

As Introduced

136th General Assembly

Regular Session

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H. B. No. 585

Representatives Odioso, Lett

To amend section 5123.351 of the Revised Code 1
regarding the authority of the Department of 2
Developmental Disabilities to adopt rules 3
regarding the use of community capital 4
assistance funds. 5

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

Section 1. That section 5123.351 of the Revised Code be 6
amended to read as follows: 7

Sec. 5123.351. ~~The~~ (A) Subject to division (B) of this 8
section, the director of developmental disabilities, with 9
respect to the eligibility for state reimbursement of expenses 10
incurred by facilities and programs established and operated 11
under Chapter 5126. of the Revised Code for persons with 12
developmental disabilities, shall do all of the following: 13

~~(A)~~ (1) Make rules that may be necessary to carry out the 14
purposes of Chapter 5126. and sections 5123.35, 5123.351, and 15
5123.36 of the Revised Code; 16

~~(B)~~ (2) Define minimum standards for qualifications of 17
personnel, professional services, and in-service training and 18
educational leave programs; 19

~~(C)~~ (3) Review and evaluate community programs and make 20

recommendations for needed improvements to county boards of 21
developmental disabilities and to program directors; 22

~~(D)~~ (4) Withhold state reimbursement, in whole or in part, 23
from any county or combination of counties for failure to comply 24
with Chapter 5126. or section 5123.35 or 5123.351 of the Revised 25
Code or rules of the department of developmental disabilities; 26

~~(E)~~ (5) Withhold state funds from an agency, corporation, 27
or association denying or rendering service on the basis of 28
race, color, sex, religion, ancestry, national origin, 29
disability as defined in section 4112.01 of the Revised Code, or 30
inability to pay; 31

~~(F)~~ (6) Provide consultative staff service to communities 32
to assist in ascertaining needs and in planning and establishing 33
programs. 34

(B) The director shall adopt rules establishing a process 35
for the department to make available community capital 36
assistance funds appropriated by the general assembly to the 37
department, to assist county boards of developmental 38
disabilities to acquire housing for individuals receiving 39
supported living in accordance with sections 5126.40 to 5126.47 40
of the Revised Code. The rules shall do all of the following: 41

(1) Specify that community capital assistance funds may be 42
used to acquire or construct a single-family home, a duplex, a 43
quadplex, a permanently sited manufactured home, a condominium, 44
newly constructed housing, accessory dwelling units, multi- 45
structure dwellings, or other housing models; 46

(2) Permit community capital assistance funds to be 47
combined with other financing sources for the acquisition or 48
construction of housing described in division (B) (1) of this 49

section. The rules shall not permit funds to be combined with 50
other sources if the other sources impose requirements that are 51
contrary to the rules adopted by the director. 52

(3) Permit county boards of developmental disabilities to 53
secure property interests in housing described in division (B) 54
(1) of this section through mortgages, restrictive covenants, or 55
other property instruments; 56

(4) Require a county board to provide a resident who will 57
be living in housing acquired or constructed using community 58
capital assistance funds with the opportunity to meaningfully 59
participate in selecting the type of housing in which the 60
resident will live. 61

(C) The director may waive any rule adopted under division 62
(B) of this section if doing so would allow community capital 63
assistance funds to be used for innovative housing options that 64
align with the priorities of the department of developmental 65
disabilities and county boards of developmental disabilities. 66

Section 2. That existing section 5123.351 of the Revised 67
Code is hereby repealed. 68