### As Introduced

# 132nd General Assembly

# Regular Session 2017-2018

H. B. No. 580

## **Representative Thompson**

Cosponsors: Representatives Henne, Becker, Romanchuk, Riedel, Koehler, Hood, Retherford

#### A BILL

То	enact sections 126.60, 126.61, 126.62, 126.63,	1
	and 126.64 of the Revised Code to establish	2
	procedures that executive agencies must follow	3
	when applying for grants, to require the	4
	Governor to approve any major grant application,	5
	and to permit the Governor to disapprove any	6
	minor grant application.	7

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

Section 1. That sections 126.60, 126.61, 126.62, 126.63,	8
and 126.64 of the Revised Code be enacted to read as follows:	9
Sec. 126.60. As used in sections 126.60 to 126.64 of the	10
Revised Code:	11
(A) "Executive agency" means the office of an elected	12
executive official, a department created under section 121.02 of	13
the Revised Code, or any other state agency, department, board,	14
or commission controlled or directed by an elected executive	15
official or otherwise subject to an elected executive official's	16
authority. "Executive agency" does not include any court or	17

judicial agency, the general assembly or any legislative agency,	18
the controlling board, or the nonprofit corporation formed under	19
section 187.01 of the Revised Code.	20
(B) "Grant" means any funds, goods, or services awarded to	21
an executive agency by any person or entity other than a state	22
or local government entity in this state for which repayment is	23
not required, including any funds, goods, or services of which	24
an executive agency is a subrecipient. "Grant" does not include	25
a donation, gift, bequest, or devise of funds, goods, or	26
services provided to an executive agency without any	27
accompanying terms or conditions with which the executive agency	28
or any other person or entity must comply.	29
(C) "Major grant" means a grant whose total value exceeds	30
one million dollars.	31
(D) "Minor grant" means a grant whose total value does not	32
exceed one million dollars.	33
Sec. 126.61. (A) Except as otherwise provided in division	34
(C) of this section, an executive agency that seeks to receive	35
or renew a major grant shall, not later than sixty days before	36
applying for the grant, submit a copy of the completed grant	37
application and a written assessment of the grant to the office	38
of budget and management, on a form prescribed by the director	39
of budget and management, and shall submit copies of the	40
application and the assessment to the governor. The assessment	41
shall include all of the following:	42
(1) The grant's purpose and effect, including the grant's	43
effect on, or relationship to, any current state or local	44
<pre>program or policy;</pre>	45
(2) All mandates or policy directives that must be met in	46

order to comply with the terms of the grant;	47
(3) A complete cost-benefit analysis of the grant,	48
including a projection of any direct or indirect costs to the	49
state or to local governments resulting from the receipt of the	50
grant during a period of at least ten years after the grant	51
<pre>expires;</pre>	52
(4) The grant's impact on state and local government	53
policy, including any resulting transfer of authority or control	54
from state or local government officials to any other person or	55
<pre>entity;</pre>	56
(5) Any changes to the laws of this state or to	57
administrative rules that would be necessary in order to comply	58
with the terms of the grant.	59
(B) Except as otherwise provided in division (C) of this	60
section, an executive agency that seeks to receive or renew a	61
minor grant shall, not later than seven days before applying for	62
the grant, submit copies of the completed grant application to	63
the office of budget and management and to the governor.	64
(C) (1) If the office of budget and management seeks to	65
receive or renew a major grant, then not later than sixty days_	66
before applying for the grant, the office shall submit the	67
assessment described in division (A) of this section to the	68
governor. If the office of budget and management seeks to	69
receive or renew a minor grant, then not later than seven days	70
before applying for the grant, the office shall submit a copy of	71
the completed grant application to the governor.	72
(2) If the office of the governor seeks to receive or	73
renew a grant, the office is not required to submit a copy of	74
the assessment or application to the governor under division (A)	75

or (B) of this section, as applicable.	76
Sec. 126.62. (A) Not later than thirty days after the	77
office of budget and management receives an assessment or	78
application submitted under division (A) or (B) of section	79
126.61 of the Revised Code or submits an assessment or	80
application to the governor under division (C)(1) of that	81
section, the office shall submit to the governor a written	82
report concerning the grant. The report shall assess whether the	83
executive agency has met the applicable requirements of section	84
126.61 of the Revised Code and whether the grant would impose	85
any new requirements or restrictions on private sector persons	86
or entities.	87
(B) Upon request by the office of budget and management,	88
an executive agency that submits an assessment or application	89
under section 126.61 of the Revised Code promptly shall provide	90
any information the office requires in order to complete its	91
report under this section.	92
(C) When the office of budget and management submits a	93
report to the governor under this section, the office shall	94
submit copies of the report, along with copies of the completed	95
grant application and any assessment submitted under section	96
126.61 of the Revised Code, to the speaker and minority leader	97
of the house of representatives and to the president and	98
minority leader of the senate.	99
Sec. 126.63. (A) No executive agency shall apply for,	100
accept, or renew a major grant without first complying with the	101
requirements of section 126.61 of the Revised Code and receiving	102
the governor's written approval.	103
(B) No executive agency shall apply for accept or repow	10/

a minor grant without first complying with the requirements of	105
section 126.61 of the Revised Code. The governor may prohibit,	
in writing, an executive agency from applying for, accepting, or	107
renewing a minor grant.	
(C) Before approving or prohibiting a grant application	109
under this section, the governor may permit the executive agency	110
to revise the application and resubmit it to the governor.	111
(D) Upon approving or prohibiting a grant application	112
under this section, the governor shall submit a copy of the	113
governor's written approval or prohibition to the office of	114
budget and management.	115
Sec. 126.64. (A) The office of budget and management shall	116
maintain a database of all grants received or renewed by	
executive agencies. For each such grant, the database shall	118
include all of the following:	119
(1) A copy of the completed grant application the	120
executive agency submitted under section 126.61 of the Revised	
Code and any revised application submitted to the governor under	122
section 126.63 of the Revised Code;	123
(2) In the case of a major grant, a copy of the assessment	124
submitted under section 126.61 of the Revised Code;	125
(3) A copy of the report concerning the grant prepared by	126
the office of budget and management under section 126.62 of the	127
Revised Code;	128
(4) In the case of a major grant, a copy of the governor's	129
written approval provided under section 126.63 of the Revised	
Code.	131
(B) The office of budget and management shall make the	132

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database available to the public on the office's official web site.	133 134
Section 2. The requirements of sections 126.60 to 126.64	135
of the Revised Code, as enacted by this act, first apply with	136
respect to a grant or grant renewal for which an executive	137
agency applies on or after the effective date of those sections.	138