prove a final order of adoption, an 151  
interlocutory order of adoption, or recognition of the adoption 152  
under section 3107.18 of the Revised Code; 153

(2) Any department, agency, court, or division of the 154

state, including the department of health, to provide any 155  
document related to the adoption. 156

(D) Notwithstanding any provision of section 121.95 of the 157  
Revised Code to the contrary, a regulatory restriction contained 158  
in a rule adopted under section 5101.193 of the Revised Code is 159  
not subject to sections 121.95 to 121.953 of the Revised Code. 160

**Sec. 5101.194.** Any document provided to the department of 161  
job and family services under division (C) of section 5101.193 162  
of the Revised Code remains ~~a~~: 163

(A) A public record under section 149.43 of the Revised 164  
Code if it was a public record under that section before being 165  
provided to the department; 166

(B) Confidential if it was confidential under any state or 167  
federal law before being provided to the department. 168

**Section 2.** That existing sections 5101.192, 5101.193, and 169  
5101.194 of the Revised Code are hereby repealed. 170

**Section 3.** That sections 5101.193 and 5101.194 of the 171  
Revised Code be amended to read as follows: 172

**Sec. 5101.193.** (A) The director of children and youth 173  
shall adopt rules to administer and implement the Ohio adoption 174  
grant program. The director, in consultation with the tax 175  
commissioner, shall also adopt rules authorizing the department 176  
to withhold and remit to the Internal Revenue Service federal 177  
income tax from grant payments under division (B) of section 178  
5101.191 of the Revised Code, provided such withholding is 179  
authorized under federal law or approved by the Internal Revenue 180  
Service. 181

(B) No application fee shall be charged for the grant 182

program.	183
(C) Notwithstanding any law to the contrary, the director	184
may require, as necessary to administer the Ohio adoption grant	185
program, either or both of the following:	186
(1) <del>The submission</del> <u>Certified copies</u> of any court or legal	187
document necessary to prove a final order of adoption, an	188
interlocutory order of adoption, or recognition of the adoption	189
under section 3107.18 of the Revised Code;	190
(2) Any department, agency, <u>court</u> , or division of the	191
state, including the department of health, to provide any	192
document related to the adoption.	193
(D) Notwithstanding any provision of section 121.95 of the	194
Revised Code to the contrary, a regulatory restriction contained	195
in a rule adopted under section 5101.193 of the Revised Code is	196
not subject to sections 121.95 to 121.953 of the Revised Code.	197
<b>Sec. 5101.194.</b> Any document provided to the department of	198
children and youth under division (C) of section 5101.193 of the	199
Revised Code remains <del>a</del> ;	200
<u>(A) A public record</u> under section 149.43 of the Revised	201
Code if it was a public record under that section before being	202
provided to the department;	203
<u>(B) Confidential if it was confidential under any state or</u>	204
<u>federal law before being provided to the department.</u>	205
<b>Section 4.</b> That existing sections 5101.193 and 5101.194 of	206
the Revised Code are hereby repealed.	207
<b>Section 5.</b> Sections 3 and 4 of this act take effect	208
January 1, 2025.	209



**Section 6.** All appropriation items in this act are 210  
 appropriated as designated out of any moneys in the state 211  
 treasury to the credit of the designated fund. All capital 212  
 appropriations made in this act are for the biennium ending June 213  
 30, 2026. 214

**Section 7.** 215

216

1	2	3
A	EXP EXPOSITIONS COMMISSION	
B	Administrative Building Fund (Fund 7026)	
C	C72324 Expo2050	\$196,350,000
D	TOTAL Administrative Building Fund	\$196,350,000
E	TOTAL ALL FUNDS	\$196,350,000

217

**Section 8.** 218

219

1	2	3
A	FCC FACILITIES CONSTRUCTION COMMISSION	
B	School Building Program Assistance Fund (Fund 7032)	
C	C23002 School Building Program Assistance	\$600,000,000

D TOTAL School Building Program Assistance Fund \$600,000,000  
E TOTAL ALL FUNDS \$600,000,000

SCHOOL BUILDING PROGRAM ASSISTANCE 220

Capital appropriations in this section made from 221  
appropriation item C23002, School Building Program Assistance, 222  
shall be used by the Facilities Construction Commission to 223  
provide funding to school districts that receive conditional 224  
approval from the Commission pursuant to Chapter 3318. of the 225  
Revised Code. 226

**Section 9.** 227

228

1

2

3

A PWC PUBLIC WORKS COMMISSION

B State Capital Improvements Fund (Fund 7038)

C C15000 Local Public Infrastructure/State CIP \$400,000,000

D TOTAL State Capital Improvements Fund \$400,000,000

E State Capital Improvements Revolving Loan Fund (Fund 7040)

F C15030 Revolving Loan \$100,000,000

G TOTAL State Capital Improvements Revolving Loan Fund \$100,000,000

H Clean Ohio Conservation Fund (Fund 7056)

I	C15060	Clean Ohio Conservation Program	\$75,000,000
J	TOTAL	Clean Ohio Conservation Fund	\$75,000,000
K	TOTAL ALL FUNDS		\$575,000,000

LOCAL PUBLIC INFRASTRUCTURE/STATE CIP 229

Capital appropriations in this section made from the State 230  
Capital Improvements Fund (Fund 7038) shall be used in 231  
accordance with sections 164.01 to 164.12 of the Revised Code. 232  
The Director of the Public Works Commission may certify to the 233  
Director of Budget and Management that a need exists to 234  
appropriate investment earnings to be used in accordance with 235  
sections 164.01 to 164.12 of the Revised Code. If the Director 236  
of Budget and Management determines pursuant to division (D) of 237  
section 164.08 and section 164.12 of the Revised Code that 238  
investment earnings are available to support additional 239  
appropriations, such amounts are hereby appropriated. 240

If the Public Works Commission receives refunds due to 241  
project overpayments that are discovered during a post-project 242  
audit, the Director of the Public Works Commission may certify 243  
to the Director of Budget and Management that refunds have been 244  
received. In certifying the refunds, the Director of the Public 245  
Works Commission shall provide the Director of Budget and 246  
Management information on the project refunds. The certification 247  
shall detail by project the source and amount of project 248  
overpayments received and include any supporting documentation 249  
required or requested by the Director of Budget and Management. 250  
Upon receipt of the certification, the Director of Budget and 251  
Management shall determine if the project refunds are necessary 252  
to support existing appropriations. If the project refunds are 253

available to support additional appropriations, these amounts 254  
are hereby appropriated to appropriation item C15000, Local 255  
Public Infrastructure/State CIP. 256

REVOLVING LOAN 257

Capital appropriations in this section made from the State 258  
Capital Improvements Revolving Loan Fund (Fund 7040) shall be 259  
used in accordance with sections 164.01 to 164.12 of the Revised 260  
Code. 261

If the Public Works Commission receives refunds due to 262  
project overpayments that are discovered during a post-project 263  
audit, the Director of the Public Works Commission may certify 264  
to the Director of Budget and Management that refunds have been 265  
received. In certifying the refunds, the Director of the Public 266  
Works Commission shall provide the Director of Budget and 267  
Management information on the project refunds. The certification 268  
shall detail by project the source and amount of project 269  
overpayments received and include any supporting documentation 270  
required or requested by the Director of Budget and Management. 271  
Upon receipt of the certification, the Director of Budget and 272  
Management shall determine if the project refunds are necessary 273  
to support existing appropriations. If the project refunds are 274  
available to support additional appropriations, these amounts 275  
are hereby appropriated to appropriation item C15030, Revolving 276  
Loan. 277

CLEAN OHIO CONSERVATION GRANT REPAYMENTS 278

Capital appropriations in this section made from the Clean 279  
Ohio Conservation Fund (Fund 7056) shall be used in accordance 280  
with sections 164.20 to 164.27 of the Revised Code. Any amount 281  
in grant repayments received by the Public Works Commission and 282

deposited into the Clean Ohio Conservation Fund pursuant to 283  
section 164.261 of the Revised Code is hereby appropriated to 284  
the foregoing appropriation item C15060, Clean Ohio Conservation 285  
Program. 286

**Section 10. BOND ISSUANCE AUTHORIZATIONS** 287

(A) The Treasurer of State is hereby authorized to issue 288  
and sell, in accordance with Section 2i of Article VIII, Ohio 289  
Constitution, Chapter 154. of the Revised Code, and other 290  
applicable sections of the Revised Code, original obligations in 291  
an aggregate principal amount not to exceed \$196,000,000 in 292  
addition to the original issuance of obligations heretofore 293  
authorized by prior acts of the General Assembly. These 294  
authorized obligations shall be issued, subject to applicable 295  
constitutional and statutory limitations, as needed to provide 296  
sufficient moneys to the credit of the Administrative Building 297  
Fund (Fund 7026) to pay costs associated with previously 298  
authorized capital facilities for the housing of branches and 299  
agencies of state government or their functions. 300

(B) The Ohio Public Facilities Commission is hereby 301  
authorized to issue and sell, in accordance with Section 2n of 302  
Article VIII, Ohio Constitution, and Chapter 151. and 303  
particularly sections 151.01 and 151.03 of the Revised Code, 304  
original obligations in an aggregate principal amount not to 305  
exceed \$600,000,000, in addition to the original issuance of 306  
obligations heretofore authorized by prior acts of the General 307  
Assembly. These authorized obligations shall be issued, subject 308  
to applicable constitutional and statutory limitations, as 309  
needed to provide sufficient moneys to the credit of the School 310  
Building Program Assistance Fund (Fund 7032) to pay the state 311  
share of the costs of constructing classroom facilities pursuant 312

to Chapter 3318. of the Revised Code. 313

(C) The Ohio Public Facilities Commission is hereby 314  
authorized to issue and sell, in accordance with Section 2s of 315  
Article VIII, Ohio Constitution, and Chapter 151. and 316  
particularly sections 151.01 and 151.08 of the Revised Code, 317  
original obligations, in an aggregate principal amount not to 318  
exceed \$400,000,000, in addition to the original obligations 319  
heretofore authorized by prior acts of the General Assembly. 320  
These authorized obligations shall be issued, subject to 321  
applicable constitutional and statutory limitations, as needed 322  
to provide sufficient moneys to the credit of the State Capital 323  
Improvements Fund (Fund 7038) to pay costs of capital 324  
improvement projects of local subdivisions. 325

(D) The Ohio Public Facilities Commission is hereby 326  
authorized to issue and sell, in accordance with Sections 2o and 327  
2q of Article VIII, Ohio Constitution, and Chapter 151. and 328  
particularly sections 151.01 and 151.09 of the Revised Code, 329  
original obligations of the state in an aggregate principal 330  
amount not to exceed \$75,000,000 in addition to the original 331  
issuance of obligations heretofore authorized by prior acts of 332  
the General Assembly. These authorized obligations shall be 333  
issued, subject to applicable constitutional and statutory 334  
limitations, as needed to provide sufficient moneys to the 335  
credit of the Clean Ohio Conservation Fund (Fund 7056), the 336  
Clean Ohio Agricultural Easement Fund (Fund 7057), and the Clean 337  
Ohio Trail Fund (Fund 7061) to pay costs of conservation 338  
projects. 339

**Section 11. REAPPROPRIATION OF UNENCUMBERED BALANCES OF** 340  
**CAPITAL APPROPRIATIONS** 341

Notwithstanding the original year of appropriation, if the 342

Director of Budget and Management determines that such balances 343  
are needed to complete the projects for which they were 344  
reappropriated or appropriated, the unencumbered balance of a 345  
capital appropriation or reappropriation that a state agency has 346  
available on June 30, 2024, is hereby reappropriated for the 347  
capital biennium ending June 30, 2026, for the same purpose and 348  
from the same fund from which it was originally appropriated or 349  
reappropriated. Any provision of law that applied to these 350  
appropriations or reappropriations when they went into effect 351  
shall continue to apply to the appropriations or 352  
reappropriations for the duration of the capital biennium ending 353  
June 30, 2026, including those appropriations approved by the 354  
Controlling Board. 355

The appropriation items and amounts that are 356  
reappropriated by this act shall be reported to the Controlling 357  
Board within thirty days after the effective date of this 358  
section. 359

**Section 12. REAPPROPRIATION OF UNEXPENDED ENCUMBERED 360**  
**BALANCES OF CAPITAL APPROPRIATIONS 361**

(A) (1) Notwithstanding the original year of appropriation 362  
or encumbrance, the unexpended balance of a capital 363  
appropriation or reappropriation that a state agency has 364  
encumbered prior to the close of the capital biennium ending 365  
June 30, 2024, is hereby reappropriated for the capital biennium 366  
ending June 30, 2026, from the fund from which it was originally 367  
appropriated or reappropriated. Each reappropriation authorized 368  
under this division shall be used only for the purpose of 369  
discharging the encumbrance. For those encumbered appropriations 370  
or reappropriations, any Controlling Board approval previously 371  
granted and referenced by the encumbering document remains in 372

effect until the encumbrance is discharged or until the 373  
encumbrance expires at the end of the capital biennium ending 374  
June 30, 2026. 375

(2) During the capital biennium ending June 30, 2026, the 376  
Director of Budget and Management may cancel an encumbrance that 377  
is reappropriated pursuant to division (A)(1) of this section if 378  
the Director determines that the encumbrance is no longer needed 379  
to complete the project for which it was appropriated or 380  
reappropriated. 381

(B) If, during the capital biennium ending June 30, 2026, 382  
pursuant to section 126.22 of the Revised Code, in order to 383  
correct an accounting error, the Director of Budget and 384  
Management reestablishes an encumbrance that was reappropriated 385  
pursuant to division (A) of this section, the amount 386  
representing the encumbrance canceled in error is reappropriated 387  
in accordance with division (A) of this section. 388

**Section 13.** The requirements of Chapters 123. and 153. of 389  
the Revised Code, with respect to the powers and duties of the 390  
Executive Director of the Ohio Facilities Construction 391  
Commission as they relate to the procedure and awarding of 392  
contracts for capital improvement projects, and the requirements 393  
of section 127.16 of the Revised Code, with respect to the 394  
Controlling Board, do not apply to projects of community college 395  
districts and technical college districts. 396

**Section 14.** Those institutions locally administering 397  
capital improvement projects pursuant to sections 3345.50 and 398  
3345.51 of the Revised Code may: 399

(A) Establish charges for recovering costs directly 400  
related to project administration as defined by the Executive 401



Director of the Ohio Facilities Construction Commission. The 402  
Ohio Facilities Construction Commission, in consultation with 403  
the Office of Budget and Management, shall review and approve 404  
these administrative charges when the charges are in excess of 405  
1.5 per cent of the total construction budget, provided that 406  
total administrative charges paid by the state do not exceed 407  
four per cent of the state's contribution to the total 408  
construction budget. 409

(B) Seek reimbursement from state capital appropriations 410  
to the institution for the in-house design services performed by 411  
the institution for the capital projects. Acceptable charges are 412  
limited to design document preparation work that is done by the 413  
institution. These reimbursable design costs shall be shown as 414  
"A/E fees" within the project's budget that is submitted to the 415  
Controlling Board or the Director of Budget and Management as 416  
part of a request for release of funds. The reimbursement for 417  
in-house design shall not exceed seven per cent of the estimated 418  
construction cost. 419

**Section 15. TRANSFERS OF HIGHER EDUCATION CAPITAL 420**  
APPROPRIATIONS 421

The Director of Budget and Management may, as necessary to 422  
maintain the exclusion from the calculation of gross income for 423  
federal income taxation purposes under the "Internal Revenue 424  
Code of 1986," 26 U.S.C. 1 et seq., with respect to obligations 425  
issued to fund projects appropriated from the Higher Education 426  
Improvement Fund: 427

(A) Transfer appropriations between the Higher Education 428  
Improvement Fund and the Higher Education Improvement Taxable 429  
Fund; 430

(B) Create new appropriation items within the Higher Education Improvement Taxable Fund and make transfers of appropriations to them for projects originally funded from appropriations made from the Higher Education Improvement Fund.

The projects that are funded under new appropriation items created in this manner shall automatically be designated as specific for purposes of section 126.14 of the Revised Code.

**Section 16. CERTIFICATION OF AVAILABILITY OF MONEYS**

Moneys that require release shall not be expended from any appropriation contained in this act without certification of the Director of Budget and Management that there are sufficient moneys in the state treasury in the fund from which the appropriation is made. Such certification made by the Office of Budget and Management shall be based on estimates of revenue, receipts, and expenses. Nothing in this section limits the authority of the Director of Budget and Management granted in section 126.07 of the Revised Code.

**Section 17. LIMITATION ON USE OF CAPITAL APPROPRIATIONS**

The appropriations made in this act, excluding those made from the State Capital Improvement Fund (Fund 7038) and the State Capital Improvements Revolving Loan Fund (Fund 7040) for buildings or structures, including remodeling and renovations, are limited to:

(A) Acquisition of real property or interests in real property;

(B) Buildings and structures, which includes construction, demolition, complete heating and cooling, lighting, and lighting fixtures, and all necessary utilities, ventilating, plumbing, sprinkling, water and sewer systems, when such systems are

authorized or necessary;	460
(C) Architectural, engineering, and professional services	461
expenses directly related to the projects;	462
(D) Machinery that is necessary to the operation or	463
function of the building or structure at the time of initial	464
acquisition or construction;	465
(E) Acquisition, development, and deployment of new	466
computer systems, including the integration of existing and new	467
computer systems, but excluding regular or ongoing maintenance	468
or support agreements;	469
(F) Furniture, fixtures, or equipment that meets all the	470
following criteria:	471
(1) Is essential in bringing the facility up to its	472
intended use or is necessary for the functioning of the	473
particular facility or project;	474
(2) Has a unit cost of about \$100 or more; and	475
(3) Has a useful life of five years or more.	476
Furniture, fixtures, or equipment that is not an integral	477
part of or directly related to the basic purpose or function of	478
a project for which moneys are appropriated shall not be paid	479
for from these appropriations. This paragraph does not apply to	480
appropriation line items specifically for furniture, fixtures,	481
or equipment.	482
<b>Section 18. CONTINGENCY RESERVE REQUIREMENT</b>	483
Any request for release of capital appropriations by the	484
Director of Budget and Management or the Controlling Board for	485
projects, the contracts for which are awarded by the Ohio	486

Facilities Construction Commission, shall contain a contingency 487  
reserve, the amount of which shall be determined by the Ohio 488  
Facilities Construction Commission, for payment of unanticipated 489  
project expenses. Any amount deducted from the encumbrance for a 490  
contractor's contract as an assessment for liquidated damages 491  
shall be added to the encumbrance for the contingency reserve. 492  
Contingency reserve funds shall be used to pay costs resulting 493  
from unanticipated job conditions, to comply with rulings 494  
regarding building and other codes, to pay costs related to 495  
errors or omissions in contract documents, to pay costs 496  
associated with changes in the scope of work, and to pay the 497  
cost of settlements and judgments related to the project. Any 498  
funds remaining upon completion of a project, may, upon approval 499  
of the Controlling Board, be released for the use of the 500  
institution to which the appropriation was made for another 501  
capital facilities project or projects. 502

**Section 19. SATISFACTION OF JUDGMENTS AND SETTLEMENTS 503**  
AGAINST THE STATE 504

Except as otherwise provided in this section, an 505  
appropriation contained in this act or in any other act may be 506  
used for the purpose of satisfying judgments, settlements, or 507  
administrative awards ordered or approved by the Court of Claims 508  
or by any other court of competent jurisdiction in connection 509  
with civil actions against the state. This authorization does 510  
not apply to appropriations that are to be applied to or used 511  
for payment of guarantees by or on behalf of the state or for 512  
payments under lease agreements relating to or debt service on 513  
bonds, notes, or other obligations of the state. Notwithstanding 514  
any other section of law to the contrary, this authorization 515  
includes appropriations from funds into which proceeds or direct 516  
obligations of the state are deposited only to the extent that 517

the judgment, settlement, or administrative award is for or 518  
represents capital costs for which the appropriation may 519  
otherwise be used and is consistent with the purpose for which 520  
any related obligations were issued or entered into. Nothing 521  
contained in this section is intended to subject the state to 522  
suit in any forum in which it is not otherwise subject to suit, 523  
nor is it intended to waive or compromise any defense or right 524  
available to the state in any suit against it. 525

**Section 20. CAPITAL RELEASES BY THE DIRECTOR OF BUDGET AND 526**  
**MANAGEMENT 527**

Notwithstanding section 126.14 of the Revised Code, 528  
appropriations for appropriation items C50100, Local Jails, and 529  
C50101, Community-Based Correctional Facilities, appropriated 530  
from the Adult Correctional Building Fund (Fund 7027) to the 531  
Department of Rehabilitation and Correction, and any projects 532  
specifically identified for C58001, Community Assistance 533  
Projects, shall be released upon the written approval of the 534  
Director of Budget and Management. The appropriations from the 535  
Public School Building Fund (Fund 7021) and the School Building 536  
Program Assistance Fund (Fund 7032) to the Facilities 537  
Construction Commission, from the Transportation Building Fund 538  
(Fund 7029) to the Department of Transportation, from the Clean 539  
Ohio Conservation Fund (Fund 7056), the State Capital 540  
Improvement Fund (Fund 7038), and the State Capital Improvements 541  
Revolving Loan Fund (Fund 7040) to the Public Works Commission, 542  
and from the Underground Parking Garage Operating Fund (Fund 543  
2080) to the Capitol Square Review and Advisory Board shall be 544  
released upon presentation of a request to release the funds, by 545  
the agency to which the appropriation has been made, to the 546  
Director of Budget and Management. 547

**Section 21.** PREVIOUSLY RELEASED REAPPROPRIATIONS 548

Capital reappropriations in this act that have been 549  
released by the Controlling Board or the Director of Budget and 550  
Management between July 1, 2022, and June 30, 2024, do not 551  
require further approval or release prior to being encumbered. 552  
Funds reappropriated in excess of such prior releases shall be 553  
released in accordance with applicable provisions of this act. 554

**Section 22.** PREVAILING WAGE REQUIREMENT 555

Except as provided in section 4115.04 of the Revised Code, 556  
moneys appropriated or reappropriated by the 135th General 557  
Assembly shall not be used for the construction of public 558  
improvements, as defined in section 4115.03 of the Revised Code, 559  
unless the mechanics, laborers, or workers engaged therein are 560  
paid the prevailing rate of wages prescribed in section 4115.04 561  
of the Revised Code. Nothing in this section affects the wages 562  
and salaries established for state employees under Chapter 124. 563  
of the Revised Code, or collective bargaining agreements entered 564  
into by the state under Chapter 4117. of the Revised Code, while 565  
engaged on force account work, nor does this section interfere 566  
with the use of inmate and patient labor by the state. 567

**Section 23.** AUTHORIZATION OF THE DIRECTOR OF BUDGET AND 568  
MANAGEMENT 569

The Director of Budget and Management shall authorize both 570  
of the following: 571

(A) The initial release of moneys for projects from the 572  
funds into which proceeds of direct obligations of the state are 573  
deposited; and 574

(B) The expenditure or encumbrance of moneys from funds 575  
into which proceeds of direct obligations are deposited, only 576

after determining to the Director's satisfaction that either of 577  
the following applies: 578

(1) The application of such moneys to the particular 579  
project will not negatively affect any exclusion of the interest 580  
or interest equivalent on obligations issued to provide moneys 581  
to the particular fund from the calculation of gross income for 582  
federal income tax purposes under the "Internal Revenue Code of 583  
1986," 100 Stat. 2085, 26 U.S.C. 1, as amended. 584

(2) Moneys for the project will come from the proceeds of 585  
federally taxable obligations, the interest on which is not so 586  
excluded from the calculation of gross income for federal income 587  
tax purposes and which have been authorized and issued on that 588  
basis by their issuing authority. 589

In the event the Director determines that the condition 590  
set forth in division (B) (1) of this section does not apply, and 591  
that there is no existing fund in the state treasury to enable 592  
compliance with the condition set forth in division (B) (2) of 593  
this section, the Director may create a fund in the state 594  
treasury for the purpose of receiving proceeds of federally 595  
taxable obligations. The Director may establish capital 596  
appropriation items in that taxable bond fund that correspond to 597  
the preexisting capital appropriation items in the associated 598  
tax-exempt bond fund. The Director also may transfer capital 599  
appropriations in whole or in part between the taxable and tax- 600  
exempt bond funds within a particular purpose for which the 601  
bonds have been authorized. 602

**Section 24.** REQUIREMENTS RELATING TO NON-STATE OWNERSHIP 603  
OF CERTAIN FINANCED PROJECTS 604

(A) No capital improvement appropriations or 605

reappropriations made in this act shall be released for planning 606  
or for improvement, renovation, or construction or acquisition 607  
of capital facilities if a state agency, as defined in section 608  
154.01 of the Revised Code, does not own the real property that 609  
constitutes the capital facilities or on which the capital 610  
facilities are or will be located, unless provided for elsewhere 611  
in this act. This restriction does not apply in any of the 612  
following circumstances: 613

(1) The state agency has a long-term (at least as long as 614  
the obligations that financed the project) lease of, or other 615  
interest (such as an easement) in, the real property. 616

(2) In the case of an appropriation or reappropriation for 617  
capital facilities that, because of their unique nature or 618  
location, will be owned or be part of facilities owned by a 619  
separate nonprofit organization and made available to the state 620  
agency for its use or benefit, the nonprofit organization either 621  
owns or has a long-term (at least as long as the obligations 622  
that financed the project) lease of the real property or other 623  
capital facility to be improved, renovated, constructed, or 624  
acquired and has entered into a joint or cooperative use 625  
agreement with and approved by the state agency that meets the 626  
requirements of division (B) of this section. 627

(B) In the case of capital facilities referred to in 628  
division (A)(2) of this section, the joint or cooperative use 629  
agreement shall include, at a minimum, provisions that: 630

(1) Specify the extent and nature of that joint or 631  
cooperative use, extending for not shorter than the length of 632  
the obligations that financed the project, with the value of 633  
such use or right to use to be, as determined by the parties and 634  
approved by the approving department, reasonably related to the 635



amount of the appropriation; 636

(2) Provide for pro rata reimbursement to the state should 637  
the arrangement for joint or cooperative use by a state agency 638  
be terminated; and 639

(3) Provide that procedures to be followed during the 640  
capital improvement process comply with applicable state 641  
statutes and rules, including the provisions of this act. 642

(C) This section does not apply to appropriations or 643  
reappropriations from the State Capital Improvements Fund (Fund 644  
7038), State Capital Improvements Revolving Loan Fund (Fund 645  
7040), Clean Ohio Conservation Fund (Fund 7056), Clean Ohio 646  
Revitalization Fund (Fund 7003), the Service Station Cleanup 647  
Fund (Fund 7100), or the School Building Program Assistance Fund 648  
(Fund 7032). 649

**Section 25. OBLIGATIONS ISSUED UNDER CHAPTER 151. OF THE 650  
REVISED CODE 651**

The capital improvements for which appropriations or 652  
reappropriations are made in this act from the Higher Education 653  
Improvement Taxable Fund (Fund 7024), the Ohio Parks and Natural 654  
Resources Fund (Fund 7031), the School Building Program 655  
Assistance Fund (Fund 7032), the Higher Education Improvement 656  
Fund (Fund 7034), the State Capital Improvements Fund (Fund 657  
7038), the State Capital Improvements Revolving Loan Fund (Fund 658  
7040), the Coal Research and Development Fund (Fund 7046), the 659  
Clean Ohio Conservation Fund (Fund 7056), the Clean Ohio 660  
Agricultural Easement Fund (Fund 7057), and the Clean Ohio Trail 661  
Fund (Fund 7061) are determined to be capital improvements and 662  
capital facilities for natural resources, a statewide system of 663  
common schools, state-supported and state-assisted institutions 664

of higher education, local subdivision capital improvement 665  
projects, coal research and development projects, and 666  
conservation purposes (under the Clean Ohio Program) and are 667  
designated as capital facilities to which proceeds of 668  
obligations issued under Chapter 151. of the Revised Code are to 669  
be applied. 670

**Section 26.** OBLIGATIONS ISSUED UNDER CHAPTER 154. OF THE 671  
REVISED CODE 672

The capital improvements for which appropriations or 673  
reappropriations are made in this act from the Administrative 674  
Building Taxable Bond Fund (Fund 7016), the Administrative 675  
Building Fund (Fund 7026), the Adult Correctional Building Fund 676  
(Fund 7027), the Juvenile Correctional Building Fund (Fund 677  
7028), the Transportation Building Fund (Fund 7029), the 678  
Cultural and Sports Facilities Building Fund (Fund 7030), the 679  
Mental Health Facilities Improvement Fund (Fund 7033), and the 680  
Parks and Recreation Improvement Fund (Fund 7035) are determined 681  
to be capital improvements and capital facilities for housing 682  
state agencies and branches of government, mental health and 683  
developmental disabilities, and parks and recreation, and are 684  
designated as capital facilities to which proceeds of 685  
obligations issued under Chapter 154. of the Revised Code are to 686  
be applied. 687

**Section 27.** TRANSFER OF OPEN ENCUMBRANCES 688

Upon the request of the agency to which a capital project 689  
appropriation item is appropriated, the Director of Budget and 690  
Management may transfer open encumbrance amounts between 691  
separate encumbrances for the project appropriation item to the 692  
extent that any reductions in encumbrances are agreed to by the 693  
contracting vendor and the agency. 694

**Section 28.** LITIGATION PROCEEDS TO THE ADMINISTRATIVE 695  
BUILDING FUND 696

Any proceeds received by the state as the result of 697  
litigation or a settlement agreement related to any liability 698  
for the planning, design, engineering, construction, or 699  
constructed management of facilities operated by the Department 700  
of Administrative Services shall be deposited into the General 701  
Revenue Fund or the Building Improvement Fund (Fund 5KZ0). 702

**Section 29.** That Sections 307.10 and 307.140 of H.B. 33 of 703  
the 135th General Assembly be amended to read as follows: 704

**Sec. 307.10.** 705

706

	1	2	3	4	5
A			JFS DEPARTMENT OF JOB AND FAMILY SERVICES		
B			General Revenue Fund		
C	GRF	600410	TANF State	\$149,268,000	\$149,268,000
			Maintenance of Effort		
D	GRF	600450	Program Operations	\$197,705,000	\$199,975,000
E	GRF	600502	Child Support- Local	\$26,400,000	\$26,400,000
F	GRF	600521	Family Assistance - Local	\$53,248,000	\$53,248,000
G	GRF	600533	Child, Family, and	\$13,500,000	\$13,500,000

			Community Protection Services		
H	GRF	600534	Adult Protective Services	\$9,720,000	\$9,720,000
I	GRF	600551	Job and Family Services Program Support	\$750,000	\$750,000
J	GRF	600561	Parenting and Pregnancy Program	\$7,000,000	\$7,000,000
K	GRF	600562	Adoption Grant Program	<del>\$15,000,000</del> <u>\$34,000,000</u>	<del>\$15,000,000</del> <u>\$34,000,000</u>
L	GRF	655425	Medicaid Program Support	\$15,605,000	\$15,673,000
M	GRF	655522	Medicaid Program Support - Local	\$44,000,000	\$49,000,000
N	GRF	655523	Medicaid Program Support - Local Transportation	\$43,530,000	\$43,530,000
O	TOTAL GRF	General Revenue Fund		<del>\$575,726,000</del> <u>\$594,726,000</u>	<del>\$583,064,000</del> <u>\$602,064,000</u>
P	Dedicated Purpose Fund Group				
Q	4A80	600658	Public Assistance Activities	\$19,900,000	\$19,900,000

R	4A90	600607	Unemployment Compensation Administration Fund	\$11,400,000	\$11,400,000
S	4E70	600604	Family and Children Services Collections	\$650,000	\$650,000
T	5AJ1	6006A8	Foodbanks	\$7,500,000	\$7,500,000
U	5CV3	6006A5	Foodbank Assistance ARPA	\$10,000,000	\$0
V	5DM0	600633	Audit Settlements and Contingency	\$1,000,000	\$1,000,000
W	5DM0	6006A9	Benefit Bridge	\$3,000,000	\$5,000,000
X	5DM0	6006B1	Employment Incentive Program	\$1,500,000	\$1,500,000
Y	5ES0	600630	Food Bank Assistance	\$500,000	\$500,000
Z	5RX0	600699	Workforce Development Projects	\$500,000	\$500,000
AA	5TZ0	600674	Childrens Crisis Care	\$985,000	\$1,235,000
AB	5U60	600663	Family and Children Support	\$6,932,065	\$7,787,465
AC	TOTAL	DPF	Dedicated Purpose Fund Group	\$63,867,065	\$56,972,465

AD	Internal Service Activity Fund Group				
AE	5HL0	600602	State and County Shared Services	\$2,000,000	\$2,000,000
AF	TOTAL ISA Internal Service Activity Fund Group			\$2,000,000	\$2,000,000
AG	Fiduciary Fund Group				
AH	1920	600646	Child Support Intercept - Federal	\$100,000,000	\$100,000,000
AI	5830	600642	Child Support Intercept - State	\$13,000,000	\$13,000,000
AJ	5B60	600601	Food Assistance Intercept	\$4,000,000	\$4,000,000
AK	TOTAL FID Fiduciary Fund Group			\$117,000,000	\$117,000,000
AL	Holding Account Fund Group				
AM	R012	600643	Refunds and Audit Settlements	\$500,000	\$500,000
AN	TOTAL HLD Holding Account Fund Group			\$500,000	\$500,000
AO	Federal Fund Group				
AP	3310	600615	Veterans Programs	\$11,872,779	\$11,893,147
AQ	3310	600624	Employment Services	\$30,454,022	\$30,882,752
AR	3310	600686	Workforce Programs	\$3,926,746	\$3,980,332

AS	3840	600610	Food Assistance Programs	\$245,396,656	\$236,482,931
AT	3850	600614	Refugee Services	\$23,157,277	\$12,375,030
AU	3950	600616	Federal Discretionary Grants	\$8,367,273	\$5,047,878
AV	3960	600620	Social Services Block Grant	\$38,191,659	\$38,280,049
AW	3970	600626	Child Support - Federal	\$205,929,146	\$205,192,248
AX	3F01	655624	Medicaid Program Support - Federal	\$220,005,026	\$220,103,397
AY	3S50	600622	Child Support Projects	\$534,050	\$534,050
AZ	3V00	600688	Workforce Innovation and Opportunity Act Programs	\$165,190,735	\$165,578,756
BA	3V40	600632	Trade Programs	\$29,560,798	\$29,727,681
BB	3V40	600678	Federal Unemployment Programs	\$132,198,612	\$131,184,431
BC	3V40	600679	Unemployment Compensation Review Commission - Federal	\$6,830,615	\$6,948,482
BD	3V60	600689	TANF Block Grant	\$814,044,607	\$818,722,142

BE TOTAL FED Federal Fund Group	\$1,935,660,001	\$1,916,933,306
BF TOTAL ALL BUDGET FUND GROUPS	<del>\$2,694,753,066</del>	<del>\$2,676,469,771</del>
	<u>\$2,713,753,066</u>	<u>\$2,695,469,771</u>

**Sec. 307.140.** ADOPTION GRANT PROGRAM 707

The foregoing appropriation item 600562, Adoption Grant 708  
Program, shall be used, in consultation with the Department of 709  
Children and Youth, to administer grants to adoptive parents 710  
through the Adoption Grant Program, in accordance with sections 711  
5101.191 and 5101.192 of the Revised Code. 712

On July 1, 2024, or as soon as possible thereafter, the 713  
Director of Job and Family Services may certify to the Director 714  
of Budget and Management an amount up to the unexpended, 715  
unencumbered balance of the foregoing appropriation item 600562, 716  
Adoption Grant Program, at the end of fiscal year 2024 to be 717  
reappropriated to fiscal year 2025. The amount certified is 718  
hereby reappropriated to the same appropriation item for the 719  
same purpose for fiscal year 2025. 720

**Section 30.** That existing Sections 307.10 and 307.140 of 721  
H.B. 33 of the 135th General Assembly are hereby repealed. 722

**Section 31.** The items of law contained in this act, and 723  
their applications, are severable. If an item of law contained 724  
in this act, or if an application of an item of law contained in 725  
this act, is held invalid, the invalidity does not affect other 726  
items of law contained in this act and their applications that 727  
can be given effect without the invalid item or application. 728