

Executive

As Reported By House Finance

DEVCD2 Rename agency as Department of Development

R.C. 121.02, 121.03, 122.01, 122.011, 122.60, 122.601, 122.603, 149.311, 166.01, 166.03, 174.01, 174.02, 184.01, 1551.01, 1551.33, 1551.35, Section 518.20, Repealed: R.C. 184.011, 3735.01, and 5701.15

Changes the name of the Development Services Agency and Director of Development Services back to the Department of Development and Director of Development, respectively.

Fiscal effect: None.

R.C. 121.02, 121.03, 122.01, 122.011, 122.60, 122.601, 122.603, 149.311, 166.01, 166.03, 174.01, 174.02, 184.01, 1551.01, 1551.33, 1551.35, Section 518.20, Repealed: R.C. 184.011, 3735.01, and 5701.15

Same as the Executive.

Fiscal effect: Same as the Executive.

DEVCD4 Transfer of Equal Employment Opportunity Division from DAS to DEV

R.C. 121.07, 122.92, with conforming changes in numerous other RC sections; Sections 518.10-518.16

Transfers responsibility for administering the Minority Business Enterprise Program, the Encouraging Diversity, Growth, and Equity (EDGE) Program, the Women-Owned Business Enterprise Program, and the Veteran-Friendly Business Enterprise Program to the Director of Development and the Department of Development (DEV), rather than the Director of Administrative Services (DAS) and the Equal Opportunity Employment Coordinator within DAS.

Transfers the administration of these function effective July 1, 2021. Specifies that business related to these functions ongoing as of this date be completed by DEV in the same manner and with the same effect as being done by DAS. Provides for the continuation of DAS rules for these programs under DEV until modified or rescinded by the latter agency. Specifies that no judicial or administrative matter related to these programs pending on the transfer date is affected by the transfer of these programs from DAS to DEV.

R.C. 121.07, 122.92, with conforming changes in numerous other RC sections; Sections 518.10-518.16

Same as the Executive.

Same as the Executive.

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Specifies that the transfer of these programs and any reassignment of certain functions from DAS to DEV are not appropriate subjects for collective bargaining.

Same as the Executive.

Provides for the transfer of DAS employees who administer these programs from DAS to DEV. Authorizes the Director of DEV to establish, change, and abolish positions and assign, reassign, classify, reclassify, transfer, reduce, promote, or demote all employees of DEV who are not subject to public employee collective bargaining. Specifies that this authority extends to assigning or reassigning exempt employees to bargaining unit positions when appropriate and how this is to be accomplished under the state's job classification plan. Specifies that actions taken under this authority are not subject to appeal to the State Personnel Board of Review.

Same as the Executive.

Allows the Director of DEV to enter into contracts with private or government entities for staff training and development to facilitate the transfer of the business certification functions from DAS to DEV.

Same as the Executive.

Gives the Controlling Board authority to increase appropriations for any fund (except GRF) as needed to pay for increases in employee compensation pursuant to collective bargaining contracts or increases that are provided for exempt employees under current law. Appropriates the increased amounts.

Same as the Executive.

Requires the Director of Budget and Management to make the needed budget and accounting changes resulting from this transfer, such as renaming or creating new funds or consolidating existing ones, and canceling and establishing encumbrances. Appropriates the amounts of the established encumbrances. Specifies that all records, documents, files, equipment, assets, and other materials are transferred from DAS

Same as the Executive.

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to DEV.

Requires the Director of the Legislative Service Commission to renumber the rules pertaining to the programs to move them from DAS to DEV.

No provision.

Same as the Executive.

Requires DEV, on September 1, 2023, and with the cooperation of DAS, to submit a report to the General Assembly and Governor regarding the effect of the transfer of these business certification programs from DAS to DEV and requires the report to include data comparing the efficiency of the two departments in administering the program on all of the following if available: (1) the number of businesses certified by DSA as compared to before by DAS, (2) the length of time required for DEV to process certifications compared to DAS, and (3) the number of complaints received from applicants regarding the certification process under DEV versus under DAS. Requires the report to also contain information about the transfer of employees to DEV from DAS.

Fiscal effect: Increases costs to the Minority Business Development Division within DEV for overseeing these additional programs, and simultaneously reduces costs for DAS. The executive provides funding for these purposes under GRF appropriation item 195405, Minority Business Development.

Fiscal effect: Same as the Executive with some additional administrative cost for preparing the report regarding the effect of transferring the business certification programs from DAS to DEV.

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DEVCD40 Ohio Residential Broadband Expansion Grant Program

R.C. 122.401, 122.40, 122.403 through 122.4077; 133.13, 188.01 through 188.30; 303.251, 505.881, and 727.01; 4926.01 through 4926.60

No provision.

Does the following to address broadband expansion and infrastructure (these provisions are identical to those in H.B. 2 of the 134th G.A., As Passed by the House. See the LSC Bill Analysis for more details of these provisions at <https://www.legislature.ohio.gov/legislation/legislation-documents?id=GA134-HB-2>).

(1) No provision.

(1) Creates the Ohio Residential Broadband Expansion Grant Program and the Ohio Broadband Expansion Program Authority to award program grants to fund the construction of broadband projects in unserved areas of the state.

(2) No provision.

(2) Requires DEV to adopt rules for the grant program including rules for an application form and application procedures and procedures for periodic program grant disbursements. Requires DEV, in consultation with the Authority, to establish a weighted scoring system to evaluate and select applications for program grants and make it available on its website.

(3) No provision.

(3) Requires DEV to publish certain grant program and application information on its website. Requires DEV to accept, receive, and review applications for program grants and send completed applications to the Authority for review and award of program grant money for eligible projects.

(4) No provision.

(4) Requires up to 30% of the program grant to be disbursed before project construction begins, up to 60% of the program grant to be disbursed periodically over the course of the project construction according to DEV rules, and the remaining portion to be disbursed not later than 60 days after notification that

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(5) No provision.	<p>construction is complete.</p> <p>(5) Requires a broadband provider to construct last mile broadband infrastructure after receiving a program grant award.</p>
(6) No provision.	<p>(6) Permits a board of county commissioners, by resolution, to request DEV to solicit applications from broadband providers for program grants for eligible projects in the municipal corporations and townships of the county.</p>
(7) No provision.	<p>(7) Permits a challenging provider to challenge, in writing, all or part of a completed application for a program grant not later than 65 days (or longer if an extension is granted) after the close of the submission period (or extension period).</p>
(8) No provision.	<p>(8) Permits a broadband provider to enter into an arrangement to designate video service provider fees remitted by the provider for contribution towards an eligible project’s broadband funding gap under certain circumstances.</p>
(9) No provision.	<p>(9) Permits a municipal corporation, county, or township to fund a portion of the broadband funding gap for an eligible project through a property tax assessment made by the municipal corporation, county, or township.</p>
(10) No provision.	<p>(10) Permits DEV to withhold payments for failure to meet at least the minimum broadband service speeds required under the bill until the speeds are achieved. Permits DEV to require the broadband provider to refund state and local government funds if the provider fails to cure the identified noncompliance.</p>
(11) No provision.	<p>(11) Requires each broadband provider that receives a program grant to submit progress and certain other reports.</p>
(12) No provision.	<p>(12) Requires the Authority to complete an annual report that evaluates the grant program’s success on DEV’s website and to</p>

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(13) No provision.

provide the report to the Governor and the General Assembly by December 1 each year.

(13) Expands the use of electric cooperative easements for the provision of broadband service and creates a process for addressing damages to servient estates (land burdened by an easement).

(14) No provision.

(14) Establishes a process for granting broadband providers, telecommunication service providers, video service providers, and wireless service providers access to electric cooperatives pole facilities through pole attachments.

Fiscal effect: The bill appropriates \$170.0 million in FY 2022 and \$20.0 million in FY 2023 under DPF Ohio Residential Broadband Expansion Grant Program Fund (Fund 5XU0) line item 195567, Residential Broadband Expansion Grants, to awards grants under the Ohio Residential Broadband Expansion Grant Program. See also DEVCD41 and OBMCD39.

DEVCD3 Minority Development Financing Advisory Board authority

R.C. 122.72, 122.73, 122.74, 122.78, 122.79, 122.82

Clarifies, by modifying several cross-references, that the responsibility for oversight of the diesel emissions reduction grant program and the motion picture and theatre tax credit and several other tax credits rests with the Director of Development, and not the Minority Development Financing Advisory Board.

Fiscal effect: None.

R.C. 122.72, 122.73, 122.74, 122.78, 122.79, 122.82

Same as the Executive.

Fiscal effect: Same as the Executive.

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DEVCD5 Coal Research and Development Program

Section: 259.20

Requires GRF appropriation item 195402, Coal Research and Development Program, to be used for the operating expenses of the Community Services Division in support of the Ohio Coal Development Office.

Section: 259.20

Same as the Executive.

DEVCD6 Minority Business Development

Section: 259.20

Requires GRF appropriation item 195405, Minority Business Development, to support the activities of the Minority Business Development Division, including providing grants to local nonprofit organizations to support economic development activities that promote minority business development, in conjunction with local organizations funded through GRF appropriation item 195454, Small Business and Export Assistance.

Section: 259.20

Same as the Executive.

DEVCD7 Business Development Services

Section: 259.20

Requires GRF appropriation item 195415, Business Development Services, to be used for the operating expenses of the Office of Strategic Business Investments and the regional economic development offices.

Earmarks \$1,800,000 in each of FY 2022 and FY 2023 for Development Projects, Inc. for various Department of Defense- and aerospace industry-related workforce economic development activities.

Section: 259.20

Same as the Executive.

Same as the Executive.

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DEVCD8 Redevelopment Assistance

Section: 259.20

Requires GRF appropriation item 195426, Redevelopment Assistance, to be used to fund the costs of administering energy, redevelopment, and other revitalization programs that DEV may implement, and allows the line item to be used to match federal grant funding.

Section: 259.20

Same as the Executive.

DEVCD9 Technology Programs and Grants

Section: 259.20

Requires GRF appropriation item 195453, Technology Programs and Grants, to be used for operating expenses incurred in administering the Ohio Third Frontier Programs and other technology focused programs that DEV may implement.

Section: 259.20

Same as the Executive.

DEVCD10 Small Business and Export Assistance

Section: 259.20

Allows GRF appropriation item 195454, Small Business and Export Assistance, to be used to provide a range of business assistance, including grants to local organizations to support economic development activities that promote small business development, entrepreneurship, and exports of Ohio's goods and services, in conjunction with local organizations funded through GRF line item 195405, Minority Business Development.

Section: 259.20

Same as the Executive.

Allows the line item to also be used to match grants from the U.S. Small Business Administration and other federal agencies.

Same as the Executive.

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DEVCD11 Appalachia Assistance

Section: 259.20

(1) Allows GRF appropriation item 195455, Appalachia Assistance, to be used for (A) the administrative costs of planning and liaison activities for the Governor's Office of Appalachia; (B) financial assistance to projects in Ohio's Appalachian counties; (C) support of the four local development districts; (D) payment of dues for the Appalachian Regional Commission; and (E) match of federal funding received from the Appalachian Regional Commission.

(2) Requires that programs funded through the appropriation item be identified and recommended by the local development districts and approved by the Governor's Office of Appalachia.

(3) Requires DEV to conduct compliance and regulatory review of the programs recommended by the local development districts, and allows moneys allocated under the appropriation item to be used to fund projects including, but not limited to, those designated by the local development districts as community investment and rapid response projects.

(4) Earmarks the following amounts from the line item to support four local development districts in each fiscal year: (A) \$170,000 to Ohio Valley Regional Development Commission, (B) \$170,000 to Ohio Mid-Eastern Government Association, (C) \$170,000 to Buckeye Hills - Hocking Valley Regional Development District, and (D) \$70,000 to Eastgate Regional Council of Governments. Requires the districts receiving this funding to use the funds for the implementation and administration of programs and duties under RC 107.21.

Section: 259.20

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

(4) Same as the Executive, but increases the earmark under (D) for Eastgate Regional Council of Governments from \$70,000 to \$170,000.

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DEVCD12 CDBG Operating Match

Section: 259.20

Requires GRF appropriation item 195497, CDBG Operating Match, to be used as matching state funds for federal assistance received from the U.S. Department of Housing and Urban Development according to the requirements of the Community Development Block Grant Program.

Section: 259.20

Same as the Executive.

DEVCD13 BSD Federal Programs Match

Section: 259.20

Requires GRF appropriation item 195499, BSD Federal Programs Match, to be used as matching state funds for grants from the U.S. Department of Commerce, National Institute of Standards and Technology (NIST) Manufacturing Extension Partnership Program and Defense Logistics Agency Procurement Technical Assistance Program, and other federal agencies. Allows the appropriation item to be used for operating expenses of the Business Services Division.

Section: 259.20

Same as the Executive.

DEVCD37 iBELIEVE

No provision.

Section: 259.20

Specifies that GRF line item 195501, iBELIEVE, be used for the iBELIEVE Foundation to provide opportunities for Appalachian youth to develop twenty-first century skills, including leadership, communication, and problem-solving for college access and retention.

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DEVCD14 Local Development Projects

Section: 259.20

Makes the following earmarks from the appropriations to GRF line item 195503, Local Development Projects:

- (1) \$5,000,000 in each fiscal year for the Foundation for Appalachian Ohio;
- (2) Up to \$4,000,000 in each fiscal year for the GRIT Program, to be used by DEV and the Governor's Office of Appalachia to establish virtual workforce development centers and place un- and under-employed adults into jobs within 11 counties of the Ohio Valley Regional Development Commission's service territory. Allows up to \$800,000 in each fiscal year to be used for assessments and up to \$800,000 in each fiscal year to be used for operating costs. Allows the Governor's Office of Appalachia and DEV to establish other guidelines for the use of this line item;
- (3) Up to \$2,250,000 in FY 2022 for DEV, in coordination with DOH, to support stable housing initiatives for pregnant mothers and to improve maternal and infant health outcomes;
- (4) \$150,000 in each fiscal year for the Stark County Minority Business Association to work in partnership with the Canton Regional Chamber of Commerce to support a demonstration pilot program.
- (5) No provision.
- (6) No provision.

Section: 259.20

Same as the Executive, but makes the following changes to the earmarks:

- (1) Same as the Executive, but increases the earmark to \$10,000,000 in each fiscal year.
- (2) Same as the Executive.
- (3) Same as the Executive.
- (4) Same as the Executive.
- (5) \$300,000 in each fiscal year to support the Camp James A. Garfield Joint Military Training Center and the Youngstown Air Reserve Station.
- (6) \$300,000 in each fiscal year to Cleveland Neighborhood Progress for the Cleveland Chain Reaction Project.

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(7) No provision.

(7) \$500,000 in each fiscal year to the Center for Advanced Manufacturing and Logistics for workforce development, supply chain management, automation, research and development, and entrepreneurship to foster manufacturing and logistic industry jobs and company creation.

(8) No provision.

(8) \$1,000,000 in each fiscal year to the Lucas County Land Reutilization Corporation for the Lucas County Commercial Site Clean-Up Pilot Program to demolish vacant commercial or industrial buildings located in Lucas County. Requires a dollar-for-dollar match by any of the following entities: City of Toledo, Lucas County, Toledo-Lucas County Port Authority, Lucas County Land Reutilization Corporation, the municipality, village, or township where the project is located, or any private entities or nonprofit organizations. Requires the program to prioritize the demolition of blighted or nuisance buildings at locations having the greatest negative impact on surrounding property values and locations that have the greatest potential for new construction or development.

(9) No provision.

(9) \$250,000 in each fiscal year to Fulton County or Fulton County Land Reutilization Corporation to demolish vacant commercial or industrial buildings located in Fulton County. Requires a dollar-for-dollar match by any of the following entities: Fulton County, the municipality, village, or township where the project is located, or any private entities or nonprofit organizations. Requires the program to prioritize the demolition of blighted or nuisance buildings as described in (8) above.

(10) No provision.

(10) \$50,000 in FY 2022 to the Adams County Community Foundation.

(11) No provision.

(11) \$100,000 in FY 2022 to Medina County Board of Commissioners to support the financing of a homeless shelter.

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DEVCD38 Ohio-Israel Agricultural Initiative

No provision.

Section: 259.20

Requires GRF appropriation item 195537, Ohio-Israel Agricultural Initiative, to be used for the Ohio-Israel Agricultural Initiative and prohibits the appropriation from being used for travel and entertainment expenses incurred under the initiative.

DEVCD15 Industry Sector Partnerships

Section: 259.20

Requires GRF appropriation item 195553, Industry Sector Partnerships, to be used for the grant program described in R.C. 122.179.

Reappropriates the unexpended, unencumbered balance of the appropriation in FY 2022 for the same purpose in FY 2023.

No provision.

Section: 259.20

Same as the Executive, except requires the remainder of GRF appropriation item 195553 to be used for the grant program.

Same as the Executive.

Earmarks, notwithstanding R.C. 122.179, \$46,250 in each fiscal year under GRF appropriation item 195553, Industry Sector Partnerships, for Jewish Vocational Service of Cincinnati to support workforce development costs involved with assisting in employment services for the financially indigent.

DEVCD47 TechCred Program

No provision.

Section: 259.20

Requires GRF appropriation item 195556, TechCred Program, to be used for the TechCred Program under R.C. 122.178.

Executive

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DEVCD39 Main Street Job Recovery Program

No provision.

Section: 259.20

Requires GRF appropriation item 195566, Main Street Job Recovery Program, to be used for grants to nonprofit organizations to create permanent business development and employment opportunities targeted to low- and moderate-income individuals or individuals of the reentry population.

No provision.

Requires the grants to be awarded based on the following criteria: (1) number of businesses created and expanded, (2) number of jobs created for low- and moderate-income individuals, and (3) the amount of funds leveraged as a result of the program.

No provision.

Requires DEV to submit a written report describing the outcomes of the Main Street Job Recovery Program to the President of the Senate, the Speaker of the House of Representatives, the Minority Leader of the Senate, the Minority Leader of the House of Representatives, and the Legislative Service Commission no later than June 30 each year of the FY 2022-FY 2023 biennium.

DEVCD16 Residential Broadband Expansion Grants

Section: 259.20

Requires GRF appropriation item 195651, Residential Broadband Expansion Grants, to be used for grants to expand broadband service.

Section: 259.20

Same as the Executive.

Allows up to \$2,000,000 in the biennium under the line item to be used for a statewide initiative to support providing behavioral health in schools through telehealth.

Same as the Executive.

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DEVCD17 General Obligation bond debt service payments

Section: 259.25

(1) Requires GRF appropriation item 195901, Coal Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2022 and FY 2023 for obligations issued to fund the Coal Research and Development Program.

(2) Requires GRF appropriation item 195905, Third Frontier Research and Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2022 and FY 2023 for obligations issued to fund the Third Frontier Program.

(3) Requires GRF appropriation item 195912, Job Ready Site Development General Obligation Bond Debt Service, to be used to pay all debt service and related financing costs in FY 2022 and FY 2023 for obligations issued to fund the Job Ready Site Program.

Section: 259.25

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive.

DEVCD18 Minority Business Bonding Fund

Section: 259.30

(1) Permits the DEV Director, upon the recommendation of the Minority Development Financing Advisory Board, to pledge up to \$10.0 million in unclaimed funds in the FY 2022-FY 2023 biennium allocated to the Minority Business Bonding Program.

(2) Permits any transfer of unclaimed funds from the Unclaimed Funds Trust Fund (Fund 5430) to the Minority Bonding Fund (Fund 4490), but specifies that the transfer shall only occur after proceeds of the initial transfer of \$2.7 million authorized by the Controlling Board have been used for that purpose.

Section: 259.30

(1) Same as the Executive.

(2) Same as the Executive.

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(3) Requires that any expenditures made to pay losses arising from the Minority Business Bonding Program be made from Fund 4490 appropriation item 195658, Minority Business Bonding Contingency in the Minority Business Bonding Fund, and appropriates such amounts.

(3) Same as the Executive.

DEVCD19 Business Assistance Program

Section: 259.30

Requires Fund 4510 appropriation item 195649, Business Assistance Programs, to be used to cover the administrative expenses associated with the operation of loan incentives within the Office of Strategic Business Investments.

Section: 259.30

Same as the Executive.

DEVCD20 State Special Projects

Section: 259.30

Permits the State Special Projects Fund (Fund 4F20) to be used for the deposit of funds from private utility companies and other miscellaneous state funds, and allows funds to be used to match federal funding and to support programs of the Community Services Division.

Section: 259.30

Same as the Executive.

DEVCD21 Minority Business Enterprise Loan

Section: 259.30

Requires Minority Business Enterprise Loan Fund (Fund 4W10) appropriation item 195646, Minority Business Enterprise Loan, to be used for awards under the Minority Business Enterprise Loan Program and to cover operating expenses of the Minority Business Enterprise Division. Requires all repayments from program to be credited to the Fund 4W10.

Section: 259.30

Same as the Executive.

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DEVCD22 Advanced Energy Loan Programs

Section: 259.30

Requires Fund 5M50 appropriation item 195660, Advanced Energy Loan Programs, to be used to provide financial assistance to customers for eligible advanced energy projects for residential, commercial, and industrial businesses; local governments; educational institutions; nonprofits; and agriculture customers. Allows the line item to be used to match federal grant funding and to pay administrative costs of the program.

Section: 259.30

Same as the Executive.

DEVCD23 MBD Financial Assistance Fund

Section: 259.30

Creates the MBD Financial Assistance Fund (Fund 5XH0) and permits the OBM Director on July 1, 2021, or as soon as possible thereafter, to transfer \$20,000,000 cash from the State Small Business Credit Initiative Fund (Fund 3FJ0) to Fund 5XH0.

Section: 259.30

Same as the Executive.

Requires Fund 5XH0 appropriation item 195694, Micro-Enterprise Loan, to be used to operate the Minority Business Microloan Program.

Same as the Executive.

Requires Fund 5XH0 appropriation item 195632, Women-Owned Business Loan, to be used to operate the Women-Owned Business Loan Program.

Same as the Executive.

DEVCD42 Entertainment Venues

No provision.

Section: 259.30

Requires Fund 5XM0 appropriation item 195608, Entertainment Venues, to be used for grants to entertainment venues impacted by the COVID-19 pandemic.

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No provision.

Requires grants to be awarded in amounts of \$10,000, \$20,000, and \$30,000 and awarded based on factors such as demonstrated loss of revenue due to canceled events or performances.

DEVCD43 Bar and Restaurant Assistance

No provision.

Section: 259.30

Requires Fund 5XM0 appropriation item 195677, Bar and Restaurant Assistance, to be used for grants to bars and restaurants that have been impacted by the COVID-19 pandemic.

No provision.

Requires grants to be awarded in amounts of \$10,000, \$20,000, and \$30,000 and awarded based on factors such as demonstrated loss of revenue and the number of employees that eligible bars and restaurants employ.

DEVCD44 Lodging Industry Grants

No provision.

Section: 259.30

Requires Fund 5XM0 appropriation item 195685, Lodging Industry Grants, to be used for grants to lodging industry businesses impacted by the COVID-19 pandemic.

No provision.

Requires grants to be awarded in amounts of \$10,000, \$20,000, and \$30,000 and awarded based on factors such as a demonstrated loss of revenue and occupancy rates.

DEVCD45 New Business Relief Grant

No provision.

Section: 259.30

Requires Fund 5XM0 appropriation item 195697, New Business Relief Grant, to be used for relief grants of \$10,000 for new businesses in this state opening after January 1, 2020.

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DEVCD41 Residential Broadband Expansion Grants

No provision.

Section: 259.30

Requires Fund 5XU0 line item 195567, Residential Broadband Expansion Grants, to be used for grants under the Ohio Residential Broadband Expansion Grant Program established in R.C. 122.401.

No provision.

Reappropriates the unexpended, unencumbered balance of the appropriation in FY 2022 for the same purpose in FY 2023.

DEVCD46 Meat Processing Investment Program

No provision.

Section: 259.30

Requires that DPF Fund 5XX0 appropriation item 195408, Meat Processing Investment Program, be used to make grants to meat processing plants for facility improvements and capacity expansion, including but not limited to equipment purchases or upgrades, training, and process improvements.

DEVCD24 Volume Cap Administration

Section: 259.30

Requires Fund 6170 appropriation item 195654, Volume Cap Administration, to be used for expenses related to the administration of the Volume Cap Program, and specifies that revenues received by the Volume Cap Administration Fund (Fund 6170) shall consist of application fees, forfeited deposits, and interest earned from the custodial account held by the Treasurer of State.

Section: 259.30

Same as the Executive.

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DEVCD25 Supportive Services Fund

Section: 259.40

Permits the OBM Director on July 1, 2021 and July 1, 2022, or as soon as possible thereafter, to transfer up to \$2,000,000 from the State Special Projects Fund (Fund 4F20) to the Supportive Services Fund (Fund 1350).

Section: 259.40

Same as the Executive.

DEVCD26 Development Services Operations

Section: 259.40

Authorizes the Director of Development Services to assess DEV's divisions for the costs of central service operations, requires assessments to contain the characteristics of administrative ease and uniform application, and requires such payments to be credited to the Supportive Services Fund (Fund 1350) using an intrastate transfer voucher.

Section: 259.40

Same as the Executive.

DEVCD27 Development Services Reimbursable Expenditures

Section: 259.40

Requires Fund 6850 appropriation item 195636, Development Services Reimbursable Expenditures, to be used for reimbursable costs. Specifies that revenues to the General Reimbursement Fund (Fund 6850) consist of moneys charged for administrative costs that are not central service costs and repayment of loans, including the interest thereon, made from the Water and Sewer Fund (Fund 4440).

Section: 259.40

Same as the Executive.

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DEVCD28 Capital Access Loan Program

Section: 259.50

Requires Fund 5S90 appropriation item 195628, Capital Access Loan Program, to be used for operating, program, and administrative expenses of the Capital Access Loan Program, and requires program funds to be used to assist participating financial institutions in making program loans to eligible businesses that face barriers in accessing working capital and obtaining fixed-asset financing.

Allows the OBM Director, with Controlling Board approval, to transfer of up to \$2,000,000 cash in each fiscal year from the Minority Business Enterprise Loan Fund (Fund 4W10) to the Capital Access Loan Fund (Fund 5S90).

Section: 259.50

Same as the Executive.

Same as the Executive.

DEVCD29 Innovation Ohio

Section: 259.50

Requires Fund 7009 appropriation item 195664, Innovation Ohio, to be used for Innovation Ohio Program loan guarantees and loans pursuant to RC 166.12 to 166.16.

Section: 259.50

Same as the Executive.

DEVCD30 Research and Development

Section: 259.50

Requires Fund 7010 appropriation item 195665, Research and Development, to be used for research and development purposes, including loans, pursuant to RC 166.17 to 166.21.

Section: 259.50

Same as the Executive.

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DEVCD31 Facilities Establishment

Section: 259.50

(1) Specifies that Fund 7037 appropriation item 195615, Facilities Establishment, be used for the purposes of the Facilities Establishment Fund (Fund 7037) under Chapter 166. of the Revised Code.

(2) Permits the Controlling Board, notwithstanding R.C. 127.14 and R.C. 131.35, in the FY 2022-FY 2023 biennium to authorize expenditures, in excess of the amount appropriated under Fund 7037 for purposes consistent with Chapter 166. of the Revised Code. Appropriates the authorized amounts.

(3) Allows the transfer of cash, with Controlling Board approval, from Fund 7037, in the following amounts:

Up to \$3,500,000 cash in each fiscal year to the Business Assistance Fund (Fund 4510).

Up to \$2,000,000 cash in each fiscal year to the Capital Access Loan Fund (Fund 5S90)

Up to \$5,000,000 cash in each fiscal year to the Minority Business Enterprise Loan Fund (Fund 4W10)

No provision.

Section: 259.50

(1) Same as the Executive.

(2) Same as the Executive.

(3) Same as the Executive, but also makes the following change:

Same as the Executive.

Same as the Executive.

Same as the Executive.

\$8,000,000 cash in FY 2022 to the Rural Industrial Park Loan Fund (Fund 4Z60).

DEVCD32 Third Frontier Operating Costs

Section: 259.60

Requires appropriation items 195686 and 195620 to be used for Third Frontier Program operating expenses under RC 184.10 to 184.20.

Section: 259.60

Same as the Executive.

Executive

As Reported By House Finance

Restricts expenses paid from line item 195686 to costs related to the administration of projects funded from the Third Frontier Research and Development Fund (Fund 7011), and expenses paid from line item 195620 to costs related the administration of projects funded from the Third Frontier Research & Development Taxable Bond Project Fund (Fund 7014).

Same as the Executive.

DEVCD33 Third Frontier Program funding for research and development projects

Section: 259.60

Requires appropriation items 195687 and 195692 to be used to fund selected projects, which may include the internship programs. Specifies that eligible costs are the costs of the projects to which the Third Frontier Research and Development Fund (Fund 7011) and the Research and Development Taxable Bond Project Fund (Fund 7014) are to be applied.

Section: 259.60

Same as the Executive.

DEVCD34 Transfers of appropriations supporting the Third Frontier Program

Section: 259.60

Permits OBM to approve written requests from DEV for the transfer of appropriations between appropriation items 195687 and 195692 based upon Third Frontier Program awards recommended by the Third Frontier Commission.

Section: 259.60

Same as the Executive.

Authorizes DEV to request that OBM reappropriate any unexpended, unencumbered balance of the FY 2022 appropriations to line items 195687 and 195692 for the same purposes in FY 2023. Allows OBM to request additional information to evaluate the requests before making the cash transfers. Reappropriates the cash transfer amounts approved by OBM in FY 2023.

Same as the Executive.

Executive

As Reported By House Finance

DEVCD35 HEAP Weatherization

Section: 259.70

Allows up to 25% of the federal funds credited to the Home Energy Assistance Block Grant Fund (Fund 3K90) to be spent from appropriation item 195614, HEAP Weatherization, to be used to provide home weatherization services as determined by DEV.

Section: 259.70

Same as the Executive.

DEVCD36 Ohio Incumbent Workforce Job Training Fund

Section: 259.80

Requires the DEV Director, in consultation with the Treasurer of State, on July 1, 2021, or as soon as possible thereafter, to certify to the OBM Director the amount of bond proceeds collected under Chapter 3366. of the Revised Code in the semiannual period beginning January 1, 2021, and ending June 30, 2021.

Section: 259.80

Same as the Executive.

Requires the OBM Director to transfer the amount of cash equal to the certified amount from the fund designated by the Treasurer of State to receive the bond proceeds to the Ohio Incumbent Workforce Job Training Fund (Fund 5HR0).

Same as the Executive.

Executive

As Reported By House Finance

AUDCD10 Compliance with terms of state economic development awards

R.C. 117.55, 125.112

No provision.

Transfers to the Auditor of State, from the Attorney General under current law, the duty to determine if an entity is in compliance with the terms and conditions of a state award for economic development.

No provision.

Requires the Department of Development (DEV), not later than 30 days after the end of the state fiscal year, to send the Auditor of State a list of state awards for economic development.

No provision.

Requires the Auditor of State to review each award and determine if an entity is in compliance with the terms and conditions of the award received by that entity and publish a report of its review within 90 days after receiving the list of awards from DEV.

No provision.

Requires the Auditor of State to report to the Attorney General that an award recipient is not in compliance with a performance metric specified in the terms and conditions of the award.

No provision.

Modifies the Attorney General's authority to pursue remedies and recoveries, available under current law, against and from a non-compliant entity by permitting, rather than requiring such actions, when the Attorney General determines appropriate and to the extent of the non-compliance.

No provision.

Requires, if the Auditor of State is authorized to conduct an audit of an entity that has received an award, that the audit be conducted in accordance with the Auditor of State law.

Fiscal effect: The administrative costs for determine an entity's compliance with terms and conditions of state economic development incentives will shift from Attorney General to the Auditor of State.

Executive

As Reported By House Finance

OBMCD38 General Revenue Fund transfer to Tourism Ohio Fund

Section: 512.10

Authorizes the Director of OBM, on July 1, 2021 or as soon as possible thereafter, to transfer up to \$20,000,000 cash from the GRF to the Tourism Ohio Fund (Fund 5MJ0).

Section: 512.10

Same as the Executive.

OBMCD49 GRF transfer to Meat Processing Investment Program Fund

No provision.

Section: 512.100

Creates the Meat Processing Investment Program Fund (Fund 5XX0) in the state treasury and requires the Director of OBM, on July 1, 2021, or as soon as possible thereafter, to transfer \$10,000,000 cash from the GRF to Fund 5XX0.

Executive

As Reported By House Finance

Other Education Provisions

EDUCD87 STEM schools - STEM Committee membership, grants, and recommendations

R.C. 3326.02, 3326.03, 3326.05 (Repealed)

Permits the Superintendent of Public Instruction, the Chancellor of Higher Education, and the Director of Development to appoint designees to participate in STEM Committee business on their behalf.

Repeals the requirement that the STEM Committee award grants to STEM schools.

Repeals the authority for the STEM Committee to make recommendations to the General Assembly and the Governor for the training of STEM educators.

Fiscal effect: None.

R.C. 3326.02, 3326.03, 3326.05 (Repealed)

Same as the Executive.

Same as the Executive.

Same as the Executive.

Fiscal effect: Same as the Executive.

Executive

As Reported By House Finance

Personal Income Tax

TAXCD53 Venture capital gains income tax deduction

R.C. 5747.01, 122.851, 5703.21

No provision.

Authorizes an income tax deduction, for taxable years beginning in and after 2026, for all or a portion of capital gains received by investors in certain Ohio-based "venture capital operating companies" (VCOCs) certified by the Director of Development.

No provision.

Requires that a VCOC, in order to qualify for certification, must manage, or have capital commitments of, at least \$50 million in active assets and must have residents of Ohio constitute at least two-thirds of its managing and general partners. Limits deductibility of gains to those that occur during the period for which the company is certified as an Ohio VCOC.

No provision.

Provides that the deduction equals 100% of the capital gain received by the taxpayer in the taxable year from a qualifying interest in an Ohio VCOC attributable to the company's investments in Ohio businesses and 50% of the capital gain received by the taxpayer from a qualifying interest in an Ohio VCOC attributable to the company's investments in all other businesses.

Fiscal effect: LBO staff is uncertain about the total amount of capital gains that will be generated by a VCOC after it is certified by the Development Services Agency. However, it is feasible to anticipate an income tax revenue loss of tens of millions per year beginning in FY 2027, albeit with substantial variability in revenue effects from year-to-year.

Commercial Activity Tax

Executive

As Reported By House Finance

TAXCD28 JCTC reporting of work-from home employees

R.C. 122.17

Allows any business that receives the Job Creation Tax Credit (JCTC) to include work-from-home employees in its annual reporting of employment and payroll, thus allowing those employees' payroll to count towards computing and verifying the credit, beginning with reports filed for 2020. (Current law only allows JCTC recipients whose applications were approved after September 29, 2017, to include work-from-home employees).

Fiscal effect: None. (Potentially prevents a loss of approved credits for taxpayers with JCTC agreements authorized prior to September 29, 2017, and whose employees may be required to work from home).

R.C. 122.17

Same as the Executive.

Fiscal effect: Same as the Executive.

TAXCD29 JCTC expansion - alternative eligibility

R.C. 122.17, 122.86, Section 701.20

Requires the Director of Development to adopt rules establishing alternative JCTC eligibility requirements for businesses that do not meet the minimum employment (ten new employees) or payroll thresholds prescribed by current rules but are otherwise eligible for the credit. Limits total credits awarded under the new eligibility criteria to \$25 million per fiscal biennium.

Reduces, from \$50 million to \$25 million, the biennial credit allotment for an existing income tax credit for investments in smaller businesses. (This credit is issued by the Director of Development).

No provision.

No provision.

Executive

As Reported By House Finance

Fiscal effect: The JCTC may be claimed against the commercial activity tax (CAT), the petroleum activity tax, the personal income tax, the financial institutions tax, the domestic and foreign insurance taxes, and the corporate franchise tax. The executive anticipates this provision would reduce CAT receipts to the GRF by \$10 million in FY 2023, the earliest expected revenue loss.

Property Taxes and Transfer Fees

TAXCD50 Property tax exemption for qualified energy projects

No provision.

R.C. 5727.75

Extends, by two years, the deadline by which the owner or lessee of a qualified renewable energy project may apply for a property tax exemption.

Executive

As Reported By House Finance

Fiscal effect: Potential revenue losses to school districts and other political subdivisions, though revenue losses to counties are permissive in certain cases, as explained below. The provision applies to prospective renewable energy (e.g., wind and solar) facilities that will newly obtain the property tax exemption for the two-year period, tax year (TY) 2024-TY 2025. Once a renewable energy project qualifies for this certification, it is exempt from taxation in all ensuing tax years. Since this exemption was originally enacted in 2010, the Ohio Development Services Agency has certified more than 60 renewable energy projects. The property tax exemption applies to real and tangible personal property used by the energy facility. If the nameplate capacity of a qualified energy project is 20 megawatts (MW) or greater, the local board of county commissioners must approve its tax-exempt status. In return for this approval, the owner or lessee of an energy project must make a payment in lieu of taxes (or "PILOT") ranging between \$6,000 and \$9,000 per each MW of nameplate capacity.